

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MONTY J. MONTEIRO and )  
HENRY J. MONIZ, JR., )  
Plaintiffs, )  
 ) CIVIL ACTION  
v. ) NO. 97-10408-WGY  
 )  
ROBERT RUBIN, SECRETARY, )  
DEPARTMENT OF THE TREASURY, )  
Defendant. )

MEMORANDUM

YOUNG, D.J.

November 10, 1998

At the request of the jury, I am directed to place their unanimous observations on the record of this case:

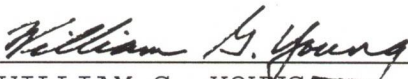
1. While the jury is content with their verdict pursuant to the law charged, they are quite simply appalled at the vicious racial and ethnic slurs repeatedly uttered by Terence McArdle while Special Agent in Charge of the Boston office of the Bureau of Alcohol, Tobacco, and Firearms. They do not credit his innocuous explanations of such conduct.
2. Such conduct makes a mockery of any pretense by McArdle to the even-handed enforcement of the law and renders him unfit to hold that high office.

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3. Equally serious, the failure of McArdle's superiors -- from the Secretary of the Treasury on down -- promptly and forcefully to correct this situation reflects badly on the commitment of the Bureau to equal employment opportunity, severely undermines the public's confidence in the Bureau's law enforcement mission, and does an extreme disservice to the heroic men and women who serve in its ranks.

In view of the jury's forcefully stated views on McArdle's testimony, the Court takes the unusual step of referring the matter to the United States Attorney for the District of Massachusetts for investigation of possible perjury in this civil case. A copy of the transcript will be furnished that office on request.

  
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WILLIAM G. YOUNG  
UNITED STATES DISTRICT JUDGE