

**State of Alabama
Department of Insurance**

State Fire Marshals Office

Report Form

Report Date/Time: 3-17-04 / 0800hrs	Report Filed By: DSFM Scott Pilgreen FM-21	County Name: Macon (46)	Case No. 2004-055
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Case Type: (Include Code Class) Fire / 91 – Undetermined	Report Type: Investigation	Case Status: INACTIVE
Owner: SILVER TROWEL	Occupant: TUSKEGEE NEWS	

Information:
On Tuesday, 2-10-04 ASFM Ed Paulk called this writer and inquired if I had any knowledge of a large fire in Tuskegee. Paulk said he had just learned of the fire by a news cast. This writer placed a call to the Tuskegee Fire Department and was told that three buildings were involved. Attempts were made to contact City Fire Marshal Capt. Willie Smith or Fire Chief Derrick Swanson, these attempts were unsuccessful. This writer decided to travel to Tuskegee to offer assistance.

Upon arrival I found the buildings involved were on the square. Actual addresses were 108, 118, and 120 Eastside Square, Tuskegee. The buildings involved were as follows; 108 – Gray Building, 118-Macon-Russell Community Action, and 120 – Silver Trowel Lodge / Tuskegee News.

At the scene I met with Capt. Willie Smith, he advised that the fire was called in around 0340hrs this morning by a passing motorist. The fire was reported in the building on the corner which is the Silver Trowel/Tuskegee News @ 120 Eastside Square. According to Smith the building was fully involved when their units arrived on scene. The center building which was Macon-Russell County Community Action @ 118 Eastside Square became involved next and then the Gray Building @ 108 Eastside Square. When this writer arrived on scene at approximately 0915hrs the corner and center buildings had collapsed. Of these two buildings only the rear of the end building (120) had any standing structure remaining. Approximately 12 fire departments had responded to offer mutual aid to Tuskegee. The fire departments responded from Macon, Lee, and Bullock counties.

These buildings were two story and of wood, steel, brick, and masonry construction. Each was serviced with electricity and natural gas. Age of these buildings was estimated to be between 125-150 years. The fire spread from left to right as one would face the front of the buildings, beginning in the Silver Trowel/Tuskegee News building (120) and ending at the Gray building (108). The corner building (120) and the center building (118) totally collapsed. Only the outer wall of 120 and the center wall between the two buildings were standing, everything else was a pile of rubble. The only exception to this was the very rear of 120 where there was significant structure remaining on both levels. This area was gutted but standing. The upper level in the rear was part of Silver Trowel while the lower level was part of Tuskegee News. This is an indication that the fire did not originate in this part of the building. A solid wall of masonry construction separated the rear section from the front which collapsed. The Gray Building (108) was standing but was completely gutted by the fire. Due to the collapse which caused the total destruction of the front section of the Silver Trowel/Tuskegee News building at 120 Eastside Square and its contents including equipment, wiring, piping, etc. a

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determination as to the origin and cause could not be made from the fire scene examination.

Capt. Smith was able to contact John L. Brown by cell phone. Mr. Brown was the person who had discovered and reported the fire. Mr. Brown was enroute to Montgomery to Budget Car Sales on the Atlanta Highway. This writer arranged for DSFM Jeff Thompson to interview Brown at that location.

In his statement Mr. Brown said he was on his way home between 3:40-3:45am when he arrived in downtown Tuskegee. He noticed a fire on the corner next to the news building; the building was in high flames. He called the police department and told them where the fire was and gave them his cell number. Shortly after that there were two police cars at the scene and then the fire truck. He then left and went home. (see statement in file) In a subsequent telephone conversation with this writer Mr. Brown was more specific in describing what he saw. He said the lower part of the corner building was fully involved. Fire was coming out of the front windows. He did not see anyone around.

A statement was taken from Sgt. John Edward Scott, TFD. Sgt. Scott said they received the call at approximately 3:44am. They arrived on scene at approximately 3:55am. Upon arrival his first vision was flames coming out of the windows on the second floor of the corner building. After staging they noticed the building was fully involved. Sgt. Scott said about 10 minutes into fighting the fire the ceiling and 2nd floor of the Tuskegee News Building collapsed down onto the bottom floor. He said that both floors were fully involved, that to him the worst fire was at the back section of the first floor, he saw a lot of machines there and there was a lot of fire there. When they arrived just heavy smoke was coming from the Community Action Building. Sgt. Scott said it appeared the News Building was secure when they arrived, the door was locked but the window had shattered. (see file for statement)

Capt. Smith was to get a statement from Police Officer Nancy Yarenko. Officer Yarenko was one of the first to arrive on the scene. This writer made contact with Capt. Smith on 3-17-04 to check on the status of that statement. Capt. Smith advised that Officer Yarenko told him the statement was completed and would be forwarded to him in the next day or so. This statement will be included in the file when available.

A statement was taken from Adre' L. Grant office manager of Tuskegee News. Ms. Grant said that on Monday she usually gets off at 5pm but that afternoon a lady that she knows needed a ride home. She took her home and then returned to the office it was between 5:45-6pm. All of her co-workers were still there; Monday's are their deadline days. Adre' said that Mr. Holloway was the first to leave, it was around 6:40pm, and then Ms. Carlisle left about 7pm. Adre' said she worked a little later and left between 7:45-8pm. Ms. Grant said she didn't notice anything unusual that day; the only thing left on in the office was the window unit heater. This is actually a heating and cooling unit; it is located in the window of the front office. She said it was common for this appliance to be left on. Adre' said no one in the office smokes, when she left the office was secure.

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Grant said the only problem with the building she was aware of was a plumbing and a termite problem. The plumbing problem was a toilet that would overflow when the line outside the building would stop up. The termite problem occurs each year once it gets warm. Ms. Grant said equipment they used included computers, a fax machine, printers, window units, a microwave oven in the back, small refrigerator, and a coffee pot. Surge protectors and power strips were also used. (see file for statement)

Jacquelyn "Jackie" Carlisle the Editor of the Tuskegee News provided a written statement. She left the office on Monday night around 6:45pm; the only person left in the office was the office manager Adre' Grant. Lester Holloway, Advertising Manager left between 5:30-6pm. They are the only regular employees of that office. The Tuskegee News office is in the lower level of the building, the Silver Trowel Lodge is upstairs. Carlisle says that the lodge meets on Monday's but she doesn't know if they met the Monday before the fire. She doesn't know of any problems with the building other than minor plumbing problems.

Capt. Smith interviewed and took a statement from Jeanette Penney who worked in the Community Action Building. Ms. Penney said she was in their building on Monday the 9th from 8am until 5pm. She smelled something burning on that date between 10:30-11am. She asked if anyone else smelled something burning and they said no, so she dismissed it. Penney said about 4-5 weeks ago she smelled something but it turned out to be a drink machine which was replaced by the company. Penney said she left at 5pm, usually a janitorial worker comes in after 5pm, she doesn't know if this lady came in or not.

This writer contacted Community Action and spoke with Ms. Angela Hughley and inquired about the janitorial service. She said that it wasn't a service but a lady who comes in and cleans the office. The name of the lady is Mary Lilly, she works at Victory Land. She cleaned the Community Action offices 5 days a week. Victory Land was called but they did not have a contact number for her. The personnel department there advised that Lilly worked several jobs. A message was left with Victory Land P.D. for her to contact this writer when she returned to work there. A web search under the name Mary Lilly provided a telephone number to someone by that name in Tuskegee. A call was placed to that number, no contact made, a message was left. This writer called Capt. Willie Smith to see if he could locate and interview Mary Lilly. When this is done information from Capt. Smith's interview will be included in this file.

On 2-11-04 this writer met with Clarence Ervin, Worshipful Master for the Silver Trowel Lodge, and Mark Rush also of the lodge in front of the burned buildings. I asked if there was a meeting at the lodge on Monday the 9th. They said the Silver Trowel did not meet but there were others lodges who used their offices and although they do not believe any of them met, they would have to check to be sure. Ervin said that the Silver Trowel owns the building in which they and Tuskegee News occupy.

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The lodge occupies the second floor with the entrance to their offices located on the side at the rear. They did have 3 gas space heaters in their offices; all of them should have been off including the pilot light. Mr. Ervin said the overall condition of their offices was bad, in fact he said their part of the building should have been condemned. He described the wiring as old, it was the original wiring. I requested a list of the other lodges that used the offices, a sketch of the floor plan of the first and second floors and insurance information. Mr. Ervin said he would gather this and contact me in a few days.

On 2-11-04, Tuskegee Mayor Dunn held a press conference in front of the Macon County Courthouse. Present were members of the City Council, personnel from the police and fire departments which included the police and fire chiefs and Capt. Willie Smith. Capt. Smith informed this writer that in the press conference Mayor Dunn addressed the press release she had given on the day of the fire (2-10-04) in which she said the cause of the fire was related to gas heaters in the Silver Trowel Lodge part of the building. Mayor Dunn said that information was based on rumors she heard circulating at the scene when she was there that morning and not based on fact. She said the investigation was continuing and no determination as to the origin or cause had been made at this time.

On or about 2-17-04 this writer met with Clarence Ervin at Auburn University PD. He provided the information requested. Ervin said he had checked with the other lodges and none of them had met on Monday night. As best he could determine no one had been in the offices for any reason at any time on 2-9-04. Ervin said the last time anyone was in their part of the building would have been on or about Thursday 1-29-04 when he had a meeting there. Ervin wasn't sure if the insurance was still in force but the coverage had been with USF&G, policy #1MP30018589704.

Other insurance information is as follows; State Farm Insurance, policy #93-34-4133-6F, this policy covers the buildings at 108 and 118 Eastside Square which are owned by Fred D. Gray. This policy is in the name of Fred D. Gray. Macon-Russell Community Action had a separate policy for their offices at 118 Eastside Square, this policy was with American Bankers Insurance Company, policy and claim number NLF 0213863 10.

On Thursday 2-19-04 ASFM Ed Paulk instructed this writer to return to Tuskegee and interview people that are connected with the three buildings. This was to be done as a result of telephone calls our office had received regarding the fire. Specifically a call from ESPN in which they indicated they had a source which they wouldn't name that claimed a person affiliated with one of the building's had received a death threat and this might be related to the fire. This writer contacted Capt. Willie Smith by radio and was advised to meet me at his office and to arrange for employees of Community Action to meet us there. A total of 10 Macon-Russell Community Action employees were interviewed by this writer and Capt. Smith.

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Each was asked individually if they had received or knew of anyone who had received a death threat or a threat of any type from anyone or group at any time prior to or after the fire that occurred on the 9th. Each person replied no.

This writer went to the temporary offices for Fred Gray, Attorney. All employees of the firm weren't present. Those that were present were interviewed, a total of 6. Each were interviewed individually and asked the same question. Each of these employees replied no.

This writer went next to the new offices for Tuskegee News. The only person present was Adre' Grant and I asked her the question. Ms. Grant replied with a question, have you seen today's paper and she pointed to several papers stacked on the corner of her desk. The front page of the Thursday, February 19th edition of the Tuskegee News had an article titled "No ruling finalized about cause of fire". The article was written by Guy Rhodes and Jacquelyn Carlisle. In the article in paragraph 6 it states that Tuskegee News owner and publisher Paul Davis told the Montgomery Advertiser that he had received death threats over his coverage of the controversies involving Auburn University trustees.

This writer traveled to Auburn, made a call to Mr. Paul Davis and asked if I could come by his office and talk, he agreed. During our meeting which lasted 15-20 minutes I asked Mr. Davis at least 3 times if he had received any death threats or any type of threat from anyone or any group, his reply each time was no. Mr. Davis did say however that he had received an e-mail from a contact of his on the Auburn Board of Trustees. Davis didn't provide a date for this e-mail but said he did not interpret the e-mail as a threat but only as someone giving him a heads up. Davis said the e-mail basically said that he (Davis) was messing around with some powerful people and he should be careful. Mr. Davis said that if I needed to see the e-mail he could get it. I advised him that wasn't necessary at this time. He asked about the investigation and this writer confirmed that the fire did start in the building at 120 Eastside Square, the building in which the Silver Trowel Lodge and Tuskegee News were located. Based on information from witnesses the building was fully involved. The origin and cause was undetermined due to the severe damage suffered to the building. At this point there was no information or evidence to suggest foul play. The investigation was continuing and if he currently had or at a later time became aware of any information relating to the fire he needed to let us know. Mr. Davis stated that his part of the building had been re-wired 15-20 years ago, Mr. Davis had previously advised this writer of that fact on the day of the fire. He acknowledged there were no gas heaters in his offices.

Separate case numbers have been assigned to other buildings damaged in this fire, Macon-Russell Community Action @ 118 Eastside Square is Case #04-078, The Gray Building @ 108 Eastside Square is Case #04-079.

Cause class for all of three cases is 91 – Undetermined. These cases shall be filed Inactive until additional leads or information become available.