

Lethal Sting: How the War on Drugs Killed a College Student

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She should have been scared. Rachel Hoffman, a slim, pretty redhead freshly graduated from Florida State University, had \$13,000 in cash and a police wire in her purse. She was about to make a major buy from two armed drug dealers.

Rachel, 23, had never done anything remotely like this before. She was in her silver Volvo S40, way out in the thickly-wooded outskirts of Tallahassee, following the grey BMW of the two men who were going to sell her a pile of cocaine, Ecstasy, and a gun. But she felt safe. Once the deal went down, all she had to do was say "looks good," and the dozen-plus cops tailing her would pounce. It would be a thrill, like a real-life episode of one of her favorite shows, *DEA*.

But what mattered most was that the police had promised that if she did this sting, they wouldn't prosecute her for the marijuana they'd found in her apartment.

As daylight faded, she followed the dealers' car as it turned left at the "Dead End" sign onto an isolated little road. A few more minutes, Rachel figured, and it would all be over -- the dealers would go to jail, and she'd go free.

But the only part of the whole setup that worked out as planned is that the two dealers are now behind bars. Not on drug charges, though. The Tallahassee Police Department isn't getting any medals; they're the targets of a massive lawsuit. And Rachel is dead, shot with the very gun the cops sent her to buy.

Rachel grew up in the comfortable suburbs of Tampa, Florida, the doted-on only child of divorced parents. She took ballet and horseback riding lessons, and played tennis regularly with her father Irv, a tall, balding family therapist. Her mother Margie, a talkative, chestnut-haired certified massage therapist, took her camping and fishing and taught her to cook. "She was always the most fun to be with," says Margie.

When she arrived in Tallahassee as a college freshman in 2003, Rachel easily found her niche. She was a friendly, outgoing hippy chick with an easy smile and sleepy eyes, who wore her hair long and loose and favored simple tank tops, T-shirts and jeans. She was fun-loving to a fault. At least once a week she'd have a bunch of friends and friends-of-friends over to her place for a home-cooked, whole-grain dinner. She earned a rep as a wicked pool player at the local student bars. She hit all the local concerts and music festivals, dancing in front of the stage wearing her trademark fuzzy purple top hat. She was always up for a spontaneous road trip, heading out with a carload of girlfriends to wherever their favorite bands were playing, often with no tickets, nowhere to stay, no plans, just winging it.

Not surprisingly, Rachel also smoked marijuana. About one-third of all American college students at least occasionally do the same, according to the National Institute on Drug Abuse, a number that has changed little in the past decade.

Rachel always had top quality stuff, and she sold some of it to friends to subsidize her own smoking and for pocket cash. She didn't need much money. Her father picked up her rent and most of her other bills. "She just sold little amounts to her friends," says Liza Patty, one of her best friends at FSU. "I never saw anyone in her apartment I didn't know."

Rachel's petty dealing may have been no big deal to her friends -- but the law took a different view.

One night in early 2007, a cop pulled Rachel over for speeding, searched her car, and turned up just under an ounce of marijuana. In Florida, that's a felony. Rachel was handcuffed and booked into the Leon County Jail with tears streaming down her face.

Since this was her first offense, Rachel got off with a drug intervention program, involving a year of community service and drug tests. If she stayed clean, all charges would be dropped. It should have been easy. She graduated that August with a BA in psychology, and was eager to move to Arizona, where she planned to start culinary school. But her lawyer said she needed to stay in town until she completed the drug diversion program. Frustrated and feeling trapped in Tallahassee, Rachel started getting high again -- and even more recklessly, dealing as well.

Like a lot of people her age, Rachel seemed convinced that she was immune to serious trouble. Her nerviness was legendary among her friends. She went skydiving one Easter wearing a pair of bunny ears. Much more serious was the summer night in her apartment with Jessi Weinstock, another FSU pal, when two gun-wielding burglars burst in and ordered the girls to get down on all fours. "I was terrified," says Jessi. "I was bawling hysterically. But Rachel kept very level headed." As Jessi tells it, the robbers kept asking her to calm down. Rachel snapped at them, "She'll calm down if you put your guns away!" The thieves cleaned the place out and tied the girls up, but left them unharmed.

By March, Rachel was almost finished with drug court when the father of one of her lifelong friends died. Rachel went to the funeral in Tampa -- even though that meant missing a drug test.

To teach her a lesson, the judge threw her in jail for three days. The experience rattled her badly. Gangster girls hassled her. She ate nothing but fruit and didn't sleep the whole time. "I never, ever want to go back to jail again," Rachel told her father afterward.

But that didn't stop her from continuing to sell pot. On April 15, 2008, acting on a tip, a burly young Tallahassee cop named Ryan Pender led a search of Rachel's off-campus apartment. They found five ounces of marijuana, six tabs of Ecstasy, and three Valiums.

Pender told Rachel those drugs could get her four years behind bars. Or, he could forget the whole thing. All Rachel had to do in return was help him catch a bigger fish, by wearing a wire to a drug deal.

Every day, all over America, police cut similar deals, coercing small-time offenders like Rachel into working as "criminal informants." It's a crucial tactic for law enforcement, yielding hundreds of thousands of arrests every year, but one that is almost completely unregulated.

"If police want to tap your phone or enter your house, they need a warrant," says Alexandra Natapoff, a Loyola Law School professor specializing in criminal informants. "But they can make a drug addict an informant without telling anyone. That's an invitation to excess and abuse."

Some informants have been pressured into having sex with suspects. Others barely count as criminals. Police in Attica, New York, came under criticism last year for pressuring two college students into becoming drug informants in exchange for working off traffic tickets.

Despite the job's inherent danger, CIs almost never receive any training and often don't get the police backup they've been promised. At least half a dozen have been murdered in recent years while running stings for cops, and Natapoff estimates hundreds more are assaulted or shot every year. "The whole system is largely undocumented and secretive, so we can't know how often something like this happens," says Natapoff. "The few cases that do make the news or a court case are just the tip of the iceberg."

But Rachel's main worry was staying out of jail. So she agreed to finger a pair of local dealers she knew slightly. Dre, or Andrea Green, then twenty-six, was a tall, shave-headed hard case with a long and occasionally violent criminal record. His sidekick Neilo, aka Deneilo Bradshaw, twenty-three, was from a devoutly Christian family, a compact wannabe gangster who looked up to the streetwise Dre.

Acting on Pender's instructions, Rachel asked for a shopping list far heavier than anything she had ever dealt with before: two and a half ounces of cocaine, 1,500 tabs of Ecstasy, and a handgun. She'd never even fired a gun, let alone illegally bought one.

Dre and Neilo snapped at the bait. In the police recordings of their negotiations, Rachel didn't exactly come across as a hardened drug dealer.

"You have a kind smile and kind eyes," she told Neilo during one of their meetings at the car window tinting shop where he and Dre worked. "Be good to me, and I'll be good to you."

"How much you willing to spend on the pistol?" he asked.

"My dad is giving me money to buy one," she answered. "I'm a little Jewish girl. I want to be safe. I want a pretty one."

Rachel kept her parents in the dark, but told her friends all about the deal. "Don't worry," she told Liza. "The cops do this kind of thing every day. " The worst that would happen, Rachel said, was that she might get a few bruises if they tackled her to make the arrest look more convincing.

"She knew it was for real, but it was definitely an adventure at the same time," says Teresa Bowser, another friend. "It was kind of like, ooh, I'm undercover! Do do doooo!" The deal was finally set for May 7, 2008. Rachel met Pender in the Tallahassee Police Department's two-story brick headquarters downtown, where he gave her the money and put a wire in her purse. It would have been tough to conceal one on her - she was wearing only a green V-neck shirt, a black skirt and flip-flops.

Dre had told Rachel to meet them at Forestmeadows Park, on the edge of town. Pender assured Rachel she had nothing to worry about. A total of fifteen Tallahassee cops were involved in the sting, along with three DEA agents and a Florida Highway Patrol officer for good measure. They'd be monitoring the wire and would even have a surveillance plane overhead.

Even so, says Dennis Fitzgerald, a former DEA agent and author of a book on informants and undercover investigations, sending an untrained young woman into such a setup alone -- especially with a gun in the mix - was a tremendous and unnecessary risk. "The police could have sent an agent along with her posing as her boyfriend," says Fitzgerald. "What's the worst that could happen? The deal doesn't go down. There's always another day, another deal."

At about 6:30 pm, Rachel set off in her Volvo up Meridian Road, a two-lane thoroughfare leading all the way out of town. Once the road leaves downtown, loblolly pines, magnolia and live oaks dripping with vines crowd in on either side, their branches forming a green canopy overhead.

Rachel had been swapping text messages all afternoon with her boyfriend (who does not want his name published), bantering about how they were going to celebrate after the deal was done. As she drew near the park, she pulled out her iPhone and texted him one last time. "It's about to go down," she typed.

Pender drove behind her almost all the way to Forestmeadows. Then he pulled into a parking lot to listen on the wire. After all, it was just a minute or two up the road to the park entrance, where a small army of undercover cops were waiting.

But Rachel never made the turn. Right before the bust was supposed to happen, the cops completely lost her.

It was a string of fatal mistakes. Tucked back in the parking lot, Pender couldn't see Rachel's car any more. The foliage blocked the plane from seeing anything. Meanwhile, as she drove on, Rachel passed out of listening range for the bug in her purse. All of which meant that for a few crucial minutes, no one could see or hear her.

But Rachel had no way of knowing that. So when Dre called her again just before she reached Forestmeadows, she assumed the cops were listening and would track her as she followed his instructions to change the plan and meet him a couple of miles north on Gardner Road.

Gardner is a single lane road with only a few houses scattered along it, hemmed in by dense foliage on one side and miles of open grassland on the other. It's an ideal spot to do just about anything you don't want anyone to know about.

As the minutes ticked by, Pender realized that something was wrong. Frantically, he dialed Rachel's number again and again, getting only her voice mail. Finally, she called.

"We're on Gardner," she told him. "It looks like the deal is going to go here."

"Turn around!" shouted Pender. "Do not follow them!"

But the phone had gone dead.

Pender immediately got on the radio, bellowing to his fellow officers to head to Gardner. But only one of the cops even knew where it was.

Meanwhile, Rachel rolled a few hundred yards down the little road and stopped just short of the BMW. It was just before 7 pm, the warm, humid air cut through with the metallic keening of cicadas.

Exactly what happened next isn't clear. Either Dre or Neilo -- each one says it was the other -- climbed in to the passenger seat of Rachel's car. Maybe he tried to rob her and she put up a fight. Maybe he saw the wire. Maybe she yelled for the police she thought were right behind her, expecting a rescue but betraying the setup.

What is certain is that the man next to her pulled out a .25 caliber automatic pistol and shot her. The first bullet hit her in the side, knocking her forward. The second drilled through her back into her lung and heart. But she was still alive.

The shooter burst out of the car and came around to the driver's side. Rachel raised her left hand, feebly trying to protect herself. Three more bullets tore through her wrist and a finger and drove into her head, killing her.

By the time the police showed up, all they found were tire skid marks, bullet casings, and one of Rachel's flip-flops. Dre and Neilo had fled with her car, and her corpse.

The pair were arrested the next day in Orlando. They led police to a culvert off a rural road where they had dumped Rachel's body, covered with a Grateful Dead sweatshirt and the yellow sleeping bag she camped in at music festivals. The case made headlines around the state. Protesters picketed the police department. Hundreds of people commented on the local newspaper's website, some calling Rachel a drug dealer who got burned playing with fire, others slamming the police for bungling the bust.

Among the critics was the grand jury that indicted Dre and Neilo. Their report found that "this operation violated practically every provision" of the TPD's policy on buy-bust operations. Their conclusion: "Letting a young, immature woman get into a car by herself with \$13,000 to go off and meet two convicted felons (the TPD) knew were bringing at least one firearm with them, was an unconscionable decision that cost Ms. Hoffman her life."

Several of the officers involved, including Pender, were disciplined. Ultimately, however, they all kept their jobs.

Early this year, the criminal proceedings wrapped up with both Dre and Neilo sentenced to life in prison without the possibility of parole. Neilo's mother and stepfather have apologized to the Hoffmans for Neilo's involvement in Rachel's death. "I have daughters too," says Judianna Freeman, Neilo's mother. "I'm brokenhearted for them."

Almost every day since Rachel's funeral, Irv has gone to the cemetery near his home, sitting for hours in a folding chair under an oak tree next to his daughter's simple tombstone. He barely left his house for the first year after her death. These days, he's trying to get out and see people a bit more, but it's hard. He went to a party recently but had to leave when he found himself in the bathroom crying.

Margie is getting therapy and taking anti-depressants to help cope with her grief. Since Rachel's murder, she has gained 40 pounds, developed chronic headaches and chest pains, and broken a tooth from clenching her jaws so much.

But despite their pain, Margie and Irv are also working to prevent what happened to Rachel from happening to anyone else.

"Rachel had a pot problem, yes," says Irv. "But she didn't deserve to die for that."

He and Margie have filed a wrongful death lawsuit against the city of Tallahassee which is still pending. And just weeks after their daughter's murder, with the support of scores of her friends and family, they began lobbying the state legislature. Their efforts finally paid off on the first anniversary of Rachel's murder, when Governor Charlie Crist signed a bill named in her honor.

"Rachel's Law" requires police departments statewide to "assign the highest priority in operational decisions and actions to the preservation of the safety of confidential informants", and to train officers who work with them. "The top purpose of law enforcement is to save lives," says Lance Block, Margie and Irv's lawyer. "This law helps them accomplish that." It also allows informants to consult with a lawyer if they choose, and forbids cops from claiming they can promise a reduced sentence in exchange for an informant's help (a power that, in fact, only prosecutors and judges hold). Rachel's parents had sought even more protections, such as barring police from using nonviolent offenders as CI's in cases involving suspects with violent histories. Nonetheless, it's the first law in the nation laying down rules on how cops use confidential informants. "It's our way of honoring Rachel's memory, by helping make sure this doesn't happen to anybody else's child," says Irv.

And it may be just the beginning. Irv hopes to push Florida's legislature to strengthen the law next year. Margie, meanwhile, aims to establish a foundation to promote similar reforms nationwide. "What keeps me going," she says, "is the thought that my daughter lives on by touching other people's lives."

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