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DEATH AT SEA

2,200 Pages Of Court Records Released About Cruise Ship Death

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With the release Monday of more than 2,200 pages of court records, the 2005 death of George Allen Smith IV of Greenwich aboard a cruise ship in the Mediterranean continues to confound the experts — and to divide family members.

There were noises in George Allen Smith IV's stateroom not long before he plunged over the side of the cruise liner and vanished in the Mediterranean Sea after a night of hard honeymoon partying four years ago.

That is one of the few undisputed aspects of a case that has drawn worldwide attention, eluded FBI agents and forensic scientist Henry C. Lee, and driven a wedge between Smith's Greenwich family members and his widow, Jennifer Hagel Smith.

And with the release Monday of 2,200 pages of depositions and probate court hearings, the chasm between the families has only widened.

George and Maureen Smith are adamant that their 26-year-old son was killed, pointing to reports of rowdy behavior in Smith's stateroom before he disappeared. They believe that the cruise line was negligent, and they have challenged a settlement that Hagel Smith reached with Royal Caribbean Cruises.

Hagel Smith, 29, originally from Cromwell, has not dismissed the possibility of homicide but said that her husband's death could have been a tragic accident. She had passed out in an alcove far from the stateroom aboard Brilliance of the Seas and did not see what happened to him.

A Trinity College graduate and former school teacher, Hagel Smith told The Courant that she, too, is grieving, and that she's been unfairly portrayed in what amounts to a crusade by her husband's parents that included about three dozen television appearances.

"Maybe this keeps him alive for them," she said. "It's easier to point fingers than to look at other options."

New Records

On Monday, the two sides each pointed to sections in the voluminous record that bolster their respective views.

A witness who was in the next cabin reported hearing rowdy behavior in the Smiths' stateroom early on the morning of July 5, 2005, and seeing three men leave the room. The witness said that there were sounds of one person remaining in the room, rummaging through drawers, followed by 10 minutes of silence and then a loud thud.

Although Elizabeth Byrne, Hagel Smith's Middletown attorney, said that the noise was suggestive of rowdy play and the sounds of three men putting an intoxicated honeymooner to bed, Maureen Smith said she was convinced that the sounds portended something more sinister.

At an April 2007 probate court hearing, Byrne pressed Smith on why she came to that conclusion.

"You had a fight going on in the next cabin," Smith responded, according to the transcript, and she went on to maintain that cruise line officials made premature statements, which she said they later retracted, that her son's death was an accident.

"And to this day," she said, "Royal Caribbean [is] hiding a lot of things."

Under questioning from Byrne, Smith acknowledged that substances the FBI found on towels and tissues in the couple's stateroom — which Turkish authorities originally thought was blood — were actually Hagel Smith's makeup, according to a deposition of Smith's released Monday.

When Byrne noted that the only blood in the stateroom was two small splotches of George Smith's blood on a sheet, his mother responded, "Maybe. By the time they got there, that was all that was there. By the time they got there." All the men who had been with Smith were questioned at length by the FBI.

The mysterious death on the 12-day honeymoon cruise, and the allure of the couple — the handsome, Babson-educated Smith; the stunning Hagel Smith, who has a master's degree from Roger Williams University in Rhode Island — triggered a worldwide media feeding frenzy.

Lee, the former chief forensic scientist in Connecticut and a crime consultant, boarded the vessel with a handpicked team. He conducted an investigation, but his plan to toss a mannequin overboard to re-create the fatal plunge was nixed by the cruise line.

The reports of heavy drinking added to the mystique of a cruise that included shopping trips in Florence.

George Smith, according to Hagel Smith's deposition, sneaked bottles of absinthe and vodka aboard the ship. She said that Josh Askin, a young man that the couple had met on the ship, was excited about the prospect of buying absinthe, a supposedly hallucinogenic, greenish spirit banned for nearly a century in the United States until 2007.

"You can't buy this stuff at home," Hagel Smith recalled Askin saying during a stop in Florence, according to a transcript. But there was one problem. Cruise policies prohibited passengers from bringing alcohol on board.

Askin wore tight shorts the day that he toured Florence and couldn't hide the bottle. So George Smith volunteered to stuff the absinthe in his shorts underneath a baggy T-shirt.

She said that George Smith also brought vodka on board to keep in the room so "he didn't have to pay for drinks the whole trip."

But bar receipts showed the partying went well beyond their cabin. Hagel Smith acknowledged in her deposition that she couldn't recall how many drinks she had the night before she learned that her husband had vanished. There are also references in the court records to Smith's use of prescription anti-anxiety medication.

Not Over

The case, which remains an open FBI investigation, will continue to play out at Superior Court in Stamford, where the Smith family is appealing a \$1.085 million settlement that Hagel Smith reached with Royal Caribbean Cruises.

The probate court in Greenwich approved the agreement, but the Smith family believes that she settled too quickly and too cheaply, arguing that the case was worth \$2.4 million.

Hagel Smith, in an April 2007 deposition, said that the Smiths were pressing her for information about the case that she just did not have.

"They thought, well, maybe you should go see a psychic," she said, according to a transcript. "[M]y mom and dad and me, we don't believe in that, anyway. But these were some of the avenues that — some of their thought processes — [to go see] this girl named Yolanda or something."

Thus far, the legal process has favored Hagel Smith, who was ruled out as a suspect early on in the case. She passed an FBI polygraph, and has been included in FBI update and strategy meetings; a negligence lawsuit that the Smiths filed against the cruise line — a suit that Hagel Smith chose not to join — was summarily dismissed in Florida; and the probate judge ruled that the settlement was in the best interest of the estate.

Hagel Smith told The Courant that her life has changed irrevocably, just as the lives of her husband's parents have. But she said that the Smiths, in periodic appearances on national TV news talk shows, in e-mails to her, and in the press, have unfairly channeled some of their anger toward her.

She doesn't believe that will end, nor does she see closure coming anytime soon.

"At some point, I realized I had to stop waiting for this to be over and accept the fact that the Smiths are going to be relentless in their pursuit of fault and blame," Hagel Smith said. "Once my family and I got our arms around that, it was a step toward starting to heal. It's a step I don't think his family has taken."

George A. Smith III and Maureen Smith, owners of the Cos Cob Liquor Store in Greenwich, are resolute that the explanation for their son's death did not vanish with him in the Mediterranean Sea on July 5, 2005.

"The Smiths have the absolute right to appeal the probate court ruling, and they have the absolute right to find out what happened to their son," said attorney Michael J. Jones of Greenwich, who represents the Smith family. "It's four years later and they don't have the answer."

Jones pointed to the statements of one of Hagel Smith's lawyers, maritime attorney James Walker of Miami, who in probate court testimony said he strongly believed that George Smith was the victim of foul play.

The Smith family continues to maintain that cruise line security personnel mishandled their response to reports of rowdy behavior in the Smiths' stateroom before the disappearance. The security officers responded to a complaint about the noise, but never entered the room.

Witnesses say the couple were heavily intoxicated. Hagel Smith said that her last recollection was standing at the revolving bar.

She was escorted up to her floor by ship's personnel, but turned the wrong way toward her room and slept in an alcove.

A cleaning woman called security at 4:30 a.m. on July 5 after finding Hagel Smith asleep. Two security officers and a female attendant transported her by wheelchair to her stateroom — which was empty.

Blood Stains

Blood stains on the canopy over the lifeboats were detected several hours after the ship had made port in Kusadasi, Turkey, and passengers had been authorized to leave for shore excursions. Because of a computerized monitoring system, the ship's officers knew that three passengers — the Smiths and another they declined to identify — were not accounted for.

Later in the morning, Hagel Smith went to a massage appointment and did not hear her name paged over the ship's speakers. Staff members in the spa located her. She initially told ship's officers, according to a Royal Caribbean chronology, that she believed her husband had slept elsewhere on the ship after a night of heavy drinking.

An elementary school teacher in Westport, Hagel Smith never returned to the classroom after George Smith's death and the media storm that followed.

She sought reforms of cruise line security protocols, and was the keynote speaker at a 2008 symposium sponsored by the Family Assistance Foundation, which works to improve emergency response on cruise ships and airlines.

She went to New York University, earned a certificate in philanthropy and fundraising, and now works for a nonprofit group in New York City that does research on neurological disease.

She's also a board member for an organization that helps homeless people in Harlem.

She said she understands that the story of death on a honeymoon cruise "had legs."

"We looked like this ritzy couple from Greenwich. Later, I was cast as the widow who just cared about the money. The media ate it up. Meanwhile, George was earning \$50,000 a year working for his family's wine shop and I was starting my career as a school teacher in Westport."

Indeed, court records show that Smith's estate contained \$15,000, and that he had no life insurance.

What has been lost in the media maelstrom, Hagel Smith said, is that a fun-loving, kind man died on their dream cruise, and that she is trying, in her life now, to honor his memory and move forward.

"It's OK if this case lasts forever," Hagel Smith said, "because I can heal."

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