

# A Historical Examination of the Gardner Museum Heist's Basement Crime Scene

By Kerry Joyce



It is a generally rushed over little series of storyboards in the Gardner Museum Heist drama; how the two security guards, working that graveyard shift, were handcuffed by robbers, wrapped with duct tape, and then led down to the Museum's basement.

The accounts of what happened next have varied over the decades, to what might be considered an astonishing degree, that is, if this were some other enduring true crime tale. In the case of the Gardner Museum robbery, though, it is just one more example of how the Gardner Heist is both one of the most covered and least covered in American history. With the epic nature of the theft, it quickly became easy to forget perhaps, that as Tron Brekke, Tron Brekke, an assistant special agent in charge of the Boston FBI, reminded two months after the robbery, in the Boston Globe. "Unlike other art thefts... at the Gardner they tied up the guards; it was a violent crime."

There are four sources of information as to what happened in the basement during the Gardner Museum robbery in the public domain. The Boston Police crime scene photos of Rick Abath taken several hours after the thieves left the building, the accounts given by federal investigators and the Museum's security director, and the words of mostly one of the guards Rick Abath, which, given the suspicions of his possible involvement, must be considered in that light.

The other guard, Randy, spoke briefly in Episode One of "Last Seen" which was released in September of 2018. Randy described the guard who confined with a second set of handcuffs to a limestone sink in the basement. "So he was real calm and real nice about it and he also several times said, "Sorry to have to do this," Randy said. This would seem to contradict the assertions made by the FBI and their surrogates that the robbery was carried out by "local thugs."

Abath is the only one, of the two guards confined in the basement, who appears in the crime scene photos that were made public. He is shown seated in the place where he was found the next morning:

"You can see the duct tape wrapped around his head and he's still cuffed and he's in the basement, and he had to stay that way until the police photographer came because we needed to get the *m.o.* of how these guys did it," Museum Security Director Anthony Amore said in 2015.

Descriptions of Abath's state when he is found by Boston Police in the morning, have been frequent and dramatic, yet highly divergent, in their particulars, and in contradiction of what these crime scene photos clearly show.

In books, on cable news and in newspapers Abath has been variously described as having been "gagged," "almost gagged," "left nose holes for breathing," as well as having had his mouth "taped shut," and with "tape around his mouth and his ears and everything,"

A feature story in Yankee Magazine in 1992, "The Night They Robbed the Gardner" reported that : "Strips of plastic tape were wrapped around their eyes, ears, and mouths. They were hustled down a nearby flight of steps to the basement, taken to opposite ends of a long corridor, manacled to heating pipes, and left to lie on the concrete floor."

The Boston Police photos and Rick Abath himself contradict this description, however. Rick Abath. stated that the thieves "duct taped like the bottom of my chin to the top of my head."

The Boston Police photos and Rick Abath himself tell a different story, however. On StoryCorps in 2015, Abath stated that the thieves "duct taped like the bottom of my chin to the top of my head," and Gardner Museum security director Anthony Amore told in great detail how the other guard was handcuffed to a post holding up an old sink.

Abath has no incentive to *understate* the extent of his incapacitation at the hands of the robbers, and his description is consistent with the crime scene photos. But not until Abath himself spoke directly on StoryCorps about his experience, was this peculiar head-duct-taping put directly put into words for public consumption in a way that is consistent with the crime scene photos.

Stephen Kurkjian's 2015 book *Master Thieves* describes how the police took great care in

preserving Abath's state of confinement at the crime scene as he was found prior to taking the photos:

"There, seated on a perch, still handcuffed, with his shoulder length curly hair nearly completely wrapped in duct tape, sat Rick Abath. Hestand [the other guard], too, was nearby. 'We're Boston police,' Cullity told them. 'Just sit there a couple of seconds longer; our police photographer is on his way and we don't want to touch or change anything until he gets his pictures.'"

In March of 2017, however, Anthony Amore contended that "the guard was gagged and handcuffed to a pipe. Those were removed before photography," contradicting a statement he himself had made two years earlier about the effort put into preserving that part of the basement crime scene for the photographer.

The Boston Police have never made commented publicly about the case, the FBI was on the scene and took control of the case within a few hours of the Boston Police arriving on the scene. Even those directly involved and long retired refrain from speaking of it, leaving no quality control check by the first responders, the actual eyewitnesses who could corroborate the official account that to most careful observers is something less than convincing.

"I struggled to understand why the FBI had provided such scant—and, as it turned out, **debatable**—details of its investigation," Stephen Kurkjian wrote in *Master Thieves*. Clearly the Boston Police reports and accounts of Boston Police officers who arrived first on the scene, could prove valuable in resolving these most basic of unanswered questions.

The lavish use of duct tape by the thieves on the heads of the guard, or on Abath anyway (the police photos of the other guard have never been made public), seems to have done the trick in establishing an never disputed narrative of the two guards' utter helplessness. In fact, a strip of duct tape wound from the top of the head and around the chin as shown in the police photo and described by Abath, is really not going to have any effect on a normal healthy person's ability to speak, shout or cry out for help. Yet Abath told CNN in 2013 that "the police came around the corner with flashlights, and the guy seemed surprised and screamed out, 'whoa, we have got another one.'" Abath was found at the furthest point from the stairway in the basement. Police began their search on the top floor and worked their way down. They had been in the Museum an hour before they stumbled upon Abath, yet he made no effort to call out to the police. They were "surprised" when they came upon the guard in the basement.

In addition to the Yankee Magazine article, Rick Abath has also been described, in the books and mass media as having been "taped to a post," "secured to a work bench," "handcuffed to a sink," "handcuffed to a pipe." and "handcuffed to an electrical box."

For a 2010 videotape supplement of the public radio program "On Point," Gardner Security Director Anthony Amore showed the program's host, Tom Ashbrook the place where he understood Abath to have been seated by the thieves in the basement, explaining that "the cuffs were cuffed to another one of these pipes. Amore points in the general direction of some pipes but they are never actually shown on camera. Amore never says that Abath was handcuffed to a particular pipe and instead says: "He was seated here. Ankles taped the same thing the cuffs were cuffed to another one of these pipes, and he spent the night here."



Amore specifically discusses a second set of cuffs when speaking of the other guard. In describing Abath's confinement, however, he makes no direct reference to a second set of cuffs on Abath. during an [OnPoint video segment](#) shot in the Gardner Museum basement.

With no second set of cuffs, Abath would have to be un-cuffed and then re-cuffed to the pipe. Abath has never described anything about a second set of cuffs, or of being recuffed in his CNN, StoryCorps, or Boston Globe interviews.

In addition, the place where Amore brings Ashbrook does not appear to be the same spot where a Boston Police Department crime scene photographer took Abath's picture when he was found in the morning.



On three occasions Abath has stated publicly that he was cuffed to an electrical box. While a BPD crime scene photo does not show Abath in front of a cluster of electrical boxes, and he is indeed handcuffed, the picture does not show him handcuffed **to** anything. Nor are they any

pipes of any kind shown on the wall behind Abath, an unlikely spot for pipes given the proximity of electrical panels which could be damaged by a burst pipe.

Not unexpectedly perhaps, nearly all of this ambiguity, the differing accounts, and the lack of clarity centers on just one of the guards, Rick Abath, adding to the questions about the nature of his role, if any, as an accomplice in the robbery, as well as the investigative response to and explanation of the details of this historic crime.

The crime scene photos of the other guard, Randy Hestand taken by the Boston Police have never been released for public view, but his confinement has been more consistently and straightforwardly described all along. He was brought down, seated beside an immovable object (a century old sink), fastened to a lead post holding it up, with a second set of handcuffs, and then advised in reassuring tones that the best course of action for him was to remain calm and wait for help to arrive in the morning. The guard managed to persuade one of the thieves to loosen his handcuffs.

The description of Hestand's confinement has frequently come to inaccurately describe the specific predicament of *both* guards in many published accounts. Since we have never seen the photos of the other guard, there is no basis of comparison. A guard who worked at the Museum at the time of robbery and was also Hestand's roommate at the time suggested on Episode Eight of the podcast **Empty Frames**, "[Security Breach](#)," that the physical and psychological trauma experienced by Hestand was considerably worse than anything suggested by or about the other guard, Rick Abath.

Gardner Security Director Anthony Amore described the second guard's interaction with one of the robbers as follows: "He [One of the robbers] didn't speak much until he started apologizing. In fact, when he handcuffed this person at first, he asked if the cuffs were too tight. The guard said yes and he re-did them, which is amazing, and he kept saying 'get comfortable you're going to be here all night. We're sorry we're here. [We're not going to hurt you just keep your mouth shut.](#)'" Amore told Tom Ashbrook.

There were practical considerations for this soothingly delivered advice, which Hestand received from one of the thieves. If the guard panicked, he might raise a ruckus or figure out a way to free himself.

If Abath also received similar advice, it has never been made public and is not part of any of Abath's three first-person accounts of his treatment in the basement that have been made public. Was Abath's cooperation ensured through different means or inducements? If Abath were involved there would be no point in giving him a pep talk.

Perhaps the earlier stories, which typically highlighted all of the tape on Abath's head, raised questions since news stories of a more recent vintage are less specific. In a 2015 New York

Times article, for example, Tom Mashberg reported that "they also found Mr. Abath and the second guard ["manacled in the basement, their heads bound with duct tape."](#) The correct word here should perhaps be "wound" with duct tape, or maybe "bound to" duct tape.

What were their heads bound to? In the case of Abath his lower jaw, but not in a way that would keep him from yelling for help.

This vivid but not notably specific description, while roughly factual in Rick Abath's case, does not, however, really address the question of whether Abath was sufficiently thwarted from sounding the alarm about the robbery to the outside world for six hours by his "manacles" (handcuffs) and duct tape.

The latter-day news reports suggest an equal level of incapacity of both guards, rightly or wrongly, as do the earlier more graphic and specific, though inaccurate media accounts. The lead FBI investigator on the Gardner Museum Heist, Geoffrey Kelly, and numerous others have further abbreviated their accounts of the guards; state of confinement in the basement to simply "they were tied up." The opening sentence of a March 18, 2017 story in the Boston Globe includes the phrase "tied up the guards." The reader can fill in the rest. Surely if the guards were not adequately secured, the story would have a different ending. That seems to be the shared premise of investigators, reporters, and perhaps nearly all readers.

Then, two months later, the Boston Globe became more specific again, perhaps because the article was specifically about that duct tape and those handcuffs. On June 12, 2017 the Globe [reported](#) "The thieves wrapped duct tape around the hands, eyes, and mouths of the two guards on duty."

Specifics are nice, but there are some problems when they do not conform to the facts. For starters, the tape does not go around the mouth any more than the tape goes around the nose. The tape was wrapped around the entire circumference of the face and head. When you report that the tape went around the person's mouth and do not mention that the nose, the eyebrows and the forehead and the entire facial area, then readers will understand the meaning to be that the tape went around the mouth in a horizontal direction **covering** the mouth over so that the person cannot yell for help.

A google image search on [duct tape around the mouth] returns results that have duct tape covering the mouth in every instance. Perhaps no crime victim in history has ever been taped up quite like Rick Abath. That may be a clue in itself.

The Globe story also reports that the thieves wrapped duct tape around the guards' hands. This too raises questions. There was no mention of tape on the guards' hands in Kurkjian's 2015 book, "[Master Thieves:](#) though he did co-write this [article](#). Tape on the hands has never been mentioned in the Boston Globe's many previous articles about Abath and his

confinement or in any other press account. Gardner Museum Security Anthony Amore did say the guards' hands were both taped and handcuffed back in 2010 in an interview with Tom Ashbrook for WBUR's *On Point*. Still, it is a mysterious process, how the details on this have emerged, then disappeared beneath the surface of shared public knowledge for years, only to reemerge a years later with new embellishments.

In [Episode One](#) of Last Seen, Kelly Horan revives the wild tale of the tape around Abath's mouth. HORAN: "The thieves wound duct tape around Randy and Abath's heads from chin to scalp across their eyes and across their mouths with only a slit so they could breathe."



**Rick Abath Mouth Not Covered**

The Boston Police photos show no evidence, of Abath's hands being duct taped, although there is not really a clear view in the photo. And while Abath has discussed the duct taping and handcuffing process he underwent three times in public, he has *never* mentioned any duct taped being applied to his hands.

One way to get at the truth would be to examine the duct tape and handcuffs. Was there any duct tape residue on Abath's handcuffs? Any shirtsleeve fibers? Hand or fingerprints? Or human hairs consistent with those found on the wrists or hands? We will most likely never know. The lede in the [article](#) with this newly updated description of Abath and the other guard's plight in the basement was that the FBI had lost the evidence. The handcuffs and duct tape are missing.

The original Boston Police report could perhaps shed some light.

So what is the big deal about whether there was duct tape on Abath's handcuffed hands? It's that in the police photos Abath appears to have only been handcuffed and duct taped for a short time, maybe an hour. For him to be duct taped on his hands in addition to the

handcuffs would likely require assistance from someone else (the robbers). So he would have had to have been duct taped for a much longer period than an hour since he was not found in the basement until six hours after the thieves left. Unless there had been another person in the museum, who stayed longer after the thieves left. We have only Abath's word that he only let in two people since he was the only one there when the thieves entered the building...



It would **not** rule out the possibility that Abath assisted in the robbery. But it would still mean that he had been tied up for at least six hours. In the police photos, however Abath looks neither like someone who had been handcuffed and duct taped for seven hours starting at 1:30 a.m. like the other guard, nor re-taped up and re-handcuffed by the thieves at around 2:30 a.m. when the thieves left that area of the Museum for the last time. How would Abath look different from what we see in the crime scene photo if he had been tied up for only seven minutes instead of seven hours? The hours of confinement seemed to have had little effect.

Abath's shows no signs of struggling against confinement in his appearance, of dishevelment or distress, or signs of fidgeting to improve his own comfort level. He claims to be afflicted with "ADHD severe type" yet he seems to have held up impossibly well. His composure as shown in the police photos was also an invitation for greater scrutiny and suspicion, although after 1990 Abath was not contacted by investigators for 17 years he says.

Perhaps seeing the dramatic potential of guards imprisoned in the basement, television news programs have stuck with the more lurid, often but inaccurate descriptions of the at least one guard's confinement, including programs with on-air appearances by lead investigators in the case, such as the [Gardner Heist segment](#) in 2013 on CNN's Anderson Cooper 360. That broadcast reported that Abath's "eyes and mouth were duct-taped and he feared for his life." [On an On an American Greed, Season 2 Episode 9](#), which first aired on February 13, 2008, Boston Globe journalist Stephen Kurkjian said: "they quickly tied him up and put tape around his mouth and his ears and everything."

But Abath's mouth was not duct taped over, and his eyes were less than completely covered. He said that he *could* see, even before the thieves left the building, according to the CNN [transcript](#) of the program.

"Either through sweating or struggling or both, at some point, the duct tape had slipped down. So, I could see a little bit over the duct tape, kind of. And at one point, somebody did come and check on me."

Despite what that CNN transcript and on a 2008 episode on CNBC of "American Greed," only one of Abath's ears was taped and duct tape does little to block hearing to any significant extent.



**Abath's right ear is not covered with tape**

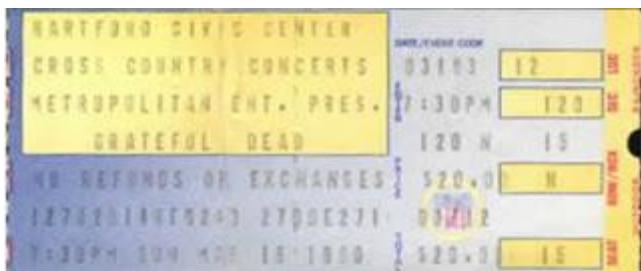
According to Gardner Security Director Anthony Amore, Abath claimed [that "the duct tape started coming loose because of the heat from the boiler."](#) Duct tape adhesive however, is water and heat resistant. It is unlikely that heat and sweat would cause the tape to come off of the skin in under an hour; the amount of time between when the thieves left the basement the first time and they left the museum for good.

And in the seven hours from when the thieves left, when the Boston Police photos are taken, there is no discernible sign of sweating or struggling. Abath's clothing and particularly the duct tape appear fresh and smooth in the crime scene photograph.



And another question then arises for Abath. When he claims the tape over his eyes slipped down, from where did it slip? The tape goes under his right ear, and proceeds smoothly over his eyes but directly across his face and under his brow ridge. This configuration does not prevent seeing. All anyone had to do is drop their chin downwards and look upwards. In any case, Abath acknowledges he had many hours of sight before he was found by police in the morning.

In the ordeal of having been imprisoned in the Gardner basement, Abath came through remarkably unscathed in the police photos. He was not released until noon from questioning by police then drove a hundred miles in a borrowed van to see the Grateful Dead at the Hartford Civic Center at 8:00 pm



Abath was able to see, to hear, to shout, and the only thing keeping him from simply walking upstairs in the museum, based on the Boston Police photos appears to be the duct tape around his ankles. A 23-year-old man who stands and walks for a living as security guard and is a member of a rock band should be able to free himself from that amount of duct tape shown in the photo that was applied above his ankles, just by moving and twisting his legs, in less than an hour. But after seven hours, allegedly, the tape seems to remain tightly gripped around his lower legs, still crimping his pants-leg, even with his two feet close together nearly touching. There is no appearance of stretching of the tape from struggling against it over all of that time.



Yet, while investigators have publicly questioned why Abath:

1. Buzzed the thieves posing as police into the museum,
2. Stepped away from the security desk where the only alarm connected to the outside world was located,
3. Opened the outside museum door just twenty minutes before the thieves showed up and
4. Had the only footsteps recorded in the Blue Room where Manet's *Chez Tortoni* was stolen in the early morning hours of March 18, 1990.

They have not questioned the Abath account of his claim of spending seven hours, a virtual prisoner, in the basement of the Gardner Museum at all. The extent to which Abath was, in fact, truly neutralized by the thieves has never been vetted publicly in any way by investigators or even a topic of inquiry in the mass media.

*Master Thieves* author Stephen Kurkjian did not raise the question, concerning the extent of Abath's captivity during the robbery, in his recent book on the Gardner Museum robbery, published in 2015, but he raise the issue himself without prompting at a talk he gave about the [Gardner Heist in Weston, MA in January 20, of 2016](#) (Time 28:30):

"Did they tie them up in separate places because Rick was an accomplice, and they wanted to be able to take the constraints and the duct tape off of him? I mean they really had duct taped him. Did they want to remove that duct tape from Rick until they're done with their theft and then put it back on him? Big question," Kurkjian said.

We have no way of knowing how completely Abath was taped upstairs since the only corroborating witness, the other guard, quickly had his eyes covered in duct tape.

The only person who may have questioned the authenticity of Abath's incapacitation that night in the mass media may have been Jim Braude during an interview of Gardner Security Director Anthony Amore, when he referred to Abath as someone "[who was allegedly tied up that night.](#)"

Absent the "big question," of whether Abath was really imprisoned in the basement for seven hours, what really has only seemed to matter in the telling of the tale, to date, is not the details of *how* the guards were neutralized, as the museum's only line of defense, rather just *that* they were neutralized; shook up a bit, but not injured.

There has been a tendency perhaps to go along with the glossing over of the details of the presumed false imprisonment of *both* of the guards by readers as well as by journalists, since following rapidly in the aftermath of this presumed *fait accompli* by the thieves is the complete vulnerability of one of the world's great art collections to a pair of robbers off the street.

Virtually every other stage of the eighty-one minutes the thieves spent in the museum have been pored over, debated about, and second guessed: Were they pros? Were they thugs? Why this painting and not that painting? Why did it take over 16 minutes from the time they were recorded in any gallery until the time they made their escape. Why were they let into the Museum at all?

If the guard Rick Abath was involved in the robbery, something the Museum's past and present security directors as well as the FBI have sometimes suggested is a distinct possibility, then clues to his possible involvement might be found from what is known and can be discerned about what actually occurred in the basement that fateful night.

But details are contradictory and scarce, and with authorities less than forthcoming ("It's an ongoing investigation") outright clarifications have become an unrealistic expectation. Three decades later, should it be an open question for the public whether Rick Abath was handcuffed to a pipe, an electrical box or perhaps nothing at all.

It is not a simple matter for a journalist or anyone to call the FBI, the U.S. Attorney's Office or the museum and ask about these kinds of questions. Later on in his talk at the Weston Public Library about his book and the Gardner Museum Heist, author Stephen Kurkjian, a three time Pulitzer prize winner who has covered the robbery for the Boston Globe for over a dozen years said: "They [The Feds] tell reporters like me [nothing.](#)

Little wonder then that there is a lack of consistency in the details of the many stories over so much time. The public has only the police photos, Rick Abath's, possibly exculpating-minded recollections and whatever investigators share themselves, or make available to the Museum through the security director. And here again is found distinct differences in the

accounts in comparing these three sources, with Abath winning the blue ribbon for consistency.

Likely, it was this lack of openness that led to the Boston Globe two days before the 25th anniversary of the robbery to write an editorial suggesting that "[after decades of frustration, the FBI ought to try opening its files on the Gardner Museum heist in hopes that fresh vision will help crack Boston's most notorious unsolved mystery.](#)"

Was Abath really imprisoned in the Museum basement like the other guard? At least 13 minutes passed between the time the two thieves split off into different sections of the museum basement, each with one of the security guards in their custody, and when they were first detected in a Museum gallery, the Dutch Room. That was plenty of time for the thief, who escorted Abath away from the other security guard to remove the tape and handcuffs from him and then make his way to the second-floor gallery with Abath along perhaps as a lookout at the front desk.

There is nothing about the way Abath is taped and handcuffed in the basement in the police photo that could **not** have been done by Abath himself, acting alone. Unless there was in fact tape over Abath's handcuffs in which case the thieves had time to re-handcuff and re-tape Abath after they left the galleries for the last time.

One possibility is that Abath was taped and handcuffed for more closer to seven minutes than seven hours, and that a re-taping and re-handcuffing carried out by Abath himself at some point long after the thieves had left. This seems more consistent with Abath's physical state as shown in the Boston Police Crime scene photos and the fact that he drove to Harford, CT to see a Grateful Dead concert later that less than twelve hours later.

These possible questions might render Abath's alibi for the time when the crime is going on right upstairs something less than air tight.

Furthermore, with the ability to speak and see and with the potential to at least partially free his legs there was nothing to keep Abath from getting up, making his way upstairs and finding a way to bring attention to himself, by breaking a window or something in the five hours after the thieves had made their escape.

From the robber's standpoint, if Abath were in on it, what would be the point of keeping him tied up in the basement, when he could serve as a lookout or a diversion if unwelcome visitors entered the museum unexpectedly?

Verisimilitude would be one motive. For the sake of appearances, it would be helpful if Abath looked as distressed and bedraggled as the other guard when police arrived.

But the thieves showed little concern for being found out by investigators in the *long run*, though certainly they took great care in making their actual escape with the paintings on the night of the robbery itself.

Also, it would be difficult for any human being to allow someone to tie them up and leave them in a basement *voluntarily* under any circumstances, especially in a criminal conspiracy, for seven hours. That would require a level of trust few have for any other person, never mind, a person who is part of a criminal plot of the magnitude and potential danger of the Gardner Heist.

So the top two most likely possibilities then are either Abath tied himself up after the thieves left, at a time of his own choosing, and was himself in on the caper, or he was tied up by the thieves for seven hours and was not in on it, but a victim as he claims. And the third option, that Abath was in on it but allowed himself to be tied up by the robbers is far less likely.

Abath's physical state when he was found given his age, temperament and lifestyle would suggest a more visible expressions of duress than shown in the police photos taken of him, after what would have been seven hours. The photos of the other guard, which could serve as a basis for comparison have never been released.

There is also the issue of the location of where he was found. As security director Anthony Amore pointed out in a talk he gave at the Strand Book store in New York in June of 2013, Abath was found:

"All the way down that hall is where he [Abath] was chained up. And that's an important clue actually about the comfort level that these thieves had. This building is a hundred years old at the time, when they built buildings like this, they didn't have the fire codes you have now. There weren't all the different points of egress you have to have and all of these important little details in the building. Thieves who weren't comfortable in a facility would not go into a basement, down into the corner like this because they knew if the police were coming, there's no way out. You're cornered. So, they knew the cops weren't coming. To go down into the corner like that is a dangerous endeavor for a thief who doesn't know how far behind the police are."

The robbers would have to have a comfort level not only with the facility but with whole city of Boston to go into the basement corner, with a certainty that the police were not coming, something they most definitely did not have. There is this consistent refrain: "They knew the police were not coming," but they really only knew that the police were not coming as a result of the Abath pressing the silent alarm connected to the police station. And even it seems they wait at time before going into a gallery to make sure.

The Museum Director Anne Hawley was known to pop into the Museum late at night and told Ulrich Boser for *The Gardner Heist* that: "After the meal she wanted to go to the Gardner to pick up some papers, but her husband dissuaded her. 'I wish we had come to the museum. I was married to a very tall and husky Australian who, I was always convinced, would have done the

thieves in,' she said. 'But the FBI told me that we probably would have just been shot.'" The comfort level of the thieves suggests they had one or more lookouts and a lookout who is also a guard would be ideal. He could claim later that they had threatened to kill the other guard if he did not cooperate.

Robberies, not burglaries, but robberies, where people have to be subdued and controlled involving more than one floor of a building are extremely rare, almost nonexistent. The Gardner Heist had crime scenes on three floors, including the basement.

The thieves did not start to leave the building until 12 minutes after they left the galleries for the last time, which suggest they were cautious about anything unexpected from outside.

Lingering in the back corner of the basement to confine a guard was an unacceptable and unnecessary risk. There had to be places in a four-story building to confine a guard that was not lacking a ready exit. The thieves demonstrated they were very familiar with the layout of the building. They did not need to be shown the way to the basement for example and knew about a secret door in the Dutch Room.

But if the guard tied himself up then it was a desirable spot, since it offered the most privacy and the most time to prepare as rescuers made their down to the basement.

One way to determine if Abath handcuffed to anything is to find out if there were four sets of handcuffs collected by the Boston Police and turned over to the FBI or three. But all of the handcuffs and duct tape involved in the crime were lost by the FBI at some point after it was turned over to them by the Boston Police Department. Was the inventory of items preserved?

Seven hours without food, water, a bathroom break, nicotine, caffeine or diversions of any kind, would take its toll on anyone. Abath told CNN: "And I was just, like, cut me off this F-ing box, because my hands had fallen asleep a long time ago."



Another important question: What about the many items found near and around Abath, which surrounded him in the basement, like a group of idol offerings:

An open Swiss Army knife type pocket knife can clearly be seen directly behind Abath in one of the Boston Police photos, as well as an open book of matches at his side. There appears to be another closed book of matches nearby and possibly candy wrappers, and maybe a Hershey's kiss, unwrapped, in purple aluminum foil. An unwound coat hanger found near the candy machine by first responders suggests it had been broken into during the night. One possibility is that Abath was hurriedly rummaging through his fanny pack to find the pocket knife, so he could quickly cut the duct tape into strips and tie himself up.

The assortment of items found around Abath, some with the potential for mischief as well as escape, which are clearly visible in the police photograph, have not only never been explained, they have never been reported or even acknowledged. Surely the thieves at least by the time of their return visit to the guards would have noticed the knife or the matches close by, or the large bamboo stick. They would have seen these items, understood the potential risks and removed them from his vicinity. Were these items collected and held by the FBI as evidence. Have they been lost as well.

Studies show close to 90% of museum robberies worldwide are inside jobs. These items would presumably have increased the suspicion and scrutiny of Abath by investigators. Seemingly they did not.

A security consultant for the Gardner Museum at the time of the robbery, Steven R. Keller, who was had been "a former police detective in a major city" has raised the possibility that one of the guards may have been freed up in the basement to help with the robbery.

Still another item found near Abath in the basement of the Gardner Museum is Abath's own black Stetson hat. Abath was known to sometimes wear his hat on the job, however, numerous accounts report that Abath was handcuffed and taped upstairs. Was he wearing his hat when he was handcuffed? He was handcuffed first and then duct taped. The thieves would have to remove his hat to tape his head. The hat could not have made it downstairs without the assistance of the thieves. Was this an inexplicable random act of kindness by the robbers, or does the appearance of the hat in the Gardner Heist crime scene downstairs, link Abath to the Gardner Heist crime scenes upstairs?



Only two and a half months prior to the Gardner Heist it was made public that Charles Stuart was **not** a gunshot victim in the armed robbery that had taken the life of his pregnant wife, Carol DiMati Stuart, in Boston, on October 23, 1989.

This tragic crime that gripped the city and the nation, which began just a short distance from the Gardner Museum took a shocking turn. It turned out that Stuart had shot his wife himself, then shot a bullet into his own stomach, as part of an elaborate ruse to draw suspicion away from himself in the killing.

Could Abath's victimization at the hands of the Gardner Museum robbers also be a hoax? There appears to be little tying (pun intended) Abath to the basement of the Gardner for the duration of the time between the robbery and the arrival of museum staff the next morning, based on the crime scene photo released to the public. There is only Abath's own say-so, and the inconsistent second-hand accounts of investigators, whose words remain tempered by the ups and downs of the public aspects of the investigation and art recovery effort.

### **Gardner Museum Heist Timeline**

1:24 AM - two men dressed as police officers arrive and are let in by a security guard  
1:24-1:48 – one or both of the two guards are overpowered and confined to the basement  
1:48 - thieves enter Dutch Room  
1:51 - one thief goes to the Short Gallery  
1:54 - alarm sounds in Dutch Room;  
1:56-2:26 - one thief in Dutch Room, one in Short Gallery  
2:28-2:40 - unknown; detectors do not register movement  
2:41 - doors open and close  
2:45 - doors open and close

