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What Really Happened to Strauss-Kahn?

December 22, 2011

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Philippe Wojazer/Reuters

Dominique Strauss-Kahn and his wife, Anne Sinclair, in the courtyard of their Paris residence, September 2011

May 14, 2011, was a horrendous day for Dominique Strauss-Kahn, then head of the International Monetary Fund and leading contender to unseat Nicolas Sarkozy as president of France in the April 2012 elections. Waking up in the presidential suite of the Sofitel New York hotel that morning, he was supposed to be soon enroute to Paris and then to Berlin where he had a meeting the following day with German Chancellor Angela Merkel. He could not have known that by late afternoon he would, instead, be imprisoned in New York on a charge of sexual assault. He would then be indicted by a grand jury on seven counts of attempted rape, sexual assault, and unlawful imprisonment, placed under house arrest for over a month, and, two weeks before all the charges were dismissed by the prosecutor on August 23, 2011, sued for sexual abuse by the alleged victim.

He knew he had a serious problem with one of his BlackBerry cell phones—which he called his IMF BlackBerry. This was the phone he used to send and receive texts and e-mails—including for both personal and IMF business. According to several sources who are close to DSK, he had received a text message that morning from Paris from a woman friend temporarily working as a researcher at the Paris offices of the UMP, Sarkozy's center-right political party. She warned DSK, who was then pulling ahead of Sarkozy in the polls, that at least one private e-mail he had recently sent from his BlackBerry to his wife, Anne Sinclair, had been read at the UMP offices in Paris.¹ It is unclear how the UMP offices might have received this e-mail, but if it had come from his IMF BlackBerry, he had reason to suspect he might be under electronic surveillance in New York. He had already been warned by a friend in the French diplomatic corps that an effort would be made to embarrass him with a scandal. The warning that his BlackBerry might have been hacked was therefore all the more alarming.

At 10:07 AM he called his wife in Paris on his IMF BlackBerry, and in a conversation that lasted about six minutes told her he had a big problem. He asked her to contact a friend, Stéphane Fouks, who could come to his home on the Place des Vosges and who could arrange to have both his BlackBerry and iPad examined by an expert in such matters. He had no time to do anything about it that morning. He had scheduled an early lunch with his twenty-six-year-old daughter Camille, a graduate student at Columbia, who wanted to introduce him to her new boyfriend. After that, he had to get to JFK Airport in time to catch his 4:40 PM flight to Paris.

He had finished packing his suitcase just before noon, according to his own account, and then took a shower in the bathroom, which is connected to the bed in the suite by an interior corridor. According to the hotel's electronic key records, which were provided to DSK's lawyers, Nafissatou Diallo, a

maid, had entered the presidential suite (room 2806) between 12:06 and 12:07 PM (such records are only accurate to the nearest minute).² Ordinarily, cleaning personnel do not enter a room to clean when a guest is still in it. According to DSK's account, his bags were visible in the foyer when he emerged naked from the bathroom into the interior corridor. At this point, according to his account, he encountered the maid in the corridor by the bathroom. (The maid, for her part, says she encountered him coming out of the bedroom.) Phone records show that by 12:13 PM he was speaking to his daughter Camille on his BlackBerry. The call lasted for forty seconds.

What took place between DSK and the maid in those six to seven intervening minutes is a matter of dispute. DNA evidence found outside the bathroom door showed her saliva mixed with his semen. The New York prosecutor concluded that a "hurried sexual encounter" took place and DSK's lawyers have admitted as much, while claiming that what happened was consensual. The maid has brought a civil suit claiming he used force. It is not clear when she left the room since key card records do not show times of exit. What is known is that DSK called his daughter on his IMF BlackBerry at 12:13 to tell her he would be late.

After DSK completed his call, he dressed and put on his light black topcoat. He carried with him only one small overnight bag and a briefcase (which contained his iPad and several spare phones) and took the elevator to the lobby. At 12:28 PM the hotel security cameras show him departing. He had to go eight blocks to the McCormick & Schmick's restaurant on Sixth Avenue between 51st and 52nd Street. He was delayed by heavy traffic on Sixth Avenue. The restaurant camera shows that he arrived at 12:54.

Camille was with her new boyfriend. They had a quick meal, and at 2:15 PM, according to the restaurant's surveillance cameras, DSK got in another taxi to go to the airport. Almost immediately, he discovered that his IMF BlackBerry was missing. It was the phone he had arranged to have examined for bugs in Paris and it was the phone that contained the earlier text message warning him about the interception of his messages. At 2:16 PM he called Camille, who had also just left the restaurant, on his spare BlackBerry and had her go back to the restaurant to search for it. Camera footage at the restaurant shows her crawling under the table. At 2:28 PM she sent him a text message saying that she could not find it. So DSK continued on to the airport.

Back at the Sofitel, meanwhile, Nafissatou Diallo, the maid he had encountered in the presidential suite, had told hotel security that she had been sexually assaulted by a client in that suite. A thirty-two-year-old immigrant from Guinea, she had been working at the Sofitel for three years. At 2:30 PM she was shown a photograph of DSK by the hotel's security people. According to the official bill of particulars—the statement of the basic facts of the case filed by the prosecutors—the police had apparently not yet fully taken over the case, even though the encounter between DSK and Diallo had occurred over two hours earlier.



Mike King

A schematic drawing of the twenty-eighth floor of the Sofitel New York, with the presidential suite, room 2806, that was occupied by Dominique Strauss-Kahn on May 13 and 14. The nearby room 2820 was entered at least three times on May 14 by the Sofitel maid Nafissatou Diallo.

Part of the delay in bringing in the police may have been the result of Diallo's not immediately voicing her complaint. After she had left DSK in the presidential suite around 12:13 PM—the time of his call to Camille—she remained on the VIP floor. The hotel's electronic key records indicate that at 12:26 PM she entered 2820, another VIP suite on the same floor that she had already entered several times earlier that morning. Then, one to two minutes later, she went back to the now empty presidential suite. A few minutes after that, she encountered another housekeeper, her supervisor, in the corridor. In the course of their conversation, Diallo asked the supervisor what would happen if a hotel guest took advantage of a hotel employee. Initially, Diallo told her that this was only a hypothetical question; but then, when pressed further, she said that she had been assaulted by the guest in the presidential suite. The supervisor then brought her to the head of housekeeping, Renata Markozani, who reentered the presidential suite with Diallo at 12:42, according to the key records, and notified the hotel's security and management personnel. At 12:52 PM, Diallo is seen arriving at the hotel's

security office on the ground floor, located near the 45th Street entrance. She is wearing a beige uniform, and is accompanied by Renata Markozani, whom she towers over. (She is five feet ten inches tall.)

Shortly thereafter the hotel's own security team was augmented by John Sheehan, a security expert who is identified on LinkedIn as "director of safety and security" at Accor, a part of the French-based Accor Group, which owns the Sofitel. Sheehan, who was at home in Washingtonville, New York, that morning, received a call from the Sofitel at 1:03 PM. He then rushed to the hotel. While en route, according to his cell phone records, he called a number with a 646 prefix in the United States. But from these records neither the name nor the location of the person he called can be determined. When I called the number a man with a heavy French accent answered and asked whom I wanted to speak with at Accor.³

The man I asked to talk to—and to whom I was not put through—was René-Georges Querry, Sheehan's ultimate superior at Accor and a well-connected former chief of the French anti-gang brigades, who was now head of security for the Accor Group. Before joining Accor Group in 2003, he had worked closely in the police with Ange Mancini, who is now coordinator for intelligence for President Sarkozy. Querry, at the time that Sheehan was making his call to the 646 number, was arriving at a soccer match in Paris where he would be seated in the box of President Sarkozy. Querry denies receiving any information about the unfolding drama at the Sofitel until after DSK was taken into custody about four hours later.

Another person at the Accor Group whom Sheehan might have alerted was Xavier Graff, the duty officer at the Accor Group in Paris. Graff was responsible that weekend for handling emergencies at Accor Group hotels, including the Sofitel in New York. His name only emerged five weeks later when he sent a bizarre e-mail to his friend Colonel Thierry Bourret, the head of an environment and public health agency, claiming credit for "bringing down" DSK. After the e-mail was leaked to *Le Figaro*, Graff described it as a joke (it resulted, however, in his suspension as director of emergencies by the Accor Group). Even jokes can have a basis. In this case the joke was made by the person who was directly responsible for passing on information to his superiors, including the head of security at Accor, René-Georges Querry—information that, if acted on by informing the American authorities, could have helped destroy DSK's career. But like Querry, Graff denied receiving any calls or messages from New York until later that evening, telling a French newspaper that the failure to inform him was an "incredible miss" (*"loupé"*).

By the time Sheehan was called by the hotel at 1:03 PM, Diallo was seated on a bench in the hotel's ground floor service area, just off the service entrance on 45th Street. Behind her was a "Dutch door," with the upper half opened, that led to the hotel's security office. Surveillance camera footage shows her entering the area with a tall unidentified man at 12:52 PM. She remains there until 2:05 PM. At 12:56, she is joined there by Brian Yearwood, the large, heavy-set man who is the hotel's chief engineer. Yearwood had just come down from the presidential suite on the twenty-eighth floor, which he had entered at 12:51, according to the key records. Yearwood remained close to Diallo as she spoke to Adrian Branch, the security chief for the hotel, who remained behind the half-shut door of the security office. She can be seen gesturing with her hands for about four minutes, pointing to different parts of her body over and over again, suggesting she was telling and retelling her story.

At 1:28, Sheehan, still on the way to the hotel, sent a text message to Yearwood. And then another text message to an unidentified recipient at 1:30. At 1:31—one hour after Diallo had first told a supervisor that she had been assaulted by the client in the presidential suite—Adrian Branch placed a 911 call to the police. Less than two minutes later, the footage from the two surveillance cameras shows Yearwood and an unidentified man walking from the security office to an adjacent area. This is the same unidentified man who had accompanied Diallo to the security office at 12:52 PM. There, the two men high-five each other, clap their hands, and do what looks like an extraordinary dance of celebration that lasts for three minutes. They are then shown standing by the service door leading to 45th Street—apparently waiting for the police to arrive—where they are joined at 2:04 PM by Florian Schutz, the hotel manager.

Mike King

A schematic drawing of the first floor of the Sofitel New York, based on plans registered with the New York City Department of Buildings

A minute later, at 2:05 PM, the footage shows two uniformed police officers arriving and then accompanying Diallo to an adjoining office. It is unclear if the police officially took over the case at this time or later. There is so far no explanation for why the security staff had delayed the call to the NYPD that would lead a scandal involving the possible future president of France. What is clear is that they did so just three minutes after receiving a message from Sheehan. Nor is it clear why the two men were celebrating.

The police arrived, according to the hotel's security camera footage, at 2:05 PM. They then can be seen escorting Diallo to a room across from the security office. There is an unexplained discrepancy here concerning the information in the bill of particulars, which says that at approximately 2:30 PM, "a photograph of the defendant was shown to the witness [i.e., Diallo] by hotel security without police involvement." If so, even after leaving the bench (and video surveillance) and going to a room with the police, she remained in the custody of Sofitel security. I asked both Deputy Commissioner Paul Browne and Deputy Inspector Kim Royster why, according to the bill of particulars, the police were not officially involved at this point, but they declined to comment.

More than an hour later, at 3:28 PM, the police took her to St. Luke's Hospital, where she was medically examined and they then formally interviewed her. She described to them a brutal and sustained sexual attack in which DSK locked the suite door, dragged her into the bedroom, and then dragged her down the inner corridor to a spot close to the bathroom door—a distance of about forty feet—and, after attempting to assault her both anally and vaginally, forced her twice to perform fellatio. After that, she fled the suite. As has been seen, according to the electronic key information, and to the record of DSK's call to his daughter showing him speaking to her at 12:13, we can reasonably conclude that any such actions could have taken place only within a period of six or seven minutes, between 12:06–07 and 12:13, when he called his daughter.

At 3:01 PM, as DSK was approaching the airport, he was still attempting to find his missing phone. He attempted to call it from his spare but received no answer. What he did not know was that at 12:51, according to the records of the BlackBerry company, it had been somehow disabled. At 3:29 PM, evidently unaware of what was happening at the Sofitel, he called the hotel from the taxi, saying, according to the police transcript, "I am Dominique Strauss-Kahn, I was a guest. I left my phone behind." He then said he was in room "2806." He was asked to give a phone number, so that he could be called back, after 2806 was searched for his phone.

When he was called back thirteen minutes later, he spoke to a hotel employee who was in the presence of police detective John Mongiello. The hotel employee falsely told him that his phone had been found and asked where it could be delivered. DSK told him that he was at JFK Airport and that "I have a problem because my flight leaves at 4:26 PM." He was reassured that someone could bring it to the airport in time. "OK, I am at the Air France Terminal, Gate 4, Flight 23," DSK responded. So the police rushed to the airport. At 4:45 PM, police called DSK off the plane and took him into custody.

DSK was then jailed and indicted by a grand jury on seven counts, including attempted rape, sexual abuse, and unlawful imprisonment. The court eventually dropped all the charges against him because the prosecutors found that the complainant, Diallo, had proven to be an untruthful witness. They wrote in the motion for dismissal that "the nature and number of the complainant's falsehoods leave us unable to credit her version of events beyond a reasonable doubt." They said that she "has given irreconcilable accounts of what happened," and had lied not only to the prosecutors but under oath to the grand jury about her whereabouts after the encounter. She stated that she had hid in the hall after leaving the presidential suite, and entered no other room on the twenty-eighth floor until she told another maid about the attack (which was approximately fifteen minutes later).



Bryan Smith/ZUMA Press/Corbis

The Sofitel hotel, West 44th Street, New York, May 2011

When asked why she had not used her pass key to go into another room, she said they all had "Do Not Disturb" signs on the door. After her grand jury testimony, prosecutors discovered that this was false when the hotel belatedly provided them with the electronic key records showing that Diallo had entered room 2820 at 12:26 PM, after her encounter with DSK. The same record also showed that she had also entered room 2820 prior to her encounter with DSK at a time when the occupant had not checked out and may have been in the room. Why she concealed visiting 2820 was "inexplicable" to the prosecutors, who noted in their motion for dismissal that if she had mentioned her visits to 2820, it would have been declared part of the crime scene and searched by the police. But she did not do so.

Nor were DSK's lawyers able to find an explanation. When they attempted to learn the identity of the occupant of 2820, Sofitel refused to release it on grounds of privacy. Given Diallo's conflicting accounts, all that we really know about what happened in the nearby room 2820 is that Diallo went there both before and after her encounter with DSK and then omitted the latter visit from her sworn testimony to the grand jury. We still do not know if there was anyone in 2820 when she entered it again following the encounter with DSK or if, prior to the police arriving, anyone influenced her to omit mention of room 2820.

The Sofitel electronic key record, which the hotel did not turn over to the prosecutors until the next week, contained another unexplained anomaly. Two individuals, not one, entered DSK's suite between 12:05 and 12:06 PM while he was showering. Each used a different key card entry. The key card used at 12:06 belonged to Diallo; the key card used at 12:05 belonged to Syed Haque, a room service employee who, according to his account, came to pick up the breakfast dishes. If he did so, he would have turned left and gone to the dining room. But Haque has refused to be interviewed by DSK's lawyers, so his precise movements have not been made public. Since the key cards do not register the time of exit, it cannot be determined from them if both parties were in the room at the same time or, for that matter, at the time of Diallo's encounter with DSK.

DSK's BlackBerry, with its messages, is still missing. Investigations by both the police and private investigators retained by DSK's lawyers failed to find it. While DSK believed he had left it in the Sofitel, the records obtained from BlackBerry show that the missing phone's GPS circuitry was disabled at 12:51. This stopped the phone from sending out signals identifying its location. Apart from the possibility of an accident, for a phone to be disabled in this way, according to a forensic expert, required technical knowledge about how the BlackBerry worked.

From electronic information that became available to investigators in November 2011, it appears the phone never left the Sofitel. If it was innocently lost, whoever found it never used it, raising the question of by whom and why it was disabled at 12:51. In any case, its absence made it impossible for DSK to check—as he had planned to do—to see if it had been compromised. Nor was it possible to verify from the phone itself the report he received on May 14 that his messages were being intercepted. So we cannot confirm the warning to DSK that he was under surveillance on that disastrous day.

One vexing mystery concerns the one-hour time gap in reporting the alleged attack on Diallo. After she said that she had been the victim of a brutal and sustained sexual assault, it is hard to understand how the security staff would have ruled out that she might require immediate medical attention. But as has been seen, until 1:31, several minutes after receiving a message from Sheehan, the security staff did not make the 911 call. She did not arrive at St. Luke's Hospital until 3:57 PM, nearly four hours after the alleged attack. We do not know what decisions were made during that one-hour interval or how they influenced what was to later unfold with such dramatic impact.

By the time the 911 call was finally made, the hotel's management was presumably aware of the political explosion and scandal DSK's arrest would cause. DSK could no longer be a challenger to Sarkozy. Such considerations, and the opportunities they presented, may have had no part whatever in the hotel's handling of the situation, but without knowing the content of any messages between the hotel managers in New York and the security staffs in New York or Paris, among others, we cannot be sure. Meanwhile, several mysteries remain. Was there anyone in room 2820 besides Diallo during and after the encounter with DSK? If so, who were they and what were they doing there; and why, in

any case, did Diallo deny that she'd gone to the room? Because she denied it, the police, according to the prosecutor's recommendation for dismissal, did not search 2820 or declare it a crime scene. And where, if it still exists, is the BlackBerry that DSK lost and feared was hacked?

All we know for sure is that someone, or possibly an accident, abruptly disabled it from signaling its location at 12:51 PM. DSK himself has not explained why he was so concerned about the possible interception of his messages on this BlackBerry and its disappearance. According to stories in *Libération* and other French journals on November 11, 2011, DSK sent text messages on a borrowed cell phone to at least one person named in the still-unfolding affair involving the Carlton Hotel in Lille, a scandal in which corporations allegedly provided high-class escort women to government officials. (DSK denies that he was connected to the prostitution ring.) If DSK sent these messages, may he also have received embarrassing messages back on his own BlackBerry that could have been damaging to his reputation and political ambitions? Or his concern could also have proceeded from other matters, such as the sensitive negotiations he was conducting for the IMF to stave off the euro crises. Whatever happened to his phone, and the content on it, his political prospects were effectively ended by the events of that day.

1. 1

These statements, along with others in this article, were confirmed by sources who prefer to remain anonymous but are known to the author, who has shared his information with the editors. ↵

2. 2

For this article, along with court and other legal documents, I had access to Sofitel electronic key swipe records, time-stamped security camera videotapes, and records for a cell phone used on the day of May 14 by John Sheehan, a security employee of Accor, the company that owns the Sofitel hotel. ↵

3. 3

I had access to the record of only one cell phone used by the Accor Group's security man, John Sheehan. Neither Sheehan nor the hotel's security director, Adrien Brand, returned my calls. Through an assistant Brian Yearwood, the hotel's chief engineer, said he had no comment. ↵

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