

Where there's smoke...: [WEEKEND MAGAZINE Edition]

Peakin, Will. **The Scotsman** [Edinburgh (UK)] 25 Aug 2001: 10.

▣ Abstract (summary)

[Ted Maher] is being represented by two local lawyers who are attempting to have the charges against him reduced. He has also been visited by Mike Griffith, who represents his wife and her brother Todd. (Griffith has filed complaints in Monaco and the US that [Heidi] and Todd were abducted when they flew to the principality shortly after the fire, that they were threatened and had their passports stolen.) He found Maher wary of explaining in detail what happened and came away without an answer to the two questions that concerned him most: were there two intruders in the apartment; and were the knife wounds in Maher's stomach and leg self-inflicted?

This scenario demands another implausible: that while the assassination was supposed to be in progress, [EDMOND Safra] and [Vivian Torrente] made several calls to family, staff and the emergency services asking to be rescued. If, between losing contact and their bodies being found an hour later, someone slipped in and for some reason found it necessary to finish off the job the smoke was already doing, it was not subsequently noticed at the postmortems. But this does not deter the amateur sleuths. For a while, Maher was visited in jail by an Anglican priest, Father Fred Preston. In an interview with the Mail on Sunday in June, Preston was quoted as saying: "It is ridiculous to claim Safra died from smoke inhalation. Two former fire brigade officers tell me it would have been impossible for a lethal volume of smoke to have been drawn from the fire Ted allegedly started into the room where Safra was found."

Fortunately for Maher, he has a more respected champion in Dominick Dunne, a writer for Vanity Fair. Dunne is well known for his investigations into crime where wealth and privilege may be used to obscure the truth. His reports are a giddy mix of fact and gossip, but he makes clear which is which. And, because Dunne mixes in the circles he chronicles, his reports carry a certain weight; in the absence of a trial in the near future, he has Monaco's legal lite on its toes. The bullying of Maher and his family by the police and, possibly, by Safra's security team, has been obvious. That he may spend more than two years in jail without trial is outrageous.

▣ Full Text

EDMOND Safra is running out of time. Though he doesn't know it yet, he will soon be dead, asphyxiated by smoke inhalation in a supposedly secure room reinforced with steel. It is not the way you'd expect a man who has worked hard all his life to die, a man who has come through difficult times to found a bank whose clientele are among the richest in the world, to become a benefactor in education and medicine and who, at 67, in failing health, wanted to close one last big deal before enjoying his retirement. But this is

what it has come to. With a just little over two

hours to live, Safra barely has time to see his extraordinary life flash before him; to realise that that distinguished past now counts for nothing.

Born in Beirut, Edmond entered a wealthy Jewish banking family which, since the days of the Ottoman Empire, had financed the gold trade between the capitals of Syria, Turkey and Egypt. He left school at 16 to work in his father's bank, specialising in precious

metals and international exchange. In 1948, following the creation of the state of Israel, anti-Jewish riots forced the family to flee to Europe and the Americas and start banks in Geneva and Brazil. In the mid-1960s, Edmond himself struck out on his own to found the Republic National Bank of New York.

He went on to survive financial crises in Latin America and a smear campaign by employees of American Express alleging involvement in the Iran-Contra arms scandal and in drugs money. Only recently, he had risked his life giving evidence to the US authorities investigating the movement of money by the Russian mafia.

He funded various hospitals and educational programmes and made donations to worthy bodies such as the New York Holocaust Museum and the Israel Museum in Jerusalem.

Amassing a personal fortune estimated at around \$2.5 billion, his properties included a huge apartment on Fifth Avenue in New York, homes in London, Paris and Geneva and - the jewel in the crown - La Leopolda at Villefranche-sur-Mer, one of the most fabled houses on the French Riviera. He counted among his personal friends people with names like Onassis, Windsor, Rothschild and Kissinger.

But right now, on 3 December 1999, at a little after 4.30am, none of this matters, because Safra has just been alerted by a member of staff that two masked intruders are in his apartment.

This news shocks the security-conscious Safra. It is made all the more astonishing by the fact that he and his 65-year-old wife Lily are in their penthouse in Monaco, one of the most heavily policed states in the world. The enormous split-level residence sits, like the icing on a cake, atop La Belle Epoque, a six-floor building in the centre of Monte Carlo, next to the exclusive Hotel Hermitage. On the floors beneath are the offices of no fewer than four banks, including Safra's own, each protected by their own layers of security.

The only people who hold an electronic pass to the private residence situated on the fifth and sixth floors are the Safras, their butler, their head of security and the nursing staff who have been attending Edmond since he developed Parkinson's disease.

In the past few months, the windows of the penthouse have been replaced with bulletproof glass. External metal blinds are routinely shut and locked at night. For his protection, Safra can also call on a small troop of machine-gun-toting former Israeli army personnel, though for some reason - perhaps because, in Monaco, it is felt they are not necessary - they have been stood down for the night.

As day dawns on the Cte d'Azur and Safra stands in his pyjamas listening to Ted Maher, one of the two nurses on duty, blurt out the news, he feels confused as well as frightened. Nonetheless, he and the other nurse, Vivian Torrente, retreat quickly to the dressing-room.

This room had been designed as a last refuge in the event of a kidnapping or assassination attempt; a safe cell behind a door reinforced with manganese steel, designed to resist bullets and drills. They have two mobile phones with them and Maher says they should remain there and call the police while he tackles whoever has broken in.

As well as being on two levels (with the bedrooms on the first) the apartment has two wings: Edmond's on the west, comprising an anteroom, leading off from which is a small gym, the nurses' room and his bedroom with its own bathroom and dressing-room; and Lily's on the east, with a bedroom and dressing-room.

The two wings are separated by a library which begins on the landing and reaches up via a wrought-iron staircase to the second level where there are other living areas and offices. The apartment has more than 20 rooms in all.

At 4.49am, a light flashes on a panel in a cupboard which houses the control for the apartment's fire detection system; it indicates that a fire has broken out in the nurses' station on Edmond's side.

Six seconds later an alarm sounds at Monaco Securit, the surveillance company contracted by the Safras, and just over ten minutes later its people are outside La Belle Epoque.

By this time, Safra and Torrente have made a series of calls. At 5am, Edmond calls Lily, telling her: "Lock the doors, don't leave, phone the police." At the same time, Torrente calls the head nurse, Sonia Herkrath, the first of six calls she makes to her boss over the next 90 minutes.

Lily calls the police too, at 5:20am, saying that there is smoke in her bedroom. For some reason, she ignores her husband's advice and walks out onto the landing and by 6am has descended to the lobby of the building.

A little over an hour earlier, the concierge had been greeted by the sight of the male nurse, Ted Maher, staggering towards him. He had been stabbed in the stomach and had a second knife wound in his leg. The concierge called the police and made a note in his log: "Hostage situation; man shot and wounded." The nurse was taken to hospital.

Between then and Lily's escape, wisps of white smoke have begun emerging from the roof. But the fire team has been prevented by the police from making its way up until a special "intervention squad" has cleared each floor. They believe Palestinian terrorists or hitmen from the Russian mob are roaming about.

Lily urges the officials to take her butler, Raul Manjate, up with them: "He has been working for me for nine or ten years," she says. "He knows the apartment like the back of his hand. He has the keys - he doesn't need anything else."

But when they reach the fifth floor, the police and fire teams hesitate; they prevent Manjate from entering and take the keys from him. Samuel Cohen, the Safras' head of security, who has dashed from his home in Nice, has meanwhile slipped past the wall of police in the lobby, but when he reaches the penthouse he too is stopped and handcuffed before being released a few minutes later.

Among officials, the fear of armed intruders is still high. A report of a car bomb outside the building circulates. Cohen asks to use one of the smoke masks but is refused. They also reject

his suggestion to tackle the blaze by moving round a ledge on the terrace; one of the firemen explains that he suffers from vertigo. A team trying to fight the fire from the adjacent Hermitage Hotel do not have the equipment to cut through the metal shutters and are unable to break the glass where it is exposed.

By this time, the fire has taken hold. Inside, Safra and Torrente are fading fast; their calls, at first calmly insistent that it was not safe for them to emerge, have now become desperate. At 6.30am, Torrente is complaining of the heat and the smoke; Safra can be heard coughing in the background. It is the last call they make.

As well as fire in the nurses' room, the gym is ablaze too. Unknown to anyone, there is a fire in the basement of the building, in a dustbin under a rubbish chute that leads from the fifth floor. But an automatic sprinkler extinguishes this fire; there is no such system in the Safras' apartment.

Although Safra and Torrente are protected from the flames by the steel door, the heat is nevertheless intense. Smoke, circulated by the air-conditioning system, has filled the room; although the ducts throughout La Belle Epoque are fitted with flaps to prevent smoke moving from floor to floor, the Safras' apartment is considered self-contained and there is no legal requirement for the safety measure.

Safra and his nurse do not have much longer to live. Between the alarm being raised and their deaths, nearly two hours will have elapsed. Safra is seated in an armchair. Torrente is lying on the floor. Soot has begun to line their lungs and the carbon monoxide level in their blood has reached 50 per cent, rendering them unconscious.

AFTER these terrible events, Ted Maher was talked about as a hero. But not for long. Today, the 42-year-old American, a former paratrooper, is in jail awaiting trial for causing the deaths of Safra and his nurse.

It was only by chance that Maher came to work for Safra in the summer of 1999. He was living with his wife Heidi and their three young children in Stormville in upstate New York. They lived in a big house they had built themselves and were planning to build another property to sell on land they bought nearby.

One day at Columbia-Presbyterian Medical Centre in Manhattan where he worked in the intensive-care maternity unit, Maher noticed that someone had left behind an expensive camera. Instead of handing it in to lost property, he had the film developed, recognised the patients and traced them through hospital records.

Harry and Laura Slatkin were touched by Maher's good deed and mentioned it to one of their friends, Adriana Elia, the daughter of Lily Safra. Elia thought that, with his background, Maher would make a perfect nurse for her stepfather. He was interviewed and offered a salary of \$600 a day.

His former colleagues find it difficult to believe that he could be responsible for what happened in Monaco: "He cared deeply for the kids he took care of," Dr Raymond Stark, a professor of paediatrics at Columbia University College of Physicians and Surgeons, told the New York Times. "In a setting with a lot of tension and anxiety, he was a bright light and a wonderful man. This is inconceivable to me."

But the New York Times also quoted a former landlord of Maher's who said he had a "mean streak" and had been verbally

threatening. And NBC's Dateline programme reported that in 1985 Maher had been arrested on charges of burglary, grand larceny and malicious destruction of property. Pleading guilty to the last charge only, he was given a one-year suspended sentence and required to submit to mental health counselling.

MAHER'S trial was supposed to start next month, but it now seems unlikely before the end of the year. There is talk of a plea-bargain to reduce the charge of "voluntary fire-setting leading to the death of two people", which could result in a life sentence, to something less serious.

The one thing that everyone appears to agree on is that, whatever happened on that morning 18 months ago, Maher had no intention of killing anyone. The prosecution allege that, having fallen out with the head nurse, Sonia Herkrath, Maher hatched a plot to ingratiate himself with his employer.

He staged the break-in and stabbed himself before setting fire to tissues in a waste bin in the nurses' room. Forensic experts believe the fire was fuelled by pharmaceutical alcohol. They found traces of alcohol in the gym, but cannot be certain that the fire there was deliberately set. They can also provide no explanation of the fire in the basement dustbin; no evidence was found of burning material having been put in the rubbish chute.

Maher now says that the confession he signed was written in French, which he does not speak, and that he put his name to it only after being shown his wife's passport and being told that she would not be allowed to leave Monaco unless he co-operated.

He admits to starting the fire, but whether it was in order to raise the (smoke) alarm on outside intruders, or to make himself look like a hero remains unclear. Whatever his reason, it is clear that Maher's actions backfired on him horribly. In a letter last May to Monaco's constitutional monarch, Prince Rainier, Maher said: "I have always stated that I accept my limited part of responsibility in this tragedy, but I do not want to be the scapegoat for the fire and police rescue efforts."

Maher is being represented by two local lawyers who are attempting to have the charges against him reduced. He has also been visited by Mike Griffith, who represents his wife and her brother Todd. (Griffith has filed complaints in Monaco and the US that Heidi and Todd were abducted when they flew to the principality shortly after the fire, that they were threatened and had their passports stolen.) He found Maher wary of explaining in detail what happened and came away without an answer to the two questions that concerned him most: were there two intruders in the apartment; and were the knife wounds in Maher's stomach and leg self-inflicted?

Conspiracy theorists have had a field day. A Palestinian hit-squad is one suggestion. More probable, they say, is that Safra was the victim of the Russian mafia in a revenge attack for giving evidence about their money laundering.

Was it, they ventured, connected to the sale of Safra's bank to Britain's HSBC for nearly \$10 billion? (Safra had been putting the finishing touches to the deal and it was completed four weeks after his death.)

Rumours abound that Safra's body had two bullet wounds and that Torrente's neck was crushed. Maher, it is said, is simply the patsy. Recordings made by CCTV cameras, which the authorities say show no trace of intruders, have been doctored, according to Maher's supporters.

But if there were intruders, why did they stab Maher - and pretty half-heartedly at that - when, it is claimed, they then shot Safra? Why was Maher first of all not fired upon, then given time to set off a smoke detector and finally allowed to stagger out of the apartment? And why was a third method of execution - strangulation - used in the case of Torrente?

This scenario demands another implausible: that while the assassination was supposed to be in progress, Safra and Torrente made several calls to family, staff and the emergency services asking to be rescued. If, between losing contact and their bodies being found an hour later, someone slipped in and for some reason found it necessary to finish off the job the smoke was already doing, it was not subsequently noticed at the postmortems. But this does not deter the amateur sleuths. For a while, Maher was visited in jail by an Anglican priest, Father Fred Preston. In an interview with the Mail on Sunday in June, Preston was quoted as saying: "It is ridiculous to claim Safra died from smoke inhalation. Two former fire brigade officers tell me it would have been impossible for a lethal volume of smoke to have been drawn from the fire Ted allegedly started into the room where Safra was found."

Fortunately for Maher, he has a more respected champion in Dominick Dunne, a writer for Vanity Fair. Dunne is well known for his investigations into crime where wealth and privilege may be used to obscure the truth. His reports are a giddy mix of fact and gossip, but he makes clear which is which. And, because Dunne mixes in the circles he chronicles, his reports carry a certain weight; in the absence of a trial in the near future, he has Monaco's legal lite on its toes. The bullying of Maher and his family by the police and, possibly, by Safra's security team, has been obvious. That he may spend more than two years in jail without trial is

outrageous.

DOES Maher wish now that he had not been so assiduous in finding the owner of that camera? Maybe he should have just handed the camera to Lost Property, in the knowledge that the owner would probably contact the hospital himself. It is human nature to want to be regarded as a hero, preferably an accidental one; developing the film and tracing the owners feels just a bit too keen to be a purely unselfish act.

Setting light to tissues in a plastic wastebasket in a room full of flammable chemicals just to set off a fire detector seems a bit strange, too, whether you are under attack or just trying to attract attention to yourself; holding a match or a lighter close would have worked just as well.

The line between accidental hero and accidental villain is a fine one.

Copyright Scotsman Publications Aug 25, 2001