

LEONTIRE & ASSOCIATES, P.C.
ATTORNEYS AT LAW
32 WILLIAM STREET
NEW BEDFORD, MA 02740

GEORGE J. LEONTIRE
george@leontirelaw.com

TEL: 508-993-0333
FAX: 508-207-9747

April 27, 2017

Worcester County District Attorney's Office
c/o Assistant District Attorney Jeffrey Travers
225 Main Street # G301
Worcester, MA 01608

Mary P. Murray, Supervising Counsel
Department of Corrections
Massachusetts Treatment Center
30 Administration Road
Bridgewater, MA 02324

RE: Disclosure and Matters of Confidentiality

Dear Attorneys Travers and Murray:

The undersigned write on behalf of the Estate of Aaron Hernandez, and Shayanna J. Jenkins Hernandez and Avielle Hernandez, individually and collectively for purposes of this letter "the family."

On April 19, 2017, Mr. Hernandez was discovered deceased in his cell at the Souza-Baranowski Correctional Center in Shirley, Massachusetts. Your offices conducted an investigation in conjunction with various state agencies into the death of Mr. Hernandez and have characterized his death as a suicide.

Pursuant to your investigation, you obtained various personal effects and writings from Mr. Hernandez's cell including writings made by Mr. Hernandez. It is our understanding that the state police, correctional officials and the medical examiner all have had access to the same personal effects and writings you obtained.

We are cognizant that the examination of certain of these personal effects and writings were relevant to your investigation into the circumstances of Mr. Hernandez's death. Notwithstanding the relevancy of any such personal effects and writings to your investigation, the family has an absolute right to privacy in all personal property and writings during and after the investigation.

Unfortunately, snippets of the contents of these notes and the findings of the investigation have been leaked to the press. Attached is a small sample of information in the public domain attributed to officials associated with your agencies. Although most of the leaked information is false, the media credits such information because the leaks come

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from individuals with positions in government and law enforcement who are under your control.

Individuals within the government who are leaking such information are in violation of the policies and procedures of their respective agencies and should be immediately terminated. In addition, such individuals and agencies under your custody and control are violating the law, including, but not limited to:

1) General Laws chapter 214 section 1b:

"A person shall have a right against unreasonable, substantial or serious interference with his privacy. The superior court shall have jurisdiction in equity to enforce such right and in connection therewith to award damages."

2) MASS G.L. c. 268 Section 6A: False written reports by public officers or employees:

"Whoever, being an officer or employee of the commonwealth or of any political subdivision thereof or of any authority created by the general court, in the course of his official duties executes, files or publishes any false written report, minutes or statement, knowing the same to be false in a material matter, **shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or by both such fine and imprisonment** (emphases added).

(c) The record, document, or other object need not be admissible in evidence or free of a claim of privilege.

(d) A prosecution under this section may be brought in the county where the official proceeding was or would have been convened or where the alleged conduct constituting an offense occurred."

3) MASS G.L. c. 268A: CONDUCT OF PUBLIC OFFICIALS AND EMPLOYEES: Section 23: Supplemental provisions; standards of conduct:

"Section 23. (a) In addition to the other provisions of this chapter, and in supplement thereto, standards of conduct, as hereinafter set forth, are hereby established for all state, county, and municipal employees.

[...]

(2) improperly disclose materials or data within the exemptions to the definition of public records as defined by section seven of chapter four, and were acquired by him in the course of his official duties nor use such information to further his personal interest.

[...]

(e) Where a current employee is found to have violated the provisions of this section, appropriate administrative action as is warranted may also be taken by the appropriate

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constitutional officer, by the head of a state, county or municipal agency. Nothing in this section shall preclude any such constitutional officer or head of such agency from establishing and enforcing additional standards of conduct. “

4) General Laws chapter 258b section 3 grants victims the right to request confidentiality in the criminal justice system:

“To provide victims a meaningful role in the criminal justice system, victims and witnesses of crime, or in the event the victim is deceased, the family members of the victim, shall be afforded the following basic and fundamental rights, to the greatest extent possible [....]

(h) for victims and witnesses, to be informed of the right to request confidentiality in the criminal justice system. Upon the court’s approval of such request, no law enforcement agency, prosecutor, defense counsel, or parole, probation or corrections official may disclose or state in open court, except among themselves, ... The court may enter such other orders or conditions to maintain limited disclosure of the information as it deems appropriate to protect the privacy and safety of victims, victims’ family members and witnesses [...]

Notwithstanding our repeated requests for your agencies to cease and desist, the dissemination of Mr. Hernandez’s personal information and writings continues to cause the family severe emotional distress during an already difficult period.

We ask your respective agencies, agents, and employees to cease providing Mr. Hernandez’s confidential information to the press and from leaking erroneous and harmful information. To the extent that you continue sharing such information with members of the press, we will pursue any and all remedies to protect our clients from further harm.

We are available at any time to meet with you to discuss the information you intend to publically disclose in an effort to accommodate your responsibilities while also considering with our clients’ legal right to privacy.

Finally, we are aware that you have in your possessions writings by Mr. Hernandez addressed to his attorneys dated prior to the date of his death. The estate has not waived its privilege with respect to such communications. See Matter of John Doe Grand Jury Investigation, 408 Mass 480, 482-83 (1990) (stating that the attorney-client privilege survives the death of a client). To remedy your violation of the attorney-client privilege, we hereby demand that the originals of such communications be provided to the defense team, and any and all copies of such writings within your custody or control be accounted for and destroyed.

Please notify this office in writing that you have complied with our requests. The family appreciates your immediate attention to these matters.

LEONTIRE & ASSOCIATES, P.C.

Very truly yours,



George J. Leontire, Esq.
BBO No. 294270
Leontire & Associates, P.C.
32 William Street
New Bedford, MA 02740
(508)-993-0333



Ronald S. Sullivan, Jr., Esq.
DC Bar #45158
32 Mill Street
Cambridge, MA 02138
(617) 496-4777



Jose Baez, Esq.
The Baez Law Firm
FL Bar #0013232
40 SW 13th Street, Suite 505
Miami, FL 33130
(305) 999-5100



Linda Kenney Baden, Esq.
NY Bar #389330
Law Office of Linda Kenney Baden
15 West 53rd Street, Suite 18
New York, NY 10019
(732) 219-7770

Media Outlet	Author	Date of Publication	Article Title	Attribution	Content	Link to article
Newsweek	MICHELE MCPHEE	4/21/17	AARON HERNANDEZ'S SEX LIFE PROBED AS MURDER MOTIVE, POLICE SOURCE SAYS	Law enforcement officials	Allegation from police of aaron's alleged long-time male lover to whom aaron moved a large amount of money before he was arrested for Lloyd killing. Also that he had red ink on hands and feet to imitate the stigma.	http://www.newsweek.com/aaron-hernandez-sex-life-probed-as-murder-motive-police-source-says-617174
Rolling Stone	Ron Borges	4/21/17	Aaron Hernandez: His Final Days I-Team: Hernandez Had Bible Verse On Forehead, May Have Smoked Synthetic Marijuana Before Death	Law enforcement officials	Bristol County sheriff Thomas Hodgson didn't know why aaron soaped the floor	http://www.rollingstone.com/aaron-hernandez-20170421/aaron-hernandez-had-bible-verse-on-forehead
CBS Boston	Not listed	4/19/17	EXCLUSIVE: Aaron Hernandez left behind a handwritten suicide note for his gay jailhouse LOVER - who is now on suicide watch - and two more for his fiancée and four-year-old daughter	Law enforcement officials	Law enforcement says they're looking into whether Aaron smoked K2 before his death	http://www.cbslocal.com/2017/04/19/aaron-hernandez-suicide-note-lover/
Daily Mail	Martin Gossard & Louise Bardsley	4/21/17	I-Team: Hernandez Gave Away Belongings, \$50,000 Watch Before Suicide	Law enforcement officials	Sources close to the investigation say Aaron left third suicide note to gay jailhouse lover	http://www.dailymail.co.uk/news/article-4433517/Hernandez-gave-away-belongings-lover.html
CBS Boston	Not listed	4/21/17	Hernandez's fiancée may sue prison for failing to prevent suicide	Law enforcement officials	Investigators now believe - according to law enforcement sources - that the former tight end for the New England Patriots gave away his prison allowed radio, TV, MP4 player and headphones before committing suicide	http://www.cbslocal.com/2017/04/21/aaron-hernandez-fiancee-sue-prison/
Boston Globe	Travis Andersen, Evan Allen and John R. Element	4/21/17	Three handwritten notes found next to Bible in Hernandez cell	Law enforcement officials	"Hernandez... addressed two of the letters found in his cell to his 4-year-old daughter and to his fiancée, according to two law enforcement officials briefed on the investigation."	http://www.bostonglobe.com/2017/04/21/local-news/aaron-hernandez-three-handwritten-letters-found-in-prison-cell/2017-04-21/
Boston Globe	Michelle Ramirez, John S. Elmendorf and Andy Rosen	4/20/17	Aaron Hernandez found dead near 3 District Attorney: Death of Aaron Hernandez officially ruled a suicide, 3 notes found in his cell	Law enforcement officials	"A familiar biblical citation - John 3:16 - was scrawled on his forehead, a law enforcement officer said."	http://www.bostonglobe.com/2017/04/20/local-news/aaron-hernandez-found-dead-near-3-district-attorney-death-officially-ruled-suicide/2017-04-20/
CNN	Leonore Crook, Jill And Eric Levenson	4/20/17	Aaron Hernandez found dead near 3 District Attorney: Death of Aaron Hernandez officially ruled a suicide, 3 notes found in his cell	Law enforcement officials	Hernandez was found dead with the words "John 3:16" written on his forehead, according to a law enforcement source directly involved in the investigation into the former NFL star's death	http://www.cnn.com/2017/04/20/entertainment/aaron-hernandez-death/index.html
Fox61	Jim McInerney, Alito, Katie Gardner	4/20/17	Aaron Hernandez found dead near 3 District Attorney: Death of Aaron Hernandez officially ruled a suicide, 3 notes found in his cell	Law enforcement officials	Law enforcement sources told WBZ that investigators are looking into the possibility that Aaron smoked K2 Tuesday night.	http://www.fox61.com/2017/04/20/investigations-taking-aaron-hernandez-death/
Boston Herald	Chris Villani, Owen Boss	4/20/17	Aaron Hernandez left notes to daughter, fiancée before suicide	"a source"	"That Bible was open to John 3:16 - a passage about 'eternal life' - and Hernandez wrote John 3:16 in ink on his forehead, the Herald was told by a source."	http://www.bostonherald.com/news/local_coverage/herald_bulldog/2017/04/aaron_hernandez_left_notes_to_daughter_before_suicide
NY Daily News	Christopher Brennan & Larry McShane	4/21/17	Details surface on Aaron Hernandez's secret bisexual life as court allows evidence preservation in his suicide	Corrections Officer	Aaron was found dead around 3 a.m. and one of the correction officers admitted that he skipped the 2 a.m. cell check that night.	http://www.nydailynews.com/news/local-news/aaron-hernandez-found-dead-around-3-am-cell-check-skipped-article-1.3087455
KION 546 News Channel	Lawrence Crook III and Eric Levenson	4/21/17	Aaron Hernandez found dead near 3 handwritten notes	Law enforcement officials	Law enforcement personnel told CNN's Deborah Feyerick that inmates often use this verse ->same article as the one on the CNN website above	http://www.kion546.com/news/aaron-hernandez-found-dead-near-3-handwritten-notes
CBS Boston / Twitter	Meagan Kolkmann	4/20/17	"sources"	"sources"	"WBZ BREAKING: WBZ learn sources say the notes found in Hernandez's cell were written to his mom, fiancée and 4-year-old daughter @cbsboston"	https://twitter.com/MeaganKolkmann/status/855178979996782592
CBS Boston / Twitter	Cheryl Fiandaca	4/21/17	"sources"	"sources"	"Sources #AaronHernandez close friend still on 24 hr eyeball suicide watch. He was 1 of the last to see Hernandez alive. #WBZ"	https://twitter.com/CherylFiandaca/status/85528446897815552
CBS Boston / Twitter	Cheryl Fiandaca	4/21/17	"sources"	"sources"	"Sources #AaronHernandez's close friend & fellow inmate is a 22 yr old man from #Worcester serving a sentence for armed robbery #WBZ"	https://twitter.com/CherylFiandaca/status/85528446897815552
The Hollywood Gossip	Hilton Hater	4/22/17	Aaron Hernandez Wrote Suicide Note to Gay Lover: Report	Law enforcement officials	Now, however, interviews with multiple law enforcement officials closely tied to the case say Lloyd had information the football star did not want out: that Hernandez was bisexual	http://www.thehollywoodgossip.com/2017/04/aaron-hernandez-wrote-suicide-note-to-gay-lover-report/

Radar Online	Gina Bacchicocchi	Aaron Hernandez's Gay Secret: Late Star Left Suicide Note For Prison Boyfriend 4/21/17	Law enforcement officials	The victim in Hernandez' 2013 killing — Odin Lloyd — knew his friend was bisexual, multiple law enforcement officials told Newsweek. Police sources are now confirming that Hernandez's closeted sexuality is being investigated as a possible motive in the murder of his friend Odin Lloyd.	http://www.theroot.com/nmcc-daily-mail-report-claims-aaron-hernandez-had-a-c-1794545132 https://twitter.com/callemclaughlin/status/854792089917427713 ; http://patriotswire.usatoday.com/2017/04/19/report-aaron-hernandez-had-john-316-written-on-forehead-may-have-smoked-k2-before-death/ https://twitter.com/callemclaughlin/status/854802186148163586 ; http://patriotswire.usatoday.com/2017/04/19/report-aaron-hernandez-had-john-316-written-on-forehead-may-have-smoked-k2-before-death/
The Root	Monique Judge	Aaron Hernandez's Closeted Sexuality May Have Been a Motive in Murder Case: Police Sources 4/21/17	Law enforcement officials	#BREAKING: Sources tell @fox25news there was blood on the walls in #AaronHernandez cell. #fox25	https://twitter.com/callemclaughlin/status/854791796166904321
Twitter/Patriots Wire	Caitlin McLaughlin	4/19/17	"sources"	#BREAKING: Sources clarify John 3:16 was written on #AaronHernandez forehead with "blood red marker." #fox25 @fox25news	https://twitter.com/callemclaughlin/status/854802186148163586 ; http://patriotswire.usatoday.com/2017/04/19/report-aaron-hernandez-had-john-316-written-on-forehead-may-have-smoked-k2-before-death/
Twitter/Patriots Wire	Caitlin McLaughlin	4/19/17	"sources"	#BREAKING: Sources tell @fox25news #AaronHernandez cut his finger & wrote on his forehead John 3:16. Bible was open to that verse #fox25	https://twitter.com/callemclaughlin/status/854791796166904321
Misse Harris.com	Misse Harris	4/19/17	"sources"	Includes investigation picture of ligature allege	https://twitter.com/callemclaughlin/status/854791796166904321