



F26 The Case of the Missing Millionaire: How Sante and Kenneth Kimes Did Not Get Away With Murder

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The goal of this presentation is to illustrate how a painstaking investigation, involving several forensic science disciplines, helped to prove a case of murder and theft by two grifters.

This presentation will impact the forensic science community by demonstrating how to build a compelling circumstantial case of motive, opportunity, and intent when there is no dead body, DNA, or blood to be found.

Sante Kimes and her son Kenneth "Kenny" Kimes concocted an elaborate scheme to defraud and murder 82-year-old Irene Silverman, a wealthy Manhattan widow who owned and lived in an eight-million-dollar townhouse on Manhattan's ritzy Upper East Side. Silverman rented apartments within the townhouse to business executives and patrons of the arts on short-term visits to the city. In the spring of 1998, Sante and Kenny Kimes resolved to murder Silverman in order to steal the townhouse from her.

Kenny Kimes secured a first-floor apartment in Silverman's home, posing as a well-to-do designer named Manny Guerrin. Unbeknownst to Silverman and her house staff, Sante Kimes moved in with him. The defendants set up eavesdropping devices on Silverman's telephone line and learned as much as they could about Silverman and her household routines. They forged Silverman's name on several real estate documents purporting to transfer the ownership of the townhouse to the defendants' off-shore corporate entity. On July 2, 1998, Sante posed as a bedridden Irene Silverman and had the fraudulent signature on the deed of sale notarized.

Finally, on the morning of July 5, 1998, while Silverman's housekeeper was on one of the upper floors of the townhouse, the defendants grabbed Silverman in the first-floor hallway, dragged her into their apartment, and killed her. They wrapped the body in garbage bags, placed it in the trunk of their car, and drove out of town, where they dumped Silverman's remains. Her staff noticed too late that she was missing. With police assistance, the townhouse was searched from top to bottom, but Silverman was nowhere to be found. With the police in tow, two of Silverman's staff entered "Manny's" locked apartment. His belongings were gone, but he had left behind an opened roll of duct tape, a box of 42-gallon trash bags with four bags missing, and a shower curtain. A large pillow and a comforter were missing from the bed.

Meanwhile, federal agents investigating the Kimes mother/son duo arrested them for fraud and found the car. When they learned that Irene Silverman was missing, they notified the New York Police Department (NYPD) and incriminating evidence was found in the car and in the possession of a defense investigator. Documents evidencing forgery were found, and Silverman's signatures on all of the documents in a folder marked "Final Dynasty," including the deed and the transfer tax form, were not genuine. In several instances, the signature appears to have been traced from the rental receipt, which Silverman signed and gave to Kenny. The handwriting in several of the notebooks matched Sante's. The handwriting on a fax requesting an \$8,000 check from the Atlantis account matched Kenny's.

The jury heard about all the instrumentalities of death in the Kimeses' car and the bag they had checked at the Plaza Hotel, all of which were recovered in the days after their arrest on the Utah warrant: two loaded guns, an empty stun gun box, a pink liquid sleeping drug under the car's front seat with nearby syringes, and two sinister "Scream" masks. The few items recovered from Apartment 1B — undoubtedly left behind in the Kimeses' hurried frenzy to vacate the building — told the rest of the story. An open roll of duct tape and balled-up duct tape, both bearing Kenny's prints, four heavy-duty garbage bags missing from the box of ten, the shower curtain that had no place in the apartment and seemed to be missing its plastic liner, all indicated quite clearly that Silverman had met her end inside the Kimeses' apartment and at their hands. The absence of any forensic or trace evidence showing either that Silverman was killed in that apartment or that she was transported afterward in the trunk of the Lincoln® is a testament to the defendants' craftiness.

This is a case study of an intense investigation to amass evidence of a homicide without a *corpus delicti*.

Homicide w/o *Corpus Delicti*, Fraud, Circumstantial Evidence