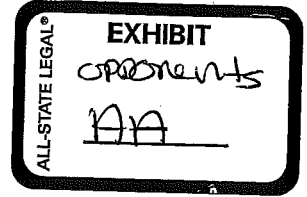


Exhibits

AA - 55

Brett Rivkind

From: Brett Rivkind
Sent: Monday, August 07, 2006 3:16 PM
To: 'walkyork@bellsouth.net'



Categories: E-Mails
Caseld: 1536
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C9E35000000043750000B71E1668A6689D479F95857AD5BC9E350000001D159F0000

Now that you have signed agreement, are you going to provide me with a copy ✓
or not? Also still waiting for response to our request for all the tips and
other information relating to the death of George Smith. Seems that one
who holds a fiduciary duty would have provided this information by now!

Jun 29 2006 7:47PM

WALKER & ONEILL

305995 0

P. 1



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FROM: James Walker, Esq.

RE: Press Statement of Jennifer Hagel-Smith

See attached.

james walker

To: newsdesk@uenewswire.com
Subject: PRESS STATEMENT OF JENNIFER HAGEL SMITH

PRESS STATEMENT OF JENNIFER HAGEL SMITH

Proposed Settlement Reached Regarding the Disappearance of George Allen Smith IV on Royal Caribbean Cruises' Brilliance of the Seas

Jennifer Hagel Smith is pleased to announce that she has reached a comprehensive settlement with Royal Caribbean Cruises, Ltd. following the disappearance of her husband, George Allen Smith IV, on a Royal Caribbean cruise ship in July 2005.

Royal Caribbean has agreed to provide Jennifer with additional access to substantial information and documents in order to assist her in obtaining answers regarding George Smith's disappearance last summer. She will be permitted to review all relevant vessel logs, security reports, door activity ("lock-link") reports, photographs, security tapes, correspondence to and from the FBI and other law enforcement authorities, as well as all statements of passengers and crew members obtained by the cruise line. This information will be provided upon completion of the settlement. A similar offer is readily available to the Smith family.

~~Royal Caribbean will pay a financial settlement.~~ The proposed settlement will be presented to the Court of Probate, District of Greenwich, in the State of Connecticut for the Court's consideration and approval.

Jennifer is creating a charitable foundation which will be in the name of her husband, and which will be dedicated to George Smith's memory. Royal Caribbean has also agreed to make a contribution to this charitable organization in memory of George Smith. Jennifer is thankful to be able to create something positive out of something so tragic, and she is proud that George's legacy can be one that continues to help others.

Jennifer continues to offer a reward of \$100,000 for information regarding the circumstances surrounding her husband's death. She will continue to work with Dr. Henry Lee and the Federal Bureau of Investigations ("FBI"), who remain actively involved in investigating George Smith's disappearance.

Jennifer greatly appreciates the tips from concerned citizens and the kind words of support and encouragement which she has received during this difficult time period. Anyone with relevant information regarding this matter is encouraged to contact the FBI's office in Bridgeport, Connecticut at (203) 777-6311.

"This has been the most difficult and challenging year of my life," said Jennifer. "I will always

6/29/2006

Jun 29 2006 7:47PM

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Page 2 of 2

love George and cherish our time together. I feel blessed to have such a strong network of loyal family, friends and supporters who have provided me with such tremendous strength and encouragement. They have walked and sometimes carried me through this heartbreaking time. I am forever grateful."

"My discussions with Royal Caribbean have been very open, as well as extremely productive and informative. This journey has always been a matter of principle for me, and I know that George would be proud of what has been accomplished thus far, in good faith, as we continue to seek answers. I appreciate Royal Caribbean's cooperation, sincerity and efforts moving forward, which I believe will play a major role in helping all of us find closure. The memory of George will always live on in my heart, that of our families and everyone who knew him."

6/29/2006

EWAL CC

On July 5, 2005, my husband, George A. Smith IV, tragically went overboard during our honeymoon cruise aboard the Royal Caribbean ship, Brilliance of the Seas. After being together since June 8, 2002, George and I were ecstatic to get married and embark on a romantic 12-day Mediterranean cruise that we had excitedly planned together. We were halfway through our honeymoon cruise that was nearly as joyous and memorable as our wedding day...until the unthinkable happened.

A night that began with a romantic dinner for two ended with the tragic death of my husband. **George had "accidentally" fallen overboard, according to cruise officials and the ship's captain. Not realizing anything was amiss until receiving this horrifying news from cruise employees who had found blood beneath our balcony,** I began going in and out of shock. The nightmare for all of us had just begun.

Though we assume that we have all of the rights of U.S. citizens aboard these mainly American cruises, the captain insisted I leave the ship in order to undergo a day of interrogation by Turkish officials. **The captain lied about where I was going and with whom, but more importantly he appeared satisfied to get me off the ship, expedite the investigation, and keep his schedule. The captain did not seem very concerned about my husband, and to this day has repeatedly lied about how this tragic news was relayed to us, the way he conducted himself the day George disappeared, and how he prematurely labeled this "an accident" and influenced the way in which George's death was investigated from the start.**

We wish that the ship could have remained in Turkey so that other important witnesses and people of interest could have been interviewed and/or interrogated as well. Crucial statements from neighboring cabins were not taken, along with statements from all of the passengers last seen with George, as well as crew members. It seems that an abundance of evidence and many important clues sailed away that evening with the cruise ship as opposed to being uncovered by the FBI who did not board the ship until two days later. George and I left together Newlyweds, in love and so excited about our trip. Now, I was flying home alone, a distraught and confused widow, and all of our lives would never be the same again.

Months and months pass by, and we still have no answers. Our future together along with all of our hopes and dreams had been shattered, and we all simply deserve to know the truth behind what happened to George. One by one, as each family member and friend learned of this tragic news, their hearts were breaking for George, for the life we would no longer share, for the children he would never have, and for our families and friends devastated by his untimely death.

My family and I miss George desperately, and are dedicated to unfolding the mystery surrounding his death. We seek answers that can only be found with vital information held by the cruise line. We continue to pray for Royal Caribbean to have the courage and heart to give us, his distraught family and friends, the information and answers we need in order to find peace and justice for George.

George's caring and compassionate nature, his witty sense of humor and zest for life made him someone my family and friends loved to be around. To George, his friends from both home and college meant the world to him, and he considered them all to be his family. From the very beginning, we both knew we had found a great love in each other, and George quickly became a part of my very large and loving family. My parents considered George to be like another son to them, and my siblings considered George to be their new brother long before we were ever married. We have all suffered an immeasurable loss, and with each day that goes by without answers, the hole in our hearts grows exponentially bigger. We love you and miss you, George. We also pray for the entire Smith family as they are now my family too. We know that George's death has also created a huge hole in your lives too. I will love George forever.

I continue to offer a \$100,000 REWARD for new information directly leading to the arrest or conviction of the person or persons responsible for my husband George's death. Someone knows the truth about my husband's death. Will you help?

INTERNATIONAL MARITIME SECURITY

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY,
EMERGING THREATS, AND INTERNATIONAL
RELATIONS

AND THE

SUBCOMMITTEE ON CRIMINAL JUSTICE,
DRUG POLICY, AND HUMAN RESOURCES

OF THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

DECEMBER 13, 2005

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INTERNATIONAL MARITIME SECURITY

TUESDAY, DECEMBER 13, 2005,

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING
THREATS, AND INTERNATIONAL RELATIONS, JOINT WITH
THE SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POL-
ICY, AND HUMAN RESOURCES, COMMITTEE ON GOVERN-
MENT REFORM,

Washington, DC.

The subcommittees met, pursuant to notice, at 2:09 p.m., in room 2154, Rayburn House Office Building, Hon. Christopher Shays (chairman of the Subcommittee on National Security, Emerging Threats, and International Relations) presiding.

Present from the Subcommittee on National Security, Emerging Threats, and International Relations: Representatives Shays, Duncan, Maloney, and Ruppertsberger.

Present from the Subcommittee on Criminal Justice, Drug Policy, and Human Resources: Representatives Souder and Cummings.

Also present: Representative Norton.

Staff present: Lawrence Halloran, staff director and counsel; R. Nicholas Palarino, Ph.D., senior policy advisor; Robert A. Briggs, clerk; Marc LaRoche, intern; Tony Haywood, minority counsel; Andrew Su, minority professional staff member; and Jean Gosa, minority assistant clerk.

Mr. SHAYS. A quorum being present, this joint hearing of the Subcommittee on National Security, Emerging Threats, and International Relations and the Subcommittee on Criminal Justice, Drug Policy, and Human Resources entitled, "International Maritime Security" is called to order.

Just 2 days ago, Coast Guard officials began conducting search operations in the waters north of the Bahamas because a cruise ship passenger was reported missing. In early November, modern-day brigands fired mortars at a cruise ship off the coast of Somalia. These are two recent additions to a growing manifest of unexplained disappearances, unsolved crimes, and brazen acts of lawlessness on the high seas. According to the industry experts, a wide range of criminal activities, including drug smuggling, sexual assaults, piracy, and terrorism, threaten the security of maritime travel and trade. Today we begin an examination of the complex web of laws, treaties, regulations, and commercial practices meant to protect lives and property in an increasingly dangerous world.

Ocean travel puts passengers and crew in a distant, isolated environment and subjects them to unique risks and vulnerabilities. Like small cities, cruise ships experience crimes, from petty to pro-

foundly tragic. But city dwellers know the risks of urban life, and no one falls off a city never to be heard from again. Cruise passengers can be blinded to the very real perils of the sea by ship operators unwilling to interrupt the party for security warnings. After an incident occurs, a thorough investigation can be profoundly difficult when the crime scene literally floats away, on schedule, to the next port of call.

Jurisdictional and bureaucratic tangles can also impede investigation and resolution of crimes at sea. For purely economic reasons, most commercial ships fly under foreign flags. Passengers cannot assume the protection of U.S. laws and law enforcement will be available in time, if at all. When events involve citizens of different nations in the territorial waters of a third, all three can assert some jurisdictional claim. While these legal and diplomatic niceties are being resolved, the crime trail grows cold and crucial evidence may go overboard or melt into the crowd ashore.

The recently promulgated National Strategy for Maritime Security and the Global Maritime Response Plan should better integrate and accelerate Federal agency assistance to those attacked at sea. We will monitor implementation of these new policies closely.

Lack of hard data on maritime crime rates and trends engenders a false sense of security and frustrates efforts to address emerging problems. Some companies report incidents voluntarily to the Federal Bureau of Investigation or international organizations. But others do not, and no truly industry-wide data is available to help discerning customers assess the real risks of transoceanic travel.

So we asked those most involved in responding to maritime crises to describe current legal and operational security standards. For instance, what statistics are kept and who keeps them? What information is given to passengers on the risks of international travel by sea? How are missing person reports investigated? How and when is it determined if a crime is involved? How are jurisdictional conflicts resolved? Are there better practices and technologies that should be used to protect passengers in the alluring but unforgiving marine environment?

Last July, George Smith and his new wife, Jennifer, thought they were launching their lives together on a honeymoon cruise. But after only 10 days abroad George disappeared under circumstances still being investigated by the FBI and Turkish officials. His family, and many others who have contacted us, seek closure, await justice, and ask that no more families endure avoidable tragedies.

We hear their call for safer seas, are determined, are absolutely determined to pursue this investigation, and we look for much greater candor, accountability, and responsiveness from those entrusted to carry precious cargo into a vast, inherently hazardous realm.

[The prepared statement of Hon. Christopher Shays follows:]

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Statement of Rep. Christopher Shays
December 13, 2005

Just two days ago, Coast Guard officials began conducting search operations in the waters north of the Bahamas because a cruise ship passenger was reported missing. In early November, modern day brigands fired mortars at a cruise ship off the coast of Somalia. These are two recent additions to a growing manifest of unexplained disappearances, unsolved crimes and brazen acts of lawlessness on the high seas. According to industry experts, a wide range of criminal activities, including drug smuggling, sexual assaults, piracy and terrorism, threaten the security of maritime travel and trade. Today we begin an examination of the complex web of laws, treaties, regulations and commercial practices meant to protect lives and property in an increasingly dangerous world.

Ocean travel puts passengers and crew in a distant, isolated environment and subjects them to unique risks and vulnerabilities. Like small cities, cruise ships experience crimes – from petty to profoundly tragic. But city dwellers know the risks of urban life, and no one falls off a city never to be heard from again. Cruise passengers can be blinded to the very real perils of the sea by ship operators unwilling to interrupt the party for security warnings. And after an incident occurs, a thorough investigation can be difficult when the crime scene literally floats away, on schedule, to its next port of call.

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The recently promulgated National Strategy for Maritime Security and the Global Maritime Response Plan should better integrate and accelerate federal agency assistance to those attacked at sea. We will monitor implementation of those new policies closely.

Lack of hard data on maritime crime rates and trends engenders a false sense of security and frustrates efforts to address emerging problems. Some companies report incidents voluntarily to the Federal Bureau of Investigation or international organizations. But others do not, and no truly industry-wide data is available to help discerning customers assess the real risks of transoceanic travel.

So we asked those most involved in responding to maritime crises to describe current legal and operational security standards. What statistics are kept and who keeps them? What information is given to passengers on the risks of international travel by sea? How are missing person reports investigated? How and when is it determined if a crime is involved? How are jurisdictional conflicts resolved? Are there best-practices and technologies that should be used to protect passengers in the alluring but unforgiving marine environment?

Last July, George Smith and his new wife Jennifer thought they were launching their lives together on a honeymoon cruise. But after only ten days aboard he disappeared under circumstances still being investigated by the FBI and Turkish officials. His family, and many others who have contacted us, seek closure, await justice and ask that no more families endure avoidable tragedies.

We hear their call for safer seas, are determined to pursue this investigation and we look for greater candor, accountability and responsiveness from those entrusted to carry precious cargo into a vast, inherently hazardous realm.

Mr. SHAYS. At this time the Chair would recognize Mrs. Maloney, the Honorable Member from New York.

Mrs. MALONEY. I thank the chairman. Elijah Cummings, the ranking member, is on the floor at this point. He will be back shortly.

I add my voice in thanking you, Chairman Shays, for holding this hearing today about international maritime security and the safety of cruise ship passengers, particularly American passengers. Millions of people take trips on cruise ships every year, and these Americans expect to have an enjoyable vacation, yet they also may unknowingly face dangers, including drug trafficking, smuggling, international piracy, and even terrorist attacks.

We have seen media reports this year of passengers who have disappeared while aboard cruise ships and allegations that these ships did not make an effort to inform their families. I want to say that there are roughly 300 large cruise ships that operate mostly under foreign flags, but many of them embark from New York City, the port that I am honored to represent. They are important employers, important to the economy. But it is also very important that our citizens be protected on these ships.

I am astonished at the number of alleged international piracy acts and even some terrorist attacks on cruise ships. And I am also deeply concerned that there appears not to be any statistics or hard data kept in an organized way on the safety of certain ships on the incidents that happen and really suggest that we include a cruise ship violence or deaths or missing persons in the FBI CODIS international and national data base that they now keep on other crimes in our country.

Due to the fact that we have such a distinguished set of speakers and many panelists, I request to have the text of my statement put in the record, and I am very hopeful that today's hearing will shed important light on some of these issues and will fundamentally lead to increased safety and protection for Americans and others who enjoy these cruise ship vacations.

Thank you.

[The prepared statement of Hon. Carolyn B. Maloney follows:]

Statement of Representative Carolyn B. Maloney (NY-14)
Joint Subcommittee Hearing - National Security & Criminal Justice
Committee on Government Reform
"International Maritime Security"
2154 Rayburn HOB - 2:00 p.m.
December 13, 2005

I would like to thank Chairman Shays and Chairman Souder for holding this joint hearing today about international maritime security and the safety of cruise ship passengers.

Millions of people take trips on cruise ships every year. These passengers expect to have a leisurely and enjoyable vacation.

Yet they also may face dangers including drug smugglers, international piracy, and terrorist attacks.

Additionally, we have seen media reports this year of passengers who have disappeared while aboard cruise ships.

I am hopeful that today's hearing will shed some light on these issues.

Thank you.

Mr. SHAYS. I thank the gentlelady.

This is a joint hearing of both the Subcommittee on National Security, Emerging Threats, and International Relations, which I chair. We have oversight over Defense, State Department, Homeland Security, and Coast Guard. The Subcommittee on Criminal Justice, Drug Policy, and Human Resources is chaired by Mark Souder. This is a joint hearing of our subcommittees, and Mr. Souder was stuck in an airplane. I didn't realize you would be back as quickly as you have been, or I would have held up the hearing. I was told it would be a little longer than that. So welcome. Mr. Souder has the floor.

Mr. SOUDER. I thank the chairman, and it is a privilege to do this joint hearing. We are both senior members of Homeland Security, too, so this cuts multiple ways. I appreciate his efforts in particular in organizing this hearing, and I look forward to addressing this important subject.

The security of the world's shipping lanes is a global issue that impacts global economic growth and stability. The United States needs to ensure that the oceans are safe for lawful private and public activities.

In October 2005, the Department of Homeland Security, in collaboration with the Department of Defense and the Department of State announced the completion and final approval of eight plans to promote maritime security. As we will hear today, one of these plans, the Maritime Operational Threat Response Plan, aims to coordinate the U.S. Government's response to threats against the United States and its interests on the high seas by establishing roles and responsibilities that enable the Government to respond quickly and decisively. The plan identifies the lead U.S. agency for incidents that involve U.S. citizens or interests, including counterterrorism operations, the detection, interdiction, and disposition of targeted cargo, people, and vessels, the attacks of vessels with U.S. citizens aboard or those affecting U.S. interests anywhere in the world.

This new plan and process establishes the protocols and procedures for achieving a coordinated response and ensuring a desired outcome. I look forward to discussing these maritime security issues today with representatives from the Department of Defense, Coast Guard and the Federal Bureau of Investigation, and hearing about the progress and improvements we have made with regard to maritime threats and responsive capabilities.

Piracy and criminal acts against ships are not only happening in action adventure films. These incidents occur regularly within the maritime domain. According to the most recent International Maritime Organization's crime report, July through September 2005, which compiles reports for the worldwide maritime industry, in the last 3-month report period there were 27 crew members that were held hostage or kidnapped; 15 crew members were assaulted; the fate of 11 crew member was unknown; 7 crew members were injured; and 1 ship and 2 tugboats and barges were hijacked or missing. All of these incidents within a 3-month period.

The cruise ship industry is not immune to piracy or criminal activity. On November 5, 2005, the Bahamian-flagged vessel ship Seabourn Spirit was approached by two armed small boats about

100 miles off the coast of Somalia. The cruise ship was apparently able to thwart their attackers by maneuvering to avoid being boarded, but only after rocket-propelled grenades were fired by the pirates. The Seabourn Spirit had 43 U.S. citizens on board.

The FBI reports that from fiscal year 2000 through June 2005, they opened 305 cases addressing crimes on the high seas. Over the past 5 years, sexual assaults made up 45 percent of the cases, and physical assaults were 22 percent of the cases on cruise ships that were reported to the FBI. Missing persons comprised 10 percent of the cases opened, and death investigations made up 8 percent of the reported cases.

As common as these crimes are, the U.S. Government's response to crimes in the maritime domain is oftentimes complicated and the investigations are prolonged. In the case of cruise ships, most are foreign-flagged and, thus, fall outside of U.S. law enforcement jurisdiction when not in a U.S. port and within U.S. territorial seas. Consequently, U.S. Federal law enforcement agencies are required to seek permission from the ship's flag state before they can board the vessel and begin a criminal investigation. The U.S. Government's response can also be dependent upon the type of crime that was committed, the location of the ship when the crime was committed, the nationality of the subject or victim, and the United States' relationship with other affected countries.

Once a crime has been discovered or reported on board a cruise ship, any delay in preserving evidence can potentially lead to the loss of evidence. I hope to learn today what responsibilities the cruise ships bear in preserving the crime scene and any related evidence until U.S. law enforcement officials arrive on board and can begin investigating the incident. Cruise ships are often compared to self-sustaining floating cities. If the vast majority of passengers on board the cruise ship are American citizens, is there a need for the U.S. Government to require a continuous law enforcement presence on board these mobile cities?

I look forward to discussing whether jurisdictional conflicts are a major impediment to the security of U.S. citizens while traveling on foreign-flagged vessels and if Congress needs to change the laws to better protect U.S. citizens. I would like to thank the panelists today for your participation, and we look forward to your testimony and insight into this important topic. Additionally, I would like to thank the families of those who have been victimized on cruise ships for being here today and for submitting written statements for the record.

[The prepared statement of Hon. Mark E. Souder follows:]

**Opening Statement
Chairman Mark Souder**

“International Maritime Security”

**Subcommittee on Criminal Justice, Drug Policy
And Human Resources
Committee on Government Reform**

December 13, 2005

I appreciate Mr. Shay's efforts in organizing this hearing, and I look forward to addressing this important subject. The security of the world's shipping lanes is a global issue that impacts global economic growth and stability. The United States needs to ensure that the oceans are safe for lawful private and public activities.

In October 2005, the Department of Homeland Security, in collaboration with the Department of Defense and Department of State announced the completion and final approval of the eight plans to promote maritime security. As we will hear today, one of these plans, the Maritime Operational Threat Response Plan, aims to coordinate the U.S. Government's response to threats against the United States and its interests on the high seas by establishing roles and responsibilities that enable the government to respond quickly and decisively. The plan identifies the lead U.S. agency for incidents that involve U.S. citizens or interests, including counterterrorism operations, the detection, interdiction and disposition of targeted cargo, people, and vessels; and attacks of vessels with U.S. citizens aboard or those affecting U.S. interests anywhere in the world. This new plan and process establishes the protocols and procedures for achieving a coordinated response and ensuring a desired outcome.

I look forward to discussing these maritime security issues today with representatives from the Department of Defense, the Coast Guard and the Federal Bureau of Investigations, and hearing about the progress and improvements we have made with regards to maritime threats and response capabilities.

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thwart their attackers by maneuvering to avoid being boarded, but only after rocket-propelled grenades were fired by the pirates. The SEABOURN SPIRIT had 43 U.S. citizens on board.

The FBI reports that from fiscal year 2000 through June 2005, they opened 305 cases addressing crimes on the high seas. Over the past 5 years, sexual assaults made up 45% of the cases and physical assaults were 22% of the cases on cruise ships that were reported to the FBI. Missing persons cases comprised 10% of the cases opened and death investigations made up 8% of the reported cases.

As common as these crimes are, the U.S. Government's response to crimes in the Maritime Domain is often times complicated and the investigations are prolonged. In the case of cruise ships, most are foreign-flagged and thus fall outside of U.S. law enforcement jurisdiction when not in a U.S. port, and within U.S. territorial seas. Consequently, U.S. federal law enforcement agencies are required to seek permission from the ship's flag-state before they can board the vessel, and begin a criminal investigation. The U.S. Government's response can also be dependent upon the type of crime that was committed, the location of the ship when the crime was committed, the nationality of the subject or victim, and the United States' relationship with other affected countries.

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Cruise ships are often compared to self-sustaining floating cities. If the vast majority of passengers on board the cruise ship are American citizens, is there a need for the U.S. Government to require a continuous U.S. law enforcement presence onboard these mobile cities?

I look forward to discussing whether jurisdictional conflicts are a major impediment to the security of U.S. citizens while traveling on foreign flagged vessels, and if Congress needs to change the laws to better protect U.S. citizens.

I would like to thank the panels today for your participation, and we look forward to your testimony and insight into this important topic. Additionally, I would like to thank the families of those who have been victimized on cruise ships for being here today, and for submitting written statements for the record.

Mr. SHAYS. Thank you.

At this time the Chair would recognize Congresswoman Norton.

Ms. NORTON. Thank you very much, Mr. Chairman. I want to thank the two astute Chairs for understanding that the relationship between the two subcommittees on this issue is joined at the hip and that we need to both look at this matter, not because we fear or want people not to go on cruise ships, but because they are increasingly popular and our job is to look at the safety of American citizens wherever they happen to be.

You know, I have never been on a cruise ship. I feel very deprived. And now I don't know whether I am supposed to be afraid to go on one or not. Maybe this hearing will enlighten me on that score.

- A cruise ship is not a public conveyance, and normally, you know, a private business that goes on the high seas, there is a lot of incentive—namely, liability—if the passengers are from the United States of America to take every precaution. But here, of course, the interests of other nations are involved. Once we get into the complicated conflict of laws area, have mercy on us.

When I learned that more than 300 crimes were committed on the high seas involving American passengers, I was at first alarmed. But, you see, I don't know enough about what those crimes involve, and I would rather much think that most of them had to do with the kind of crimes that go on in the United States of America, of Americans, by Americans, than terrorist crimes, or else I would have heard about them. Therefore, this notion that has been raised by my colleagues before me about data could not be more important. We need to know more than we know, and it needs to be readily available. In other words, I need to know whether the problem is with thugs or terrorists, and so do the people who run ships, because that way they can decide perhaps more efficiently where their own resources should go.

I have to tell you, though, that even one of these incidents involving piracy is bound to be much larger than life, to hurt the industry, and, for that matter, to say to Americans here is yet another place you cannot go. You know, I remember the Achille Lauro matter. That was so long ago I had to kind of dredge my memory. But I read an article, and let me just read a few of the words that I am sure others read as well. This is from the Miami Herald. It spoke of the attack that I think one of my colleagues has mentioned off the waters of Somalia where crew members fended them off with hoses and sonic devices that blast painful loud noises in a directed beam. They were talking about pirates, because obviously a U.S. ship or a passenger cruise ship, otherwise known as a luxury ship, is an inviting target. In some ways it is an inviting target, and apparently the challenge was taken up. Nobody was injured or killed, unlike the horrible incident aboard the Achille Lauro, but it is time enough now to look into the nature of the crimes to see whether the industry is taking care of it by itself and to see, importantly, if the interests of the United States of America are taken care of in the way we regulate these ships and indicate our expectations of them when they have passengers of the United States of America aboard.

So I thank you again, both of you, for this hearing.

Mr. SHAYS. I thank the gentlelady, and at this time the Chair would recognize Mr. Duncan. Thank you for being here.

Mr. DUNCAN. Well, thank you very much, Chairman Shays, and thank you for calling this hearing. I am now serving my 9th full term and part of a 10th term. In all of that time I have served on several committees and several subcommittees under many different chairmen, both Democrats and Republicans, and I have always felt that Chairman Shays was one of the most active and one of the finest chairmen I have ever served under. And, of course, Chairman Souder is a good friend of mine also. I do not happen to serve on his subcommittee, but this hearing today is another example of how this subcommittee that Chairman Shays chairs is certainly one of the most active and interesting subcommittees in the Congress.

It is good that we are hopefully going to learn more about this. For instance, in skimming over the testimony of the witnesses and also a report that we have from the staff, it says that there are only about 50 crimes reported each year to the FBI of the 10 million passengers who travel on the cruise lines each year. In the last 2 years, there have been 13 missing people, and certainly we do not want to minimize the tragedy, and I do not mean to do that at all, of anyone who is killed or missing. On the other hand, there are some 2,000 people that go missing each day in this country, and from the looks of some of those statistics it looks like that it is far, far safer to go on a cruise than it is to just walk down the street in any town or city in America.

On the other hand, Chairman Souder mentioned some crimes or statistics that certainly should be of concern, and I guess one question is, are we making sure that all of these crimes are reported? And I understand the International Council of Cruise Lines, there is some sort of agreement, I see from the staff, that these crimes are required to be reported. But we have this danger today of doing legislation or reacting in response to what is being emphasized on the 24-hour news channels at a particular time, and certainly the terrible tragedy that happened to the newlyweds George and Jennifer Smith is certainly a sad thing and a terrible thing. But, on the other hand, I know that when Katrina happened, we immediately sent down \$10 billion, and then we came back and very quickly voted another \$62 billion, and then it turned out that people all over the country thought we overreacted there and sent perhaps too much money too fast, and then people started questioning that.

So we cannot blame piracy on the cruise lines, I would not think. The terrorism, of course, everybody has really toughened up on that, as they should have, since September 11th. But I understand that the passenger lists are being given to the proper authorities and every piece of luggage that goes on one of these cruise ships is being screened.

So maybe more needs to be done. On the other hand, if the problem is consistent with these statistics that are in the materials I have been given by the staff, then in some ways the cruise line industry should be commended. But if we need to do more or if something is not being reported or we need more information, then that

is good, too. If this problem is greater than it appears on the surface, then certainly this hearing should help show that.

So I thank both chairmen for calling this hearing today. Thank you.

Mr. SHAYS. I thank the gentleman for his thoughtful comments, and that is the way we need to approach this hearing. We need to go wherever the truth leads us. Whether it is an issue of law or regulation or administrative efforts or whether, in fact, it is getting the industry to just do a better job, it may be some or all of the above.

But one thing I can assure the gentleman is this will not be the only hearing, and it will be thorough, and everyone will have an opportunity to state the issue as clearly as they can.

Mr. DUNCAN. Well, I certainly appreciate that approach, and that is the approach that I assumed that you would take. Thank you.

Mr. SHAYS. Thank you, and I thank the gentleman for his kind words.

Mr. Ruppertsberger.

Mr. RUPPERSBERGER. Chairman Shays and Chairman Souder, I want to thank you for focusing on this issue. I serve on both your subcommittees, and you do go to the relevant issues.

I am familiar with port security. I represent the port of Baltimore. I also am co-Chair of the National Port Security Caucus. We have 539 ports in this country, and I am also on the Intelligence Committee. So I deal a lot in these areas.

What is really relevant about this hearing today is that a lot of our focus with respect to ports generally has been more on weapons of mass destruction and terrorism and issues such as that. So I think this hearing today is extremely relevant.

I also would like to acknowledge the Coast Guard, who I think is one of the better agencies we have in this country, and our country should be proud of their professionalism and the dedication of the members of the Coast Guard. They have done an excellent job. They showed that in Katrina. I think they have done a good job.

Now, maritime security is a very complicated issue. There are different times when different agencies and different countries have the right to board vessels and protect the people and the vessel. We must answer the questions, though, about safety. What laws apply in what situations? The FBI and the Coast Guard in our area, in our jurisdiction, share the burden of enforcing maritime jurisdiction. But who takes the lead? Who is ultimately responsible? What if there is a difference of opinion?

I think Katrina is another issue that showed that we need to have a plan and that we need to have someone in charge who is going to determine what the system is and how we are going to enforce it.

Now, it is important to determine who is in charge, as I said; a system in place, when the cruise ships travel outside of our jurisdiction and our borders. Each year approximately 10 million passengers take cruises. I think there are about 300 cruise ships that deal with these 10 million passengers, and one-half, or 5 million of those passengers, come from North America. So it is an extremely relevant issue to our country and how we deal with the issue.

Now, in fairness to the cruise ship industry, I have been told by the Coast Guard that the maritime travel on the cruise ships is among the safest modes of transportation available. The International Council of Cruise Lines should be commended for maintaining standards as it relates to safety. But high standards are not enough—the reason why we are here today—and we must continually work to improve.

Now, one question that we can ask and that I think is relevant—and I am going to ask it when we get to questions—is the issue about deadlines. We know that there is a lot of money involved in this industry. We know that when you leave one port, that ship has to get back to another port to pick up maybe 2,000 passengers. If they are late and they are not there, there are going to be a lot of unhappy people. And I just wonder what the system is as far as deadlines. Do we force our captains of those ships to travel into storms and unsafe places instead of waiting it out or taking another direction because of deadlines, because we have to pick up the next passengers? Because it is extremely important that the No. 1 priority should be safety, even if it means a delay. And I would like to know what that system is because I have heard many complaints about going through storms, you know, not having a very positive experience, but the captain has to go to the next port to pick up the new group that is coming in.

It is critical that we all work together, and that is why we are here today. Thank you, Mr. Chairman.

Mr. SHAYS. I thank the gentleman.

Let me take the opportunity to ask unanimous consent that all members of the subcommittees be permitted to place an opening statement in the record and that the record remain open for 3 days for that purpose, and without objection, so ordered.

I ask further unanimous consent that all witnesses may be permitted to include their written statements in the record, and without objection, so ordered. And I am also going to ask unanimous consent that Ms. Jennifer Hagel Smith, wife of Mr. George A. Smith IV, and Mr. George Smith and Ms. Maureen Smith, and Ms. Bree Smith, family of Mr. George A. Smith IV, be allowed to submit a statement for the record; and Ms. Jean Scavone, mother of Mr. James Christopher Scavone, be allowed to submit a statement, and Mr. Michael Pham, son of Mr. Hue V. Pham and Mrs. Hue T. Tran, be permitted to submit a statement; and Mr. and Mrs. Kendall Carver, parents of Ms. Merrian Lynn Carver, be permitted to submit a statement; and Ms. Rita Sittig, mother of Mr. Christopher Caldwell, be allowed to submit a statement; and also Mr. and Mrs. Ira Leonard as well. And then we have two statements from attorneys, one representing the Smith family and one representing the Dias family, and without objection, their statements will be submitted for the record.

[The information referred to follows:]

**Statements Submitted for the Record
International Maritime Security Hearing
December 13, 2005**

Mrs. Jennifer Hagel Smith, Wife of
Mr. George A. Smith IV

Mr. George Smith, Ms. Maureen Smith,
and Ms. Bree Smith, Esq., Family of
Mr. George A. Smith IV

Ms. Jean Scavone, Mother of
Mr. James Christopher
Scavone

Mr. Michael Pham, Son of Mr. Hue V. Pham and
Mrs. Hue T. Tran

Mr. and Mrs. Kendall Carver, Parents of
Ms. Merrian Lynn Carver

Ms. Rita Sittig, Mother of Mr. Christopher Caldwell

Mr. and Mrs. Ira Leonard

Mr. Brett Rivkind, Attorney for Parents of
George A. Smith IV

Mr. Luis A. Perez, Attorney for Parents of
Mr. Symon Dias

December 12, 2005

SUBCOMMITTEE ON NATIONAL SECURITY,
EMERGING THREATS, AND INTERNATIONAL RELATIONS
Room B-372 Rayburn Building
Washington, D.C.
20515

Re: Cruise Line Safety and Security

Dear Honorable Committee Members:

My name is Mrs. Jennifer Hagel Smith. I am 26 years old, and I am from Cromwell, Connecticut.

I met George Allen Smith IV on June 8, 2002, while I was living in Newport, Rhode Island, obtaining my Masters in Education. We quickly fell in love. Just as quickly, George became a very special part of my very close family.

My mother, Debbie, was a stay at home mom before she opened her own real estate office. My father, John, is a retired police sergeant and general contractor. My Dad was proud to say "yes" when George asked him for my hand in marriage on Valentine's Day in 2004. Everyone absolutely adored George.

George and I were excited about beginning our life together. George was going to assume responsibility of his Dad's business, while I was going to start teaching third grade in Westport. We planned to have at least two children. If we had a boy, which we both secretly hoped for, we would name him "George the Fifth," of course.

On a perfect Saturday on June 25th, 2005, we recited our vows overlooking the water in Newport, Rhode Island, where we first met. Our parents were bursting with pride on this euphoric day. It was truly the best day of my life!

July 5th, 2005, was the worst day of my life. This was the day when I lost my husband and my best friend during our honeymoon cruise. We both lost our dream of raising a family together, and the dream of giving our parents more grandchildren to love and spoil. This was the day that would forever change my life, and shatter the lives of our families.

Three Royal Caribbean Cruise line men told me that my husband had gone overboard in Greek waters.

When I heard these cruel words, I literally felt my world spinning out of control. This could not be happening. My heart felt like it was caving in, being crushed inside my chest. "What are you saying? Why are you telling me this?" I couldn't breathe. I felt like I was suffocating. My teeth were chattering, tears were falling, and then I went numb all over.

The cruise line men took me to a main gathering area on the ship where other passengers were laughing and smiling and milling around. These sights and noises made me feel nauseous. I felt completely and utterly alone. There was no compassion, sympathy or sensitivity shown by the cruise line.

Another cruise line employee took me to an empty cabin. I was told to take a shower. I received a tank top, T-shirt and gym shorts all with the Royal Caribbean logo splashed across them. Having to wear the cruise line logo humiliated me.

I asked if I could contact George's parents immediately. The cruise line told me not to call anyone; however, I couldn't bare the weight of this nightmare alone. Finally, the cruise line permitted me to call my family. My mother answered the phone. She heard me crying and handed the telephone to my Dad. He began to wail when he heard that George was gone. We did not know what to do or where to turn.

The Captain of the cruise ship told me that I had to leave the ship with the Turkish police. I was afraid. I wanted to stay on the ship and find out what happened to George, and I desperately wanted my parents to fly to the next port to meet me. I called my Dad. The Captain promised him that I would leave the ship for only a short period of time. He promised my Dad that two ship security officers would accompany me at all times. He ensured us that the officers would promptly return me to the ship.

I was interrogated by a Turkish police officer in an office at the port. I was then driven into the city to a Turkish police station where I was mocked and taunted as I sat crying and bewildered. Where were the two cruise line security officers? I was then taken against my will, further from the cruise ship, to a hospital. A man, who I could not understand, lifted up my shirt and looked down my shorts without taking me to a private examining room.

When I finally returned to the port, all of our suitcases were brought down and left on the dock. Our clothes and personal items, which could not be crammed in the suitcases, were haphazardly stuffed into 10 plastic souvenir bags, all emblazoned with the Royal Caribbean logo. My eyes became transfixed on a pair of George's sneakers sticking out of one plastic bag. This memory will forever haunt me.

The ship sailed without me that evening. I was left in Turkey with no money, no plane ticket, no food, nothing . . . The cruise line did not offer me help with a flight, hotel arrangements, or anything. I could not speak the native language and I felt abandoned.

I had to borrow money to pay for a hotel. I was mentally and physically exhausted and had not been offered anything to eat all day. Borrowing a telephone to call home once again, my Dad provided his credit card to pay for my flight home. After two long flights, I arrived at JFK and literally collapsed into the arms of my parents.

Since returning home, I have cooperated completely with the FBI. These agents have been working relentlessly to bring closure and justice to our lives. The Bureau has asked me to remain silent about the events surrounding that night before docking in Turkey, so as not to jeopardize their ongoing investigation. I agreed, and thus have remained true to my word. The FBI has allowed me to speak about my deplorable treatment following the death of my husband, although nothing else. I am anxious for the opportunity to tell my full story, when the FBI believes I can freely explain everything that I knew then and have come to learn since the death of my husband without interfering with their vigilant investigation.

The cruise line has taken advantage of my silence. Initially, the cruise line issued a statement attacking George, stating that it was just an accident and suggesting that it was all George's fault. Subsequently, I have come to learn that the cruise line knew all along that there was blood in and outside of our cabin as well as other substantial evidence of foul play. As if this were not bad enough, you can imagine my shock and disbelief when I read a local Connecticut newspaper, in which Michael Crye, President of the International Council of Cruise Lines ("ICCL"), blamed George's death on both of us by stating "it's difficult if someone chooses to do harm to themselves or their companion." I don't know if Mr. Crye is married or if he has children of his own, but I find his reckless remarks offending our reputations and character both hurtful and irresponsible.

I have tried to put these malicious comments in proper perspective, coming as they do from a cruise line which obviously did not care for the well being of me or my husband. I see now that it was only our business they valued - not our safety and security.

In recent months, I have learned that Royal Caribbean is a corporate felon involving crimes of dishonesty. They are incapable of protecting U.S. citizens without direct federal oversight and regulation. No other families should have to endure our pain or have their lives destroyed just like the families here today. The cruise industry should spend less time attacking victims and more time making passenger safety its' number one priority. I would also spend the largest part of the following year's budget ensuring just that.

Our families have received many letters, cards and telephone calls both from the public and members of the media, expressing their concern for us and offering their support. I take this opportunity to thank everyone who has been so supportive and understanding of our feelings in this time of crisis.

I am committed to determining what happened to my husband and seeing that justice is served. I have retained a law firm in Miami, Florida to assist our families with our goal of finding the truth. We have already sent many letters to the cruise line requesting information, as well as access to the cruise ship in order to conduct a thorough inspection and investigation. To date, the

cruise line has provided us with no information and no assistance. We have not been permitted to board the cruise ship, even though the ship is now sailing from the Port of Miami.

Under these circumstances, we are appealing to the American public to help our family. We are offering a reward of \$100,000.00 for new information leading to the arrest and conviction of the individual or individuals responsible for George's death. I have created a website - HagelSmith.com - which explains this further. If you were on this cruise, or if you know of any circumstances surrounding my husband's disappearance, please help us!

Thank you for providing me with this opportunity to address your committee. I also want to especially thank my Congressman, Mr. Christopher Shays, and George's parents, Maureen and George Smith III, and my sister-in-law, Bree, for their determination and efforts, which have focused the committee's attention on this most important matter.

Sincerely,

Jennifer Hagel Smith

Written Statement Prepared for Joint Hearing on Cruise Security
To be Held on December 13, 2005

To Whom It May Concern:

We are the parents and sister of George A. Smith IV, aged 26 years old, who went missing from the Royal Caribbean "Brilliance of the Seas" on July 5, 2005 between Greece and Turkey. No words can express the deep sorrow our family carries over George's death. George was a special person, not only to his family but also to his many friends who miss him dearly. No family should have to endure the terror that we have in the past five months.

At 6:30 am on July 5th, we were informed by Jennifer Hagel Smith's father that something terrible had happened to our beloved son and brother while cruising in the Aegean Sea. Later that day, we were informed by Pamela Powell, supervisor of guest claims at Royal Caribbean, that there was "no news" regarding George's disappearance with a 'business as usual' attitude. Royal Caribbean conducted one search of the vessel for George and refused to conduct any further searches. Additionally, the "Brilliance of the Seas" did not return to the area where George went overboard to conduct a search of the waters, which is standard procedure for cruise ships and the appropriate thing to do.

Despite the fact that Bree complained of the lack of information forthcoming from Royal Caribbean, the company failed to provide us with any further information. Royal Caribbean never even informed us that the Turkish authorities were conducting a criminal investigation into George's disappearance.

We called the Connecticut branch of the Federal Bureau of Investigation (FBI) after being informed by Congressman Christopher Shays' office that there was blood in George's stateroom. If we had not called Congressman Shays' office on July 5th and got the Connecticut FBI involved, George's death would most likely have been labeled a suicide or accident by Royal Caribbean, which the cruise lines consistently attempt to do. The cruise lines are often successful in so doing as there is usually a lack of physical evidence indicating a crime. Thankfully, there was substantial physical evidence surrounding George's disappearance and the cruise lines' usual approach failed.

Our family broke off communication with Royal Caribbean on July 6th after Bree feared we had a conflict of interest with the company given that a crew member was implicated in a witness statement taken by the Turkish police and provided to us by the American Embassy in Ankara, Turkey. This was the beginning of a comprehensive cover-up that would shock and nearly destroy our family.

The day that Bree broke off communication with Royal Caribbean local News Channel 12 broke the story that George had gone missing from his honeymoon cruise. We were informed that in that story the newscaster stated that the drunken honeymooner fell overboard accidentally and that the captain of the vessel had overruled foul play in his disappearance. We contacted the American Embassy in Ankara regarding this misinformation. The press office agreed to discuss my brother's disappearance generally and inform the media that foul play had not been overruled by the investigating authorities.

What Royal Caribbean did not realize was that the News Channel 12 story would be picked up by the New York media and then the national and international media. Investigative reporters would uncover the following further elements of Royal Caribbean's cover-up:

- The blood on the overhang was washed away by security personnel prior to the Turkish authorities even entering the ship. Before the FBI entered the ship, the blood on the overhang had been painted over under the supervision of the ship's captain.
- Security failed to enter George's cabin even after several complaints of a loud fight taking place inside. If they had entered his stateroom, our son and brother's life may have been saved.
- The cruise ship was not locked down in Kusadasi, Turkey, the next port of call after George's disappearance. Passengers and crew members were free to disembark as usual, potentially taking crucial evidence off of the cruise ship with them.
- The Turkish authorities were rushed off the boat prior to completing a full investigation so that the cruise ship could make the next port of call on schedule.
- The "Brilliance of the Seas" sailed off into the sunset with the murderers on board therefore jeopardizing the safety of all the other passengers on board. If crew members were responsible for George's death, the murderers may still be on board to this current day.

These factors indicate that major changes need to be made to the cruise industry.

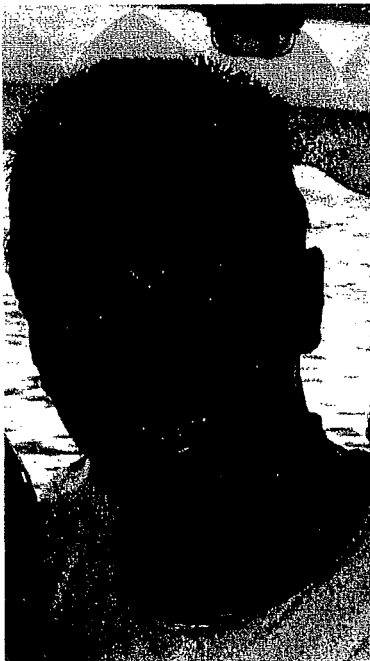
The next communication we received from Royal Caribbean was on September 3 from Lynn Martenstein, Vice President of Corporate Communications, with whom we had never spoken before. She left a message for Maureen and George on the answering machine stating that she was the one that had been on 'A Current Affair' and wanted to tell us about the show that she would be on the next week. Not once did she state that she was sorry for our loss or concerned that the case remained unsolved. Her only concern was protecting Royal Caribbean's image in the media.

It has been five months since our beloved son and brother disappeared into the Aegean Sea. His body has still not been recovered. We are not able to bury George. We have no grave to visit to pray for him. We miss him immensely and we cannot comprehend the fact that he will never again make us laugh as only he could do. If only Royal Caribbean's so-called security force was less negligent, our son would still be here with us today.

George's disappearance is still being actively investigated by the FBI; however, there have been no arrests. Our worst fear is that Royal Caribbean may have been successful in destroying the evidence needed to secure the arrests and convictions of George's murderers.

Crimes and their subsequent cover-ups continuously plague the cruise industry leaving the FBI and other authorities with minimal power to investigate. Heavy lobbying by the cruise industry has resulted in placing passengers at risk on cruise ships and leaving passengers and their families with little or no rights. The time has come to stand up to the cruise industry and protect American citizens by passing new laws that make the cruise industry accountable for passenger safety and preservation of crime scenes, strengthen passenger rights and law enforcement's powers.

This is a photograph of George during the last day of his life in Mykonos, Greece.



Please don't let George die in vain.

We end this statement with great sadness but hope for the future that changes will be made to protect innocent passengers, like our beloved son and brother, who sail on cruise ships.

Sincerely,

George A. Smith III

Maureen T. Smith

Bree J. Smith, Esq.

Subject: Emailing: #248 06-02-98 - ROYAL CARIBBEAN TO PLEAD GUILTY TO CONSPIRACY,
OBSTRUCTION OF JUSTICE



FOR IMMEDIATE RELEASE ENR

TUESDAY, JUNE 2,
1998



ROYAL CARIBBEAN TO PLEAD GUILTY TO

CONSPIRACY, OBSTRUCTION OF JUSTICE

\$9 Million Criminal Fine Largest Ever for Cruise Ship Case

Announcing the largest fine ever for an environmental crimes case involving cruise ships, the Department of Justice today said that Royal Caribbean Cruises Ltd. ("RCCL"), one of the world's largest passenger cruise lines, will pay a \$9 million penalty and plead guilty to a fleet-wide conspiracy of dumping oil into the ocean and lying to the U.S. Coast Guard to cover up the crimes.

"Our oceans are not a dumping ground for polluters," said Lois J. Schiffer, Assistant Attorney General for Environment and Natural Resources. "This plea agreement shows that we will vigorously enforce the laws designed to protect our oceans and criminally prosecute those, such as Royal Caribbean, who break them."

Filed today in U.S. District Court both in Miami, Florida, and San Juan, Puerto Rico, the plea agreement was reached on the eve of

trials scheduled in Miami and Puerto Rico on June 2nd and 8th. The agreement resolves only those pending indictments. The government's investigation into RCCL is continuing.

Today's agreement is part of an ongoing effort by the Justice Department and the Coast Guard, known as Vessel Pollution Initiative, to crack down on and hold accountable those who pollute our oceans.

RCCL, also known as Royal Caribbean International, will plead guilty to eight felony counts involving two separate indictments: one in Miami and one in Puerto Rico.

"The irony of this case is that this company has spoiled the very waters upon which its corporate survival and success depends. This action was further aggravated by Royal Caribbean when they decided to lie about their conduct. This plea agreement should mark the beginning of some serious corporate soul-searching on the part of RCCL," said Steve Herman, EPA's Assistant Administrator for Enforcement and Compliance Assurance.

In the District of Puerto Rico, RCCL will plead guilty to seven counts tomorrow and pay an \$8 million criminal fine before U.S. District Court Judge Juan Perez-Gimenez, including a fleet-wide conspiracy to discharge harmful quantities of oil into U.S. waters from at least five of the company's cruise ships. The conspiracy included using false oil record books. These logs are kept to record all overboard discharges. Some RCCL engineers had referred to the oil record books, which were presented to the Coast Guard during inspections in U.S. ports, as the "Eventyrbok," which means "Fairytale book" in Norwegian.

RCCL will plead guilty to two counts of obstruction of justice: (i) witness tampering (ordering an engineer to lie to a federal grand jury) and (ii) destroying evidence of a bypass pipe used to make illegal discharges from the cruise ship "Sovereign of the Seas." According to a joint factual statement signed by RCCL: "Shortly after the Sovereign of the Seas left San Juan, a senior officer aboard the cruise ship ordered the crew to work through the night to dismantle a bypass pipe used to circumvent the oil water separator and to discharge oily bilge waste overboard. The pipe was cut into small pieces and placed in a dumpster in Miami, Florida, on October 29, 1994. The bypass pipe was removed and destroyed because crew members of RCCL's cruise ship believed that the Coast Guard had not discovered its true purpose and intended to prevent the Coast Guard from making this discovery when the

agency's investigation continued in Miami."

"The criminal conviction of RCCL will send a firm message that should ripple throughout the shipping industry. It again shows that the United States has and will continue to prosecute those individuals and companies who thumb their noses at our nation's environmental laws and contaminate one of our national treasures - the ocean," said Guillermo Gil, U.S. Attorney for the District of Puerto Rico.

Before U.S. District Court Judge Donald Middlebrooks in Miami, RCCL will pay a \$1 million criminal fine and plead guilty to presenting a false oil record book for the "Nordic Empress" cruise ship during a Coast Guard pollution investigation in 1993. Like other RCCL cruise ships, the Nordic Empress was equipped with a bypass pipe that circumvented the oil water separator, a required pollution prevention device. When the Coast Guard boarded the ship to investigate, it was presented with a false log that omitted some oil discharges and misrepresented others.

"The criminal conviction of Royal Caribbean sets an important

precedent that foreign flag vessels cannot lie with impunity and immunity in our ports and waters," said Thomas E. Scott, U.S. Attorney for the Southern District of Florida. RCCL's claim of immunity from prosecution based on international law was rejected by the courts in San Juan and Miami. "It is only appropriate that in celebrating 1998 as the 'International Year of the Oceans' that the United States would uphold the internationally accepted rules prohibiting this company's lawless actions," added Mr. Scott.

"The Coast Guard relies on a combination of prevention, enforcement and response to carry out its environmental protection mission. Vigorous prosecution of flagrant violators is essential to ensure full compliance with the law," said Rear Admiral Norman Saunders, Commander of the 7th Coast Guard District which includes both Puerto Rico and Florida.

FBI Assistant Director Thomas J. Pickard added "The FBI is pleased to have been a participant in the joint investigation into violations of the Clean Water Act and related illegal activities of Royal Caribbean. This case has demonstrated the commitment of all agencies concerned to protect the waterways of the United States and to bring to justice those flagrant violators of this country's

environmental laws."

Incorporated in Liberia and headquartered in Miami, RCCL now operates more than 10 cruise ships with over 130 ports of call on five continents. Major U.S. ports include New York, Miami, San Juan, St. Thomas, Los Angeles and Juneau, Alaska.

The investigation required the collective efforts of the U.S. Coast Guard's Marine Safety Offices in San Juan and Miami, Criminal Investigative Service, Marine Safety Laboratory, Office of Chief Counsel and 7th District Legal Office in Miami; the FBI field offices in San Juan and Miami; and the EPA Criminal Investigative Division. Assistance was provided by the FBI Special Projects Unit, the Military Sealift Command and National Oceanographic and Atmospheric Administration.

All criminal fines are subject to court approval.

Attached are excerpts from a statement by RCCL President Jack Williams. The statement was filed as part of the plea agreement.

ROYAL CARIBBEAN FACT SHEET

As part of the plea agreement, RCCL President Jack Williams signed a detailed eight page statement concerning his company's criminal conduct. According to the statement:

* RCCL discharged oil contaminated bilge waste, including harmful quantities of oil, from RCCL cruise ships by using equipment and procedures that bypassed the oil water separator. RCCL cruise ships were equipped with bypass pipes that circumvented the oil water separator. Bypass pipes were installed by RCCL and crew members were instructed on their use.

* RCCL maintained, used, and presented for inspection by the U.S. Coast Guard, oil record books for RCCL cruise ships which contained material false statements and from which other material information was omitted, for the purpose of

concealing from the U.S. Coast Guard the bypassing, improper use, and malfunction of the oil water separator, and the overboard discharge of oil contaminated bilge waste.

* RCCL concealed and covered up the bypassing, improper use, and malfunction of the oil water separator on board RCCL cruise ships from the U.S. Coast Guard during inspections in U.S. ports. RCCL's cruise ships were inspected by the U.S. Coast Guard at least quarterly in the United States. During certain inspections, RCCL failed to disclose that the separator was not used or inoperable. In some instances, bypass pipes were removed just prior to the Coast Guard inspection and false entries were made in the ship's oil record book.

* RCCL avoided expenses and commitment of other resources associated with regular maintenance of the oil water separators, replacement of membranes and other spare parts, and offloading of oil contaminated bilge waste in port. Membranes for the oil water separator on some RCCL cruise ships, such as the Sovereign of the Seas, cost approximately \$10,000.00 for a single set of membranes (consisting of four membranes). While these membranes were usually changed between 0 and 1 time each year prior to the government's investigation, RCCL now finds it necessary to replace this

type of membrane between 5 and 10 times each year per cruise ship using this design. Similarly, where oily bilge waste was offloaded infrequently in port prior to the government's investigation, RCCL now frequently offloads large quantities of bilge waste from some of its cruise ships, including at times more than 100,000 gallons from certain ships each year.

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98-248

203 325 7472

Stephen Cooper, M.D.

190 West Broad Street
Stamford, Ct. 06904

Initial Exam / Consult

4/19/2005



George Smith

HISTORY: George is a single, Caucasian, 26 year old man. His chief complaint is " I have terrible anxiety..i worry all the time, i go from topic to topic" There is no apparent precipitant for the onset of George's anxiety symptoms. These have been occurring once or more daily. Generalized anxiety; Avoidance of certain locations or situations for fear they will precipitate an anxiety attack;. Uncomfortable sensations of excessive muscular tension. Based on the risk of morbidity without treatment and his report of the level of interference with functioning, severity of symptoms is considered moderate. Prob. Pert. ROS/ Assoc.-S&S: He describes no depressive symptoms. OCD symptoms have been occurring at least daily. Obsessive thoughts; these focus on the nature of the current worry.. he never worries about neutral topics
no compulsions, no magical thinking..occasional checking but will only check his car door once Based on the risk of morbidity without treatment and his report of the level of interference with functioning, severity of symptoms is considered moderate. He describes no symptoms of mania. No hallucinations, delusions, or other symptoms of psychotic process are reported by him.

PAST PSYCHIATRIC HISTORY: Past psychiatric history is entirely negative. There have been no psychiatric hospitalizations, no prior psychiatric treatment, and no history of assaultive or suicidal behavior. There is no history of depressions, anxiety attacks, or other common psychiatric symptoms. No psychotropic medications were taken prior to the present illness. There is no history of non compliance with medication or treatment. This patient does not have a history of alcohol abuse.

SOCIAL/DEVELOPMENTAL HISTORY: graduated college
anxiety began at age 18 gopt back 2 years ago

works with father, father owns alcohol store

MEDICAL HISTORY:

Medical history is entirely negative. There have been no hospitalizations, operations, or serious illnesses. dr boyd is his pcp but he has never seen him

MENTAL STATUS: George is friendly, fully communicative, casually groomed, normal weight, His speech is normal in rate, volume, and articulation and is coherent and spontaneous. Language skills are intact. Mood is entirely normal with no signs of depression or mood elevation. No suicidal ideas or intentions are present today. There are no signs of hallucinations, delusions, bizarre behaviors, or other indicators of psychotic process. Associations are intact, thinking is logical, and thought content is appropriate. Vocabulary and fund of knowledge indicate cognitive functioning in the normal range. Social judgement is intact. There are no signs of anxiety. There are no signs of hyperactive or attentional difficulties.

DIAGNOSES:

Gen. Anxiety Disorder 300.02, F41.1

Axis II : None V71.09
Axis III: None
Axis IV: Social Environment

George Smith
Initial Exam /Consult: Continu

4/19/2005

Axis V:70

BEGIN Zoloft 50 mg 1/2 am
THEN Zoloft 50 mg 1 tab am
BEGIN Klonopin 0.5 mg 1 tab hs

Stephen Cooper, M.D.

Dr. Stephen Cooper

666 Glenbrook Road
Stamford, Ct. 06906

203 406 0554

Progress Note

George Smith

4/27/2005

HISTORY: slight decrease in anxiety noted this week.. tolerating zoloft well so far, went up to 50mg 2 days ago These occur once or more daily. The subjective feeling of anxiety is reported. There is a feeling of apprehension that something bad is going to happen. Certain locations or situations are avoided for fear they will precipitate an anxiety attack.

Prob. Pert. ROS/ Assoc. S&S: He describes no depressive symptoms. He specifically denies manic symptoms. He reports no hallucinations, delusions or other symptoms of psychotic process. No obsessive, intrusive and persistent thoughts or compulsive, ritualistic acts are reported by him.

Behavior has been stable and uneventful. Medication compliance is good, rules are respected, and activities attended.

No side effects are reported or in evidence.

MEDICAL HISTORY:

Medical history is entirely negative. There have been no hospitalizations, operations, or serious illnesses. dr boyd is his pcp but he has never seen him

MENTAL STATUS: George is friendly, fully communicative, casually groomed, normal weight, but tense. His speech is normal in rate, volume, and articulation and is coherent and spontaneous. Language skills are intact. Mood is entirely normal with no signs of depression or mood elevation. No suicidal ideas or intentions are present today. There are no signs of hallucinations, delusions, bizarre behaviors, or other indicators of psychotic process. Associations are intact, thinking is logical, and thought content is appropriate. Vocabulary and fund of knowledge indicate cognitive functioning in the normal range. Insight into illness is normal. Social judgement is intact. There are no signs of anxiety. There are no signs of hyperactive or attentional difficulties.

DIAGNOSES:

Gen. Anxiety Disorder 300.02, F41.1

Axis V:70

continue Zoloft 50 mg 1 tab am
4/19/2005 began Klonopin 0.5 mg 1 tab hs

Dr. Stephen Cooper

George Smith

4/27/2005

Dr. Stephen Cooper

666 Glenbrook Road
Stamford, Ct. 06906

203 406 0554

Progress Note

George Smith

5/11/2005

HISTORY: still fairly anxious not much improvement as yet in symptoms will raise zoloft These occur once or more daily. The subjective feeling of anxiety is reported. There is a feeling of apprehension that something bad is going to happen.
Prob. Pert. ROS/ Assoc. S&S: Symptoms of depression are convincingly denied by him. He describes no symptoms of mania. No hallucinations, delusions, or other symptoms of psychotic process are reported by him. He denies obsessive, intrusive and persistent thoughts or compulsive, ritualistic acts. Medication has been regularly taken, rules are followed, and he is socially appropriate. He describes no side effects and none are in evidence.

MEDICAL HISTORY:

Medical history is entirely negative. There have been no hospitalizations, operations, or serious illnesses. dr boyd is his pcp but he has never seen him

MENTAL STATUS: George is friendly, casually groomed, normal weight, but tense. His speech is normal in rate, volume, and articulation and is coherent and spontaneous. Language skills are intact. Mood is entirely normal with no signs of depression or mood elevation. There are no signs of hallucinations, delusions, bizarre behaviors, or other indicators of psychotic process. Associations are intact, thinking is logical, and thought content is appropriate. Social judgement is intact.

DIAGNOSES:

Gen. Anxiety Disorder 300.02, F41.1

Axis V:70

INCREASE Zoloft 50 mg 1.5 am
4/19/2005 began Klonopin 0.5 mg 1 tab hs
THEN Zoloft 100 mg One am

Dr. Stephen Cooper

George Smith

5/11/2005

Dr. Stephen Cooper

666 Glenbrook Road
Stamford, Ct. 06906

203 406 0554

Progress Note

George Smith

6/1/2005

HISTORY: George is improving. really much much better, feels anxiety is very improved at present
Prob. Pert. ROS/ Assoc. S&S: No anxiety is described. He describes no depressive symptoms. He
specifically denies manic symptoms. No hallucinations, delusions, or other symptoms of psychotic process
are reported by him.

Behavior has been stable and uneventful. Medication compliance is good, rules are respected, and activities
attended.
He describes no side effects and none are in evidence.

MEDICAL HISTORY:

Medical history is entirely negative. There have been no hospitalizations, operations, or serious illnesses.
dr boyd is his pcp but he has never seen him

MENTAL STATUS: George is friendly, fully communicative, casually groomed, normal weight, and
relaxed. His speech is normal in rate, volume, and articulation and is coherent and spontaneous. Language
skills are intact. Mood is entirely normal with no signs of depression or mood elevation. Today the patient
convincingly denies suicidal ideas or intentions. There are no signs of hallucinations, delusions, bizarre
behaviors, or other indicators of psychotic process. Associations are intact, thinking is logical, and thought
content is appropriate. Social judgement is intact. There are no signs of anxiety.

DIAGNOSES:

Gen. Anxiety Disorder 300.02, F41.1

Axis V:70

4/19/2005 began Klonopin 0.5 mg 1 tab hs
continue Zoloft 100 mg One am

Dr. Stephen Cooper

BROADCAST TRANSCRIPT



Date December 08, 2005
Time 10:00 PM - 11:00 PM
Station MSNBC
Location Network
Program Scarborough Country

JOE SCARBOROUGH, host:

But first, earlier today, I went to Miami and sat down with the family of missing honeymooner, George Smith IV. And for the first time, his parents and sister are publicly demanding answers. And they're sharing their stories about the young man whose death remains a mystery to that family and all of us.

It touched off an international investigation. For the very latest information in the case, let's go live to MSNBC's Lisa Daniels, who's also in New York. She's been following the story for SCARBOROUGH COUNTRY from the very beginning.

Lisa, good evening. Get us up to date, because it's been quite some time since you went up to Greenwich and filed those remarkable reports about the Smiths and, of course, Jennifer's family also. What--what can you tell us?

LISA DANIELS reporting:

That's right, Joe. It was a couple of months ago that we filed those reports on the show. And it's one of those stories that you really can't forget because of the characters involved. George Smith, the young man who seemed to have everything going for him. He was good looking. He was polite. He was popular. In fact, his friends called him the Gentle Giant because, at 6'2", he was so imposing, yet his friends say he was friendly to everyone. (Visuals of George Smith)

He had just married this beautiful, popular young woman from a nearby Connecticut town, Jenn Hagel. And it seemed like these two had everything going for them in the world, Joe, until tragedy struck. They go on their honeymoon, a cruise to the Mediterranean. And while on board the ship, George disappears. He just vanishes. And what's so odd is, nobody seems to know what happened to him. The only clue comes from a 12-year-old girl on the cruise. She apparently notices a bloody stain on a part of the ship, and she thinks it's so bizarre that she snaps a picture (Visual photo of blood stain onboard "Brilliance of the Seas," courtesy Emilie R)

Now, there were also reports that a bloody handprint was discovered on the ship, as well. Other than that, as you know Joe, because you interviewed them, we heard all sorts of stories from people on the cruise ship. Some saying

12/9/2005

that they heard loud voices coming from George Smith's cabin the night he disappeared, others saying the opposite, that 'No, it was actually very quiet, didn't hear a thing.'

And what's even stranger, as part of our investigation for SCARBOROUGH COUNTRY, as you mentioned, we went up to Greenwich, Connecticut, George's hometown. And people were extremely reluctant to speak to us on camera.

Then we went to Cromwell, Connecticut, Joe. And you'll remember people very reluctant to speak on camera before George's family spoke out, which they didn't, of course, until now, Joe.

SCARBOROUGH: All right. Thanks so much, Lisa. Appreciate you getting us up to date. And now, we want to go ahead, as Lisa said, and talk about that SCARBOROUGH COUNTRY interview, that exclusive. The Smith family speaking to us first, speaking out about what happened.

Now, for about five months since their son and brother disappeared, they have maintained their silence. They said they didn't want to interfere with the investigation that the FBI was doing. And for five months, we've heard about George Smith as the victim of a crime.

The party animal. That's, of course, what the cruise lines wanted you to think. It was such a mystery though. So I sat down and talked to them. And I asked them, instead of the George Smith that the cruise industry wanted us to think existed, I asked them to tell me about the George Smith that they knew.

Mrs. MAUREEN SMITH (George's Mother): My son was one of the most loyal people that I have ever met in my life. He just would not say a bad word about anybody. He was so loyal to his friends.

He--I just can't say enough good things about him, because he was loyal to his parents, wasn't he? And he had the greatest sense of humor.

Mr. GEORGE SMITH III (George's Father): Dry. Dry sense of humor.

Mrs. SMITH: The driest, greatest sense of humor. He was just a lovely young man that we miss very much.

SCARBOROUGH: A dry British sense of humor. Did he get that from you?

Mrs. SMITH: Yes.

Ms. BREE SMITH (George's Sister): A combination of the Irish and the British from my mom.

Mrs. SMITH: Irish thrown in there. But he was just--we can't say anything wrong about him, because we don't have it. We don't have it. I don't think I even had an argument with him. Over the life I've had one or two arguments with him. He was just that kind of person.

Mr. SMITH: Low-key.

Ms. SMITH: Very easy-going, you know. Loves life. Just a very happy and--you know--contented person. He had so much to live for, you know. He had a new wife and a promising business to take over. A lovely apartment. There's just so much that he had going for him. And it's just such a tragic loss for us all.

SCARBOROUGH: What's been the hardest part of this terrible ordeal?

Mrs. SMITH: Not knowing.

Mr. SMITH: The lack of information.

Mrs. SMITH: Not knowing.

Ms. SMITH: That's right.

Mr. SMITH: Especially from the cruise line.

Mrs. SMITH: We just don't know. And you--you cling to a glimmer of hope that maybe he survived it, and he's out there and he needs us. And then reality sets in and you think, 'No, he couldn't have possibly survived it.'

But not knowing, I think, is the hardest thing.

Ms. SMITH: And it's in your mind constantly. A--a few--you know--your mind thinks a different thought. And all of a sudden, George pops into your mind. And it just feels like you've been hit.

Mr. SMITH: He stays with you all the time.

Mrs. SMITH: All the time, all the time.

Ms. SMITH: Yes.

SCARBOROUGH: And you talked about other parents being able to know what happened to a son or a daughter they lose in a car accident...

Mrs. SMITH: Right.

SCARBOROUGH: ...and being able to go to the grave site and bury him, but for you, not only do you not know where George is, you don't know what happened.

Mrs. SMITH: No, no.

SCARBOROUGH: You don't know who did what to him.

Mrs. SMITH: We don't know whether it was crew, whether it was passengers, whether it's a combination. We don't know anything.

Ms. SMITH: But we do think the FBI has a lot of good information, and they're 100 percent committed to this case.

Mrs. SMITH: Yes.

Ms. SMITH: And we've been told they're not going to let it go.

Mr. SMITH: Until they solve it.

Ms. SMITH: And I believe they're going to come to an answer for us.

SCARBOROUGH: What--you talked about your son coming in and taking over your business and, obviously, you've lived in Greenwich your whole life. He lived there his whole life. Is that--is that one of the toughest parts for you, that you planned that your whole life and--

Mr. SMITH: No, not really. I--you know--I've been in business for over 20 years in Greenwich with my one store. I eventually plan to retire. But my son, a couple of years ago, came back to me and said, 'Dad, I want to take over the business.' So I said, 'Are you sure you want to get into--you know--retail business? It's weekends and this, and that.' And he said, 'Yes, I do. I really love it. I want to get into it.' And we formed a very tight relationship between the two of us, even closer than before.

Mrs. SMITH: We've been robbed. We've really been robbed, haven't we?

SCARBOROUGH: You've been robbed. You don't know who robbed you. You don't know how you were robbed.

Mrs. SMITH: No, our lives will never be the same again,

never.

SCARBOROUGH: And again, he's with you all the time. If you lose a son or daughter--

Mr. SMITH: It's for this reason we feel that Congress needs to make changes in the laws so other families don't go through what we have to go through now, and--go through the suffering and not knowing. Every day it's a struggle--you know--but we're holding it together.

Mrs. SMITH: For the first three months, we were just out of our minds and we wouldn't have been able to do interviews anyway. But the FBI asked us to keep quiet and we did. But we wouldn't have been able to speak up till now.

Ms. SMITH: No.

Mrs. SMITH: We were just--we couldn't do anything.

Ms. SMITH: But we think now is a good time to come out, because we want to provide our--our support to Congressman Christopher Shays on the hearing that'll be held next week.

I just think there needs to be public awareness, because change is required. I don't think any other families should go through the hell we've been through. And I think now is the time for change, and that's what we're hopeful for.

Mrs. SMITH: I think the cruise lines are a very sinister underworld. And we have been on lots of cruises, haven't we?

Mr. SMITH: Most of them Royal Caribbean.

Mrs. SMITH: And we loved them, and we never doubted--you know--that anything could happen to us. But what we're finding out, since this has happened to George, it's just--we would never set foot on another cruise ship.

SCARBOROUGH: Let's talk about Turkey for a second. When it--when it went in when they docked in Turkey, those officials were even complaining that they didn't have enough time to conduct the investigation, to talk to all the people.

You saw the video we had of this chaotic scene of a kid and babies crying, and all these things happening.

Mrs. SMITH: Right. They have a schedule, Joe, they have to keep. Onward, you know.

SCARBOROUGH: Is that what they told you?

Mrs. SMITH: No, but we know, don't we?

Ms. SMITH: The cruise line hasn't told us anything. There's been a complete lack of information, and that's actually why our attorney, Brett Rivkind, has sent a letter to--you know--the president of Royal Caribbean with a list of questions, because we have no information.

I understand why we're not been given information from the FBI. That's sensitive, you know. We don't want to interfere with the investigation. But Royal Caribbean should be providing us with information. They have not up until this point.

Mrs. SMITH: They want it to be a tragic accident. And if my daughter hadn't pursued what she did in the beginning, getting in touch with Congressman Shays, the FBI, it would have gone down as a tragic accident.

SCARBOROUGH: You know, you all were kept in the dark. I remember from the very beginning, people were asking where you all were and where Jennifer's family was.

Mrs. SMITH: We did it for the FBI.

SCARBOROUGH: And I'm just wondering, did you have--when these people would come on our show and talk about what happened that night, did you have information about that, or that bloodstain? When's the first time you saw that bloodstain?

Ms. SMITH: I saw it for the first time when my parents were in Greece searching for George. I saw it in the Greenwich Times. But I hadn't seen that before.

In the beginning, we were not looking at the media. It was too difficult for us. We didn't start watching television--you know--until a certain amount of time had passed by. But we were learning information from your show, actually.

I mean, that--that's awful to have to depend on--you know--investigative reporters to find out information.

SCARBOROUGH: Well, what's so terrible is you're sitting at home, learning about your son from a TV show.

Mr. SMITH: Taking notes.

SCARBOROUGH: I never assumed that. Nobody at the network--you would think that the cruise lines, or somebody else would have been keeping you informed and letting you know what was going on.

Ms. SMITH: No, they--before we broke contact with them, it was no news, no news. We were never even informed that the Turkish authorities were investigating George's death.

Mrs. SMITH: When did we get the call (inaudible--low volume at source).

Ms. SMITH: Yes, and then--that was in early September, we had a call from Lynn Martenstein at Royal Caribbean, who, I believe, has given statements to your show. And she had not been in touch with us previously. And she had left a message on our answering machine at home saying that she had been on "A Current Affair," and she wanted to tell us about the show, that it would be on the following week.

Never I'm sorry about your loss, you know. 'We're very disappointed that there haven't been any arrests made.' Just concerned about their media image.

Mrs. SMITH: Not sorry, nothing. Very cold voice, wasn't it.

Ms. SMITH: It's a matter of business. We're an insurance liability for them. Well, my brother and my parent's son is nothing but money.

SCARBOROUGH: You know, they're such wonderful people. Again, I--you felt--you just felt the pain when you were sitting there with them. Such a loss.

And the worse part of it is they can't have closure because the cruise industry is really, in my opinion, has been working overtime not to get at the truth, but just to protect themselves.

Just again, a very tragic situation. We've got more of that interview that we're going to be showing you tomorrow night, along with their attorney. I had a long interview with him. And we're going to continue talking and showing you those clips up until the hearing in Washington, DC, on Tuesday. I will be there, and we will cover it.

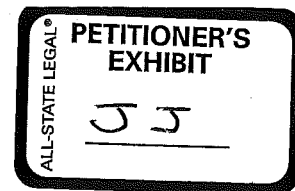
And we're going to keep pressure on the cruise industry, not only for George Smith and justice for George, but also justice for other people that have been injured, abused, raped, assaulted on these cruises when they go out there.

And these crimes, unfortunately, in my opinion, it seems

that these crimes--these crimes may have been covered up.

Now, the Smith family has set up an email address for anybody that may have information about what have happened to George that night. They said that if you were afraid to come forth, you can write this email address confidentially. The address is justiceforgeorge@aol.com.

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Nancy Grace

CNN Headline News National 12/19/2005 8:00 PM - 9:00 PM

Author: Nancy Grace

Ms. BREE SMITH Sister of Missing Groom: As you know, my brother, George Smith, went missing on July 5th from the Royal Caribbean Brilliance of the Seas. We believe he was murdered on his honeymoon with a lifetime of happiness and a promising future ahead of him. George is very missed by his family, as well as his many friends.

The slow pace of the FBI investigation is the direct result of Royal Caribbean not locking down the ship in Turkey and pushing the Turkish investigators off the boat so that the Royal Caribbean Brilliance of the Sea could sail on to its next port on schedule.

NANCY GRACE, host:

That's right. Remember how many nights we tried to figure out the mystery surrounding 26-year-old George Smith?

Tonight, his family is with us.

At a time that should have been the happiest of his life, he and his beautiful young bride go on their honeymoon. He disappears mysteriously off a cruise ship, a gorgeous cruise ship, is never seen again. The family left with

12/20/2005

nothing, no closure, no answers, no son, no brother.

Tonight, with me here in the studio is George's family.

Welcome to all of you. Thank you for being with us.

Mr. GEORGE SMITH Father of Missing Groom: Thank you,
Nancy.

Ms. B. SMITH: Thank you for having us.

Ms. MAUREEN SMITH Mother of Missing Groom: Thank you.

GRACE: It's amazing to me that you have the strength to
keep a brave front—all of you wearing George's picture on
your lapels. How do you do that? How do you continue on
with no answers?

Mr. SMITH: We're doing it based for justice for George.
We have to do it for him. We don't want his life to go in
vain. And we want some justice for him and some laws
passed that this doesn't happen to another family the way
it's happened to us.

GRACE: Do you remember that when you learned, the moment
that you learned, that George had gone missing?

Mr. SMITH: Uh-huh.

GRACE: What happened?

Ms. M. SMITH: We just went into disbelief. We just
thought, "It can't happen." We just thought, "He's
somewhere else on the ship." We just thought, you know,
maybe he's on a deck chair somewhere. It's disbelief. It
was just disbelief. And, you know, it doesn't happen to
you.

GRACE: So basically, you're a mom looking for any other answer other than...

Ms. M. SMITH: Oh, yes. It wasn't going to happen to us.

Mr. SMITH: It couldn't happen to George.

Ms. M. SMITH: No, on a cruise ship.

GRACE: Did you have...

Ms. B. SMITH: Yes. And, you know, even when we heard that the boat had been searched, you know, we said, "Well, make sure that waters are being searched." And I pushed and pushed and pushed for the extension of the search, you know, by the Turkish and the Greek coast guard. And they did do that for us.

I tried to get the US Navy in, but unfortunately they couldn't enter foreign waters.

GRACE: Foreign waters.

Ms. B. SMITH: We did everything we could, because George was so strong and so muscular. We thought that he could swim, if, you know, he was OK when he went in the water. But unfortunately, I don't think he was OK when he went on the overhang.

GRACE: I've got a couple of questions. And I don't even know if you have the answer yet. Was there a video camera showing who was going in and out of his stateroom?

Ms. B. SMITH: We're actually not sure about whether there are video cameras in the hallways. The FBI hasn't been able to tell us that.

GRACE: How can that be? How can they still not have told you that? And I'm talking about Royal Caribbean cruise line.

Ms. B. SMITH: Right, right. Royal Caribbean has told us absolutely nothing. We actually provided a long list of questions. And it was given to the risk management department, which is basically the department in charge of handling lawsuits. And we have not been provided any answers from Royal Caribbean.

GRACE: And I notice that, while we were railing every night on the air about, well, is there video, who was with him last, have they sampled the blood, have they gotten a DNA comparison? What do we know? What are they--nothing. And I notice that I believe it was a "Current Affair" reporters were apparently giving the FBI the witnesses before the FBI would find them.

Ms. B. SMITH: That's what we heard on the media. You know, I can't confirm it, because the FBI doesn't tell us about their investigation. But I know they're 100 percent committed. And we are confident they will have an arrest.

GRACE: I believe that they are.

Ms. B. SMITH: Yes.

GRACE: Royal Caribbean has given a statement. And they say members of the family remain in shock and pain. Their recollection of events may not reflect what actually happened.

"At no time was Jennifer left without resources or contact information. We continue to cooperate closely with the FBI, observe the limitations they have asked us to respect."

Is that true? Did they cooperate with Jennifer? Because that is not what my sources tell me.

Ms. B. SMITH: Well, you know, all I know is what Jennifer put in her statement. And so you probably need to ask her yourself. I know that, you know, she's in the media now and she's probably willing to answer that question.

But what I do know is what Royal Caribbean failed to do with us, and that's to provide us with any information.

When we had the initial call from Royal Caribbean, they did not tell us that there were suspicious circumstances. They did not tell us that there were Turkish authorities on the boat investigating my brother's murder. They said, "No news. No news." And that's all they ever told us.

GRACE: I can't imagine the feeling of helplessness, you here in the U.S., with him missing somewhere in the Mediterranean.

Mr. SMITH: You have no idea what's going on. You know, you're sitting there with no answers, no one that wants to give you the answers. And you're just praying and you're just—you're not getting any answers. It's sad.

GRACE: But you have taken your fight to Congress. What do you want from them?

Mr. SMITH: We want changes in security, the way passengers are treated on a boat, that there be security on the outside of the boat during the evenings and stuff like that.

We need changes in employment, the way they hire instead of off the docks. You know, paying people \$3 an hour when they're watching people gambling \$100. That's weeks' and weeks' pay for them. It's very easy for them to go out and say, "Oh, I can make a lot of money very quickly."

GRACE: We are looking for answers tonight in the disappearance of this man.

Very quickly to tonight's "All-Points Bulletin." Law enforcement across the country on the lookout for Christopher Allen Dean, wanted in connection with the 2002 Michigan murder of 24-year-old Moises Santiago.

Dean, 25, 6'5", 200 pounds, black hair, brown eyes. If you have info, call the FBI, 313-965-2323.

Local news next for some of you, but we'll all be right back. And remember, a look at this year's most compelling cases, from Jackson to Peterson to Blake, 3:00 to 5:00 Eastern, Court TV.

Please stay with us as we remember tonight Sergeant Brian C. Karim, just 22—he should have been in college—an American hero.

Commercial Break

GRACE: Twenty-six-year-old George Smith went missing off a dream honeymoon cruise. His parents and family still looking for answers. Royal Caribbean says they've done all they can. Well, maybe Congress will think otherwise.

Very quickly to the Smith family attorney Bret Rivkind, do you believe they are cooperating, Royal Caribbean?

Mr. BRET RIVKIND Smith Family's Attorney: I think at this point in time they have no choice, Nancy. But the question is, at the beginning of this investigation, they've made the FBI handicapped and disabled in their investigation. I think at this point, with Congress looking at them, with the public looking at them, they have no choice but to cooperate.

GRACE: Well, if you can – if anyone can get results, it will be Bret Rivkind.

And to Adrianna Gardella, associate editor with "Justice" magazine, do we know anything more tonight?

Ms. ADRIANA GARDELLA Associate Editor, "Justice"

Magazine: In terms of the FBI investigation or...

GRACE: The investigation whatsoever, any answers.

Ms. GARDELLA: We still have no answers. I mean, the FBI is being typically tight-lipped about this. We don't know about any evidence or any lack of evidence, but they are investigating. So that's what we know on that end. And then hopefully we'll have more information once this

lawsuit gets underway.

GRACE: Why is that?

Ms. GARDELLA: Well, during the discovery process, Royal Caribbean will be forced to answer questions and requests for documents. And they're going to have no choice but to turn over the information that they've been keeping so closely guarded so far.

GRACE: Final thoughts?

Ms. B. SMITH: I just think that, as difficult as it is for my family to come public and in the spotlight, I think it's essential, because finally, you know, Congress is taking notice of what's happened on the cruise lines for far too long. And we just hope that our public involvement will make a difference.

GRACE: You were silent for so long. Why?

Ms. B. SMITH: Well, the FBI had requested our silence for their investigation. And additionally, we were mourning and grieving in private. And we just couldn't do that in front of the cameras.

GRACE: Thank you for visiting with us tonight.

Ms. B. SMITH: Thank you.

GRACE: I want to thank all of my guests. Our biggest thank you is to you, for being with us, inviting all of us and our legal stories into your homes. Coming up, headlines from all around the world.

And a special good night from studio guests—college

students up from Georgia. Good night.

I'm Nancy Grace signing off for tonight. See you right
here tomorrow night, 8:00 sharp Eastern. And until then,
good night, friend.

Rita Cosby, Live & Direct

MSNBC National 12/22/2005 9:00 PM - 10:00 PM

"George Smith"

Author: Rita Cosby

RITA COSBY, host:

But first, a candid and revealing interview with the family of George Smith. He's the honeymooner who suddenly disappeared from a Royal Caribbean cruise this summer.

In a rare interview, I talked to his mother, father and sister. They still have many unanswered questions. Among them, who may have killed George and why. Were people onboard the cruise, including two Russians and a student from California, involved in any way? And was there a deliberate cover-up by the cruise line?

George's parents told me they believe 100 percent he was murdered and point to blood seen by passengers on the ship's overhang.

Ms. BREE SMITH George Smith IV's Sister: The extent of the blood that was in the cabin, as well as the blood on the overhang. And also the fact that the FBI is still

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spending millions of dollars on my brother's investigation almost six months later visuals blood stains on awning over lifeboat station aboard Royal Caribbean's "Brilliance of the Seas". If it was an accident, the FBI would not be spending all its resources on my brother's case when there's terrorism and a lot of other concerns they could be focusing on.

COSBY: What do you believe was the basis for the murder?

Mrs. MAUREEN SMITH George Smith IV's Mother: We don't know. We really don't know. And that's why we're trying so hard.

Mr. GEORGE SMITH III George Smith IV's Father: There's a lot of theories out there—you know—robbery and—

Mrs. SMITH: We don't know.

Ms. SMITH: Yeah, we don't know.

Mr. SMITH: Who knows? There's a lot of rumors going around—you know—something about large amounts of money and winnings in the casino.

COSBY: One of the theories, as you pointed out, was that maybe he won a lot of money and was maybe bragging about his winnings in the casino, and he was a target. Because folks knew on the ship that maybe he had money with him. Is there anything in his nature that would lead to you believe he was a braggart? That maybe he would be doing a little showboating?

Ms. SMITH: No. I—he wouldn't—he wouldn't brag, I don't think. But—you know—he wouldn't necessarily have

to brag. If people saw—you know—him winning, he wouldn't need to say a word. But we can't comment on any motive because we honestly don't know.

Mrs. SMITH: We don't know.

Mr. SMITH: We're looking for answers ourselves.

COSBY: Is it possible that it had something to do with Jennifer who was also partying?

Ms. SMITH: We—we also don't know. It's very possible. We just don't have the information.

COSBY: Were they big partiers?

Mrs. SMITH: They partied under the right circumstances.

Ms. SMITH: They were on their honeymoon, you know. They were drinking but they didn't have to drive. I think that's one of the reasons why people going on cruises. They don't have to worry about having a few drinks and then getting in a car. And—you now—generally, in the past, people have felt safe and not realized that they need to be on guard on these ships.

But I think that's one thing that my brother's—you know—murder has brought into attention, the fact that you can't let your guard down. You have to be aware of your surroundings and—you know—be careful if you have a few too many drinks, because someone could take advantage of you on these cruise ships.

Mrs. SMITH: That's what Royal Caribbean liked to push, intox—that they were intoxicated visuals photos of missing groom and bride at pool area onboard Royal

Caribbean's "Brilliance of the Seas". That's all they kept saying. But you know what? They're the ones that push the drinks.

Mr. SMITH: They're the ones that throws the bill under the door with the big che—the big bill at the end of the cruise.

Mrs. SMITH: They push the drinks on you when you're in that casino. And if you're in the casino gambling, those drinks are flowing freely. And this is what they do.

And then, they turn around and say intoxicated—you know—like it's a dirty word.

Ms. SMITH: You shouldn't die because you had a few drinks.

Mrs. SMITH: You shouldn't be murdered because you drink.

Ms. SMITH: And I think that's a very easy scapegoat for Royal Caribbean to claim it was an accident because he had a few drinks. But the facts are that the FBI is still investigating.

Mrs. SMITH: Right.

Ms. SMITH: And I think that usually the cruise lines are successful in saying that it's a suicide or accident. But because of the physical evidence in my brother's case, unfortunately for them...

Mr. SMITH: They couldn't cover it up.

Ms. SMITH: ...they couldn't cover up this crime.

Mrs. SMITH: Had there not been an overhang and my son went right into the water, we could have cleared that—they

could have cleaned that room up very nicely.

Mr. SMITH: It would be another statistic.

Mrs. SMITH: It would be another static, another suicide overboard.

COSBY: Is it possible that he got drunk and went overboard on his own?

Ms. SMITH: No.

Mrs. SMITH: No.

Mr. SMITH: Totally impossible. Totally impossible.

COSBY: Why do you rule that out?

Mr. SMITH: Because of the fight.

Mrs. SMITH: There was so much blood in the room.

Mr. SMITH: Because of the violent fight. You don't just fall overboard.

Ms. SMITH: If you've been drinking, your legs are what gives out first. You can't get over a four-foot railing if you are not standing very well.

Mrs. SMITH: There was a violent fight. And there was voices heard out on the balcony and—foreign voices. And then they were heard in the cabin. And there was—there was lots going on on that ship.

COSBY: Josh, one of his attorneys, I remember seeing him on one of the shows. The boy from San Diego, one of his attorneys was sort of suggesting, 'Well, maybe George was suicidal. Maybe he jumped overboard.'

Mrs. SMITH: He retreated that—

Ms. SMITH: Retracted.

Mrs. SMITH: He retracted that the next day though. That was brought right back. You know, you're going to hear so many things.

Ms. SMITH: And a lot of people say things to protect themselves.

Mrs. SMITH: Yeah. Yeah.

COSBY: Was he depressed? Is there any possibility he would have taken his own life?

Mrs. SMITH: No.

Ms. SMITH: No. No possibility.

Mrs. SMITH: I have photos of him his last day.

Mr. SMITH: How could you go on a cruise and spend \$10,000 and be depressed? Believe me.

Mrs. SMITH: We have photos of him in Mykonos. And you could not meet a—my God, he looked so happy.

Mr. SMITH: He just was having such a great time, and he was just looking forward—you know—to everything.

COSBY: What a lot of people wonder is—you know—with the honeymoon. And yet, we've heard stories that George was upstairs gambling, Jennifer was over here drinking.

Mrs. SMITH: This is what you do though.

COSBY: What kind of a honeymoon does that sound like to you?

Mrs. SMITH: You know, they lived together for two years.

Mr. SMITH: Three.

Mrs. SMITH: They lived together for almost three years.

Mr. SMITH: It was not like a two-month—they get married.

and go on a honeymoon.

Mrs. SMITH: When we go on a cruise—when we go on a cruise, George gambles. I go back sometimes.

Ms. SMITH: In fact, we've been almost on the identical cruise in 2001, my brother, myself and my parents. And I would stay at the disco, my brother would be—you know—at a different part of the casino. Then my dad and my mom would be in a room. And I wouldn't think—you know—I would stay at the casino until 2:00 and then walk back by myself. You never think this could happen. We didn't have that awareness.

COSBY: Are you satisfied that you're getting all the information from her, you as a family?

Mrs. SMITH: I—

Mr. SMITH: I think we'd like to have a little more.

Mrs. SMITH: I would like to have a little bit more from her.

Mr. SMITH: She hasn't given us, totally, everything that I think she possibly could have.

Ms. SMITH: I think she possibly could have stated that the FBI had requested that she keep certain things from that evening quiet. So—you know—that could be the reason why we don't have—

Mrs. SMITH: I think the truth will come out eventually.

COSBY: But that's got to be troubling, too, as a family.

This is someone who came into your family. That's your son. You deserve to know.

Ms. SMITH: It's difficult. It's definitely difficult.

Mr. SMITH: It's difficult.

Mrs. SMITH: It's made it hard. It's made it very hard.

COSBY: What was his relationship like with Jennifer? Did it seem things were good?

Ms. SMITH: Yeah.

Mr. SMITH: They were very, very much in love.

Ms. SMITH: Yeah, they were very, very much in love.

Mrs. SMITH: He idolized her, idolized her.

Ms. SMITH: Yeah. Yeah.

Mrs. SMITH: He thought—you know—he was the happiest I've ever seen him on his wedding day. And he told everybody how much he loved her, didn't he?

Ms. SMITH: Yeah.

Mrs. SMITH: Told everybody.

COSBY: Were they faithful?

Mrs. SMITH: Oh, my God, yes!

Ms. SMITH: You couldn't find a more loyal person than my brother.

Mr. SMITH: My son would not do that. It's not in his character.

COSBY: Do you believe that maybe he trusted the wrong people?

Mr. SMITH: I think so.

Mrs. SMITH: That's what happened, I think.

COSBY: Someone on the ship?

Mr. SMITH: Yeah.

Mrs. SMITH: Oh, yeah.

Mr. SMITH: On the ship like that, there's usually not a big crowd at his age. And I guess—you know—if there's ten people onboard, eight or ten of them are going to start to hang around together and he probably got into the wrong group.

COSBY: Maybe the Russians?

Mr. SMITH: I don't—you know, I don't know. There's all speculation, you know. We really don't know visual photo of "Brilliance of the Seas" in port, courtesy Stephanie McEver.

COSBY: In your heart of hearts, do you believe the two Russians and the student from San Diego know more than they're saying?

Mrs. SMITH: I think—I think Josh has been on the television a lot, and that's what I've learned through the media. He's been on and off a lot pointing fingers. And I think he knows a lot. That's my personal—that's what I think. He's been on there a little too much pointing fingers. So I think the truth has to come out eventually.

Mr. SMITH: You can be on too much and say too much where you're just sort of—people start to look around.

Ms. SMITH: We don't have enough information.

Mr. SMITH: And we really don't know exactly, anything.

Ms. SMITH: All we know is that there were a certain amount of people in that room that night. And I'm confident the FBI knows who those people were. And I

think that they have the answers. And we have faith that the FBI—you know—will make arrests, make convictions in my brother's murder.

COSBY: Do you believe this'll be solved?

Ms. SMITH: Yes.

Mrs. SMITH: I do, yes.

Ms. SMITH: Yes. It's very painful to have to wait this long, you know. But we've been told by the FBI that they're 100 percent committed, and they'll bring us answers.

Mr. SMITH: Yes.

COSBY: So you're 100 percent certain it will be solved?

Ms. SMITH: Yes.

COSBY: And let's certainly hope so. Well, we reached out to the attorneys for both the Russians and also the California student, Josh, mentioned by the Smith family. The attorney for the Russian kids told us that he has nothing to add. In the past, josh's attorney has said that his client did nothing wrong.

And Royal Caribbean recently released the following statement saying, quote, "We believe that - despite this terrible tragedy - the cruise line handled George Smith's disappearance correctly and responsibly."

But the Smith family is not giving up. Find out their plan to get answers next. We're going to have much more of our interview.

Ms. SMITH: "No man is an island entirely of itself." The English poet wrote. "Every man is a piece of a continent, a part of the main."

George Allen Smith IV was a part of Coscobb, and his loss diminishes me.

COSBY: That was George Smith's older sister, Bree. Well, the family of missing newlywed, George Smith, has received emotional and touching letters from countless people across the country, and especially in their community of Greenwich, Connecticut.

They are now breaking their silence hoping someone out there who knows what happened to George will contact them and help break this case.

They also told me that they believe that there's a strong likelihood that his possible murder was hidden by the cruise line.

Mr. SMITH: It's evidence of a cover up with Royal Caribbean. Because if they'd left that evidence, it would have been a lot easier for the FBI to work on the case.

But they were seen, 7:30 or 8:00 in the morning, washing that off even before the Turkish police came onboard. So—

Ms. SMITH: And then it was painted over before the FBI got on the boat. So who knows what was left there for the FBI.

Mrs. SMITH: They knew there was blood there. And what did they say to you, Bree? No news.

Ms. SMITH: No news, no news.

Mr. SMITH: No news. That's what we kept getting...

Mrs. SMITH: ...from Royal Caribbean.

COSBY: Because they had no update for you?

Mrs. SMITH: Right, no update.

COSBY: They knew there was blood there...

Ms. SMITH: Yes.

COSBY: ...but didn't tell you.

Ms. SMITH: Right.

COSBY: So they had no information.

Mr. SMITH: That's typically how the work. It's risk management.

COSBY: So they lied.

Mr. SMITH: Right.

COSBY: So they lied to you.

Mr. SMITH: Right. They basically lied.

Ms. SMITH: The Risk Management Department, which is the department that's concerned with lawsuits, is the department that was making the initial calls to us. It was only in September that we heard from a different department which was the Public Relations Department. And I actually have a recording of a message on the answering machine. Audio recording of telephone message left on Smith family answering machine by representative of Royal Caribbean "Hi, this is inaudible-low volume, garbled speech of Royal Caribbean. And I'm wondering if it might be possible for either of you to give me a call back. I wanted to—I'm the one that was on "current affair" for royal Caribbean,

and I wanted to give you—tell you that another program is going air this week, and I just wanted to tell you that.

I'm sorry to have bothered you, and I hope you will return my call. Thanks so much."

COSBY: When you hear that recording, how angry are you?

Mr. SMITH: We got so angry, we—

Mrs. SMITH: I called the FBI.

Mr. SMITH: Called the FBI immediately.

Mrs. SMITH: And I played it for him.

COSBY: Weren't you waiting to hear, 'I'm sorry about your loss? We're trying to figure out what happened.'

Mr. SMITH: 'We'll do anything for you.'

Mrs. SMITH: Maybe a knock on the door three months earlier to say—come in and say, 'I'm the representative from the Royal Caribbean cruise line. And I just want to say how sorry I am.' Nothing.

COSBY: The first call you get is from someone in Risk Management.

Mrs. SMITH: Yes.

Mr. SMITH: Yes.

COSBY: And what did that call say?

Ms. SMITH: 'We're sorry that your son is missing. We have no news. We have no information.' We received information, thankfully, from the American Embassy in Turkey. And also, my father had the good idea of contacting Congressman Shays. And that's when we found out about the suspicious circumstances and contacted the

FBI.

But thank God that there was the American Embassy involved and Congressman Shays' office, or Royal Caribbean would have been successful in its attempt to make it look like an accident. Basically, the first media reports were that this was a drunk honeymooner that fell overboard. And there were no suspicious circumstances. And the captain had out-ruled sic foul play.

Well, this is not true. This is not true. And they lied to the media.

COSBY: You haven't filed a civil lawsuit yet?

Mr. SMITH: No.

COSBY: But you plan to?

Ms. SMITH: Yes.

Mr. SMITH: Yes, we do.

COSBY: Why do you think that's important?

Mr. SMITH: To get answers. We want to know what happened through discovery and get answers, exactly what Royal Caribbean did, and what they know and what they're not telling us. They're not telling us everything.

Mrs. SMITH: The boat, when it got to Turkey, God knows what was taken off that ship. Whether people got off and they're not reporting that people got off. Evidence, weapons, what got off. And then, if there was murderers left onboard when it took off—when—when it went off to the next port of call.

Ms. SMITH: Well, we know there were murderers left

onboard. The question is whether they were still onboard.

If crew members were involved with my brother's murder.

They could still be onboard. So I would be very afraid if

I was currently onboard the "Brilliance of the Seas" on a

Mediterranean cruise.

COSBY: In other words, you believe some of the people responsible still working for the cruise line?

Mrs. SMITH: It could. It could be passengers, crew. It could be a combination.

Mr. SMITH: It was a combination of passengers and crew.

What—what it was though, in Turkey, that was a crime scene and it should have been locked down and tight.

You know, that ship, when you see blood dripping down the side of a boat, you know you've got a crime scene. And that boat should have been stopped, locked down, passengers should have been questioned. No one should have been allowed to get off the boat. You know, that was a crime scene, and it should have been treated as a crime scene.

And Royal Caribbean did not treat it as a crime scene.

Mrs. SMITH: We have evidence to the fact that there was enough blood in the room to warrant suspicion.

COSBY: The Christmas holidays are approaching. It's got to be tough.

Mrs. SMITH: Yes.

COSBY: It's the first Christmas without him.

Mrs. SMITH: First Christmas without him, yes.

Ms. SMITH: He's always been here for the holidays. And

we're a small, close knit family. And—you know—we spend all the holidays together. And—and this year, for Thanksgiving, you know, we try to pretend that Thanksgiving wasn't happening. And the day after Thanksgiving, I had to go with my father to clean out my brother's clothes and shoes from the closets. So this is an awful holiday season this year.

COSBY: I understand you have a trip after the holidays.

Where do you plan to go?

Mrs. SMITH: We haven't planned it yet. But after—we were supposed to go before Christmas to England. But we're going to go after Christmas, maybe just after the new year.

And then, we're going to go into Greece again and just try and get some final answers. And go back and speak with the Coast Guard like we did before. And possibly go into Turkey and get some questions answered.

COSBY: Do you think you'll get more answers this time?

Mr. SMITH: I think we will get a lot of answers if we go to Turkey.

Mrs. SMITH: I think we may, yes.

Mr. SMITH: We have contacts in Turkey. And I think if we use those contacts, we'll get a lot of answers.

COSBY: Tell us about your son, George.

Mr. SMITH: Oh—excuse me—he's a special person. I worked with George every day, and he was just a hard worker and a nice guy, and he had a great personality. Everybody loved him in the store because he just loved to talk and he

loved to make jokes. He—he was just very, very popular.

He was scheduled to take over my business in 2006...

COSBY: The liquor store?

Mr. SMITH: ...and I was going to retire. My business is

actually up for sale now. But I was going retire and

George was going to take over. He was really looking

forward to that. He was taking courses in wine, and he's

into computers. He was going to do a lot on—a lot on the

internet. And he was just looking forward to getting

started. And would have been, you know, next year.

Mrs. SMITH: He had such great friends. And you know,

birds of a feather flock together. And they just—they

just adored him. He's just missed so much by so many

people.

COSBY: What's been the most difficult thing for you as a
mother?

Mrs. SMITH: Losing a son. Just not having my son

anymore. I mean, my—my—my daughter doesn't have her

brother. My husband doesn't have his son. He's gone.

COSBY: A tough loss. And again, Royal Caribbean has also

again said that George Smith's disappearance has been

handled correctly and responsibly. That's the cruise line

involved.

Of course, the family continues to urge anyone with

information to come forward. Maybe if you saw something

unusual that night or heard anything. If so, please email

their tip line, which is JusticeforGeorge@aol.com. Again,

justiceforGeorge@aol.com.

And joining us now is the Smith family attorney, Brett Rivkind. You know, Brett, I had the pleasure of spending some time with the family. You've known them well. What I was impressed with is this is a really close-knit family. This loss is just so deep for them, right?

Mr. BRETT RIVKIND Smith Family Attorney: It's unbelievable. This has to be one of the most heart wrenching cases. I've been doing nothing but maritime law for 23 years, and I've had some tragic cases I've worked with. A case involving a fire where 158 passengers died, ships lost at sea where people died. And—and this is one of the most heart wrenching cases.

This was such a close family. I mean, they're still a very close family. It's just a tremendous, tremendous loss.

COSBY: You can tell. You know, one of the thing too, they seem very frustrated that they're being kept in the dark in a lot of different directions, right?

Mr. RIVKIND: It—it's—it is frustrating, you know. All I can say is—you know—there's an ongoing FBI investigation. And when that happens, the FBI likes the witnesses and anybody with information really not to share their information during the investigative stage.

So it's been very frustrating for the Smith family, because as you know speaking with them, all they really want right now, their number one priority is answers.

COSBY: Absolutely.

Mr. RIVKIND: And it is hard for them. Very hard.

COSBY: And boy, do they deserve it. You can just that they're desperately looking for that.

One of the things, we heard some good news, too. We heard also, tomorrow—we got this—we got this flyer. I don't know if you can see this Brett, but we got this flyer.

Apparently, attorneys and people close to Jennifer Hagel, tomorrow, they're going to be greeting the cruise ship when it comes into Miami.

This is the actual cruise ship, when it docks in Miami.

And we're told that they're going to be handing out this flyer, reminding everybody that there is \$100,000 reward.

Trying also, to pass it out to crew members. Because hasn't there been a problem even talking to some of the crew members and even some of the passengers onboard, right?

Mr. RIVKIND: Well, it's very difficult. First of all, as lawyers, we're prohibited from talking with current employees of the company. And as you know, most of the crew members on the cruise ship come from all over the world, from all the third-world countries.

It's very difficult to get subpoenas over them. It's very difficult to get any information. We're not allowed to talk to them. And most crewmembers are fearful of helping because they've been retaliated against in the past for testifying against the cruise line.

And many are fearful of losing a job that's very precious.

to them. So anything that could help them come poss—come forward, of course, we applaud.

COSBY: Absolutely. You know, you've pointed out, Brett, you've been a maritime attorney covering—you know—cases like this for what. 23 years. How do you rate this case?

I'm stunned at a lot of the things that have happened:

Mr. RIVKIND: Yes, this is one of the most stunning cases.

It's—it's really difficult to see a statement that Royal Caribbean puts out there that says we handled this responsibly and correctly. You know, what they say and what the truth is, is two different things.

I mean, it's a general statement. They're not coming out here. I don't know one thing they did correctly. I think from the beginning, they duped the FBI, the public and the Smiths into believing that this was just an unfortunate accident.

And then when the FBI learned the facts of the case, they had to go down a different road with their investigation.

And by the time they went down that road, it's now a bumpy road because of what the cruise line company did and didn't do: tampering with evidence, destroying evidence, contaminating evidence and keeping the truth from the FBI themselves. So the FBI is handicapped at this point.

COSBY: Brett, thank you very much. Keep us posted. And of course, we're going to keep that family in our prayers.

And again, everybody saw the AOL—this is the tip line. It is justiceforGeorge@aol.com.

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11

Justice For George Smith

Recommended Sites

- Cruise Bruise
- Scared Monkeys
- International Safe Travels
- Holiday Travel Watch
- Ashley Barnett
- Amy Bradley

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What you should know before you cruise. Think before you book a cruise. Who do the cruise lines answer to?

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HR 5707

Cruise Line Accurate Safety Statistics Act.
We need your help to



George and his mother Maureen dancing at the wedding reception at Castle Hill Resort in Newport, R.I.

George Wedding & Honeymoon June - July 2005



George and his sister Bree at his wedding on June 25, 2005



George waves goodbye to his family as he leaves for his honeymoon cruise. This was the last time his family and friends saw him.



George On His Wedding Day

Our Blog

Welcome to our new website and blog.

Memorial Services

Several memorial services were held in honor of George.
For more information, [click here.](#)

Articles Of Interest

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Website By eHuggy



George with his new nephew Grayson in June 2005.
He was a proud and loving uncle



George outside a church in Mykonos, Greece, the afternoon before he was murdered.



George in Mykonos, Greece before returning to the Royal Caribbean cruise ship on the last day of his life

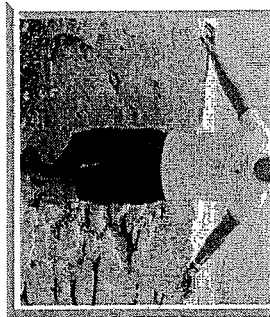


Photo Gallery

[George As A Child](#)

[George As A Young Man](#)

[George Wedding & Honeymoon](#)

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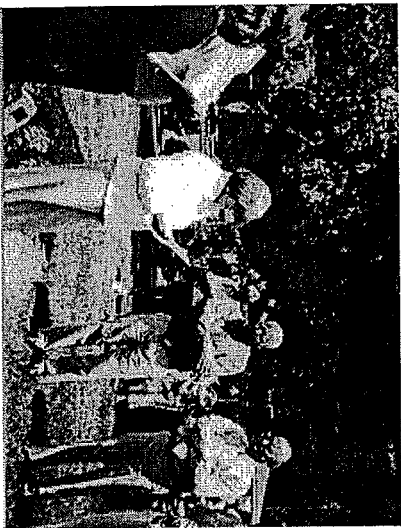
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HR 5707

Cruise Line Accurate Safety Statistics Act.
 We need your help to

MEMORIAL SERVICES

"On July 3, 2006, a tree memorial service was held in Cos Cob, CT in a park neighboring the wine store where George worked with his parents.



We were honored that Congressman Christopher Shays attended and spoke at this special event honoring George one year after his death. Numerous state and town politicians also attended to pay their respects to George.

Our Blog

Welcome to our new website and blog.

Memorial Services

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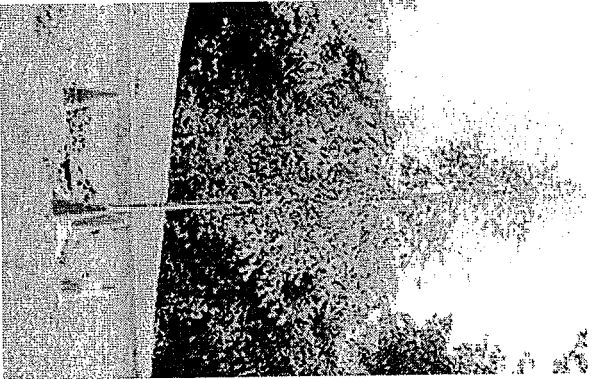
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George's mother Maureen spoke to hundreds of onlookers expressing just how much George meant to us and our never-ending commitment to finding justice for George.

For more information on this event, please [click here](#). Here are some photos from the tree memorial event in Cos Cob.



The church service was followed by a second tree planting for George at Glenville Elementary School, the school that both George and Bree attended. George's uncle Peter Walsh from England spoke at the tree planting.



On September 30, 2006, the family held a small private memorial service for George at Sacred Heart Church in Greenwich, CT where George and Bree celebrated all of their sacraments. Several family members and friends participated in the memorial mass by reading Bible passages, carrying the gifts and giving personalized speeches in memory of George. The speech given by George's friend Drew Lufkin can be found [here](#).

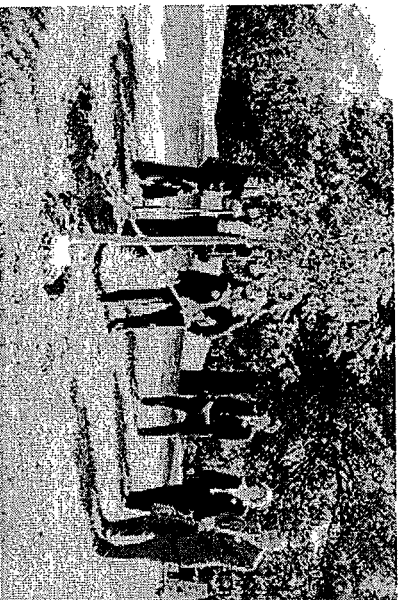


Photo Gallery

[George As A Child](#)

[George As A Young Man](#)

[George Wedding & Honeymoon](#)

[George With Friends](#)



Photos of the tree planting memorial at Glenville School are seen here. George would be so honored that the Town of Greenwich planted two trees in his memory.

Although we were obviously very sad during these memorials, it was important for us to celebrate his life by remembering all of the fun and laughter he brought to our lives. George had a profound effect on everyone that he met and he will never be forgotten."



Royal Caribbean International
1050 Caribbean Way
Miami, FL 33132

tel: 305.539.8800
www.royalcaribbean.com



December 19, 2005

James Walker, Esq.
Walker & O'Neill, P.A.
Dadeland Centre, Suite 1602
9155 South Dadeland Boulevard
Miami, FL 33156

Brett Rivkind, Esq.
Rivkind, Pedraza & Margulies, P.A.
66 West Flagler Street, Suite 600
Miami, FL 33130


Re: *Missing Passenger George Allen Smith IV*

Dear Mr. Walker & Mr. Rivkind:

Mr. Goldstein has forwarded your letters of November 30, 2005 to me for the purposes of providing you with a response. I would personally like to extend my deepest sympathies to Jennifer Hagel-Smith and George Smith's family for their tragic loss and to assure you that Royal Caribbean has cooperated fully with the FBI and other law enforcement authorities who have been investigating George Smith's disappearance and will continue to do so.

The ongoing nature of the investigations being conducted by the FBI and the U.S. Attorney's office has imposed certain limitation upon our ability to respond to your requests. Certain materials which have been requested were previously provided to the FBI and, accordingly, they are no longer in Royal Caribbean's possession. In order to avoid compromising their investigation, the FBI has also requested that certain matters not be made public or disclosed. It is our primary intent, just as I am sure as it is your client's desire, to assist the FBI in every manner possible and to avoid taking any actions which would compromise their investigation. We, therefore, trust that any information provided herein will also be maintained confidential so that nothing is done to compromise the FBI's investigation.

Accordingly, I am enclosing the following documents, information and materials, which you had requested and which we are able to provide:

1. A copy of the Smith's onboard purchase record.
2. 
3. The Smith's cabin door was not replaced and, accordingly, no such record exists.

James Walker, Esq. & Brett Rivkind, Esq.
December 19, 2005
Page 2 of 3

4. Copies of photographs taken by the ship's photographers of Mr. and Mrs. Smith as part of the normal shipboard photography service provided to all passengers. All security videotapes were previously turned over to the FBI.
5. We will be happy to allow you access to the Smith's cabin at a mutually convenient time for the purposes of taking photographs. Please note this access is also subject to authorization governmental authorities as fully described in my letter to Mr. Walker dated December 16, 2005.
6. Jennifer Hagel-Smith was found sleeping in a hallway on deck 9 by a Cleaner and a Plumber who happened to be in the area. Mrs. Smith was assisted to her room by the Security Supervisor, a Security Guard, and the Facilities Supervisor.
7. In addition, to Mr. and Mrs. Smith, passengers Joshua Askin, Zachary Rozenberg, Gregory Rozenberg, and Rostislav Kofman are known to have entered the Smith cabin on July 5, 2005. As noted above, crewmembers entered the cabin when they took Mrs. Smith back to her room. Subsequently, when it was discovered that Mr. Smith might be missing, the Chief Officer, Safety Officer, Staff Captain, and Captain viewed the cabin in order to determine if there was a problem. They entered the room carefully to avoid disturbing anything. The Captain immediately ordered the cabin sealed and posted a guard until the Turkish police arrived to conduct their investigation. Once the police released the cabin, the Guest Relations Manager and her assistant, along with the representative from the American Consulate, entered the cabin to pack Mr. and Mrs. Smith's personal belongings.
8. The Smith's cabin attendant did not enter the cabin on the morning of July 5, 2005.
9. The Turkish police removed the bed linens and towels. They also dusted for fingerprints and took samples. We do not know the present whereabouts of these items, however, understand they may have been turned over to the FBI. Following Mrs. Smith's departure from the ship, paperwork was left in the cabin. Their original paperwork has been provided to the FBI. Copies are included with this letter. All personal belongings of Mr. and Mrs. Smith were provided to Mrs. Smith upon her departure from the ship.
10. Copies of photographs depicting the blood on the canopy taken by passengers Steve Monaco, Emily Rusch, and Karen Drake, which were provided to Royal Caribbean, are enclosed.

James Walker, Esq. & Brett Rivkind, Esq.
December 19, 2005
Page 3 of 3

11. Without waiving our work product privilege, we are providing 13 photographs taken by the Safety Officer the morning of July 5, 2005.

12. Without waiving our work product privilege, we are providing 73 photographs which were taken of the Smith's cabin prior to the completion of the cruise.

13. A copy of the casualty report which was filed with the Bahamas Maritime Authority.

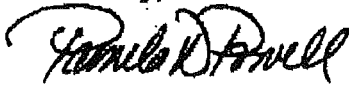
14. [REDACTED]

15. [REDACTED]

16. [REDACTED]

Royal Caribbean, just as your client, has been asked by the FBI to avoid making certain matters public in order to avoid compromising their investigation. Since Royal Caribbean does not wish to risk the FBI's ongoing investigation, we will not comment publicly on those details of its investigation, which have already been provided to the FBI.

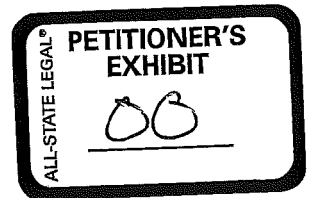
Sincerely,



Pamela D. Powell
Supervisor, Guest Claims
Royal Caribbean Cruises Ltd.

PDP/

Enclosures



Date January 16, 2006
Time 09:00 PM - 10:00 PM
Station MSNBC
Location Network
Program Rita Cosby Live & Direct

RITA COSBY, host:

Well, the family of missing honeymooner George Smith is fighting back with new allegations about the investigation into his disappearance, including a claim that George may have been killed before he went overboard.

We're joined now by George Smith's family, his parents George and Maureen and his sister Bree.

Thank you, all of you. My heart just goes out to you guys every time I see you. And it must be so tough with time going by.

Mr. GEORGE SMITH (Father of George Smith): It is.

COSBY: Is it even more difficult, George?

Mr. SMITH: It gets more difficult every day. It just seems like, you know, why isn't it getting solved? We just can't believe it, you know?

COSBY: You know, one of the things, Bree, is you were told by--what--a US official in Greece--

Ms. BREE SMITH (Sister of George Smith): Actually, my parents were told when they were in Greece from a US official from the American Embassy in Greece that the indentation in the overhang would suggest that my brother fell as dead weight. It was not a fall as if, you know, he was free falling with his arms and legs moving. It was as if he was dropped.

COSBY: And this is--as we're looking at the picture of the canopy right here--they're suggesting--what--that he was killed prior to?

Ms. B. SMITH: Well, either killed or seriously injured.

COSBY: Unable to move or unable to...

Ms. B. SMITH: Yes, not free falling with arms and legs moving, just sort of dropped.

COSBY: What do you make of the fact--you know, we've had a lot of folks on our show in the last few months--no one has come on--you know, Clete Hyman, who was staying next door,

1/18/2006

said he heard, you know, voices, heard a thud. We haven't heard anyone say they heard a yell or a scream.

And I keep going back to thinking, if somebody accidentally fell over, they would say, 'Help,' or 'Ahh,' or was aware that they were being pushed.

Ms. B. SMITH: Right.

Ms. MAUREEN SMITH (Mother of George Smith): You would think so.

COSBY: Has that troubled you?

Ms. M. SMITH: Yes.

Ms. B. SMITH: It has.

Ms. M. SMITH: A lot of things have troubled us.

Mr. SMITH: We're very surprised that nothing--nothing was said after, you know, that thump. No passenger came forward and said--if you're two decks down and you heard this terrible thump outside your window, why wouldn't you call security then?

We just can't understand, you know, that people didn't go to security and report it and, you know, report what had gone on.

COSBY: Yeah, it is very strange--

Mr. SMITH: It's just hard to believe.

COSBY: ...when they heard other things too...

Mr. SMITH: There was like a vibra--a terrible vibration. And in you were in that cabin right there, why didn't you report this to security? We just don't--can't understand.

COSBY: Now, my understanding is too that you have--you guys have the impression that some of the passengers were not questioned right away, some of the key passengers.

Ms. M. SMITH: Right.

COSBY: Tell us what you've learned.

Ms. M. SMITH: You know more about that.

Ms. B. SMITH: Yeah. As you may have heard, Rita, the Turkish police were in and off the boat in two and a half hours. And that was the entire forensic investigation. And it was also the interrogation.

And from what we understand, there were only three passengers that were questioned by the Turkish police, one of which was my sister-in-law, Jennifer Hagel-Smith. The other two--one, as you know, Joshua Askin, has been on the television, and the other was one of the Russians from Florida. The two Russians from New York were not even questioned by the Turkish police.

From what I understand, Clete Hyman was also not questioned by the Turkish police, as well as the Sawyer family on the other side. So--

COSBY: And these are the Russian--wait, these are the ones who are in New York.

Ms. B. SMITH: Yes.

COSBY: And then there's also a cousin or something in Florida...

Ms. B. SMITH: That's right.

COSBY: ...or in California...

Ms. B. SMITH: So, you know, according to media reports, one of the Russians from New York is a person of interest, yet this person was not even questioned by the Turkish police.

COSBY: So they were not--and you're sure of that?

Ms. B. SMITH: Yes.

COSBY: Because of course we invited Royal Caribbean to come on this show and they did not want to come on. They declined...

Ms. B. SMITH: Right.

COSBY: ...to come on the show...but your impression is here are these key folks--it's interesting because the photos that we have--we also showed photos of the room. We had some before-and-after pictures of the room. They went to the extent to take, you know, the before pictures at 9:00 AM--

Ms. B. SMITH: Right.

COSBY: ...soon after it's reported that he's missing...

Ms. B. SMITH: Right.

COSBY: Then they go to the degree of taking after pictures.

Ms. B. SMITH: Right.

COSBY: But what you're telling me tonight is that they didn't interview the key people...

Ms. B. SMITH: Right.

COSBY: ...in the case...

Ms. B. SMITH: Right.

COSBY: And they didn't even talk to--what--some of the neighbors?

Ms. M. SMITH: They were only there for two hours.

Mr. SMITH: How could you do a murder investigation in two and a half hours? I really think that Royal Caribbean knew that if they took this into Turkey that they were going to get a--not a very good investigation and they could get out of there quick.

If they had waited for the FBI, you know that that boat would have been tied down for a good day to day and a half, and they would have had to take the passengers off the boat. And they just don't--that's not the way they operate, Royal Caribbean. It's get on to the next port. You know that.

COSBY: Well, we've got a lot of e-mails from people, as they look at these pictures too, after--you know, we're hearing from Royal Caribbean that the after pictures--as we're looking at here--are from after Turkish authorities went in, after the FBI went in, and some others. But a lot of people are saying, is that the way investigators leave the trail?

Ms. M. SMITH: Right. But did a good job, according to Royal Caribbean--

COSBY: What's your reaction?

Ms. M. SMITH: Right.

COSBY: Do you feel that they sealed the room as they said they had?

Ms. M. SMITH: No.

Mr. SMITH: No, no way.

Ms. M. SMITH: No. And we're actually here tonight to thank the Sandlers, Mr. and Mrs. Sandler, because they've come forward, and we do know that they were looking into the right cabin, even though Royal Caribbean are trying to say it wasn't the right cabin.

Everybody on the ship knew what cabin my son was in. And they--Mr. and Mrs. Sandler--we want to thank them and we want to plea for anybody to come forward to help us with any more information. This is what we want.

Ms. B. SMITH: Yeah, Rita--

COSBY: Let me play the comment from the Sandlers--

Ms. B. SMITH: OK, great.

COSBY: ...because I want to get both of you to react--because it was surprising. After all this time--

Ms. B. SMITH: Right.

COSBY: ...they felt compelled--and in fact they felt very compelled after they saw the photos.

Ms. B. SMITH: Right.

COSBY: But let me play a comment from the Sandlers. This was on our show last week.

Mr. SHELDON SANDLER (Passenger on Cruise Ship): I said to my wife--I said, 'Why are they cleaning this up so fast? This isn't a hotel. People aren't going to come for their room at 3:00. I mean it seemed like they were kind of rushing the deal, whatever they were doing there.'

COSBY: Were you surprised, George, that here it's been all this time and they're finally coming forward--that they felt--they'd gone to the FBI--

Ms. M. SMITH: Yes.

COSBY: ...which is of course the most important--

Ms. M. SMITH: Yes, that's the most important part.

Mr. SMITH: I'm sure some people feel that, you know, once they've talked to the FBI that they're supposed to be quiet until a grand jury or whatever is going to be, you know, brought forward.

Ms. M. SMITH: Right.

Mr. SMITH: But I guess these people were so upset at what's been going on they decided to come out. And we're looking for more people to do that since we don't have the passenger list and we don't have the crew that were on that ship and we just have no information to work with right now.

COSBY: Now here it is. It's been more than six months. You don't have the passenger list.

Ms. B. SMITH: No.

Mr. SMITH: No, we don't.

COSBY: And you don't have the crew list.

Ms. B. SMITH: No.

COSBY: Have you asked Royal Caribbean--?

Ms. B. SMITH: Yes.

COSBY: ...for these materials?

Mr. SMITH: Yes.

Ms. M. SMITH: And Eileen O'Connor was on your show and she said she had given most of the information to our lawyers. We do not have a passenger list. And how much of the information was not handed over?

Ms. B. SMITH: Very little.

Ms. M. SMITH: Right.

Ms. B. SMITH: Very little.

COSBY: Have you asked why they have not handed it that over? Have you asked the FBI for that information, because I would imagine the FBI has that?

Ms. M. SMITH: They work differently, the FBI. They work very differently, don't they?

Ms. B. SMITH: Yeah, they aren't able to provide really--

~~Ms. M. SMITH: No.~~

Ms. B. SMITH: ...anything substantive...but I just think it's very concerning where Eileen O'Connor comes on the television and says that they--

COSBY: Who's the attorney for Royal Caribbean--

Ms. B. SMITH: Yes. And she states that she's given the family most of things that we've requested when something as basic as a passenger list and a crew list have not been given to us. I just--I think that they must be concerned about what that passenger list and crew list must lead to.

Ms. M. SMITH: Right.

Ms. B. SMITH: Because if they don't want us to know who the passengers are, what are they hiding?

COSBY: It begs the question also--

Ms. B. SMITH: Right.

COSBY: It helps--it hurts you in terms of your investigation...

Ms. B. SMITH: Right.

COSBY: ...because maybe there are things that you want to ask the passengers--

Ms. B. SMITH: Right.

COSBY: ...differently than what the other folks--

Ms. B. SMITH: Right.

COSBY: ...based on what you've been told...

Ms. B. SMITH: Right.

Mr. SMITH: And, Rita, you know, we were only basically given 13 photographs of the original crime scene. And I'm sure there were probably 40. So Royal Caribbean--what haven't you given us?

There has got to be some important photographs that we don't have. We have a lot after of like 50 photographs, but we only got 13 of the original crime scene. Are you hiding something from us? You know, we have major questions there.

COSBY: And of course we don't know what happened to him. We don't know if he fell off or if it is a crime. You don't have any answers in any case at this point.

Mr. SMITH: Yes.

Ms. M. SMITH: I just find it very--Mr. Fain says no blood. Captain Wright is his name--he says droplets of blood. And the captain himself from that ship, who was the former, he said, oh, my son must have got a bloody nose and there was blood in the room. They all have different stories how much blood was actually in the room.

And it's very hard for us to sit and listen to how deceitful they're being with us in the cover-up. It's really destroying us.

Mr. SMITH: I do think there's something that they have to worry about--being brought up on charges--Royal Caribbean--for, you know, what they've done, and they're really trying to hide some major, major things that went on on that ship.

COSBY: And they say they've cooperated. They said they did the best they could and they were following authorities' leads. And they said that Turkish authorities released them and that's why they were able to wash away the blood on the canopy and do others.

Ms. M. SMITH: They could have covered it with a tarp.

Ms. B. SMITH: Has the FBI actually stated that Royal Caribbean has fully cooperated? You know, the FBI has stated that our family has fully cooperated. But I'm aware of no statement in which the FBI has stated that Royal Caribbean has fully cooperated with its requests.

Ms. M. SMITH: Right.

COSBY: And we have not heard very much from the FBI at all of course on this case.

Ms. M. SMITH: No.

Ms. B. SMITH: No.

COSBY: We're going to keep you in our prayers.

Ms. M. SMITH: Thank you.

COSBY: And we'll do whatever we can.

Ms. B. SMITH: Thank you.

Ms. M. SMITH: Thank you very much.

COSBY: Thank you very much for being with us tonight. Thank you.

And of course, everybody, we want to put up the Web site, if we could, because we want to make sure that if anybody has any information--if we could put up that Web site right now. It is of course--actually, tell me what the Web site is, if you could.

Ms. B. SMITH: There are actually two. People with information about my brother's case and the cover-up afterwards, if they could contact us at justiceforgeorge@aol.com, and we've also formed an organization with Kendall Carver, International Cruise Victims.

And if you have been a victim of a crime on a cruise ship and you'd like to be a member of our organization, please contact info@internationalcruisevictims.org. We just started this organization several weeks ago with your help, Rita, and the response has been astounding. And in fact, some of the members of the International Cruise Victims Organization will be testifying at the hearing in Washington that will be held the first week of March.

COSBY: Again, we're putting up justiceforgeorge. Anybody, of course, if you have information, make sure you contact

this Web site or also the organization that you just heard Bree talk about--very critical. And I'm glad it is making some effort and obviously helping other families as well, which is great.

Ms. B. SMITH: Thanks.

COSBY: Thank you so much.

Ms. M. SMITH: Thank you.

Ms. B. SMITH: Thank you, Rita.

COSBY: Meantime, we also have another exclusive in this case. This photo of George Smith was taken just hours before his disappearance, and it shows him meeting actress Tara Reid, who happened to be in Greece filming a TV show.

Did this chance encounter lead to friction between George and Jennifer? Is it totally unrelated? What does it mean in the case?

We're joined again by Clint Van Zandt.

Clint, do you think that that could have been anything? Maybe Jennifer was upset that he was talking to this, you know, beautiful, known actress a few hours earlier?

Mr. CLINT VAN ZANDT (Former FBI Agent): Well, a lot of things are possible, Rita. You know, as we've just been through with the family--and of course I'm sorry for their loss like everybody else is--but you know there's a lot of speculation on the part of the family, on the part of the cruise ship. It's the investigators--it's the FBI that hopefully know what's going on.

But as you know, information has come out that there was an argument. Allegedly, witnesses said there was a fight between George and Jennifer, that Jennifer kicked George in the groin and then stormed out of the bar that night. Now, whether that took place or not--

COSBY: Clint, let me put up a witness account too.

Mr. VAN ZANDT: Yeah.

COSBY: It says--this is one of the witnesses. "She kind of pushed him away slightly and suddenly stood up and kicked him the private and stumbled out of the bar."

Do you think--how much significance do you think this is to the case at all?

Mr. VAN ZANDT: Well, again, does that have anything to do with George? My biggest problem here is that I think they violated a tenant of traveling with another person, which is never leave your wingman; always stay with the person you're traveling with to protect yourself.

That doesn't implicate Jennifer or doesn't make George responsible for what happened. But it does say somehow the two of them got separated. And whether they were drugged or whether they were drinking 80-proof alcohol that night and it had a negative effect--we know allegedly Jennifer was found sleeping or passed out in the hall--so, you know, there was a lot going on between this couple.

Obviously, an argument took place. Obviously, he had his arm around another woman. Obviously, his wife was leaning against someone that night. But did that have anything to do with what the FBI has to get back to again.

Three things, Rita: Was it a homicide? Was it a suicide? Or was it a terrible accident? All this other noise on both sides shouldn't disrupt that investigation--

COSBY: Clint--

Mr. VAN ZANDT: And the challenge is what you're showing

right here. That crime scene--I agree with you and your guests--that crime scene could not have been processed and witnesses could not have been interviewed in three hours.

COSBY: Real quick too, if we can go back to the canopy picture, because I thought what Bree and also the Smith family said was really significant, especially--this is from a US consulate official, essentially saying to the parents, to the Smiths here--saying that there's a possibility that the way that it went over--the indent--that maybe he was likely dead or severely injured when he hit this canopy.

And the other thing I keep going back to--we heard no yells. We heard no screams. If you're falling overboard, no matter how drunk you are, at some point you go 'Ahh.'

What do you make of all this, Clint?

Mr. VAN ZANDT: Maybe you do and maybe you don't. Again, I wasn't there. The family wasn't there.

COSBY: What do you make of the comment from the US consulate person about the indent, about that maybe he was severely injured or dead before he hit that?

Mr. VAN ZANDT: Well, you know, what I think is going to be interesting of course is the family is bringing Henry Lee onboard. And I've known Henry for years. There's nobody better than him at looking at forensics.

But I know Henry has already looked at these photographs on your show or another show and said, 'You know, it's kind of hard to tell.' There's been sea spray here. It's been six months.

So the crime scene was not handled properly. It was contaminated. It makes the investigation very difficult for the FBI to put together. But again, that's who has to do it. And the family, bless their soul, has got to dig in and let the law enforcement system run the investigation out.

Rita, you know--

COSBY: Hey, Clint, we got to go.

Mr. VAN ZANDT: They're asking for a list of passengers. I don't know if I was a passenger if I would want my name given out helter-skelter to just anybody. So there are two sides to this issue that I think the family and the cruise line both have to consider.

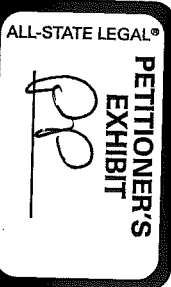
COSBY: No. Absolutely. And of course you can understand their issue, wanting to talk to everybody--

Mr. VAN ZANDT: Sure.

COSBY: ...and get as much information as they can...Clint, thank you very much.

###

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Justice For George Smith

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What you should know before you cruise. Think before you book a cruise. Who do the cruise lines answer to?

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HR 5707

Cruise Line Accurate Safety Statistics Act.

We need your help to

Letter of Thanks

We would like to offer our heartfelt thanks to the Greenwich and Cos Cob communities for the lovely tree memorial tribute to our son and brother George Smith IV on July 3rd. We cannot thank Anne Semmes enough for organizing the event that was so heartwarming for our family. The beautiful ruby horse chestnut tree which was generously donated and planted by the Town of Greenwich Department of Parks and Recreation will be a lasting reminder of George in Cos Cob. Additionally, we would like to thank My Favorite Place and Starbucks Coffee in Cos Cob for donating the refreshments. We were moved that over \$1500 was donated by members of the community to International Cruise Victims, the non-profit association we co-founded which provides support to cruise crime victims and acts as an advocate for legislative reform to the cruise line industry.

We were honored that federal, state and local politicians attended the event. Congressman Christopher Shays, State Senator William Nickerson, Selectman Peter Crumline, Selectman Penny Monahan and State Representative Claudia "Dolly" Powers took time out of their busy schedules to attend the tree planting.

We appreciate the fact that so many of you have kept our family and George in their thoughts and prayers. So many kind people in our community have asked how they could help our family in our search for answers and justice for George. We would like to encourage Greenwich residents to contact Congressman Shays, Senator Christopher Dodd and Senator Joseph Lieberman in support of the Cruise Line Accurate Safety Statistics (CLASS) Act which has been co-sponsored by Congressman Shays and Congresswoman Carolyn Maloney from New York. (For more information on the CLASS ACT, please go to <http://www.house.gov/shays/news/2006/june/junecruise.htm>.) It is essential that our community mobilize to ensure the passage of the bill in order to improve reporting of crimes onboard cruise ships, ensure these ships have the capacity to investigate criminal activity and make the information available to the public and

Our Blog

Welcome to our new website and blog.

Memorial Services

Several memorial services were held in honor of George.

For more information, [click here](#).

Articles Of Interest

reform the cruise industry
[Read More >>> Here](#)

Cruise Security Hearings
Find out why
Congressman
Christopher Shays
(R-CT 4th) called a cruise
the place to commit a
perfect crime.
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potential cruise passengers. Congressman Shays and his staff are to be commended for their efforts.

George was a very private person and we know that George would be embarrassed by the attention surrounding his disappearance but we think that he would be so honored to see how many people love and miss him. It is a comfort to us to see how much he affected the community in his 26 years with us.

Fondly,
George, Maureen and Bree Smith

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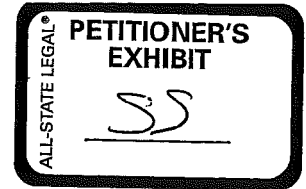
Photo Gallery

- [George As A Child](#)
- [George As A Young Man](#)
- [George Wedding & Honeymoon](#)
- [George With Friends](#)

BROADCAST TRANSCRIPT

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Date April 08, 2006
Time 10:00 PM - 11:00 PM
Station CBS
Location Network
Program 48 Hours Mystery



Mr. GEORGE SMITH: (From wedding video) I, George, take thee, Jennifer...

Mr. BRYAN BURROUGH (Vanity Fair): Just about everyone can identify with who George Smith was. A young honeymooner with his whole life in front of him.

Mr. SMITH: (From wedding video) ...to be my lawfully wedded wife.

Mr. BURROUGH: And suddenly in one night, the young man is gone forever.

Ms. BREE SMITH (George Smith's Sister): I want to know what happened to him that night.

My name is Bree Smith. My brother, George, disappeared from the Brilliance of the Seas. He was on his honeymoon cruise.

Mr. BURROUGH: It was the most Agatha Christie-like of any of the big cases.

There's the wife. There's the wife. Where was the wife? There's the mysterious young Russian men. There's the cop listening at the wall while the events take place.

Mr. CLETE HYMAN (Passenger on Cruise Ship): My name is Clete Hyman. I was a passenger on the Brilliance of the

4/10/2006

Seas.

I was in the room next to the Smiths. On the morning of July 5, just after 4 in the morning, my wife and I were awakened by yelling coming from the Smith cabin.

I heard some men arguing out on the balcony. Later, I heard furniture being moved in the room and out on the balcony. And then it was totally quiet.

And then heard what I would describe as a horrific thud.

Ms. SMITH: It's just incredible. I just can't imagine that my brother would go before me.

I want justice for George.

From the minute I heard that there was blood in that room, I knew that something had gone very wrong.

Dr. JERRY ASKIN (Father of Josh Askin): If there was blood in the room, you think, 'My God! Did somebody stab him?'

Our son was one of the last people to see George Smith alive. We were accompanied by the Turkish police who let us into the police station there.

I was there.

Mr. JOSH ASKIN (Passenger on Cruise Ship): (From police questioning) There was blood everywhere? There was blood in the room?

Ms. SMITH: He didn't take his own life. It wasn't an accident. Someone purposely did it to him.

I believe that my brother, George, was murdered on that cruise ship.

HANNAH STORM, host:

Did your son have anything to do with the disappearance of George Smith?

Dr. ASKIN: Absolutely not.

Mr. SMITH: (From wedding video) To love and to cherish, till death do us part.

Announcer: Love Lost, tonight's 48 HOURS MYSTERY.

(Opening sequence)

Announcer: The mystery continues in 90 seconds.

Ms. MAUREEN SMITH (Mother of George Smith): Sometimes you still think, 'Ah, he might be out there.'

Because we don't have a body. We don't have a body.

Mr. GEORGE SMITH (Father of George Smith): We're just totally stunned. We didn't know what to do.

STORM: For George and Maureen Smith, life changed forever with a single phone call last July 5th.

Ms. M. SMITH: 6:30 in the morning and the phone rang, and I heard this crying on the phone, and it was Jennifer's father. He was sobbing uncontrollably, and he said something terrible has happened to George on the cruise ship. He's missing.

STORM: It was the last thing they would have expected to hear. After all, their son, George, aged 26, was happily on his honeymoon cruise with the love of his life, Jennifer Hagel. And now they were being told he had vanished, somewhere in the deep waters of the Aegean Sea.

Ms. BREE SMITH: Greece was George's favorite place in the world. And now he's in the water there forever.

And I never got to say goodbye. But I just never would've imagined that at 26 I'd have to say goodbye to my brother.

STORM: It was just 10 days earlier that life seemed so full of promise for the newlyweds. They were married in a picture-perfect wedding on a hilltop overlooking the bay in Newport, Rhode Island.

Ms. M. SMITH: It was a gorgeous, gorgeous, happy, happy day.

Unidentified Man #1: (From wedding video) Would you please put your hands together for the new Mr. and Mrs. George Smith IV.

Ms. M. SMITH: Everybody was just so happy. Everybody was having such a good time.

And they made a dynamic couple.

STORM: How would you describe your son?

Mr. SMITH: Very devoted, a family person.

Ms. M. SMITH: He just made life special.

STORM: What was it about her that you think made her the one for George?

Mr. SMITH: I guess she was just very outgoing and liked fun, and that was George.

Ms. M. SMITH: Right.

Mr. SMITH: And, you know, she was very pretty and had a great personality.

Mr. DREW LUFKIN (Friend of George Smith): They're a hard

couple to miss.

STORM: George's friends, Drew Lufkin, Dan DiPaulo and Elie Comarro were in the wedding party.

Mr. LUFKIN: George had a glow by himself, but together, they were a young couple that were just happily in love.

Mr. DAN DiPAULO (Friend of George Smith): He painted the picture perfect of marriage. He really did.

Mr. ELIE COMARRO (Friend of George Smith): He made you want to go out and, you know, be in love and be like them.

STORM: What were his dreams for the future?

Ms. M. SMITH: He wanted to have children and he would've been a great father.

And he would have had a lot of fun with his children.

STORM: George's love of children was something he shared with Jennifer. She had just accepted a job as an elementary schoolteacher. And George was about to take over the family business, a successful liquor store in Greenwich, Connecticut.

So you guys were a very close family.

Mr. SMITH: Very, very close.

STORM: Now, George's parents and his sister, Bree, found themselves overwhelmed with grief and frantic for answers, half a world away from that cruise ship, and all that Royal Caribbean would tell them was that George was missing.

What did you ask?

Ms. B. SMITH: I said, 'Have you searched the boat?' And they said, 'Yes, we searched the boat.' I said, 'Well, continue to search the boat. My brother has to be there.' They knew otherwise because they knew about the blood on the overhang, but they never told us about the blood on the overhang.

STORM: A huge bloodstain on a metal canopy some 20 feet below George and Jennifer's balcony.

EMILIE RAUSCH (Passenger on Cruise Ship): I just assumed that someone had died there.

STORM: It was captured on camera the morning George disappeared by 16-year-old passenger Emilie Rausch.

RAUSCH: When I took the picture, one of the things that made me think that this could've been blood, I saw hand prints running off the side of it.

Right here, I don't know, maybe a hand.

STORM: What was your first indication that something was wrong on the ship?

Dr. ASKIN: It was approximately 8:15 in the morning, and we hear pages for the Smiths over the intercom.

STORM: Dr. Jerry Askin, a podiatrist from California, was also on the cruise. He is speaking out for the first time, exclusively to 48 HOURS. His oldest son, Josh, now 21, had befriended George and Jennifer and had spent much of the night drinking and gambling with them.

Dr. ASKIN: And our son came in, heard the page and mentioned to the steward in the room.

'You know, you should call them and tell them to stop paging George because he really had a lot to drink last night. He's probably sleeping.'

STORM: So it never occurred to your son that anything was wrong.

Dr. ASKIN: No.

STORM: Dr. Askin then learned about that blood on the canopy and that George Smith was missing.

Dr. ASKIN: I was absolutely shocked. Here was somebody who was alive and on a honeymoon.

And then, oh, my God! He may be gone.

STORM: By now, the entire Askin family had been summoned to guest relations and were told Turkish police wanted to talk to Josh. Jennifer Hagel Smith was there, too.

Dr. ASKIN: Apparently, the staff captain came in and told them that her husband was missing and presumed overboard.

And my son was sitting right next to her. And she was shaking and she was crying, and she was absolutely hysterical.

STORM: Just devastated.

Dr. ASKIN: She just said, 'This is like a bad dream.'

STORM: Jennifer was at a loss to explain what happened.

Dr. ASKIN: She says, 'I just can't remember.'

It was almost like her mind went blank.

STORM: Dr. Askin was just beginning to realize how serious the situation was. After all, his son was one of the last people to see George alive. So when Turkish police came on-board the ship, Dr. Askin quietly brought out his camera.

Dr. ASKIN: We're in a foreign country. I don't know what

they're asking.

And I don't want to have somebody say something that could possibly be misconstrued later, so I just decided to record it, just in case.

STORM: This never-before-seen tape shows Josh, on the far left, at a table with Turkish police and a group of young men who had also been with George the night before, Russian Americans who later became known in the press as the Russians.

Dr. ASKIN: They're in the main lobby of the ship and the basic spirit was this: 'If they want to ask the questions, we have nothing to hide.'

STORM: The young men explained they were drinking in the ship's bar with George and Jennifer, that she left before he did, and that they walked a drunken George back to his cabin.

(Excerpt from questioning)

Unidentified Turkish Investigator: Did you see her?

Unidentified Man #2 (Passenger on Cruise Ship): No. She wasn't in the room. She wasn't in the room.

Unidentified Man #3 (Passenger on Cruise Ship): We went back and looked for her, with him. And we couldn't find her. She was gone. And we came back to--back to George's room and put him in bed where he went to sleep. We closed the door. Never saw him again.

Unidentified Man #2: End of story. End of story.

Unidentified Man #3: That was it. Never saw him again.

(End of excerpt)

STORM: After questioning, the Askins thought they were free to go ashore, but the minute they stepped off the ship, they were escorted to the Turkish police station.

(Excerpt from police interrogation)

Unidentified Translator: This is George.

Mr. ASKIN: Oh, that's George, yeah.

(End of excerpt)

STORM: Dr. Askin again taped the interrogation and released portions of it to us. The scene is chaotic. The translator's baby cries in her lap.

Unidentified Translator: (From interrogation) And then you left the casino. Casino was closing, and you went to club and you took George to the room. He was very drunk.

STORM: Josh is asked to sign a statement.

Unidentified Translator: Just write it down there.

STORM: Written In Turkish.

Dr. ASKIN: When we got the gist of what was going on, we were really frightened, and you think about "Midnight Express" and you're just sort of sitting there wondering, now what?

STORM: What the Askins didn't know was that investigators had found blood in George Smith's room.

* * *

(Commercial Break)

* * *

STORM: Is there any chance in your mind, however infinitesimal, that you believe that this was an accident?

Ms. M. SMITH: No, none whatsoever.

STORM: That he fell overboard.

Ms. M. SMITH: It's not an accident. My son was murdered.

STORM: A few hours George Smith is discovered missing, Josh Askin and his family find themselves at a Turkish police station, unsure of what will happen next.

Dr. ASKIN: We were sitting there, and we were wondering, 'Are we going to get out of here?'

STORM: Dr. Askin says authorities want Josh to sign a statement, but he insists there's more to tell.

(Excerpt from interrogation)

Unidentified Turkish Translator: You took George to the room. He was very drunk.

Mr. ASKIN: This is--yeah, but you're missing a lot.

Dr. ASKIN: Josh, let her read.

Unidentified Woman #1: Josh, but the story's the same.

Unidentified Turkish Translator: Is it the same story?

Dr. ASKIN: Josh, let her read.

Unidentified Turkish Translator: You don't know if they put him into the bed.

Mr. ASKIN: You guys are missing a whole--they're missing a whole huge part, though.

(End of excerpt)

STORM: So much of this story seems to be missing, that 48 HOURS set out to fill in some blanks and reconstruct the time line of the night George vanished. The footage you see is from the sister ship of Brilliance of the Seas. The story begins in the casino, where George and Jennifer Smith meet up with Josh.

Mr. KEITH GREER (Attorney Representing Josh Askin): That night, George was playing craps, and Josh came up to the table, and George actually taught Josh how to play craps for the most part. They played craps together that night.

STORM: Attorney Keith Greer represents Josh Askin.

Mr. GREER: The casino was where the after-hours younger crowd hung out.

STORM: And in that crowd, along with George and Jennifer, are the so-called Russian boys. Three Russian-American college students on vacation with family and friends. Greg and Zach Rozenberg, who are cousins and a friend, Rusty Kofman.

Mr. ALBERT DAYAN (Attorney Representing Rusty Kofman): Like for anyone else, this was an exciting trip for him.

STORM: Attorney Albert Dayan represents Rusty Kofman.

Mr. DAYAN: I mean, these boys were not unusual, compared to any other teenager on that ship having a good time.

Mr. GREER: About 2:30 in the morning, the casino finally closed down, and the staff shuttled everybody to the elevator, and then up to the disco.

STORM: And it's on the elevator ride up to the disco, says Greer, that Josh first notices something unusual.

Mr. GREER: Josh notices that Lloyd is getting a little cozy with Jennifer.

STORM: Lloyd is Lloyd Botha, an assistant manager at the casino who tags along to the disco.

Getting cozy, like, like how?

Mr. GREER: Arm around her, close to her, just a little closer than seemed appropriate. Josh looked over to the other boy in the elevator to see, you know, 'Are you seeing what's going on over there?' And it was--it was OK. Is Lloyd stepping over the line here? What's going on?

STORM: At the disco, the party continues.

Mr. GREER: An incredible amount of drinking was going on.

STORM: Like how much?

Mr. GREER: Unfathomable. It put fraternity parties to shame.

STORM: At some point, the guys start drinking a bottle of Absinthe, reportedly smuggled into the bar.

Mr. DAYAN: They were having shots of Absinthe.

STORM: How many?

Mr. DAYAN: Rusty recalls maybe having two, three shots himself.

STORM: Reputed to have hallucinogenic effects, Absinthe can be two or even three times stronger than regular alcohol.

Mr. DAYAN: Rusty recalled getting up from the table, dancing with other guests on the ship. And from time to time, he's able to glance and observe Jennifer draping herself over other men. He saw her openly flirting.

STORM: But two passengers we talked to say that Jennifer was not flirting, although it might have looked that way. They say she appeared to be drunk and unsteady and was simply leaning on people for support. Whatever the truth is, George apparently took notice.

Mr. DAYAN: Rusty actually observes George get up from his seat, approach Jennifer, and there is this exchange of words between them.

Rusty does not hear what is being said, but he does observe Jennifer kick George in his groin. George bends over with pain and Jennifer storms out of the club. As soon as she storms out of the club, the casino manager--I believe his name is Lloyd--rushes right after her.

STORM: Attorney Greer says Josh doesn't see the kick, but does see Jennifer and Lloyd leave.

Mr. GREER: He recalls that they left the disco at the same time, and he thought it was together.

Mr. DAYAN: George returns back to his seat at the table. As he attempts to sit down, he actually falls off his chair because at this point, he's completely intoxicated.

STORM: It's now around 3:30 in the morning. The lights come up and the disco starts to close.

Mr. GREER: George clearly was unable to walk back on his own.

STORM: That's why, says Greer, Josh says the Russian boys decide to help George back to his cabin.

Mr. DAYAN: When they're walking to the cabin, the cabin is on the ninth floor, the club is on the 13th floor. They are literally carrying George. Turning turns in carrying

George.

STORM: George is a big guy.

Mr. DAYAN: He's a very big guy.

STORM: When they get to the room, Jennifer is not there.

Mr. DAYAN: At this time, George was sudden--expresses a wish to search for his wife. And at this time, the boys are having a loud discussion, debate if I may call it that, about whether they should go and assist George.

Mr. GREER: They all agreed and they took George down to the solarium to look for Jennifer.

STORM: But Jennifer isn't there, either. So, once again, the boys help George back to his cabin. They re-enter at 4:02 AM according to the ship's key entry log, which records each time a key is inserted into the lock.

Mr. DAYAN: They actually laid George on his bed, take off his shoes, and he displays a tremendous, tremendous gratitude towards these young men.

Mr. GREER: Josh at that point in time had to use the bathroom, but Josh, was, you know, not a part of putting George to bed.

STORM: Greg and Pat Lawyer are in the cabin next to the Smiths. What they hear seems to match the boys' account. At first.

Ms. PAT LAWYER (Passenger on Cruise Ship): I heard somebody say in a very gentle voice, 'Settle down, George, settle down.'

Mr. GREG LAWYER (Passenger on Cruise Ship): It was a friendly voice.

STORM: But shortly after 4 AM, Clete Hyman, on the other side of the Smiths' cabin, hears a commotion.

Mr. HYMAN: My wife and I were awakened by yelling coming from the Smith cabin. This yelling sounded what I would liken to a drinking game where individuals are encouraging somebody to take shots or chug beer, something of this nature.

STORM: A few minutes later...

Mr. HYMAN: Suddenly, though, there was an argument out on the Smith balcony. This argument appeared to be between three, maybe four male individuals.

STORM: But Rusty insists there were no drinking games, and no one went out on that balcony.

Mr. HYMAN: After about two minutes of the argument, we heard one lone male voice repeatedly say, 'Good night, good

night.' Like they were ushering someone out of the room.

STORM: It's here, once again, that the two stories differ.

Did all four young men leave together?

Mr. DAYAN: They brought George together, the four young men, and they left, four of them together.

Mr. HYMAN: I looked out and saw three male individuals walking away from the room.

Mr. BURROUGH: If you believe that four young men went in there with George, then you might be suspicious that only three leave.

STORM: Bryan Burrough investigated the story for Vanity Fair. He says like so many other clues in this case, this one could suggest foul play or may have a much simpler explanation.

Mr. BURROUGH: Those corridors are narrow. If you had three strapping young men standing in the corridor, it's at least conceivable that someone was standing behind them.

Mr. HYMAN: At this point, we heard just a lone male voice in the room. We heard what sounded like the cupboard doors being closed loudly and also sounded like furniture being moved.

Mr. LAWYER: And it sounded to me like there was furniture or something being thrown around the room.

Mr. HYMAN: After about eight minutes of this, it was totally quiet. After about two minutes of total silence, however, there was a large, what I would call a horrific thud.

STORM: This thud, believed to be the sound of George Smith hitting the canopy occurs at approximately 4:30 AM according to Hyman.

You're saying that the boys definitely were not in the cabin at that time?

Mr. DAYAN: They were definitely in their own cabin and ordering food at that time.

STORM: If this is true, did someone else somehow slip into the cabin? Did George let someone in? And where was Jennifer during all this?

Mr. DAYAN: Who's the only person who cannot account for her whereabouts during his disappearance? Now I'm not suggesting any foul play, what I am suggesting is that she is not as candid as she should be.

* * *

STORM: In the early afternoon of July 5th, just hours

after George Smith is discovered missing...

Mr. ASKIN: (From interrogation) They're missing a whole huge part though.

STORM: Josh Askin and his family are in the Turkish police station.

(Excerpt from interrogation)

Mr. ASKIN: You're missing a lot.

Dr. ASKIN: Josh, let her read.

(End of excerpt)

STORM: Dr. Jerry Askin has his video camera rolling as his son signs a statement. They all believe their ordeal is finally over.

Dr. ASKIN: When she handed him the piece of paper, I got up, and I thought, 'OK, this is finished.' I started to stand up, the camera's off. I'm thinking, 'Thank God,' you know, 'this is finally over.'

STORM: But authorities suddenly reveal a critical piece of evidence that suggests what happened to George is no accident.

Dr. ASKIN: I said to the translator, 'So what happens next?' And she said, 'We're going to arrest the wife for murder. There was blood in the cabin.' And we were like, 'Oh, my God!'

STORM: At this point, Dr. Askin turns his camera back on and Josh appears to be visibly upset.

Mr. ASKIN: (From interrogation) She has no idea what happened. She was with another man. The casino manager Lloyd. You need to get him in here. I'm not letting her--I'm not letting her go to jail. I'm not letting her go to jail.

Dr. ASKIN: You can see my son's reaction. We had not heard about blood in the cabin until right then and there.

STORM: So you didn't know.

Dr. ASKIN: No, no. Not at all.

Mr. ASKIN: (From interrogation) In the room, did they find any weapon or anything like that? Did they find a knife or something? There was blood everywhere? There was blood in the room?

Unidentified Turkish Translator: A bloody towel and blood drops on the bed.

STORM: Dr. Askin says the news stunned them.

Dr. ASKIN: And you could probably hear me say, 'She's a little girl. She's not very big, and he was very big.'

How could she do anything like that to him, even if she wanted to?

It was just impossible.

STORM: George Smith is presumed to have gone overboard at approximately 4:30 in the morning when neighbors heard that terrible thud, so where was Jennifer when her husband lost his life? At almost that exact moment, a crew member found her on the other side of the ship, slumped over on the floor against a door marked 'Crew only.'

She was never back in her room.

Mr. GREGG McCRARY (Former FBI Profiler): Never back in her room.

STORM: Gregg McCrary, a former FBI profiler, is overseeing Royal Caribbean's internal investigation.

Mr. McCRARY: She was really sort of MIA until she was found around 4:30 that morning.

STORM: The cruise line says that after Jennifer left the disco following that angry exchange with George at the bar, she took the elevator to the ninth deck. But instead of going to the left towards her cabin, she went the opposite way.

Mr. McCRARY: She appeared to be inebriated, smelled of alcohol.

STORM: So if someone were inebriated or disoriented, it would be easy to get confused because the hallways look exactly alike?

Mr. McCRARY: Exactly.

She got off the elevator and then we know where she was subsequently found. In-between that, it's not clear where she was.

STORM: And Jennifer says she remembers nothing.

Mr. BURROUGH: One has to accept Jennifer's explanation of a blackout because, frankly, there's no alternative.

STORM: Writer Bryan Burrough.

Mr. BURROUGH: Is it remotely possible or conceivable that someone drugged her? Well, yes.

STORM: Jennifer Smith and her family have hired renowned forensic scientist Henry Lee to search for further evidence.

So the FBI collected a hair sample from Jennifer Hagel.

Smith, and there would still be evidence if she was drugged that night?

Dr. HENRY LEE (Forensic Scientist): Maybe. Certain narcotic metabolists will show up. Certain date rape drug will show up.

STORM: The FBI has not released those test results yet.

Is there anything significant in terms of who was staying in that hallway? There was a crew room, but anything else significant?

Mr. McCRARY: One of the boys' cabins was just several doors down from where--where she was located. Josh Askin, is I think, about five doors down.

Very close to where she was found. Whether that's coincidence, whether there's something more to it is just unclear.

STORM: What do you think of that?

Dr. ASKIN: I think it's absolute rubbish. Josh was with George Smith. He didn't know where the wife was nor did anybody else.

STORM: Except, perhaps, Lloyd Botha. According to Josh's attorney, Keith Greer.

Lloyd left the disco at the same time as Jennifer.

Mr. GREER: Early with Jennifer.

STORM: And entered his room.

Mr. GREER: According to the boat.

STORM: We don't know if he entered that room alone or with anyone else. Impossible to tell.

Mr. GREER: For you or me.

Mr. ANDREW RIER (Lloyd Botha's Lawyer): The first rule when the finger is pointed at you is can you create a scenario where it can point at somebody else, and apparently that's exactly what's happening.

STORM: Like everyone else in this case, Lloyd Botha has hired a lawyer, Andrew Rier.

Mr. RIER: Any stories that are being told about Lloyd Botha doing anything inappropriate are stories, they're fiction.

STORM: Rier claims there are ship records to prove that Lloyd did not leave the disco with Jennifer.

Mr. RIER: The time line at 3:20 puts Botha in his room and the Smiths are still upstairs in the disco along with these

Russian gentlemen.

STORM: Royal Caribbean confirms this but has refused to make those records public.

Mr. GREER: They've only done things to try and point fingers at everybody else and protect, you know, their crew, you know, and their boat, and being very public with anything that they thought might help them in any way.

Mr. RIER: It is my understanding that attorneys for some of these gentlemen seem to imply something untoward about my client. So we went to the FBI. He took a polygraph examination, and by the time we left the FBI, if Lloyd ever for a moment was a person of interest, I can categorically state that he no longer was when he left.

STORM: Although the four young men recall it was Lloyd that followed Jennifer out, Royal Caribbean says it was actually someone from the bar staff who escorted her out.

Mr. McCRARY: He helped her to the elevator, got her to the ninth deck, she said she was OK, then this crew member went back about their duties.

STORM: But an hour later, when the other crew member finds Jennifer slumped over, she is not OK.

Mr. McCRARY: They got a wheelchair for Jennifer because she really had trouble walking. So they wheeled her back to the cabin.

STORM: By now, it's 4:57 AM.

What do they see?

Mr. McCRARY: What they see is an empty cabin. No one is there. Nothing is amiss. It looks like a normal cabin. They left her in the clothes she was in, laid her on top of the bed, she said she was OK. And they departed.

STORM: What may be of some significance, though, is what crew members observed about the balcony doors.

Are the doors to the balcony open?

Mr. McCRARY: Doors are closed, the curtains are closed.

STORM: It was just a half-hour earlier that neighbors had heard that thud, so if George had gone out on the balcony on his own, would he have taken the time to close the door and curtains behind him? Or did someone else bring him out there, and then shut everything on the way out?

* * *

STORM: It's 8:30 in the morning. Jennifer Smith has barely slept, but she heads to the spa for a massage appointment.

Mr. McCRARY: She apparently was telling the masseuse that, yeah, she was a little hung over. She gave no indication to anyone that anything was wrong or out of the ordinary or that there was anything that she needed to do to respond to any potential problem.

STORM: She is an hour and a half early and still wearing her clothes from the night before. There is no sign of George.

Mr. BURROUGH: She did not act like a person who had woken up in the middle of, you know, a death fight crime scene.

STORM: Writer Bryan Burrough.

Mr. BURROUGH: The last thing, frankly, if you wake up in bed in the morning after a bad night and your spouse or significant other is not next to you, the last thing you think is foul play.

STORM: But had Jennifer looked out her balcony that morning, she might have seen this.

Mr. McCRARY: When she's going to the spa at 8:30 is about exactly the same time that the crew is being notified that there's this potential blood stain on a canopy.

STORM: The crew looks for and can't find George. Jennifer is finally located in the spa. And according to Royal Caribbean, she has an explanation for where George might be.

Mr. McCRARY: She had told them that wasn't unusual that he'd spent the night in elsewhere before--in the cruise as well. So she wasn't especially concerned that he wasn't in the cabin.

STORM: She said on her honeymoon that her husband had spent the night outside of their cabin?

Mr. McCRARY: Yes.

STORM: Prior to this?

Mr. McCRARY: That's correct.

STORM: Did anyone find that unusual?

Mr. McCRARY: Well, it's a judgment call, but it's certainly, I think, seems unusual.

STORM: Jennifer adamantly denies saying any such thing to Royal Caribbean, but the public scrutiny is tough.

Unidentified Reporter #1: (From TV broadcast) Why is Jennifer Hagel Smith--why does she need a PR person?

Ms. JENNIFER SMITH (Widow of George Smith): Not only to lose your memory, but to have nobody believe you.

Unidentified Reporter: Why won't she answer the questions?

Ms. J. SMITH: I don't know what happened.

Unidentified Reporter #2: (From TV broadcast) If the cruise industry is right here, then Jen Hagel Smith is lying.

STORM: It's been difficult for Jennifer Hagel Smith to defend herself. She says she cannot remember much from that evening, and what she can recall, the FBI has asked her not to discuss. Either way, her attorney says she has nothing to hide.

Unidentified Lawyer: She has been given a polygraph test, and she passed that test without any hint of deception. She passed it with flying colors.

STORM: Jennifer has declined our request for an interview. The FBI has not named her or anyone else as a suspect, and she's not the only one in the media spotlight.

Mr. CHRIS MATTHEWS: (From MSNBC's "Hardball"): Tucker, what about the Ruskies--sorry, the Russians? What about these three characters? The Smith brothers or the Pep boys or whoever the hell they are? What were those three guys hanging around a honeymoon couple?

Ms. RITA COSBY: (From MSNBC's "Hardball") These guys have apparently not disclosed all they know to authorities.

STORM: Royal Caribbean says it warned the Russian Americans about their inappropriate conduct, things like using profanity and trying to sneak their own alcohol into the ship's disco, minor infractions. But just three days after the disappearance of George Smith, a young woman came forward. She alleged that she had been sexually assaulted and videotaped by some of these same young men.

There was a tape made.

Mr. DAYAN: There was a tape made of a sexual escapade. That whole escapade was noncriminal in nature. The tape itself revealed that.

STORM: Rusty Kofman's attorney, Albert Dayan.

Mr. DAYAN: Is it assault? Absolutely not, it is a sexual encounter.

STORM: Do Rusty and his friends regret making that tape?

Mr. DAYAN: Absolutely not. But for that tape, they could've been charged for something that they did not commit.

STORM: The attorneys for the young men say that none of them have been charged in the incident, and so far, no one has been charged in connection with the disappearance of George Smith. But all the young men last seen with George

continue to live under a cloud of suspicion.

Dr. ASKIN: They were trying to help someone. They were trying to help a fellow passenger, and I don't really think that that's been portrayed at all.

Mr. DAYAN: No good deed goes unpunished. He assisted Mr. Smith to his cabin--to his cabin and look what he found himself involved in.

Mr. ASKIN: (From interrogation) She has no idea what happened.

STORM: Although Josh Askin continues to cooperate with the FBI, Rusty Kofman, on the advice of his attorney, has stopped.

Mr. DAYAN: The more he wanted to speak with them, the more he wanted to tell them what happened, the more they accused him of foul play.

STORM: The Rozenberg cousins aren't talking to the FBI either, but all four young men did provide DNA samples.

Unidentified Man #4 (Passenger on Cruise Ship): (From police questioning) Oh, I went to the room with them.

STORM: The most compelling argument that the boys did nothing wrong, says Dr. Askin, is that from day one, their story never changed.

Dr. ASKIN: It was really very simple because that's what happened. There was no reason to change a story. There was nothing to alter. This is basically what happened.

Unidentified Turkish Investigator: After you left the room.

Unidentified Man #3: We never saw him. That was the last time we saw him.

(End of excerpt)

STORM: Dr. Askin's tapes seem to support that. In fact, take a look at Rusty's face when he is told blood has been discovered.

One of the boys is looking up here and listening to something and shaking his head in disbelief. His mouth is actually gaping open. He can't believe what he's just heard. What was he told?

Dr. ASKIN: He was told that they had found blood on the canopy.

STORM: He looks absolutely shocked by this.

Dr. ASKIN: I believe he was.

STORM: In one unexplained twist, Royal Caribbean insists

to this day that this interrogation never took place.

According to Royal Caribbean's official statement, 'Turkish authorities refuse the ship's explicit request that the interviews take place on the ship.'

Dr. ASKIN: Who are you going to believe?

STORM: You have a tape.

Just 15 hours after George Smith fell or was pushed overboard, Brilliance of the Seas is ready to move on.

Captain MICHAEL LACHTARIDIS (Royal Caribbean): (From July 5, 2005) Good evening ladies and gentlemen. This is Captain Michael, may I have your attention, please?

STORM: Captain Michael Lachtaridis came over the PA system to assure passengers it was business as usual.

Capt. LACHTARIDIS: (From July 5, 2005) The crew and I have been working with the local authorities to investigate whether a person may have gone overboard last night. We hope to have the issue resolved shortly.

Dr. ASKIN: And it was really very casual, and my wife and I sat there and looked at each other, and we went--we couldn't believe it.

Capt. LACHTARIDIS: (From July 5, 2005) The sunset for tonight is 8:35.

Dr. ASKIN: And sunset will be at such and such a time. This is it? And really that--never heard about any more at all.

STORM: As if nothing major had happened.

Dr. ASKIN: Pretty much. You know it was a nonevent.

Capt. LACHTARIDIS: (From July 5, 2005) Very soon we will be ready for our departure.

* * *

STORM: Nine months have passed since the handsome young groom from Connecticut vanished in the sea. Still, the FBI investigation continues with no clear answer. Was it an accident or was it murder?

Mr. SMITH: I feel that somebody committed this crime, and I want them brought to justice. I don't think they should be walking around out there while my son is dead on the bottom of the sea.

STORM: The Smiths are unshakeable in their belief. How else, they say, to explain the reports of arguing, furniture moving, the blood in the room.

Ms. B. SMITH: It was murder. It's clear in my mind it was

a murder.

STORM: 48 HOURS has confirmed that there was blood on the towel, a small amount on the bedding and possibly on the rug. The FBI has not said whose blood it is.

Mr. McCRARY: It isn't like there was blood all over the room. Not even remotely or anything like that at all.

STORM: Royal Caribbean's investigator Gregg McCrary says blood doesn't necessarily equal murder.

Mr. McCRARY: At a crime scene where somebody is beaten or there's cast-off blood and spattered blood and blood in motion and all, there was none of that at this scene.

STORM: But Dr. Henry Lee, the forensic scientist hired by Jennifer's family, says he has found evidence out on the balcony that other investigators may have missed.

Did you find biological evidence?

Dr. LEE: Yes.

STORM: What falls into that category?

Dr. LEE: Biological evidence basically involves blood, serum or body fluid, but those evidence I cannot discuss right now because this is an active investigation.

STORM: Despite a provocative case for foul play, writer Bryan Burrough thinks George's death was more likely an accident.

Mr. BURROUGH: George Smith, like a lot of young American men, enjoyed a cigar.

In fact, the smell of cigar smoke had been smelled wafting from his balcony before. One possible scenario is that George was left alone in his room, wasn't ready to go to bed until his wife came home.

Went looking for that last cigar.

Went outside, moved a piece of furniture, a chair up to the railing and sat on the railing while he smoked a cigar.

STORM: Indeed, a chair was found against that railing.

Mr. BURROUGH: He was very, very drunk. The boat was pitching and rolling severely that night.

We do know. It's at least conceivable that he fell overboard while smoking a cigar.

STORM: But with the case still active, all four young men and their families are living under the scrutiny of the FBI.

Dr. ASKIN: There is no reality to any of this. It's just

like a bad dream.

STORM: Have you thought at all about the Smiths and what they must be going through?

Dr. ASKIN: I really can't imagine. I know they have said some things and they may not have been, you know, the kindest things about our son, but you know, one thing they do need to understand, he tried to help their son.

He liked their son.

STORM: The blood on the canopy was washed off within hours of George's disappearance, but that image will haunt the Smiths forever.

Ms. B. SMITH: My brother, as you may know, was murdered on a Royal Caribbean Brilliance of the Seas cruise ship.

STORM: Now advocates for maritime safety, they're fighting so others won't experience their pain.

Ms. B. SMITH: This industry is in dire need of reform.

Mr. SMITH: I think the cruise industry really doesn't respect life.

Ms. M. SMITH: No.

Mr. SMITH: It's just the bottom line. One body to them means nothing. It's just something that they have to hide to protect their image.

Ms. M. SMITH: If anything good comes out of my son's murder on this cruise ship, it will be that somebody will be saved.

As time goes on, it doesn't get better, it gets worse.

STORM: Why?

Ms. M. SMITH: Because you don't have that person in your life anymore.

STORM: Not only is George gone from their lives, so is Jennifer.

Ms. B. SMITH: We welcomed Jennifer back in our home after George disappeared.

She was actually the closest thing we had to George. She actually slept up in George's bedroom.

STORM: But that closeness turned to mistrust as the Smiths came to believe that Jennifer knew more than she was telling them.

Ms. B. SMITH: We decided that we needed to put some space there. We were frustrated by the lack of information coming from Jennifer. And that was difficult for us.

STORM: On June 25th, George Smith and his family should be celebrating his first anniversary, instead, just 10 days later, they'll be mourning the first anniversary of his death.

Ms. M. SMITH: We just want his murder to solve so we can lay his soul to rest, and it will not rest until we find out.

(Graphic on screen)

The families of George Smith and Jennifer Hagel Smith have come together on one issue.

They plan a joint wrongful death lawsuit against Royal Caribbean.

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