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U.S. Department of Justice

Federal Bureau of Investigation Washington, D.C. 20535

August 17, 2018

MR. JOHN GREENEWALD JR. SUITE 1203 27305 WEST LIVE OAK ROAD CASTAIC, CA 91384

> FOIPA Request No.: 1413373-000 Subject: MALLOVE, EUGENE FRANKLIN

Dear Mr. Greenewald:

Records responsive to your request were previously processed under the provisions of the Freedom of Information Act (FOIA). Below you will find informational paragraphs relevant to your request. Please read each item carefully.

Enclosed are 15 pages of previously processed documents and a copy of the Explanation of Exemptions. This release is being provided to you at no charge.

Please be advised that additional records responsive to your subject exist. If this release of previously processed material does not satisfy your information needs for the requested subject, you may request the additional records for processing.

Requester Response					
	Yes, process and provide me the additional records responsive to my subject.				
	No, close my request.				
Unit, 1	e submit your response within thirty (30) days by mail or fax to—Work Processing 170 Marcel Drive, Winchester, VA 22602, fax number (540) 868-4997. Please cite DIPA Request Number in your correspondence.				
	do not receive your decision within thirty (30) days of the date of this notification, request will be closed.				

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S. C. § 552(c) (2006 & Supp. IV (2010). This response is limited to those records subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

For questions regarding our determinations, visit the <u>www.fbi.gov/foia</u> website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site: <u>https://foiaonline.regulations.gov/foia/action/public/home</u>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified. You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing <u>ogis@nara.gov</u>. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing <u>foipaquestions@fbi.gov</u>. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,

David M. Hardy Section Chief, Record/Information Dissemination Section Information Management Division

Enclosure(s)

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigations, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

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Page

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Precedence:	ROUTINE

Date: 04/20/2009

To:	CIRG			Attn:	BAU	II
From:	New Haven Squad 5/0 Contact:	CTIC SA				
Approv	ed By:					
Drafte	d By:		:las			
Case I	D #:		(Pending) (Pending)			

Title: NCAVC NEW CASE REQUEST

NCAVC-NEW HAVEN DIVISION

Synopsis: Request a new case be opened and assigned.

Details: New Haven has received a request from the Norwich, Connecticut Police Department concerning NCAVC assistance in a murder investigation. On May 14, 2004, Dr. Eugene Mallove was found brutally beaten to death in the driveway of his childhood home located in Norwich, CT. Dr. Mallove was a New Hampshire resident and an internationally known alternative energy scientist primarily dealing with cold fusion. Dr. Mallove was educated at both Harvard and M.I.T. He taught at both Boston University and M.I.T. Dr. Mallove was a prolific author and renowned speaker. He was in Norwich to evict tenants and to clean the property.

This matter is being investigated by the Norwich Police Department (NPD) and the Connecticut State Police (CSP), Eastern District Major Crime.

It is requested that a new case be opened to address this matter. NPD and CSP are seeking an offender (s) profile, crime analysis, media strategy, investigative suggestions and interview and interrogation strategy. There is an extensive amount of information on Dr. Mallove on the Internet. 110las001.ec.wpd

The new case can be entitled:

UNSUB(S); DR. EUGENE MALLOVE VITIM (DECEASED);	Open Borra TO
NCAVC ASSISTANCE; COLD CASE HOMICIDE; NORWICH, CONNECTICUT POLICE DEPARTMENT	4/22/09
Aluc	Dry p

Serial : 1767

206

Case ID :

Downloaded 4/22/2009 CD 252B-IR-8553;

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LEAD(s):

Set Lead 1: (Action)

CIRG

AT NCAVA/BAU II AQUIA, VIRGINIA

Will open and assign above noted matter.

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			Date
		•	01/14/2010
Fitle and Character of Case			ile No.: 252B-IR-8553 ; [C]
UNSUB(S); EUGENE FRANKLIN MALLO' Norwich Police Department, Norwich, Connecticut; 05/14/2004; SINGLE HOMICIDE	/E - VICTIM (DECEASE	D);	0:
Date Acquired	Acquired From:	· · · · · · · · · · · · · · · · · · ·	
07/10/2009	SA	New Haven	Division
	See Serial	Acquiring Agent	Case Agent
o Be Returned			
		SSA	SSA
Yes 🗹 No	Grand Jury Material -		SSA ule 6(e), Federal Rules of Criminal Procedure

Description of Property (Be Specific)

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Copies of investigative reports, crime scene and autopsy photographs, crime scene sketch, and crime laboratory reports.

· •	(1/2)	
		252.B-IR-8553; ICI
For Administrative Use:		BLOCKSTAMP
Location of Property:		1/21/10
Control Number:		AQ .

01/21/10 10:39:29	FD-192 A		ICMIPR01 Page 1
Title and Characte	er of Case:		
MALLOVE, EUGEEN			
-		-	
Date Property Acqu	ired: Source from which Pro	operty Acquired:	SION b6
07/10/2009			b7C
Anticipated Dispos	ition: Acquired By:	Case Agent:	
			b6 b7C
Description of Pro 1C 1	operty:		Date Entered
	IGATIVE REPORTS, CRIME SCEN ME SCENE SKETCH, AND CRIME		
Barcode:	Location:		01/21/2010
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	Precedence: ROUTINE Date: 07/10/2009	
		b6 b7С
		b6 b7С
	Approved By:	
	Drafted By:	
	Case ID #: 252B-IR-8553 (Pending) -> Case assigned to SSA	
	Title: UNSUB(S); DR. EUGENE MALLOVE-VICTIM (DECEASED) NCAVC ASSISTANCE; COLD CASE HOMICIDE; NORWICH, CT POLICE DEPARTMENT	
	Synopsis: Case materials received from the Norwich, CT Police Department.	
	Package Copy: Being forwarded under separate cover is one box containing case materials concerning the Dr. Eugene Mallove murder.	
	Details: On July 8, 2009 writer met with of the Norwich, CT Police Department provided to writer copies of the entire Dr. Eugene Mallove murder investigationprepared the case file as requested by the NCAVC format. A box containing the entire case file will be sent under separate cover.	Ъ6 Ъ7С
	Although the investigation is on going their information has been included in the suspects section. Additional forensic testing is also anticipated and has been coordinated with the FBI Lab Trace Evidence Unit contact numbers are: 860-886-5561 ext and cell	b6 b7С
	LEAD (S):	
	LEAD (S): Set Lead 1: (Action) CIRG/NCAVC/BAU 2 AT AQUIA, VA VC 4 4 VC 4 4 VC 4 4 4 4 4 4 4 4 4 4 4 4 4 4	
	CIRG/NCAVC/BAU 2 Find Jos	
	AT AQUIA, VA	
	vc 4	b6 b7С
	Case ID : 252B-IR-8553 Serial : 2	DIC
dov	valoaded 7/22/2009 by cld -no other outstanding leads-	

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Will review case materials.

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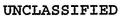
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Precedence: RC	OUTINE	Date;	08/25/2009	
To: CIRG		Attn: BAU SSA	<u>II</u>	Ъ6 Ъ7С
	en d 5/CTIC act: SA			ь6 ь7с
Approved By:		-		
Drafted By:		las		
Case ID #: 2521	B-IR-8553 (Pending)->	case assign	nd of the	_
NCAVC 2	S); GENE MALLOVE-VICTIM/DEC ASSISTANCE; ASE HOMICIDE;	-		-
Synopsis: Not	ification of point of c	ontact for l	BAU II.	
anticipated ex matter has bee Departmen <u>t. Th</u>	the information of BAU I stended leave, a point o en established with the his individual is and cell July 10, 2009.	f contact i	or captioned nnecticut Police 860-886-	е b6 b7C
237las003.ec.w	vpd			,
		-		
LEAD(s):				V
Set Lead 1: ((Action)			1910
CIRG				500
AT E	BAU II AT AQUIA , VA	,		b6 b7C
Department, 86	l contact and 60-886-5561 extand possible consultation da	d cell	Norwich, CT Poli	ce Course Leads
Case ID : 2521	B-IR-8553		rial : 3	A D/C
lownloaded 8/2/e/2007	-no other outstan Zby cld	iding leads-	·	

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FEDERAL BUREAU OF INVESTIGATION

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Precedence: ROUTINE Date: 01/14/2010	
To: New Haven Attn: SA Squad 5	b6 b7С
From: CIRG NCAVC, BAU-2 Contact: SSA	Ъ6 Ъ7С
Approved By:	BIC
Drafted By: :aas	
Case ID #: 252B-IR-8553 (Pending);4/	
Title: UNSUB(S); EUGENE FRANKLIN MALLOVE - VICTIM (DECEASED); Norwich Police Department, Norwich, Connecticut; 05/14/2004; SINGLE HOMICIDE	
Synopsis: Materials reviewed, consultation held, and case closed.	
Reference: 252B-IR-8553 Serial 1	
Details: As outlined in the referenced Electronic Communication, the captioned, 56 year-old white male was found beaten to death in the driveway of his childhood home, located in Norwich, Connecticut. Dr. Mallove was a scientist, who was known as a strong proponent of cold fusion theory and as a prolific author and renowned speaker on that subject. Mallove lived with his wife in New Hampshire, but traveled to Norwich on the day of the homicide. Mallove drove to Norwich to clean out and make repairs to his childhood home, which he owned and used as a rental property. The most recent tenants had been evicted the previous month.	
Over the course of Friday, May 14, 2004, several witnesses saw Mallove actively working on the grounds of his property, to including mowing the lawn. Mallove was last	

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known to be alive shortly before 8:30 p.m., when he made purchases at a gas station and at a convenience store. Shortly after 10 p.m., a woman, who was interested in renting Mallove's house, stopped at the house and wrote down contact information from a posted rental sign. The woman did not see Mallove. After running an errand, the woman called the telephone number that she had copied down and spoke with Mallove's wife, who was at the Mallove residence in New Hampshire. Mallove's wife stated that she had expected Mallove home around 8 p.m., but that he probably was still at the rental house. Mallove's wife told the woman that she should go back to the house and discuss renting it with Mallove. She also asked the woman to have Mallove call home. When the woman returned to the rental house and looked around, she found Mallove's body laying on the driveway, in front of the detached garage.

It was determined that Mallove's shirt, wallet, shoes, cellular telephone, wedding ring, pocket notebook (on which he jotted down daily notes), digital camera, car keys, and minivan were missing. The abandoned minivan was located several hours later in the employee parking lot of the Foxwoods Casino, which is located about 8 miles east of the crime scene.

An autopsy revealed that Mallove suffered multiple blunt force injures to his face and scalp, a fracture of his thyroid cartilage, and a stab wound to his right arm. The injuries were consistent with Mallove having been involved in a significant physical struggle. The medical examiner listed Mallove's homicide as having been caused by multiple injuries of the head and neck.

Initially, no obviously significant physical evidence was recovered from the crime scene or from Mallove's minivan. Investigators did, however, see several similar fabric impressions, in blood, on Mallove's undershirt. The impressions appeared to have been made by the offender's clothing during the struggle with Mallove.

The initial investigation failed to uncover anything of significance in Mallove's background. He essentially lived a stable life and was a well-liked person. A little more than a year after the homicide, two men were charged with killing Mallove. The men had previously been arrested for engaging in a drug-induced burglary spree in the nearby area, on the



weekend of Mallove's homicide. Both men denied involvement in Mallove's murder. Forensic DNA testing initially caused a hair in Mallove's minivan to be identified as having come from one of the two men; however, it was later determined that an error had occurred. More specifically, the hair that was believed to have been collected from Mallove's minivan was actually determined to have been collected from a stolen car that the two men occupied at the time of their arrest. In November 2008, due to a lack of either physical or circumstantial evidence, the murder charges against both men were dropped.

At the time that the captioned matter was initially opened and assigned, it was being investigated as a cold case homicide with no suspects. By the time that case materials were provided to the National Center for the Analysis of Violent Crime (NCAVC), renewed investigative efforts had yielded significant developments and the identification of a very viable suspect. That suspect, <u>a male of</u> mixed black and white race, date of birth: is a member of the family that lived in Mallove's rental house and that was evicted several weeks before the homicide for failure to pay rent.

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some items									parke	d in	the
driveway.	While	living	g at th	ne rei	ntal	house	∍,[
reportedly	y dealt	drugs	out of	E the	hous	se wit	th ⁻	help		his his	
			blac}								
	Even_								that		
suspected	that [and		enga	iged :	in	such	ı beha	vior	•

Detectives developed information from a number of sources that, on the day of the murder, ______ saw Mallove cleaning out the rental house, and he decided to go over to the house to see what Mallove was throwing away. ______ reportedly accompanied ______, an altercation ensued, and killed Mallove.

On the morning after the murder, was interviewed by investigators, and he stated that he spent the previous evening at home with also showed investigators clothing items, which were unremarkable, that he reportedly wore on the previous evening. established an alibi for him by . verifying that he was home on the night of the Mallove

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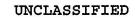
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homicide. In March 2005, _____ provided a second and completely different statement. He stated that: the day of the murder was his day off from work (at the ______); he spent the evening with ______ at a bar in Mystic, Connecticut; and _____ dropped him off at home around 3:30 a.m., less than four hours before police officers stopped by to question him about the murder.

was interviewed twice: several days after the murder and four months later. On both occasions, <u>reported that</u>: on the night of the murder, he picked up at the , where she worked; he and took a route that went past the rental house; he saw Mallove and a white male, who he could only describe as likely older than himself, carry and throw items into a dumpster that was located on the property; he drove and he remained at home for the rest home with was interviewed four months of the night. after the Mallove homicide, and she provided a similar statement, with one major exception. reported that she did not see anyone at the rental house, when she and drove past it.

was arrested in July 2008, after a successful multi-agency drug and firearms investigation, and he was federally charged as an armed career criminal.

In March 2009, ______ reported to detectives that, two months after the murder, he overheard ______ and a third man talking about Mallove's murder. _____ reportedly made an unspecified incriminating statement at that time.

In May 2009, a friend of had confided reported to detectives that had confided in her that she lied when she provided an alibi for _____. also told the friend that, on the evening of the murder, ______ returned home with bloody clothing, which _______ subsequently threw away.

In June 2009, an acquaintance of _____ reported to detectives that, on the night of the Mallove homicide, he saw a bloody Carmelo Anthony Denver Nuggets NBA jersey in a pile, on the floor, in _____ apartment. The acquaintance recognized the jersey as one that he had previously given to

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To: New Haven From: CIRG Re: 252B-IR-8553, 01/14/2010

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In June 2009, spoke with detectives, confirmed information that had previously been provided by her friend, and admitted that she had lied for also reported that had given her a camera, which fit the description of the one taken from Mallove, shortly after the murder reportedly later gave the camera to one of his friends.	b6 b7С
On November 18, 2009, after thoroughly reviewing the facts of the captioned matter, NCAVC Crime Analyst , Supervisory Special Agent , and the writer participated in a telephone conference call consultation with Norwich Police Department (NPD) and	Ь6 Ь7С
At the time of the consultation advised that he was in the process of getting a fabric sample from the Reebok Corporation, which manufactured the previously- mentioned NBA jersey, for comparison against the bloody fabric impressions found on Mallove's undershirtalso advised that, upon re-examining crime scene photographs, he found one that showed a set of keys on top of freshly cut grass. The keys were later determined to have belonged to The fact that the keys were located on the grass clippings supports the theory thatleft them there sometime after Mallove mowed the lawn.	Ь6 Ь7С
According to further interviews yielded the following scenario: On the evening of the homicide, 	ь6 ь7с



advised that, given the previous arrests and dismissals of charges, the NPD wanted to cautiously proceed with its efforts to establish probable cause to charge with Mallove's murder. Given the mounting circumstantial evidence against the NCAVC provided the following investigative suggestions and observations:

Prioritize obtaining the Reebok fabric sample for comparison to the fabric impressions found at the crime scene.

Confirm that key witness statements are memorialized in a manner suitable for prosecution purposes, particularly given the circumstantial nature of the case against

On November 20, 2009, pled guilty to a federal weapons charge and was sentenced to 15 years in prison.

On December 16, 2009, _______ advised that he had obtained the fabric sample from the Reebok Corporation and that, in his opinion, it looked consistent with the bloody impressions found at the crime scene. At the request of the NPD, the writer contacted the FBI Laboratory's Trace Evidence Unit, discussed the general facts of the case, determined that a fabric impression examination using the Reebok jersey exemplar could be made, and provided appropriate evidence submission instructions to ______.

At this time, NPD efforts continue to focus on solidifying the case against _____. The NCAVC remains b6 available to assist, in the future, particularly with b7C interview and prosecutive strategies.

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In light of the above information and due to the fact that no further requests for NCAVC assistance have been made, the captioned matter is being closed. Case materials that were provided to the NCAVC will be routed to the Critical Incident Response Group file room.

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To: New Haven From: CIRG Re: 252B-IR-8553, 01/14/2010

LEAD(s):

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Set Lead 1: (Info)

<u>NEW HAVEN</u>

AT NEW HAVEN, CT

Read and clear.

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