

**MARATHON BOMBING:
INDICTING THE PLAYERS**

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Permissions. I, Mary Maxwell hereby permit anyone to print out my book for personal use. Three of the guest writers do the same. They are: Cheryl Dean, Elias Davidsson, and Montse Alarcón Flix.

I do not own any of the pictures; I downloaded them from the Internet. Any photographer who does not want them to appear, please contact me.

*To aunts everywhere
my aunt, your aunt,
great-grandaunts, step-aunts
expectant aunts,
Jahar's Aunt Roza Tsarnaeva
and the ankle-braceleted aunts,

and the indomitable and inspiring
Aunt Maret*

PREFACE

I am a Bostonian watching this Marathon business from Australia. It is completely past my ability to fathom how the whole city of Boston can go along with a trial – a murder trial – that does not pass the guffaw test.

Just think: if my view is correct, all sorts of people are in on a wicked deal – cops, lawyers, judges, *The Globe*, the mayor, hospital doctors, and others. There is so much at stake here! We are all in such huge trouble if those many persons are willing to act in bad faith.

Numerous kind souls are working hard to help Jahar Tsarnaev. I am not working to help Jahar. I am working to help me. I am sure I can see what's in store for society if we play along with all the false statements in this case. I don't want to be there!

Further, I want vengeance on them for doing it and for mocking us. Hey, my parentals are buried in Forest Hills Cemetery, Jamaica Plain and I'll not stand by and watch their denigration, *thank you very much*.

Plan of This Book

I wish this book could fall into the hands of folks who innocently believe the Tsarnaevs were terrorists and who are satisfied that events shown in the movie *Patriot's Day* are true. I wish I could talk to them. I am a reasonable person and would be glad to go over it piece by piece, respecting their opinions and feelings.

But I doubt that the “satisfied” are willing to open this book. So instead, I aim this at least partially at my fellow legal scholars, trying to show them that *it is not in their interest to let this travesty pass by unnoticed*.

Several chapters put forth a legal concept. These are on gag orders, tampering with evidence, proper instructions to a jury, the crime of cover-up, abuse of process (my personal fave), subornation of perjury, judicial notice, the Brady rule of exculpatory evidence, and – wait for it – the writ of error coram nobis.

Still, it may be that only non-lawyers will read this book, so I've made those chapters user-friendly, and included much that is of general interest.

There is a chapter on show trials. My God. Did you ever think, O Bostonians, that there would be show trials in (ahem, ahem) the “City on the Hill”? I said SHOW TRIALS in America.

And there is a chapter on collateral damage -- as in deaths carried out for the state's convenience. Did you ever think we would be talking about “the Commonwealth of Massachusetts” in that way? Yup, and there is mention of Gitmo-style interrogations occurring in the Beth Israel Deaconess Medical Center. Yes, you heard me.

But here is the biggest stunner of the case. You'd better reach for your smelling salts. In Motion 1101-1, Jahar's defense lawyer Judy Clarke asked the judge NOT to say, in his Instructions to the Jury, that her client has pleaded Not Guilty to all charges.

To the Already Jaded

If you are well up on the dishonesty of the Marathon case there may be something here for you, too. I try to suggest as many *solutions* as I can think of for our current predicament. Solution-ing is my thing.

Be warned: I tend to lean on the treasures of the past. I don't see any reason why it would be impossible to restore

the trust we once had in our high muckie-mucks. It is normal for us to trust them, and perfectly normal for them to “behave themselves.”

If you don’t want to go the retro route, and you’ve bought this book to get the everyday titillation of conspiracy theory, I think even you can be served here. I have a few stories to tell that may well register on the titillation meter.

Does One Hafta Read the Whole Thing in Order?

Please shop around ad lib -- there’s good stuff in the exhibits at the back of the book. Most of the 30 chapters appeared as articles for a website in Australia (GumshoeNews.com). They came about as I got new bits of data about the Marathon trial.

Youtube was helpful and much legal stuff was sent to me by Josée Lépine, a francophone Canadian who sharpened up her English for Jahar’s sake. So she spent a fortune buying transcripts of the trial, which she has scrutinized to the nth degree. Nobody knows the case like she does.

Just goes to show that you never know where salvation is going to spring from! It must have taken a dozen geniuses to render the trial of Jahar Tsarnaev obtuse. They had to anticipate possible interference from many quarters and try to build in all the necessary snares and barriers.

Well, too bad. They did not foresee *la Canadienne*. And they did not foresee that an Irish-Catholic from Dorchester (St Mark’s parish, near Shawmut Station) would be hanging out in kangaroo land, ready to receive these little glimmerings of light and paste them into a Melbourne-based website.

My mother would say, the Lord works in strange ways.

ACKNOWLEDGEMENTS

Thanks are due all over the place. First I'll mention some of my life-changers: Henri de Lubac in 1965, EO Wilson in 1976, George Maxwell in 1980, Pierre van den Berghe in 1982, Hedley Bull in 1984, Sheik Nahyan in 1990, Carol Rutz in 2005, and Dee McLachlan in 2015.

My law colleagues have been avoiding me like the plague. Not that I've whispered so much as one word about this book but they just seemed to know. I feel like a pariah.

I am grateful, for technical help with this book, to Craig, Ian, Jason, Elizabeth, Heidi, Mairu, Sarah, and commenters at GumshoeNews. My cousin Steve bucked me up.

In sum, I thank all creatures great and small, and am amazed and thrilled to be alive.

-- Mary W Maxwell

Adelaide, January 3, 2017

UPDATE: In May, I had the unexpected chance to run for US Senate from Alabama. It was a wonderful experience; please see my campaign website MaxwellForSenate.com.

Then in October, 2017 I popped up to Canada to visit Jahat Tsarnaev's aunt, Maret. This resulted in my adding, to this book, an Addendum and an Afterword. You might start there if you're already familiar with the issues.

Now we hear good news: 1st Circuit Judge Juan Torruella has accepted an *amicus curiae* brief filed on behalf of three citizens, including myself, in the appeal of Jahar's trial.

More *solidarity* is needed. I suggest we meet at the finish line. Just take the T to Copley and look for side door of the BPL. Start on the first Sunday of January, 2018 at 2pm. Cancel if blizzard. I'll hold a pink umbrella. See ya's!

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(Note: A PDF of this book was published in January, 2017, similar to the above, except that Exhibits E, H, J, and L are new and a new 10-part series of articles appears below as the Addendum. A further inspection of the deceitful photos shown to the jury has resulted in an Afterword.)

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Homeland Security Department Waiver Form 68

FEMA Homeland Security Emergency Exercise, April 30 2013

1. The day will be long and tiring. You need to be at the site by [time], and you will probably not finish until after [time]. If you have any health concerns or medical conditions, please tell [Actor POC] before the start of the exercise. Health or medical concerns will not necessarily disqualify you from participating.
2. If you are not age 18 and are not in the military, parental permission is required to participate.
5. Be on time! Please do not arrive late. It is difficult to begin the exercise if actors are not in place. Volunteers transported to hospitals will be given a snack before being returned to the exercise site.
6. Wear layers of old clothes, clothes that can be removed and a bathing suit underneath. Wear clothes that you do not mind getting wet, dirty, stained, or torn. Jewelry will be removed during the decontamination process, bagged, and given to you to carry through the decontamination line.
7. There will be no place to keep personal belongings. Bring your driver's license, keys, and a sense of humor. Do not bring cameras, jewelry, items you don't want to get wet, large sums of money, or uninvited friends or volunteers.
8. Don't overact. When you arrive at the exercise site, you will be **assigned an injury** or role and will be briefed about your roles and what will happen during the exercise. If you are assigned the role of a psychologically distressed person, please act upset, not out of control. [Emphasis added]
9. If you get hurt or have a real problem, say "This is a real emergency" to tell exercise staff you are not just acting.

On behalf of [Agency/Jurisdiction] and all of the participants in the exercise, thank you for volunteering. Our community will be better prepared to face challenges in future.

Greetings to Latin American Readers!

Good day, persons in Massachusetts whose first language is Spanish! What I wouldn't give to be able to speak Spanish and write it! But I am boringly monolingual and so have asked a friend to do the translating here for me.

I want to lure you into my book. I am trying to get Bostonians interested in the Tsarnaev case, and I fully understand that you are an important part of this dear city – both today and in the future.

At the end of the book, among the appendices (which I have called Exhibits) is one in Spanish. It was written by Maret Tsarnaeva who is the aunt of the late Tamerlan Tsarnaev and his brother Dzhokhar, nicknamed Jahar. The document was translated into *Español* by Montse Alarcón Flix. That document helps prove the falseness of the whole Marathon incident of April 15, 2013. See it in Exhibits F and G.

Maret tells how the US government sent people to Russia to intimidate the family of the convicted criminal Jahar (he is now on Death Row in Colorado). This is shocking and many will choose not to believe it. Well, even barring that episode, there are many proofs that the bombing was not done by the Tsarnaev brothers, ages 26 and 19 at the time.

Since I can't provide all the information in Spanish, I will print in the next two pages a summary. If you like it, then please look on Youtube for the many Spanish-language videos about the Marathon – but most are “mainstream.”

I may tell you that my late Dad, John Whalen, was fluent in Spanish and Portuguese and spent many an evening in the 1960s and 1970s teaching English to new immigrants in Boston. He did so as a free-lance volunteer, using such venues as the Mission Church. I send you his best wishes!

Saludos a los lectores [same as page 13]

Buenos días especialmente a las personas de Masachusets cuya primera lengua es el castellano! Qué no daría yo por ser capaz de hablar en español y escribirlo! Pero soy aburridamente monolingüe y por eso he tenido que pedir a una amiga que me haga estatraducción.

Quisiera engancharos a mi libro. Estoy intentando mantener a los bostonianos interesados en el caso Tsarnaev, y entiendo plenamente que vosotros sois una parte importante de esta querida ciudad – tanto ahora como en el futuro. Al final del libro, entre los appendices (a los que he titulado Exhibits) hay uno traducido al castellano.

El original fue escrito por Maret Tsarnaev que es la tía de Tamerlan Tsarnaev y Dzhokhar Tsarnaev, más conocido como Jahar. Creo yo que es la mejor prueba de la falsedad del incidente de la Maratón April 15, 2013 en su integridad. Véase Exhibit F.

En él Maret nos explica cómo el gobierno de los Estados Unidos envió gente a las repúblicas de la Federación Rusa para intimidar a la familia de Jahar (él se encuentra ahora en el corredor de la muerte en Colorado).

Tales hechos resultan chocantes y muchos elegirán no creérselos. Bien, incluso prescindiendo de ello, hay muchas evidencias de que el atentado no fue perpetrado por los hermanos Tsarnaev, que tenían en aquel momento 26 y 19 años respectivamente.

Como no puedo proporcionar toda la información en español, voy a añadir en la página siguiente un resumen. Si veis que os interesa, por favor buscad en Youtube los muchos vídeos en castellano sobre la Maratón - aunque la mayoría de ellos son “mainstream.”

Os podría contar que mi difunto padre John Whalen tenía cierto nivel de español y portugués y pasó muchas veladas en las décadas de los 1960s y 1970s enseñando inglés a nuevos inmigrantes. Lo hacía por su cuenta como un voluntariado, entregando los ingresos a la misión de la parroquia. Os envió sus mejores deseos.

Resumen de las “Main Theme” De Este Libro

Me gustaria demostrar que no hay caso contra Jahar Tsarnaev. Todas las pruebas de culpabilidad son endebles. El asesinato de Collier se ve en un vídeo tomado desde lejos, la ridícula fâbula del secuestro de Danny, La radicalización de Jahar probada según sus "descargas" de Internet, su no-negra mochila, su floreada confesión en la pared de una embarcación.

Un vídeo del arresto de Tamerlán, desnudo, y el vídeo de Podstava demuestran que la historia de un tiroteo con la policía no sucedió. Juzgando por otros casos de terrorismo, el atentado de la Maratón fue probablemente un montaje del gobierno. Ni siquiera necesitamos escuadriñar sobre el uso de actores en crisis pagados por la acusación para mentir sobre los hechos; de tantísimas evidencias que hay en las ultrajantes acciones judiciales.

La Segunda Parte usa el aparato de carta al Gobernador y al Fiscal General, y Part, y un pretendido discurso de instrucciones al jurado, para destacar la importancia de cada rama del gobierno en el sostenimiento de la liquidación de la Constitución.

Otros asuntos en discusión son la destitución de los jueces, órdenes de silencio, SAM's (medidas penitenciarias especiales), los medios de comunicación como accesorio al crimen de atentado. Son enumeradas las faltas de los abogados: la impresionante ausencia de examen a los testigos, la inexistencia de cadena de custodia de la supuesta arma asesina, el no apercibimiento de un conflicto de intereses en el FBI en el asesinato del testigo potencial Todashev, e increíblemente el pronunciamiento por Clarke de que "él lo hizo" a pesar de que Jahar siempre se declaró no culplable.

La Tercera Parte buscará el castigo para los culpables, pero también vías para revocar la condena de Jahar.

1. The Official Story -- the “*Patriot’s Day*” Nonsense



April 15, 2013, an apparent bomb near Marathon finish line

To learn the official story all you need to do is attend the movie *Patriot’s Day* and you’ve got it. I have only seen the trailer, and read reviews. It is the same garbage peddled by the mainstream media. In this chapter I roughly state that false story, the one the politicians want you to swallow.

A family immigrated to the US around 2000. The lady is Zubeidat and her husband is Anzor. She is Dagestanian, if that’s what they’re called, and he is Chechen. They produced two boys – Tamerlan and Dzhokhar (nickname Jahar) and two girls, Alina and Bella.

The Man of the Hour (trial-wise) – Jahar – was born in 1995, arrived in the US at age 9 -- let’s see, that would be in 2004. He received his US citizenship on September 11, in the Year of Our Lord 2011 – a decade out from the day we lost so much.

This future terrorist, Jahar, went to Cambridge Ringe and Latin and then to UMass Dartmouth (which is about halfway down to the Cape). He did inhale, and often. He owned a laptop. One day Jahar and his much older Bro (6 year’s difference) drove up to New Hampshire and bought firecrackers. There is a store video of them -- not making the actual purchase but walking towards their car in the

parking lot. (If you have ever purchased anything in NH, or anywhere, it may be used against you!)

We know (I mean we just simply *know*) that they looked up instructions for bomb-making. There are sites in the Internet, such as al-Qaeda's *Inspire*, that contain this information. And why else buy fire crackers?

Then on a certain day in January, 2013, one of them or both of them traveled to Saugus Mall and bought five (5) pressure cookers. Tamerlan was carrying the receipt for these in his pocket when he died – as is normal, of course

Monday, April 15th, is a holiday in Boston (Patriot's Day, which has to do with the 1776 Revolutionary War -- Minutemen, muskets, that sort of thing.) On that day the brothers positioned themselves near the finish line of the Marathon, on Boylston St, near Copley Square.

The Marathon race had already been won at 11.40am, but it's a 26-mile race that includes thousands of amateurs and many of them continue to straggle in for hours.

Jahar laid a bomb near the green mailbox on Boylston St. In fact he laid his entire backpack, in which was a pressure cooker ready to explode upon detonation. It exploded at 2.49pm, killing three bystanders and injuring 264 more, including many who had to have a leg amputated.

We can see that Jahar left quickly. He headed home, presumably with Tamerlan. Jahar can be seen buying milk at Wholefoods, across the Charles River around 22 minutes after the bombing.

He did not even look nervous, and during that week both boys went to their gym for workouts, looking relaxed.

[*To repeat:* I'm trying to stick with the mainstream line here.]

However, on Thursday April 18th at 5pm, the FBI announced on TV that the bombers had been identified. So now the Tsarnaevs were to be hunted down. They were alerted by friends and tried to get away.

They drove in their Honda to Brighton Av, Boston. And at that point they carjacked a black Mercedes SUV. The driver of that SUV, Dun Meng (nickname Danny), was sitting in his car. He had pulled over to deal with a text message. Tamerlan threatened him and climbed in.

Jahar got in the back seat. They stopped at an ATM. Danny told Jahar his PIN number so he could withdraw \$800. The conversation in the car included two very important things.

First, Tamerlan told Danny that he had “done” the Marathon bombing *and* killed a cop at MIT. Second, Danny overheard the boys saying to each other that they may go to New York to do more bombing in Times Square. After all, nothing succeeds like success.

The SUV tank was getting empty so they went to a gas station in Arlington. At that point, Jahar went into the convenience shop to pay, and Danny luckily noticed that Tamerlan was concentrating on fiddling with the GPS device. Danny seized the moment to open the passenger door and run for it.

He escaped to safety by crossing the street where there was another gas station. He asked the manager to call 911. The police came soon – by now the SUV was gone – and learned the details from Danny.

That included, of course, a description of the carjacked SUV. It was a rental car, a Mercedes, so luckily it had a tracking device in it. Thus, police knew the brothers had made their way to Watertown.

They had learned from Danny that Tamerlan had been the cop killer at MIT. The death of Officer Sean Collier had occurred at 10.20pm. It was now into the wee hours of Friday April 19th. Police from everywhere converged on Watertown to avenge a colleague. (This is customary.)

The boys were spotted and they were armed, not only with a gun but an IED – improvised explosive device. Cops shot at them and wounded Tamerlan but Jahar got away. He jumped into the SUV and drove off, but not before injuring his brother with the car. Officer Donohue was injured, too.

Tamerlan was duly arrested and taken to hospital. But the search for Jahar was unsuccessful that night. In daylight (Friday) it continued, and the Governor decided to close transportation down and advised everyone to shelter in place. Many homes had to be searched.

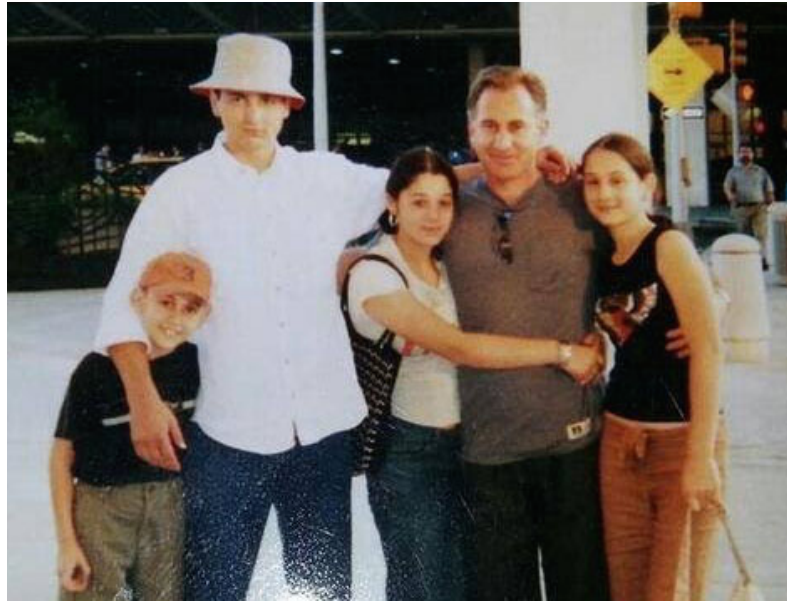
At 7pm, folks were told they could go out. A Watertown man went out for a smoke. He happened to look at his dry-docked boat. He peered into it and saw a body. He called the police and said he also saw blood there.

A helicopter flew over the boat, using thermal imaging to ascertain that there was a living person inside. Police and FBI and SWAT teams shot at the boat – 228 bullets.

Eventually Jahar emerged. He was arrested and taken to Beth Israel Deaconess. He was sufficiently interrogated for the cops to learn that he and Tamerlan had acted alone, there were no accomplices.

Jahar's trial began in February 2015, if you count the two months spent selecting a jury. Then witnesses came forward and eventually the jurors retreated to consider the case. They found him guilty on all 30 counts. A separate matter was the sentencing. The jury sentenced him to death, unanimously. The case is now in appeals.

2. The Actual Story



Jabar, Tamerlan, Ailina, Anzor, Bella – normal human beings

The bombing of the Boston Marathon in 2013 is but one of an ever-growing list of “terrorist” events brought to us from the same parties that run the world.

Tamerlan Tsarnaev (born 1987) was an FBI informant for years before the Marathon, and probably also worked for the CIA. In 2012 he went to Russia to renew his passport which he would need to get US citizenship. His sport was boxing and he dreamed of appearing for the US at the Olympics.

Tamerlan was not religious as a young man but got religion at some point. Although there is at least one photo of him in Arabic dress, he generally looked and acted Western. He may or may not have been employed. He had no criminal record.

He married an American girl, Katherine Russell, whose father is a doctor. Together they had a daughter in 2010. Katherine Russell, changed her name and dress to become

Muslim. She now lives in New Jersey; the child is in school. Her grandfather was in Yale's Skull and Bones.

Tamerlan and Jahar may have bought fireworks material but there is no reason to believe they bought pressure cookers. There's no reason to believe they planned to bomb anything, or that they were up to no good at the Marathon in 2013.

A most amazing thing about this case is that the story of a carjacking was accepted, as if a man who his running from the law would boast about his crimes to the driver!

For two years 2013-2015 Dun Meng's identity was not known to the public. On TV he sat in shadow so we could not see his face. We were given to understand that he was afraid of terrorists, so no one demanded his name.

Meanwhile he was the ONLY source of the confession to the killing of Officer Sean Collier. Later a math student at MIT testified that he rode his bike past the Koch building. This witness, Nathan Harman, said during the trial that he saw a man standing near Collier's car (which has since been destroyed. When asked if it was Jahar, who was sitting there in court, Nathan said "It definitely could have been him."

Nathan did not see violence or hear shots. The school's surveillance camera video'd two "tiny figures" in the area. I'll call them "ants" as the camera was so far away. You would not be able to identify who it is. And anyway, the claim is preposterous -- fugitives from justice going to a high-tech campus to steal a cop's gun! Folks believe whatever motive they are told. We see the ants walk purposefully towards Collier's cruiser (which has since been destroyed!).

During the hunt for the bombers, police and FBI had done a most peculiar thing. They told people not to use their

own cameras to inspect the Marathon event. Maybe it was a test of citizen's gullibility – and obedience.

But that peculiarity is nothing compared to the humdinger that emanated from Russia. Jahar's paternal aunt, Maret Tsarnaeva, assisted by Jack Graham, filed an *amicus curiae* (friend of the court) with the US District Court in Boston.

It says that the *defense* team visited the family in Russia (the Russian federation, which includes both Chechnya and Dagestan) and told them not to support their son's not-guilty plea. What?

May I say that again – **what?**

Every possible aspect of due process was violated at the trial. It was like a spoof. Then, after he was sentenced to death, Jahar stated -- in open court -- an apology and a request for forgiveness. We don't know why he did that.

I point out that he had never pleaded guilty. Rather, his lawyer, Judy Clarke, said in her opening statement – probably *without* Jahar's permission – “It was him.”

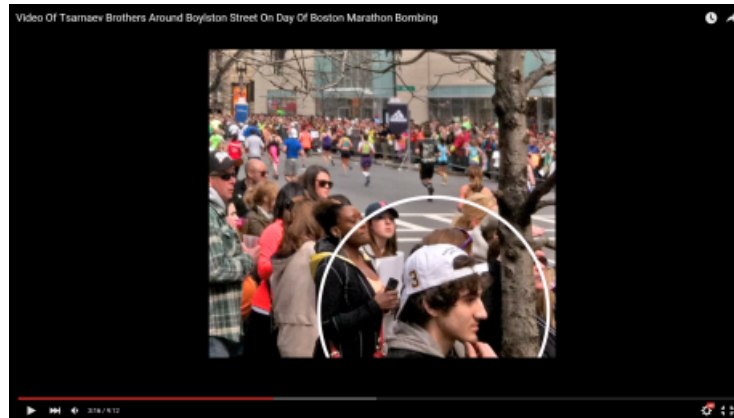
The US Attorney General Loretta Lynch, has kept Jahar almost incommunicado in Supermax Prison. He can speak to his parents by phone – only in English and **cannot discuss the case with them**. This is unheard of.

His sisters have visited him, rarely, and they too are prevented from talking about much, beyond “How's the weather?” Thus, no one since the day of the Marathon has been able to get information from Jahar, such as about how he managed to climb into the Watertown boat.

I interpret the Hollywoodization of the terrorist story, in *Patriot's Day* to mean a big effort was needed to counter skepticism. I am delighted to think I may have contributed to that “need” for a propaganda movie.

3. Dee McLachlan's Discovery

(published at GumshoeNews.com on January 17, 2016)



Dee McLachlan wrote, at Gumshoe News:

“You gotta love that FBI special agent Richard DesLauriers who told the people of Boston to look only at the photos he chose. **‘For clarity these images should be the only ones, I emphasize, the only ones that the public should view to assist us.’** (Said at a press conference on April 18, 2013.) Funnily enough I started off being obedient to Mr DesLauriers. I looked at his selected photos, and oh boy, is he going to be sorry that he told me to have a look!”

McLachlan later learned that the above picture appeared as Exhibit 22 for the Prosecution in Jahar Tsarnaev's trial. The first thing that looked odd to Dee, who happens to be a professional cinematographer, is that it's a square picture, while most photos are rectangular. Typically, they measure 480 x 800, whether vertical or horizontal. This one is deviant.

So Dee figured the Jahar shot must have started out as a portrait shape and was subsequently cropped at bottom. Indeed, other people should have noticed that the person who chopped the full picture down to the size of a square forgot that the circle marked around Jahar's head – the

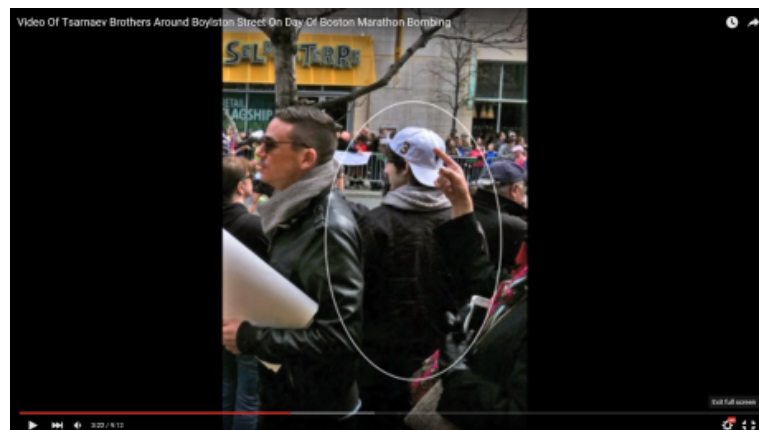
white halo – would be a giveaway as to the cropping.

Dee's next question: Why crop? She reckons it is to remove from the picture any part of his backpack which, as anyone who watched the FBI show knows, was white. A bad match for the black backpack alleged to have caused the Marathon bombing.

Additionally, in reviewing all of Exhibit 22, which is a video, Dee noted that the square photo was inserted as a frame. The same is true of another shot, discussed below. In McLachlan's article we read:

"These images are NOT frames that occurred within the surveillance video (as is the rest of exhibit 22). Rather, it appears they are still pictures that were – I'm trying not to say 'planted' – let's see what other word I could use besides planted – OK, I think they were *inserted*."

Here is the other inserted one, said to have been taken at 77 Boylston St. Here the owner of the pointing hand is obscuring the troublesome white backpack.

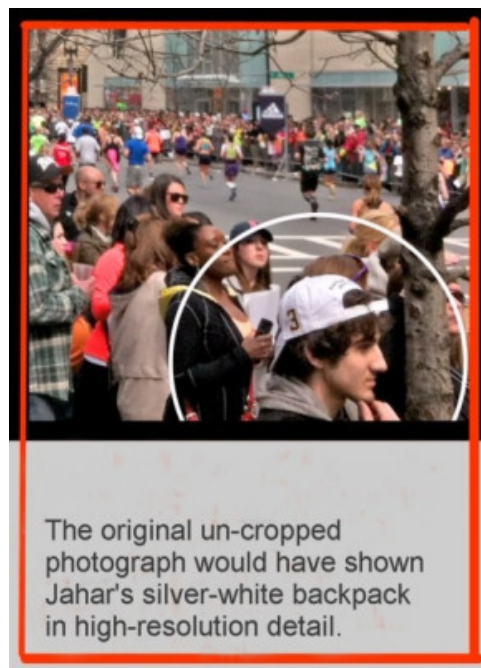


Dee notes that the resolution of both pictures is good — much better than CCTV footage. In the cropped photo, the camera is about six to eight feet away from Jahar — and taken about eye height in a PORTRAIT frame. It was taken with Jahar in focus while the runners are soft focus.

Dee asks: Who took this picture and why? Similarly, the one with the finger pointer is *not* surveillance footage.

The whole case hangs on this evidence. McLachlan says: “The ORIGINAL picture would have demonstrated in HIGH-RES that Jahar was lugging a silver-white backpack – and NOT the black backpack.”

Dee has created a demo, surrounded in red frame below, to suggest that if the picture had been shown in full it would have included the backpack. She says: I suggest that in the “square” photo we’re precluded from seeing the backpack (that is, it’s been CROPPED away).



Even the slowest member of the jury would have said — “*Hey, the backpacks don’t match up.*”

Dee wrote: “I was excited with this find, but a certain friend reminded me that just because I speculate that the square photo used to be a rectangular one does not mean the police sirens should start humming right away towards the home of, say, Carmen Ortiz.

Manipulating the Evidence

Dee presumed the prosecution lawyers were aware of this – and deliberately CROPPED the backpack out of the “square” picture above — and then inserted it as part of video evidence (to disguise its origins).

Is this tampering with evidence? Is the Pope Catholic?

Plainly the prosecution withheld exculpatory evidence which is against the court’s own rules – the Brady rule. Grounds for a mistrial, anyone?

There are a few questions that need to be answered:

- Who took these photographs?
- Was this picture taken by a random spectator or a *player* in this Boston story?
- Are there more photographs taken at 777 Boylston St?
- Why is the *focus* seemingly on Jahar?
- Why were the photographs “slipped” into the surveillance video, into Exhibit 22 — and not presented as separate photographic exhibits?
- Who drew the circle — then cropped the picture?
- Why is anyone pointing at a building?

It appears a crime has been committed – a felony, namely, obstruction of justice. Richard DesLauriers and his *gang* presented the jury with a SQUARE photo. Dee says “Maybe a few of them should be put in a square cell.”

Per the General Law of Massachusetts, Section 13E (b):

(b) Whoever alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the record, document or object’s integrity or availability for use in an official proceeding, whether or not the proceeding is pending at that time, shall be punished, by a fine of not more than \$10,000, or by imprisonment for not more than 5 years...

Well, that’s the state law but this is a federal case. The relevant section of obstruction of evidence, federally, is found in the USC, the United States Code, in which all

laws enacted by Congress are restyled into codified form. Here is the relevant item. It is at 18 USC 1519:

“Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object

with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.”

So don't worry, you who did the cropping, you'll be out before 2037 and probably much earlier on parole!

Note: a word on maxims of law. For centuries great minds have thought of ways to reduce principles of law to a few words, usually in Latin or French. There is one that says *Omnia praesumuntur contra spoliatores*. “We can presume everything against one who despoils the evidence.”

Say the accused submits his diary but the page of the key date has been ripped out -- you would know what to think, right?

Another maxim of law is *falsus in uno, falsus in omnibus*. “False in one thing, false in everything.”

Or, to combine them, how about: **Presume absolutely everything against court personnel that tell shameless lies.**

4. How Can Anyone Believe the Carjacking Story?

(published January 12, 2016)



Dun Meng asks manager of Mobil station to call 911 for him

At Jahar’s trial the owner of the gas station gave testimony. The significance of the gas station is that it figures in the narrative of the carjacking. It is vital to note that the carjacking story was used **to give the public a way to link the bomb blasts at the 2013 Marathon with the accused person** – the now convicted person Jahar and his now deceased (i.e., murdered by FBI) brother, Tamerlan.

This chapter discusses important data that I found at an alternative website: WhoWhatWhy.org, edited by Russ Baker. He and colleagues have been doing excellent investigatory work on the Marathon case and they take a very skeptical approach to the carjackee, Dun Meng.

(At Gumshoe we take a more than skeptical approach. We declare that the carjacking never occurred. It is crock city.)

WhoWhatWhy clearly demonstrates that there were several *different* police narratives as to the way in which Tamerlan Tsarnaev “admitted” to Danny that he was the Crim of the Hour.

Thanks to the very *number* of these stories, we know they do not provide a reliable story.

You can follow details at Russ's website, but I'll just emphasize one of his main points. It concerns a Boston radio station, WMUR. They initially interviewed Danny, a mere four days after the "carjacking." When someone later asked WMUR to please re-interview him (because of the discrepancies) they declined to do so.

Pretend your radio station got kudos for doing the initial interview. Wouldn't you want your station to associate itself even more thickly with the case by doing the second interview? You'd become the ultimate go-to person.

Blame WMUR

The offending channel, WMUR, operates out of Manchester NH -- within Boston's northeast corridor. **Four days** after the alleged April 18, 2013 "carjacking" of Danny, Nick Spinetto at WMUR asked him key questions.

Danny obligingly furnished the information that Tamerlan had boasted about the April 15th Marathon bombing. Danny did ***not*** say anything to Spinetto about the killing of Sean Collier, the MIT campus cop!

Back in 2013, Danny told the media he was scared and did not want his surname revealed. OK, that's understandable, but there's no longer any need to protect him. He is out in the open now, and he must know that his carjack story has put Jahar on Death Row.

I'm here to reprimand Alisha McDevitt. She is the station manager of WMUR — part of American Broadcasting Corporation, Come on, Alisha, you have to take responsibility. If your radio station helped to terrify Massachusetts (remember the lockdown?), you owe us some Valium. You must do your best to sort this business out for us.

You can't just say "No, thanks."

The Logic of the “But For” Test

I learned in law school that we can’t use a “but for” test in a lawsuit. Say you gave me a birthday cake and I decided to bring a piece to my neighbor’s house and fell down on her front stairs. I can’t say “*But for* the cake I wouldn’t have sprained my ankle” (and sue you for donating that cake to me). Even though it’s true.

We are not in a court of law here. We are in a community, and we use logic. We can “but for” all we like. I say the interview with Danny Silhouette led everybody *to think that the Tsarnaevs killed Sean Collier*. “BUT FOR” the false narrative on radio stations such as WMUR, the jury may have voted to acquit Jahar.

In a later chapter I’ll discuss a video of two teeny weeny persons creeping around the MIT parking lot. I can’t see how the jury would accept it as evidence of Jahar’s involvement. There’s just NO EVIDENCE AT ALL that the Tsarnaevs killed Collier.

Therefore, WMUR needs to do the right thing. You know, Alisha, it won’t kill you to announce that you think Danny lied to your employee, Spinetto. You couldn’t have known it back then, nor could Spinetto. It’s not your fault.

Time To Get a Second Spinetto Interview

I mean the original problem – broadcasting Danny – is not your fault. But putting the Seal of the Confessional on things (or is it the Seal of Langley, as usual?) is your fault. You must let Mr Spinetto do another interview.

Danny won’t agree to it? No prob. Spinetto can go on radio and read out what Russ Baker gathered up by way of

analysis of the whole situation, at the *WhoWhatWhy* website.

Baker compared numerous ever-changing statements by police officials and also by newspapers. He bothered to show us what the “Paper of Record,” the *NY Times*, said.

On April 20, 2013 *The New York Times* published the following paragraph, which they say they got from a “senior law official.” (Why not give the name?) This version of the carjacking fails to include include any gas-station-with-ATM type stuff. Rather:

“It was only after the suspects decided not to kill the owner of a sport utility vehicle that had been carjacked and **instead threw him out of his car around 1 a.m. — a decision that ultimately** undid their plans to elude the authorities — that they re-emerged on the authorities’ radar.”

Granted, Alisha, that is not your concern. I don’t ask you to explain why the Paper of Record would say such a crazy thing as Danny being in the carjack situation at 1am. Everybody who has seen the Maxwell/Podstava video knows that Tamerlan was in FBI custody by that point. I just say that your radio station has to undo its errors. Simple as that.

Danny Forgot to Say the Biggie That Night?

I have just re-read the Russ Baker article and noticed that he wrote it *before* the court case. Wow. And I repeat that the Nick Spinetto interview was broadcast on April 22, 2013, only 4 days after Danny had had the traumatic experience of a lifetime. (Or not, as the case may be.)

In his WMUR interview, Danny does NOT mention Tamerlan Tsarnaev’s confessing to the killing of MIT cop Collier. Yet, as Russ Baker discovered, the Associated

Press – which I believe is run by the CIA – **had already announced that bit** on the afternoon of April 19th. Yikes! According to the AP, Watertown’s police chief Ed Deveau claimed that Tamerlan admitted *both* of his major crimes to Danny. As in “Yes I am the big, fat Marathon bomber, and yes I left that MIT cop as dead as a doornail!” This is what Russ Baker calls “the dual confession.”

Baker notes that the Criminal Complaint itself, which was filed by Officer Genck on the 21st, states that Tamerlan told Danny about his role in the bombing — but the Complaint “notably says nothing about an admission to having killed Collier.” **Baker proposes that this is a newsworthy item in itself.**

It certainly is; it is a full-scale shocker. Is there a lawyer anywhere — Judy Clarke excepted — who would not demand that the charge of Collier’s murder be thrown out at this point?

The whole thing is a shameless lie. When are the people of Boston going to wakie-uppie?

Yet the carjacking nonsense was put forth with a straight face at the United States District Court in Boston in 2015.

Just as Barbara Olson’s report of boxcutters was pivotal on 9-11, Tamerlan’s confession to Dun Meng that he killed an MIT cop (Collier) is pivotal. This is where Russ Baker’s work at *WhoWhatWhy* comes in. Baker, to an extent that should satisfy any judge or jury, kills off any credibility that Dun Meng may have had.

In my opinion Meng should be arrested for perjury. However, he is not the target of this chapter. The media is. The Spinetto interview of Danny, on radio WMUR, deceived the public and it’s not asking too much to require the radio station to make amends.

5. The Uncle and the Ankle *(published December 20, 2015)*



Getting fitted for a leg bracelet that will track your every move

The Uncle

Here, slightly abridged, is an affidavit written by an elderly relative of the accused person Dhokhar (nickname Jahar) Tsarnaev. Any bolding was added by me:

I, Tsarnaev Dzhamaly Maazovich, born in 1954 year in the town of Tokmak, Kyrgyzstan.... Anzor's father, Zaindi Tsarnaev, now deceased, was my (first) cousin....

For two years, starting from June 2013 to April 2015, me personally and members of my family, brother Said-Hussein, sisters Roza and Taus, as well as family members of Anzor Tsarnaev repeatedly talked at the meetings that took place during the visits of defense lawyers appointed by the USA government **to protect the legal interests of Dzhokhar Tsarnaev in criminal proceedings.**

The lawyers and their invited experts to this case, as they introduced themselves to us, had visited Grozny (Chechnya) and Makhachkala (Dagestan), at the least, fourteen times....

For two years, our meetings and the contents of conversations were, it seemed to me, of a strange nature.

Representatives of the defense team for Dzhokhar were collecting information about everything: our way of life, our lives, the origin of the Tsarnaev family tree, where we work, what contacts we have.

They were interested in everything, except the facts proving the innocence of the Tsarnaev brothers, to which we had unsuccessfully tried to draw the attention of defense, because we were openly ignored.

Representatives of the defense team were confident in the innocence of the brothers, Tamerlan and Dzhokhar; in particular, the lead defense lawyer Judy Clarke herself agreed, adding in the conversation, **“we know it – they are innocent.”**

From the words of my brother, Said-Khussein Tsarnaev, I learned that on August 7, 2014 the meeting with representatives of the defense team, which took place at the hotel “Grozny City.”

Charlene, who presented herself as an independent investigator involved in the case by Dzhokhar’s lawyers; Jane, presented as a social worker and psychologist; and Olga (a translator from New Jersey, who arrived with the team), translating the conversation, openly admitted to my brother that they knew that Dzhokhar and Tamerlan were not guilty of the bombings, and with this **they were apologizing that the Tsarnaevs have had to endure the tragedy involving criminal allegations.**

My last personal conversation with the representative of Dzhokhar’s lawyers team, Alicia, introduced to me as assistant to the state-appointed defense attorney, during which I had to speak through an interpreter named Elena. I had met with Alicia and Elena on April 14, 2015 at noon in the hall of the “Ararat – Hyatt” hotel. Later we moved to a cafe on the second floor. Our conversation lasted

around 40 minutes. And suddenly Alicia said to me, “Dzhokhar’s guilt has been proven by the prosecution in court, **please convince Dzhokhar to take the blame for the bombings in the marathon so that he is not given the death penalty.**”

I was shocked by her revelation and request and said, “what are you talking about, we and you both know that the boys are innocent and there is a lot of conclusive evidence of it, and representatives of the defense, who visited earlier in Dagestan and Chechnya, admitted to us that they had known themselves that Tamerlan and Dzhokhar were not involved in the Boston bombings.”

To this Alicia had stated, “If Dzhokhar does not accept the guilt and does not express remorse, then the court will issue him a death sentence, however Dzhokhar is insisting upon his own, **that he is ready to die rather than allow for Tamerlan to be blamed for the bombings** and to plead guilty for himself and his brother.”

I asked Alicia to explain why the defense was not using in the court proceedings the commonly known facts of the non-involvement and innocence of the Tsarnaev brothers. ...I called on her of **the necessity to involve all potential witnesses, whom under various pretexts the FBI had isolated**, so that they are not allowed to testify in favor of the defendant Dzhokhar Tsarnaev.

At that same moment I had admitted to Alicia that we have collected many documents proving the complete innocence of Tamerlan and Dzhokhar and that **we intended to present them to the court**. Alicia asked if I could show her these documents. I categorically refused to show them, and said that I shall present them in the right place and at the right time.

After this she asked, “How do you intend to bring them into the USA?” At that time, US visas were supposedly being arranged for the Tsarnaevs, including myself, in any case, Alicia on the previous visit in February 2015 **had collected from us the information, passport details and photos of me and my sister, Roza Tsarnaeva.**

Later, Alicia repeatedly consulted with us, saying “you will be able to travel, your documents will soon be ready, do not refuse the trip.” **We did not intend to abandon the trip, as we were determined to take part in the trial by presenting the evidence of the brothers’ innocence through Dzhokhar’s lawyers.**

After my conversation with Alicia held on April 14, 2015 in Moscow, the Tsarnaevs were refused entry visas to the United States for participation in the court trial. It is exactly for this reason that not a single representative of the Tsarnaev family had been present at the court trial in Boston.

Signature,

Dzhamaly Tsarnaev



The Ankle

When Jahar's mother's relatives came to Boston in April 2015 to attend his sentencing hearing – to speak on his behalf -- they were forced to wear GPS ankle bracelets. I can think of two reasons – one, so the media could – and did — describe them in a mocking way. (“You know what troublemakers those auntie-terrorists are.”)

The other reason was a practical one. It was necessary to sequester these Russian ladies so they could not share their knowledge of Jahar's innocence.

They also were not allowed to talk to the prisoner, despite making such a long trip to attend the trial. Ah, the ties that bind. But Jahar did break down and weep in court when he saw his elderly aunt, Patimat Suliamenov, in the witness box, saying that he was a good boy.

So now we hear that the immediate family was given the no-visa treatment. Add that to what Cheryl Dean wrote, at Gumshoe News, about the abominable “SAMS – Special Administrative Measures” -- imposed on Prisoner Jahar, age 22.

As for the grandaunts who did arrive, they were reportedly teased by “protestors” at their hotel. Hmm. I may be pretty disgusted with my fellow Bostonians, but I doubt any of them would go to the trouble of harassing elderly people. Especially some ladies from Kyrgyzstan whose only sin is being related to a good boy who was made Patsy of the Year by whoever it is that runs the US government.

Say, who *is* that anyway?

6. The Not-Proven Murder of Sean Collier

(published January 31, 2016, updated November 18, 2017)



Can you see two men near that reddish car? Are they identifiable?

The jurors must have been in a trance when Sean Collier's murder was being discussed. They managed to convict Jahar of that killing "beyond a reasonable doubt" – with no meaningful evidence at all.

You may have read that a witness cycled past the MIT cop and saw him get shot? Nope, he didn't. For one thing it was dark. For another thing, he did not pause as he passed by Collier's cruiser, and how much can you see when you are cycling? He – Nathan Harman -- did not claim to see any *activity* whatsoever, much less to hear noise of gunshots.

Here is a bit of the testimony of this witness:

Mr Weinreb: Q. Mr. Harman, How old are you?

A. Twenty-four.

Q. What do you do?

A. I'm a graduate student at MIT.

Q. Were you in your office on the night of April 18, 2013?

A. Yes.... I was there working on a problem set that was due the next day.

Q. Approximately what time did you leave?

A. **After ten. Maybe 10:20.** Once I noticed it was after ten, that's how I knew it was time for me to give it up ...

Q: Can you just, by using your finger, show us the route you took when you left on your bicycle? [on exhibit 638]...

A. Sure. I would have come right up here and then up that way ... There was a parked police cruiser, like, right here...

Q. Was there anything unusual about the cruiser...?

A. When I went by ... the front door was open, and there was someone leaning into the driver's side door. ... I mean, **they** were sort of bent around the waist with **their** head and sort of the upper part of **their** torso inside the car as I was coming up, and then **they** sort of stood up, startled, when I rode my bike by **them**. [Nathan later said it was "he" not "they".]

Q. And what happened exactly as you drove by them?

A. **He** sort of snapped up, stood up and turned around, and he looked startled, and then I just, you know, didn't think anything of it and rode off.

Q. Did he look at you?

A. Yes.

Q. Did you look at him?

A. Yes. We made eye contact.

Q. Did you get a good look at his face?

Q. Do you see that person in the courtroom today?

A. Yes. [He points to Jahar.] [Emphasis added]

That was accompanied by the video that jurors could watch. It shows the cyclist from a great distance. A witness, Mr Isgur, who runs the surveillance cameras at MIT, said there are 1200 cameras. Surely a few of these could have got a closer look?

Why have a camera perched so high that it can't read licence plates or identify anyone's face? Isn't there some fabulous equipment in MIT labs whose theft would be disastrous? Testimony was also given by patrolman, David Sacco and by Sgt Clarence Henniger of the MIT police.

Since the alleged time of death is **10.20pm**, that's the moment to concentrate on. But there is an unexplained gap in the videotape (Exhibit 724 and 725) **at that time**. Do you recall President Nixon's secretary Rosemary Wood during the Watergate? She claimed she inadvertently erased 5 minutes of the tape when she stretched from her desk to a table.



Rosemary Wood demonstrating what happened

No one in court asked to have the MIT gap explained!

Three problems exist as to the moment of Sean Collier's death. First, as Nathan said, he rode past and did not observe any noises, as of gunshot or quarrelling, and saw no flash of a gun. Second, the patrolman David Sacco was in his office. He testified that he got a call from a male on campus, on the internal 911 line at 10.20pm. The caller said he heard loud noises. But he did not say exactly when they occurred. Sacco was not asked to comment.

Third, Sgt Clarence Henniger of the MIT police said that at 10.20pm he drove his patrol car past the place at which the death is said to have occurred, **but did not see or hear anything amiss.**

Update: Tom Fontaine's Research (November 15, 2017)

I've only today discovered the excellent work on Collier's death that has been done by Tom Fontaine. He shows us the police scans relevant to the 10.20pm event. It says:

Please note: This is an edited compilation of several Boston Area Police Departments scanner broadcasts from the night of April 18 and early morning of April 19, 2013. Key: voice of dispatcher is in *italics*; officers in the field underlined.

10:28 pm *We just got a call from a concerned resident. They heard some (trash) cans banging or something there in the [inaudible], in the north courtside there. They said they seen an officer "sitting out there" and they were just curious what the noises were.*

10:29 pm Car 3 4r, car 18 4r, receiving a call for an armed robbery at 711, 589 Mass Ave, standby. We have a

Hispanic male, black coat, black cowboy hat, and jeans, displayed a small silver firearm.

10:30 pm *[inaudible] ...location, officer down, officer down.*

10:32 pm *...what we heard was some kind of gunshots.*

10:32 pm *Car 1 and 2 if you can respond to 32 Vassar Street. Receiving reports of an MIT officer down at that location.*

10:33 pm Shots fired at 32 Vassar, at Main. Clear the air.

10:33 pm Yeah, the officer is down on Main, CPR in progress, gunshot wounds confirmed

10:34 pm Officer down. Come right now. PLEASE NOW!

10:34 pm *They're working it, they're trying to get them there.*

10:36 pm I want this area cordoned off. It's a crime scene.

10:40 pm Station 52 HP -- also please be advised, officer is missing his weapon.

10:41 pm Any updates on suspects? Any description?

10:41 pm *18, we have no suspect description at this time - nothing.*

10:41 pm All right, we're on the move. 18 going to 711.

10:42 pm Right, just before this call, there was an armed robbery at 711 and Central. White male, about 200 lbs., 5'11", cowboy hat, dark jacket, silver handgun shown.

10:42 pm That is not the suspect in this, as far as we can tell.

10:43 pm *MIT officer has been shot, suspect supposedly has his weapon. Occurred on Vassar and Main - unknown direction of flight.*

10:49 pm The MIT officers are going to go back and

check the surveillance cameras. MIT has two very good cameras and they are going to get a quick look at them and give us a good description. [Wow, lies in court!]

10:57 pm What I am getting is that the suspect should have blood on him. The officer is not in great shape, so if anyone sees anyone with blood on them, all units apprehend.

11:12 pm *Sir, request for SWAT to deploy with two canines.*

11:25 pm Control? There is a photo floating around of our possible shooter. BU gave it to one of our officers.

Dear Reader, the Hispanic man turned out to be Anglo, not Hispanic. His name is Daniel Morley. His dad works at MIT. I speculate that the robbery of a 7-11 store was cooked up to offer confusion or corroboration of the killing of Collier.

Please note what I'm saying here, O cops. I'm saying your mate Collier may have been killed as a "side show" – by police. Even if Morley did it, he was no doubt put up to it. I hear the 7-11 shop had a good picture of him -- yet no theft charges were laid. Moreover, he was confined to a mental hospital and even his Mom was not allowed to visit him. (Shades of the Martin Bryant case in Australia.)

Long story short: there's a lot of information that the jury was not privy to, and much "changing of the story."

And what of the fact that FBI is reported by many members of the public to have been seen swarming around the MIT campus hours earlier that afternoon? Sgt Henniger has only said that it was "unrelated"? Can you imagine.

Update: I've now heard audio by Mary Lou Lord who lives near the scene and who listened to police scans live that night. Her analysis is excellent. Find it at Youtube. There is also the matter of Sunil Tripathi, who may have been brought in as a Jahar look-alike and who (allegedly) died in April 2013.

7. The Amputees' \$60 Million Private Fund (published March 22, 2015)



Jeff Bauman, a tibia without a fibula: an anatomical impossibility

Outside the Boston courthouse, during this week's trial of Dzhokhar Tsarnaev, sit some of the amputees. Mention is not made that they have received more than a million dollars compensation. Families of the three deceased victims got \$2 million each.

It comes from a private (!) fund of \$60 million. The man distributing the money is Kenneth Feinberg who also gave out the 9-11 victims' payments. James Oliphant of the *The National Journal* interviewed Feinberg in August, 2013.

How Did Congress Choose Feinberg re 9-11?

Feinberg says he was chosen to distribute the 9-11 money because he had done similar work for the court settlement of **Agent Orange to Vietnam veterans** for \$52,000. The top payout there was only \$13K.

He also handled a court settlement of \$20 billion (yes, twenty thousand million!) for the BP Deepwater Horizon oil spill in 2010, in the Gulf of Mexico. The same man distributed, from a private fund of \$11 million, the payments to parents of Sandy Hook children.

Feinberg is also involved with compensation for the **Virginia Tech shootout – isn't that amazing — and the destruction of grandstands at the Indiana State Fair.**

(Note: Oliphant's interview with Feinberg, and Feinberg's book *What Is a Life Worth?* are my only sources for the existence of the various alleged payments.)

Does mention of the grandstand collapse bring to mind the prediction by Dr Richard Day in 1969? According to Lawrence Dunegan, MD, he heard Day say that, in future: **“Buildings and bridges would be made so that they would collapse after a while. All of this to contribute to the feeling of insecurity, that nothing was safe.”** Oh, my.

Congress had almost no precedent for doing what it did in setting up the 9-11 fund. I assume those huge payouts (*never mentioned by the media*) are a way to prevent lawsuits by those injured at the WTC site.

Of course it's possible that some of the alleged 9-11 plane passengers did not die and yet may have received the two million dollars. See Dean Hartwell's excellent writings on this. Kevin Ryan's *Another Nineteen* provides sensible suggestions as to who may have planned 9-11. Ryan uses, for example, the names of those who bought put options on United Airlines.

Note: Massachusetts takes part in the federal Victims of Crimes Act. In 2009, the US distributed 1.7 billion dollars nationwide of which \$7 million went to Massachusetts. It is used for a victim-witness assistance program as well as paying compensation (\$50,000 to \$180,000) to victims.

Many victims of the Marathon bombing gave a Victim Impact Statement at Jahar's sentencing hearing,

8. Shoot-out on Laurel St? Pick the Best Liar

(published January 27, 2016)



The arrest of Tamerlan, naked and unwounded, seen on CNN



Before arrest, he was face down on Mt Auburn St sidewalk being frisked. He yelled “Podstava”—Russian for “This is a set up”

What occurred when Tamerlan was taken to hospital? I’ve been pretty curious about this, as I know Tamerlan did not die from gunshot wounds. He was arrested in good health, and died in the custody of the FBI. You can see it on the Podstava video.

Whose testimony do you want to hear? I offer you four sources:

- the cop who fought with the criminal (assume for the moment that there was a criminal),
- an ambulance attendant who saw the wounds,
- a hospital director or similarly titled medical boss, or
- the lady who saw it all from her second-floor window.

Most of the quotes below appear at WhoWhatWhy.org. We are talking about the Laurel St scenario in Watertown. The time is just after midnight on the morning of Friday April 19, 2013. The Marathon was Monday, April 15.

The Cop

I think this quote was taken from a District Attorney's investigation (investigation? hello?). It says there was concern that the criminal **could be wearing an explosive vest**, endangering the life of any cop who touched him. I quote:

"Boston Police Superintendent-in-Chief **Dan Linskey** saw another gang officer holding Tamerlan on the ground and he ran over, worried that the suspect might be wearing an explosive vest — worried that he might blow up the cop. The pair began to strip the suspect's clothes. An ambulance arrived for the officer. And cops called for an ambulance for the suspect..."

Gosh! that's the first time I've heard of a *medical* stripping of Tamerlan. Let's put that to one side and move on.

The Ambo

This bit makes use of trial transcripts provided by Josée Lépine at: thebostonmarathonbombing.weebly.com:

"Michael Sullivan, a Boston paramedic ... was qualified to work in any of the 3 ALS ambulances fielded every evening by the City of Boston.

"Prior to an equipment breakdown, Sullivan's ALS ambulance had been directed to the Watertown area to be 'ready' after reports of the Laurel street gunfire exchange went out over the police scanners. [Don't you love a 'gunfire exchange?']

"Testifying for the defense on Trial Day 52, April 29th,

Sullivan described the wounds of the unidentified injured man he found already strapped down in the BLS A14 ambulance: “When I first got in the truck, I noticed that he had multiple trauma, and he had some -- and road rash.” [That is what your skin gets if you are dragged by a car. -- Jahar’s fraternal run-over, you may recall].

“The two police, in the ambulance, corrected the paramedic with 26+ years of experience. ‘No, no, no. *It was a blast-type injury from an errant explosive device,*’ he was told.

“He elaborates: ‘Some looked like they were apparent gunshot wounds, and others looked like shrapnel-type-appearing wounds.’ [Grammatically I think it should be ‘shrapnel-type’ *or* ‘shrapnel-appearing.’ ‘Shrapnel-type-appearing’ is hedging too much.]

“Sullivan described the patient, handcuffed and on his back, as combative, growling, rearing up, sweaty, pale, and resisting efforts to treat him. The man was suffering from shock and would allow only very limited medical intervention.”

Well you know how it is with Muslim terrorists. They can’t make up their minds whether to martyr-ize themselves, or run away to New York, or gives those cops a good punch-up.

The Big Cheese at the Hospital

Actually this source is a twofer: **Richard Wolfe**, MD, Chief of Emergency Medicine at Beth Israel Deaconess Hospital in Brookline and a **Dr Schoenfeld** of that hospital’s Trauma Team. (What do you bet they get extra pay for advising Homeland Security about weapons of mass destruction trauma type thing.)

“The trauma team immediately put a breathing tube in

Tsarnaev's throat, Dr. Schoenfeld said, then cut open his chest [with anesthesia?] to see if blood or other fluid was collecting around his heart. (The technical term is a thoracotomy, releasing blood from the chest cavity and possibly massaging his stopped heart.) He was also apparently given massive amounts of blood to replace what he had lost."

Frankly I don't know how a hospital would "apparently" give massive amounts of blood. Isn't there a written record? Don't nurses have to sign for something like that? How else would one get reimbursement from Blue Cross?

As for Wolfe, the boss, I have seen him on Youtube. A more self-confident person does not walk the earth (excepting possibly myself). Dr Wolfe is bearded and a bit grandfatherly. He testifies: "This was a trauma arrest, multiple injuries, probably, we believe, a combination of blast, potentially gunshot wounds."

Asked how many gunshot wounds, he said: 'Unable to count.'" I'll assume he means "countless" rather than a personal limitation on his ability to count.

"Wolfe said the injuries may have been caused by 'an explosive device, possibly shrapnel, thermal injury. It was pretty much throughout the trunk....' There were signs of more than just gunshot wounds. The person arrived at the hospital in (cardiac) arrest, he said."

The Lady at the Window

Finally – please remember I am preparing to tell you my method for picking out liars – there was a local who saw it all. "He was on his belly; he was moving," said **Jean MacDonald**, who was watching from her second-floor bathroom window on Laurel Street. "I saw [Tamerlan] trying to lift up his head."

WhoWhatWhy reminds us that another resident, from

“five doors down” had posted stuff right away but now is known only as **Jess Ica.** (Understandably, like carjacker Danny, you don’t want to be a witness against rough criminals.) She herself made a video.

“Her video captured the last minute of the gunfire exchange and ended after Dzhokhar ran the police cruiser barricade.” (I have not seen this.) She informs us:

“I was watching the news about the MIT shooting. I heard a car speed by really fast. Soon after, I heard three pops, like fireworks. The pops continued. There was an explosion...and gunshots.”

“There were two explosions, I did see one orange flare... Soon after the bullets stopped, a lot more police showed and an ambulance showed up and about 5-10 minutes after the ambulance showed up, someone was actually getting carried out on a gurney, just wrapped in a white sheet from head to toe. They were clearly deceased.”

Deceit and Self-Deceiving

Dear Reader, how are you going with these sources of the case against Jahar? Did you feel comfortable with Dan the cop, Michael the ambulance driver, the two docs at Beth Israel Deaconess, Jean the second-story lady, and Jess the video-maker?

Ever since I heard that 9-11 was not dinki di, rolled gold, true blue, I have realized that when they put on a show – Oklahoma City, Port Arthur, Washington sniper, Sydney siege -- they have to have, at the ready, a bevy of liars. I mentioned that Dr Wolfe is the only one of his group that I have seen, on the screen. Very persuasive. Could sell you the Sydney Harbor Bridge, no problem.

The ability to lie is an important part of human nature. And, as Randolph Nesse, MD, a leading sociobiologist

says, we had to evolve the ability to self-deceive, as we can be better deceivers if we actually believe the lies we are telling. Some animal species have this trait. *Homo sapiens* definitely has it and it is here to stay.

Last October I wrote about the Geelong Grammar music teacher who professed to the Royal Commission that he was absolutely unaware of events that we all know he must have been aware of (about another music teacher sexually abusing a student). I said I believed him: he truly *cannot* recall the events as it is extremely in his interest to block them out.

And the Winner Is...

So, naturally I'm not going to say that I accept one of these observer's reports of the criminal's wounds as opposed to others.

When observers give me a range -- road rash, blunt hit on the head, countless bullet wounds, a blast, the cut from a thoracotomy -- did I miss something, perhaps a pregnancy? -- I know they all have to be wrong.

The logic is that **if several are lying, there can't be one of them getting it right**. I would say this even if I had the impression -- which I don't of course -- that an actual shootout took place on Laurel St.

There is no point trying to compare the likelihood of the blast, the cut, etc. If even one person in the group says the boy ran over his brother (the road rash symptom), and other members of the group did *not* see the marks from that -- *and don't even mention it* -- we have to know the whole affair is a gross fiction.

Don't we?

9. I Was in Prison and You Visited Me *(published April 25, 2015)*



Jabar in a holding cell. Note the facial bruises.

The Sydney Morning Herald online tells us that the mother of Sean Collier, MIT security guard who was reportedly killed by Tsarnaev, has post traumatic stress disorder from seeing her son's dead body. That and coverage of the suffering of other Marathon victims was headlined "Lawyer's Trying To Explain Rude Gesture."

Unbelievably, they are referring to the fact that the 19-year-old prisoner gave the finger to the lens of a camera.

One newspaper actually said that the jurors were was "stunned" when they saw it. That is not humanly possible in the Year of Our Lord Twenty-fifteen. I suggest that the people of Boston would be stunned if a lad of that age did NOT give somebody the finger after being (totally illegally) bullet-wounded by a veritable army of cops.

Were they actually cops? Soldiers? Mercenaries? Nobody seems to know or care. In case no one remembers: Tsarnaev was "wanted." This means he can be apprehended, not killed. He wasn't a runaway prisoner at the time he was found on the boat, 18 April, 2013. He had not been charged.

But even fugitives deserve to be apprehended alive. They also deserve a chance to tell their side of the story. I'd love to hear Jahar's side. The photo of him is dated 10 July, 2013. He ain't lookin' too good. The spin, on the story was that the finger episode was being used in Court to suggest that Jahar is "**defiant towards the US.**"

The defense lawyers – and believe me I am using the word 'defense' here only *pro forma* – said that he may simply have been having a quarrel with someone. If it is a CCTV camera, they presumably saw what happened before the finger came up. I mean there is a Jeremy Bentham pan-opticon at all times, isn't there?

Please don't call me a convict-sympathizer. I want all properly convicted persons to get what they deserve. That is, a loss of liberty. As far as I am aware, the law lays down specific punish-ments for crimes and these always consist of fines or prison terms.

(There may be a sort of substitute punishment called 'community service,' or perhaps a mandate to take a corrective course, such as regards drunk driving).

Since we have rule-of-law, there can be no punishments other than what the law specifies. I understand that if a prisoner be unruly, she might lose some "privileges," such as phone calls or exercise time in the yard. But other than loss of liberty, **no punishing of the person is legal.**

Which is to say it is illegal. Most likely it is criminal on the part of the person who is doing it. By the way, putting on the front page of newspapers, and the worldwide web, a picture taken of someone in their prison cell is quite the violation of privacy. Are we all losing our grip?

I have a friend from China who did not really know what goes on in Chinese prisons until he got to Oz and was able

to watch Youtube. He called my attention to a video: “The Women of Masanjia Labor Camp” about torture. You should see it. (It has English subtitles.)

Wickedness aplenty goes on in Western prisons, too. Abuse of prisoners, including sexual abuse, is becoming common-place, isn’t it? I’ve heard that male-male rape is ‘policy.’ We know from the Abu Ghraib photos that it was policy at least on some occasions, as was rubbing excrement on persons.

Naturally our prisons will become sadist territory if no one speaks up. The following is from an article I wrote at Rumormillnews on November 15, 2014:

Getting a little bit short with Roman Catholicism these days. Why doesn’t “the Church” speak out against the evils of our time, such as torture by democratic regimes? What about the acceptability of lying? Can’t Holy Mom Church say “Enough already with media spin, and go wash your sorry mouth out”?

Why don’t curates use the pulpit to give kids a bit of the old fire and brimstone routine about their disgraceful treatment of their parents? My main beef is that clergy don’t tie in obvious messages from the Gospel anymore. I am so sick of reading what goes on in prisons. For instance, the one at Vacaville, California would put Japan’s war criminals to shame for human medical experimentation.

In my “CDC” class – nah, seriously, I didn’t have to get “released time” to go to Christian Doctrinal Class. I was holding the fort in parochial land from grades 3 thru 12 and then, yes, college. Anyway, in catechism class we heard this:

“I was hungry and you fed me; I was thirsty and you gave me to drink. I was sick and imprisoned and you visited me.” It’s at Matthew 25:36.

It led to rules of the Church, in which we became obliged, I repeat obliged, to do such things as visit the sick and the imprisoned. Well I'm old and I have yet to visit a prison. I visited Port Arthur prison in Tasmania after it was abandoned.

This is terrible. The Church should have organized a bus every Saturday for parishioners to go do their duty. What a difference that would have made to our sense of what life is like in a place where cruelty can't be seen, where you are fair game for all bullies and perverts and sadists.

Not to mention pan-opticon operators. Do you know what a stun-belt is? Apparently Jeremy Bentham would approve. The prisoner has to wear it and the tasing can be done randomly at night. Kind of puts you off your sleep not knowing if or when it will occur.

Jahar Tsarnaev is under restrictions known as Special Administrative Measures, totally unconstitutional, that came about with worldwide legislation of the anti-terrorism business. Recall Lynn Stewart a civil rights lawyer (isn't every lawyer a civil rights lawyer?) whose client was one of the '93 WTC bombers. She was arrested for passing his message to someone outside the prison.

This could only have been meant as intimidation for all lawyers -- who apparently fell for it.

By the way, her jailing is the fault of citizens for not arresting the real bombers of 1993, namely the FBI. They have admitted it was a sting. Three Arabs are still in jail for it, and so was Lynn.

She was released in 2013, age 74, on compassionate grounds: terminal cancer. I might point out that *her* sentence included punishment for perjury. That's the Gospel truth.

10. A View of Jeff Bauman and Martin Richard



*Martin Richard (2004-2013) of Caruth St, Dorchester,
with poster: "No more hurting people. Peace."*

It's possible that some readers of this book who see the name Jeff Bauman on the Table of Contents will come straight to this chapter to take my measure as to the conspiracy-theory stuff. I'll now say briefly what I subscribe to, and then discuss methods of propaganda.

I think Jeff Bauman had his amputation before 2013. It could have been from a car accident, military service, or anything. I am sorry for his trauma.

And since I think he is therefore a "crisis actor," it follows logically (to me, anyway) that all the media that make a big deal of him are *in* on the hoax. The purpose of hiring an actor for such a thing must have been to create a story, a big emotional story.

You see that I have used the word "hoax." I am not a general hoax subscriber. I do not think that either the Marathon bombing or the Sandy Hook massacre was a hoax in the sense of "didn't happen at all."

Not that I am in a position to go and sleuth it out. For the record: I firmly believe the children died at school that day.

Montse, Dr Monteith, Lorraine Day, George Maxwell

A lady who lives in Barcelona, Montse Alarcón Flix, badgered me into accepting part her belief. That is, via e-mails, she made me pay attention to Jeff Bauman and I am grateful to her. Montse thinks every injured Marathon victim is a crisis actor and every one of the three fatalities: Martin Richard, Krystie Campbell, and Lu Lingzi, is either a fictitious person or isn't actually deceased.

The background to my willingness to listen about Jeff – reluctantly -- is the fact that I was already very sceptical about the Tsarnaev story. From the day I heard of the bombing I was sure the “Muslim terrorist” angle was governmental propaganda.

(
Please see Elias Davidsson's book *Hijacking America's Mind on 9-11* as to the proven fact that “Arabs” did not attack the WTC.)

By the way, Muslims *did* attack the World Trade Center in 1993; they blew up the basement parking lot and caused much damage. This was later revealed to be an FBI sting operation. In other words, Muslims were recruited to do it. Remarkably one of them, Salem, recorded the FBI chatting!

Back to Montse, whose friendship I gained by saying, in a publication, that I wish Guatemalans in Boston had access to my criticism of the Jahar trial. She then offered to do translations of key documents into Spanish and that is how this book happens to have a touch of *Español* in it.

I still do not accept Montse's across-the-board beliefs about hoaxes. However, she sent me tapes of Dr Stanley Montieth, a surgeon, saying that he has done many an above-the-knee amputation and can see that Jeff already **had no lower legs** on April 15, 2013.

Dr Lorraine Day, an orthopedic surgeon, also said Jeff is a fake and that his orangey color of blood is visibly wrong. If my husband George, a doctor, were still alive, I'm sure he'd be willing to comment on the blood color. It is beyond sad that more doctors don't come out and talk, even to challenge Dr Lorraine Day's analysis.

Please go to this book's bibliography -- it shows that I duly bought the book *Stronger*, by Jeff Bauman. Up till that point I was unaware that the traumatized Jeff claims that he told the *ambulance driver* that he "knew who did it" -- Tamerlan.

The life history of Jeff's cowboy-hat helper, Carlos Arrendondo is also wild. Jeff must be part of a psy-op.

Alex Jones, Peekay, Conspiracy, and Censorship

Back to the subject of my involvement with conspiracy theory. I have no embarrassment in saying I believe in this or that conspiracy theory. I have a PhD in political science and of course that field takes for granted that the human power structure depends on deceiving people.

Lying in order to get power is standard office procedure. Also, since the writings of Edward Bernays in 1928, the field of advertising and public relations has specialized in testing people to see what they will believe. It is well established that humans respond sub-rationally to *symbols*.

Thanks to the exposure of the government's role in the 9-11 tragedy, a "conspiracy community" now exists. It is dependent on independent (non-MSM) websites and videos. I am a participant, via GumshoeNews.com and my own Youtube channel. I don't like the style of Alex Jones or Peekay, but so what. Many people find them helpful.

But all of this invites censorship, and legislation to stop the free-speech of the Internet. Congress passed the 2017

Defense Authorization Act with a sneaky rider that can *criminalize* the *exposing* of government *crime*. Yes.

Martin Richard

So, did Martin Richard stand near the Forum Restaurant on “Patriot’s Day” with his Mom (Denise) his Dad (Bill), 6-year-old sister Jane, and 12-year-old brother Henry? Did the bomb cause sister Jane to lose a leg and Martin to lose his life? I don’t know. The *presumption* is initially Yes.

Note: if it turns out that the Richard family story is not genuine, it’s reprehensible that someone recruited children – Jane and Henry – into public lying. Wow.

I’ll now mention a few *clues* that could mean there is hoax involved. And I’m sorry if I’ve got these wrong. (The family can contact me and I will make a noisy apology.)

1. A first clue is that Jahar’s trial shows prosecutors and defense lawyers acting so fantastically outside of the norm of behavior for a courtroom, that one is inclined to ask “If *they* are performing a play, why not everybody else?”
2. Someone has hypothesized that Henry is truly the son of the Dad, Bill Richard (they look alike), but that the mom-daughter pair, Denise and Jane, are unrelated to them. In this theory Dad had only one son, Henry, and the still photos we saw of Martin are inserts of old pictures of Henry.
3. I saw a photo of Martin at the Marathon in which his hands are too big and maturely shape to be that of an 8-year-old. So at least *that* one picture *was* photo-shopped.
4. I have read a story in the mainstream media of the UK in which little Jane’s ballet teacher says Jane attends the Clifton Academy in Milton. There is no Clifton Academy in Milton. Maybe that is the name of the ballet school?

5. A trusted friend told me that she read the court transcript of Bill Richard's testimony at Jahar's trial. When the prosecution lawyer Nadine Pellegrini asks "How long have you been married?" Mr Richard replies "You told me you weren't going to ask me any trick questions."

I think that sounds pretty suspicious. Sure, men famously forget their wedding anniversary date, but Bill has a 12-year-old son and would at least know that he and Denise got married a certain length of time before Henry's birth.

6. Being an OFD ("originally from Dorchester"), I know the St Mark's parish scene pretty well. I did not hear anything about a funeral for Martin in St Mark's church. Not that this would prove anything – when hoaxes are happening they can include a funeral.

Recall Operation Northwoods in which the US planned to crash a fictitious plane near Cuba, and hold fake funerals. The declassified memo was signed by General Lyman Lemnitzer, Chairman of the Joint Chiefs of Staff. It says:

"The desired resultant from the execution of this plan would be to place the US in the apparent position of suffering grievances from a rash and irresponsible government of Cuba." [See Exhibit E of this book for Northwoods memo.]

7. This one is a stretch, but look at the sign Martin (or Henry?) is holding in the picture: "Stop hurting people." It does seem very convenient that there would be such a sign.

We know that Tavistock, the master planner of psy-ops, instructs the MSM to immediately produce emotional stories after a disaster as this causes the brain to imprint the information deeper.

Indeed, within 24 hours there always seems to be a TV newscaster telling us about a hero story. And if you read the bio's of the victims of 9-11, each was a *wonderful* person.

What If They Get Caught in Their Lies?

You may say “These hoax theories can’t be correct as the persons retailing them would be too afraid of being outed as liars.” Apparently that’s not a problem. During Jahar’s trial no one looked ashamed at saying he was holding a black backpack when everyone could see it was white.

Remember the fable of the Emperor’s New Clothes? It is enough that your neighbors all say *they* see something. It makes you worry that you’d be called a mental case if you differ. I even think the black-white issue may have been built into the Jahar scam *in order* for its egregiousness to be exemplary, and to frustrate those who do see it’s white.

It is also true that nothing happens when liars *are* caught. The nature of our government is that the politicians (in Australia they’re known as pollies) are supposed to speak for the people. The president is supposed to be our leader. This makes us automatically trust and honor those men.

We don’t want to face the fact that they may actually be criminals and psychopaths. What a fortunate protection for them! The emperor sure has beaut clothes! I think it’s urgent for us to learn some simple psychology about our vulnerability to these tricks and to symbols.

In Australia I have been attending the inquest of Sydney’s 2014 terrorist incident, in the Lindt Café. Inquests and royal commissions tend to be whitewashes. They create the *impression* that many details have been investigated.

Just last night I learned that police had a Listening Device in the ceiling of the Lindt Café and thus knew what went on, and what each person said. Yet throughout two years of hearings the coroner’s staff has been speaking as if we didn’t know what the Muslim terrorist, ManHaron Monis, was doing in the café. Is that amazing? See my book, *Inquest*.)

What To Do about Bella Vista

Australia also had a small incident with big consequences. In September 2015 a Navy man was attacked in Sydney's Bella Vista district by two "Middle-Eastern-looking men." He reported it at 6.30am and the media spread it about all day. That very evening, federal parliament voted in some new anti-terrorist laws. A day later, the alleged sailor *withdrew* his claim. There had not been any attack.

My editor at Gumshoe News pressed the police on it until they said "We don't believe it happened." But wait, where is the punishment for the police who gave the false story to the media, and the media who broadcast it? Where is a new policy to stop parliament being fooled like this?

Here is the issue – it is not that Oz did a naughty thing to the people. It is that **we don't have a way to deal with it**. This is so important to understand in Boston, too.

We grew up to think solutions could be found by tapping the institutions: church, Congress, the prestigious press. But those institutions are now filled with yes men. So is Academia, which is pretty hilarious: Socratic yes men.

I claim it won't do to write a million books about it, or to rant all day on the Internet. We have instinctive shyness about our leaders. Of course we have been taught that all action must be non-violent. *Quel* joke. We sit there and watch mesmerized while police become **militarized**! Are we the enemy? Obviously we, the folks, *are* the enemy.

I have an idea. Seppo's (friendly Australian term for Americans) tell Aussies what they should do about the Bella Vista hoax and Aussies will say what to do about Marathon.

Delio?

11. How Did They Do the Bombings?

A Birdie Told Me (published September 1, 2015)



1995 Oklahoma City bombing for which McVeigh was executed

I believe that the following three bombing incidents were Inside Jobs, that is, carried out with governmental assistance: the Oklahoma City bombing on April 19, 1995, the London Tube bombings on July 7, 2005, and the Boston Marathon bombing of April 15, 2013.

Needless to say I can't prove Boston. I lack any confessions from the guilty, videotapes of the planting of the bombs, or eyewitness whistle blowers from within the judicial system. But let me walk you through my hypothesis by asking: "What is needed to create a fake bombing?"

A government would need:

- A team of experts in production and usage of bombs
- A story, believable to the public, of how a foreign group, or ideologically motivated individuals, did it.
- A set of media reporters to announce, some aspects of the event, initially leaving a few questions unanswered
- A very compliant police administration to support "the story" about the way the bombings were accomplished
- A national government agency that could see to it that

- anyone arrested would be taken to the right place
- A collection of evidence against the arrestees, such as:
 - receipts proving they purchased weapons material,
 - phone records showing they conspired with others,
 - pals
 - to declare that they had discussed their motives, and
 - videos of them apparently attending the crime scene.
- A control of all courts such that judges would speak out themselves or allow witness testimony to uncover the truth.

Top-of-the-Crop Coordination

At the outset, we can see that a government is in a perfect position to manage all of the above. I wager that if the government of the United States wanted there to be a bombing in Chicago next month, they could carry it off flawlessly.

A large percentage of American citizens would believe the narrative. Even those who were sceptical would not make much of a dent in the carefully generated impression that the named terrorists were involved in the events.

This is primarily because the human brain can't picture the leaders of the nation, the police, or the courts, as harming the people. "Why would they do such a thing?" Even the 'prestigious' media is assumed to be fundamentally benign. "They care for us."

There is also the (apparent) impossibility of bringing government people to book, should the public become aware that Government caused the bombings. In London, you can't very well call Scotland Yard to report that Scotland Yard has done the Tube bombing. (Well, maybe you can, and should, but it's counterintuitive.)

Now consider the possible involvement of the Emergency Medical Services at the Marathon.

This is from **Globalresearch.ca**, by Professor James Tracy: *Ortega*: We did a poll here at The Daily Journalist and the results indicated that 60% of people believed there was US government involvement in the Boston Marathon bombings, in addition to the events of September 11, 2001.

Tracy: It is cause for optimism because the US government was almost without question involved in the Boston Marathon bombing and the events of September 11, 2001. Major media were also complicit in acceptance of the official narrative put forth concerning each incident.

New York Times played a key role in persuading the nation's professional class and intelligentsia that a terror drill **using actors**, complete with a multitude of gaffes and outright blunders, was genuine. In reality there were no severed limbs, no deaths, no injuries from shrapnel—only pyrotechnics and actors responding on cue. This is not only my view, but also that of multiple independent researchers and even former CIA officer Robert David Steele.

The FBI is well-known for entrapping and otherwise orchestrating such events to justify its own existence. A plan for what would become the Boston Marathon bombing was authored by Director of Boston's Emergency Medical Services Richard Serino in 2008. There are photos of him directing the aftermath of the 2013 "bombing." [Emphasis added]



Richard Serino, of Emergency Services



A person at Marathon

Richard Serino's Pedigree, as it were

(from **The Forum** at Harvard's School of Public Health)

Mr. Serino was a panelist for the Forum's discussions on Big Weather and Coastal Cities and Building Resiliency in an Age of Terrorism. Serino, former Deputy Administrator of FEMA. [Now] a Distinguished Visiting Fellow.

Serino brings more than 40 years of experience in disaster and mass casualty incidents and leadership and innovation in government. He has received more than thirty-five local, national, and international awards including the Meta-Leader Award for his work in the response to Super Storm Sandy.

Serino has more than 35 years of state and local emergency management and emergency medical services experience. Prior to his appointment to FEMA, he served as Chief of Boston Emergency Medical Services and Assistant Director of the Boston Public Health Commission. [but he's not a doctor]

In that role, he bolstered the city's response plans for major emergencies, including chemical, biological, and radiological attacks. He also led citywide planning for **H1N1 influenza**.

Serino has served as an Incident Commander for all of Boston's major planned events, including the Boston Marathon, Boston's Fourth of July celebration, First Night, and the 2004 Democratic National Convention.

Since 1998, Serino has been a National Faculty member for the Domestic Preparedness Program. He was an original contributing member for the Defense Department's Domestic Preparedness Training Program and Metropolitan Medical Response System. [Emphasis added]

How To React?

Will it help to go shouting to the office of *The Globe*? No. The folks there clearly know that the story they have printed is false (as they know where the “facts” they used came from) and thus the editors must be knowingly in cahoots with Government operatives.

Could you go to your Congressman? There are a few honest ones but they need protection. In the UK, Robin Cook resigned as Speaker of the House of Commons to protest the invasion of Iraq. However, 30 days after the London 2007 bombings, he passed away (suddenly, at age 59, while hiking), so couldn’t comment on that event.

How about going to the mayor or governor? In 2013 the mayor of Boston cancelled the trains and the governor played a full role on the lockdown.

Can you make your complaint to some judges? Maybe. Priests? Maybe. Academics? I don’t think so, but maybe.

Sometimes Mistakes Leak Out

In the following 3 bombings, numerous items engendered doubt about the alleged criminals’ participation – or provided insights into government’s participation, whichever way you prefer to look at it. Examples:

1. On the very day of the London bombing, Peter Power of Visor Consultants stated on radio that he was running a “drill” for an explosion at the *very same* Tube stations that experienced the real thing.
2. In the OKC bombing, a city cop named Terrance Yeakey had found explosives *inside* the building (contrary to the story of all the damage having come

from Tim McVeigh's Ryder truck outside). Yeahey, a happy Dad of two little kids, then "suicided."

3. Someone posted on Youtube, way back in May 2013, the Podstava video of Tamerlan Tsarnaev face down on the sidewalk in custody of police. He had no gunshot wounds, so could not have been killed in a shootout with police as the story boldly alleges.

Stop Blaming the Patsy

It's time we moved into the next phase of our public life in which we stop saying stupid things like "Oswald killed JFK." All the necessary data has been available for a long time to prove that the patsy was a patsy. Congress's House Select Committee on Assassinations aid in 1998 that the killing of the president was a conspiracy but this is rarely publicized.

(See Richard E Sprague's *The Taking of America – 1, 2,3.*)

Let's grow up real fast and never again say "Three Muslim boys blew up the London Tube in 2005;" "Timothy McVeigh blew up the Murrah Building in Oklahoma City in 1995;" and "The Tsarnaev brothers blew up the finish line at the 2013 Boston Marathon."

I believe we should even stop slogging away at sleuthing in an effort to collect a mountain of evidence to prove that the FBI did it. (Or, for London, that MI6 did it.) Who needs a mountain? And what good would it do?

We already have enough data. It is unimaginable that amateurs could pull off any of the events. It has to have been highly coordinated. All the cases are so similar!

Please do what you can to put this business on a new footing.

12. Collateral Damage -- Five Deaths So Far

(published October 29, 2015)



Ibragim Todashev (died at age 27)



Sean Collier (died at age 27)



Angelo West (died at age 41) Dennis Simmonds (died at age 28)



(R) Tamerlan (died at age 26), (L) Jabar, 22, is on Death Row

Sean Collier, campus police officer, can be considered the first collateral death in the Marathon case. **There are at least four more, or seven if it should ever be determined that “a drug related murder of three men in Medford” was an arranged death,** having to do with the FBI’s need to blame Ibragham Todashev for a crime.

(Todashev’s posed a threat to the prosecution of Jahar, as he may have been able to expose the FBI’s machinations with ‘informants.’)

In addition to the aforementioned Sean Collier, the deaths include Tamerlan Tsarnaev, Ibraghim Todashev, a cop named Dennis Simmonds, who died a month later of an aneurysm (see below), and a “shooter” named Angelo West, who shot a cop in the face. Which cop? John Moynihan, age 34, who almost died, but recovered.

Deaths of Tamerlan in MA and Todashev in Florida

It is not disputed that an FBI officer shot Todashev to death in his home in Florida; his supervisor acknowledges that he did it, albeit in ‘self defense.’ (Oh, come on.)

I consider it equally plain and straightforward that the FBI killed Tamerlan Tsarnaev after taking him into custody. **Any talk of his having died in a shootout with the Watertown police is a lie.**

Not only is it a lie, but it changed several times. For example, it was first reported that the younger brother, Dzhokhar, ran Tamerlan over with an SUV — a *carjacked* SUV, of course. Carjacking is getting to be diagnostic of false-flag shoot-outs!

The Boston Globe reported this shamelessly. Couldn’t anyone in super-educated Boston realize that with two brothers surrounded by well-armed cops, **the younger one would never have been able to “drive away”?**

In any case, as seen in my ‘Podstava’ video on Youotube, the police or the **FBI arrested Tamerlan while he was in good health, no wounds**. His mortuary photo shows that he was subsequently roughed up. I am sorry for his widow and his parents and siblings to have to see it.

Simmonds, a Year Later, Almost to the Day

The third person I name as a collateral death is Dennis Simmonds. I quote ABCNews.com:

“Simmonds, a Boston patrolman, was among the officers who engaged Tamerlan and Dzhokhar Tsarnaev in a shootout in Watertown on April 19, 2013, days after two bombs exploded at the Marathon finish line. **Officials said** Simmonds sustained a head injury when he was struck by shrapnel from an explosive device **the suspects detonated.**” [Emphasis added]

I repeat: in the above scene we have two brothers surrounded by cops – an overwhelming force arrayed against them — yet they supposedly had the chutzpah, and the skill, to aim an “explosive device” at the cops. What nonsense. Picture it! ABC News says:

“On April 10, 2014, Simmonds, 28, collapsed while working out at the Boston Police Academy gym and died at a hospital.... ‘**A young kid like that doesn’t just die ... without something causing that,**’ Police Commissioner William Evans said after Friday’s ceremony. “There has to be a nexus to it.” [Emphasis added]

To which I can only say ‘Agreed in full.’

Angelo West and the Facial Injury of John Moynihan

Having listed Collier, Tamerlan, Todashev, and Simmonds, it remains to explain the death of Angelo West. This is a bit confusing as it involves *two* heroic cops who almost died but unexpectedly recovered. Let’s start with

Richard Donohue. According to Laura Crimaldi at the *Boston Globe* (I am going to assume there really is a Laura Crimaldi at the *Boston Globe*):

“On the same day a federal jury sentenced Dzhokhar Tsarnaev to death for the 2013 Boston Marathon bombings [*viz*, April 8, 2015], the Transit Police officer who nearly died in a shootout in Watertown was promoted to the rank of sergeant.

“Richard ‘Dic’ Donohue Jr.’s parents pinned the new sergeant during a ceremony Friday morning. His promotion came several hours before the 21-year-old Tsarnaev learned his fate. ‘Just over two years after the events that impacted us as a community and a nation, we can finally close this chapter in our lives,’ Donohue said.”

So the first hero for this part of our story is Richard Donohue. Good for him. (**Incidentally I can’t see why a Transit Police would be involved in the famous shootout in Watertown, which, to repeat, never happened anyway.**)

So how does Moynihan come into the story? (And from Moynihan comes the Angelo West sub-story.) I quote the Associated Press of March 28, 2015:

“Moynihan is a former Army Ranger and Iraq veteran who was honored at the White House last year for being one of the first responders in Watertown following the April 2013 gun battle with the Boston Marathon bombers. He helped save wounded transit police Officer Richard Donohue. **Donohue was shot in the leg and nearly bled to death when police tried to apprehend Tamerlan** and Dzhokhar Tsarnaev.” [Emphasis added]

Are you with me? So far the beauty of Moynihan, as far as the PR aspects of this story are concerned, is that he, an

Iraq veteran, helped a man, Donohue, who might otherwise have died on April 19, 2013 in Watertown. That is, Moynihan is hailed as a first responder for the wounded Donohue. **All of this during the non-event in which the Tsarnaevs threw no bombs and did not commit fratricide with a carjacked SUV.**

Angelo West and a ‘Traffic Stop’

Now then, this hero, John Moynihan, pulled a guy over, as one often does on the road. It was March 27, 2015. Angelo West was DWB (driving while black) in Roxbury, Massachusetts. Again, listen to the Associated Press of March 28, 2015: “Angelo West, 41, died in a gunfight with police after shooting Boston Marathon hero cop John Moynihan in the face during a traffic stop.”

Maybe we shouldn’t interrupt the narrative to inquire about there being yet another “gunfight with police.” The AP continues:

“Moynihan and five other gang unit officers in two cars had stopped a car driven by Angelo West, 41, as they investigated a report of shots fired. Police Commissioner Evans said West shot Moynihan as he approached the car, and the other officers fatally shot West when he continued firing at them as he tried to run away.”

I guess Angelo was running backwards. Or maybe he knew how to run forward and yet direct his fire backward? Amazingly we are told:

“Prosecutors said West had several gun convictions, including one that involved firing at police in 2001.”

I really did not know you could fire at police in 2001 and not be pushing up daisies in 2015.

Isn’t it **policy** these days — perhaps starting with **the shooting of Brazilian Jean Charles de Menezes** on the

London tube? (de Menezes had been WWE — Walking While Ethnic). Many reports related to the Marathon seem to say that if a baddy is on the loose (e.g., Dzhohkar in the boat), **the authorities should assure their death rather than effect their capture.**

Anyway, there is a spot of good news: **“District Attorney Daniel Conley said his office will investigate West’s death as state law requires and the investigation will be ‘completely transparent.’”** Excellent.

The Donohue-Collier Connection

One more thing. Recall that Donohue isn’t on the list of five collateral deaths, as he is happy to be alive. He said so. According to Laura Crimaldi:

“Donohue, 35, reflected on his first day back in uniform in March. He said he was greeted by 5,300 unread e-mails and “a lot of hugs and handshakes.” ‘My son has perseverance, strength,’ said Consuelo Donohue, who wore a blue dress and yellow scarf in a nod to the ‘Boston Strong’ colors.’ [Imagine it! Colors for this event!]

“The firefight in which Donohue was injured erupted on April 19, 2013, after Tsarnaev and his older brother, Tamerlan, shot and killed Massachusetts Institute Technology Officer Sean Collier, 27, as he sat in his cruiser on the Cambridge campus. **Collier and Donohue were friends and attended the police academy together.**” [Emphasis added]

“Donohue was revived through a series of blood transfusions and spent a month in the intensive care unit. “Sometimes I think about how crazy it was and how lucky I am to be alive,” Donohue said. “You just think, ‘Wow. That was close.’” [Again, agreed in full.]

Concluding Guesses

Of the five collateral deaths, I have no special interpretation for that of Sean Collier. (Though I can cite many instances where **a patsy's alleged attack on his main target is 'foreshadowed' by an alleged hit on someone other unfortunate victim**, frequently a family member – this is done so the public will demonize him.)

The other four seem easily explained. Tamerlan had to go, so that Bostonians could never hear him interrogated. Citizens would chuck out the Marathon bombing as a typical false flag. **Todashev, too, needed silencing, as he knew of the Tsarnaevs' likely innocence.**

Dennis Simmonds may have objected to having to lie that he participated in 'the Watertown shootout.' So he got an aneurysm and passed away in the police gym. If by any chance a request had been buzzing around, for cops to speak up about the falseness of the Watertown thing, **Simmonds' death would be a sharp warning not to proceed.**

Note: I'm only guessing. It's possible he died naturally.

Regarding Moynihan, I again see a potential whistleblower being 'taken out' – although he unexpectedly survived the shot in the face. Moynihan's war service may be relevant here. **Other veterans, whom we sometimes learn are furious about a lot of things**, may have been approaching Moynihan to come clean about the Boston Marathon.

So he had to be silenced. (I wonder, will I myself be silenced? I sure do a lot of yakking about the travesty of the Tsarnaev court case.)

See my video "Massachusetts Governor, please arrest the FBI." We filmed it "on location" at the Sydney Opera House. Seriously.

Anyway, Moynihan did not die of the face shot, nor did Collier's classmate Richard Donohue of the bleeding leg. So that's nice. But **a patsy would need to be conjured up, to explain Moynihan's injury.**

According to the police report, having been traffic-stopped (over another matter), West got killed by cops for shooting the established hero Moynihan in the face.

So I've chalked up Angelo West's death as collateral to the Marathon. Again, I'm only speculating. Maybe there was some other, genuine cause for that traffic stop, and the driver then went wild. Recall that "a transparent investigation" has been promised, so you can check up on that.

(Daniel Conley, *elected* DA of Suffolk County, looks like a nice man. And he may well be wishing like mad that you would call him about the Angelo West death. Please do.)

Cough It Up

I believe **collateral deaths are all in a day's work** for the media and the authorities. Indeed the Marathon body count of five is quite low compared to other covert operations. Google for "Clinton suspicious deaths" or "Bush suspicious deaths."

Gee, Cops, there's plenty of work for you if you'd like to become real law enforcers! **And you still need to find the killers of the three people who died at the finish line, eh?**

If you already know who they are, are you able to tell the people of Boston? Hop down to my house and whisper it to me. Or I can meet you on the blue Danube or wherever. Or just write it as graffiti on a bench in the Boston Common.

We need you! The situation is dire!

13. Letter to Massachusetts Attorney General Maura Healey, Regarding the Death-in-Custody of Tamerlan
(published September 13, 2015)



Atty General Maura Healey



Joan of Arc, War of the Roses

An open letter from Mary Maxwell, PhD, LLB

Dear Madam Attorney General,

I live in Australia but I am a native of Massachusetts. At the moment I am very concerned about a problem in Massachusetts. I wrote to Governor Charlie Baker about it, but later realized you are the key person to contact.

The problem in a nutshell is this: someone murdered Tamerlan Tsarnaev in April 2013 while he was in police or FBI custody. As you are the chief law enforcement officer in Massachusetts, this problem falls to you.

Please do not pretend you don't know about the death. Granted, the public was told by CNN, *The Boston Globe*, and every other media outlet that Tamerlan himself fired a gun at police and was killed in self-defense by the police.

Or – the alternative story – that his brother accidentally dragged him via the wheels of an SUV. It is not true at all. It is a pack of lies.

You are holding a very difficult and scary job. I assume that if you make a wrong move “they” will harm you, or

more likely your loved ones. Judging from what was revealed in Whitey Bulger's recent trial, there is an Irish mafia in Boston just as likely to commit hits as is the Italian mafia.

That is not to say that ethnicity is of any relevance here. The fact is that some powerful people at the top of the US, or more likely the top of the world, now have the ability to kill, and lie, almost as if these were not forbidden behaviors.

It is simply becoming the norm to act as violently as one wishes, and for a torrent of words to pour forth from the media, to cover it up.

Maybe it would have been good for you to campaign on that very issue! But you, instead stuck with the old chestnuts. Your website said:

"My experience, drive and vision for the office make me the best candidate ... I have been on the front lines fighting for fairness, equality and justice This requires being proactive. I am deeply committed to fighting corruption."

Back to the subject of the power of some (unnamed) persons. I hope you have read an article that appeared on Paul Craig Roberts' website on August 18, 2015. It reveals an affidavit filed with the US Federal District Court by Maret Tsarnaeva, who is a lawyer, concerning the way the defense team of (her nephew) Jahar interacted with the family in Russia.

Suffice it to say that the result of the visit of the defense team was that the parents were threatened into signing a letter to Jahar "or else." The parents then duly wrote to Jahar. That is, they signed a letter that the defense prepared, instructing their son to confess. That is why he "apologized."

I'll quote what Maret Tsarnaeva said, under penalty of perjury, about visit by a woman named Jane, a social

worker who had dealt with Dzhokar (at the Fort Devens brig, I believe): Charlene, an independent investigator from the US defender's office who was sent to Russia by the defense team.

(Update: Charlene died recently, in 2017)

Maret said:

"I was not present but my sister Malkan, revealed to me [immediately] the details of the conversation. She ... has authorized me to state for her that Charlene stated flatly that the federal public defender's office in Boston knew that Dzhokhar was not guilty as charged, and that their office was under enormous pressure from law enforcement agencies and high levels of the government of the United States not to resist conviction."

So, Madam Attorney General, does it get any worse than this? Have you any jobs to perform that are more pressing than the possible counteracting of what has happened in the Tsarnaev case? And can you furnish safety for one Massachusetts citizen today, namely Jahar Tsarnaev, who is at the tender age of 21?

They might knock him off in the federal Supermax prison, you know. It could easily be done by a so-called "suicide." Think of Slobodan Milosovic's convenient death in prison at The Hague. Not that our state has a clean record. Albert DeSalvo was stabbed to death in the most secure part of Walpole Prison.

So how to accomplish your mission? Well, first let's talk about you. You have made a big deal of being a member of the LGBT community, and you have also spoken of glass ceilings. I think your philosophy or ideology contains a plank that says gender should not matter, or that women are to be considered the same as men.

Being a Republican conservative myself, not to mention being a Wilsonite sociobiologist to the core, I think gender does matter and also should matter. I think "la difference"

is one of the great features of human life and I regret that men are being advised by contemporary culture that their services are no longer required as protector of the family and nation.

That said, I do realize that gender roles, as underpinned by instinct, can lead to problems. Right now I see all these powerful men as being “men gone wild.” It is very pathetic that their very maleness causes them to be in a bind (a bind that harms the whole of society, of course).

What I am referring to is the male need to maintain his status in the hierarchy – or fear death. This, today, means he has to kowtow to a ridiculous extent.

Picture, for example, every Watertown policeman’s inability to speak out against the FBI (and you know all cops hate the FBI).

Picture a Congressman’s assumption that he can’t stand up to the bosses on Capitol Hill. Yes, this horrendous set-up is biology’s fault. The men think it is required that they put up with the system.

I am thinking, O Maura Healey, that you, being female, are not so psychologically paralysed as the guys. I know I am not paralysed; I often take a chance of making a fool of myself. You can right now make a strong move, and very likely you wouldn’t come off as a fool!

If you grabbed your sceptre (or whatever it is you hold on that job, the sword of justice, perhaps) everyone would take courage from that.

Honest, the citizenry of Boston, surely the most educated population that ever lived, would be astounded. “Joan of Arc” they might cry. Anyway, all I’m saying is that the situation being such that the men cannot break through the barrier (Rand Paul an exception?), the moment is ripe for you to do it.

Look at the simplicity of what you could do to change the world. You could call a press conference to announce that Tamerlan died in custody. He was not in a shoot-out, and the bruises on his face – visible in his mortuary photo – probably came from being beaten up in custody. I dare you to say “This is not South Africa where Steve Biko, age 28, was smashed to a pulp on the floor of a police station.”

Note: with rare exceptions, such as Donald Woods, Breyten Breytenbach, and Desmond Tutu, no man grabbed a microphone to say “Uh-uh. No can do.” Male persons have a problem doing that. But Maura Healey can do it. **Yes she can.**

She can say “Excuse me, here in ’chusetts no one can beat to death a person who has been arrested.” That wouldn’t exactly be a controversial position to hold would it?

I was surprised in your campaign that you said “The Attorney General is the people’s lawyer.” I have been trying for a long time to figure out if that holds true of our federal Attorney General. I want to believe it is so. But I think George Washington appointed the first attorney general more for the purpose of advising the president as to the legality of this or that.

Pray, what is your basis for saying you are the people’s lawyer?

Since at least the presidency of George Bush in 1990, all the attorneys general have appeared to be private lawyers for the government side of any issue. I can’t think of a single instance in which Janet Reno, John Ashcroft, Alberto Gonzales -- oh please don’t make me mention the name Michael Mukasey -- or Eric Holder stood up for the people. (It’s the same deal here in Australia; in fact we expect the Attorney General to bulldoze a lot of anti-people laws through Parliament!)

I am not saying it’s right. I just don’t know what the actual job description is.

Now here be an offer, Madam. I am willing to help you with such matters, without pay. I have worked long and hard on these things. I can also expand on two things about which I wrote to the governor of Massachusetts last week.

One is the ability to use RICO law, federally, to get at the racketeers known as CIA or FBI. It would be a snap to do this. The other is to petition the US District Court in Boston for a writ of *error coram nobis*. As this ancient writ is not taught in law schools you may not even have heard of it.

California Judge Marilyn Patel used it successfully in 1984 to set aside the conviction of Fred Korematsu.

Jahar's conviction needs urgently to be set aside on the grounds of fraud-upon-the-court. My book, *Fraud Upon the Court*, has just been published. I am sure I understand this procedure. It is just one of law's beautiful protections.

But if taking on the feds is too daunting as a first step, you can recall Jahar from federal prison to a state prison in a trice. No one could oppose your move to "habeas the corpus" so to speak. We in Massachusetts own Jahar. He is ours. Please bring him home.

I suggest you charge Jahar with treason. Justice Scalia said Jose Padilla should have been charged with treason for threatening to explode a bomb in Chicago. It would be a way to open up all aspect of the Boston case, bigtime.

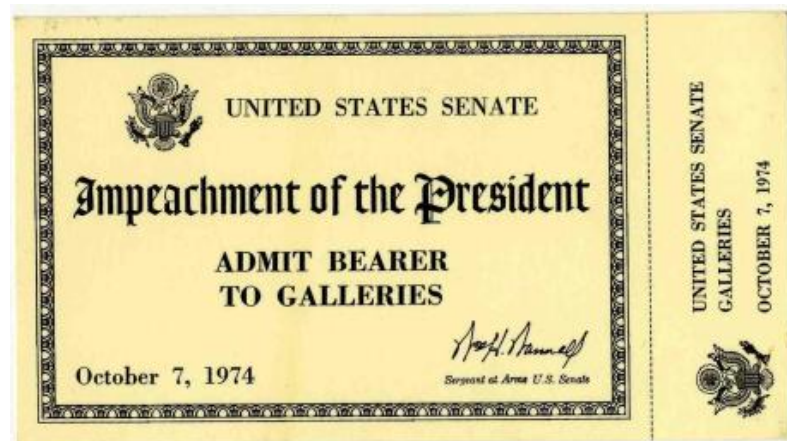
In short, somebody, somewhere, has to prompt a great turn-around in our tragic and absurd situation.

Ms Healey, Attorney General of the Commonwealth of Massachusetts, let it be you.

Yours sincerely,

Mary W Maxwell, PhD, LLB

14. Impeaching a Judge *(published January 31, 2016)*



A Gallery ticket to watch Nixon being impeached (however the mere threat of it caused him to resign)

Who Can Hold a Judge Accountable?

One of my mentors (whom I never met) is the late Sherman Skolnick, the founder of the Citizens' Committee to Clean Up the Courts. He managed to get many Illinois judges put behind bars – no mean feat! The thing about Skolnick that seems to distinguish him from most other people is that he didn't think a judge was above the law.

Consider, please, that most of us unconsciously think of a judge as being not subjected to law. We feel that way, also, about a king or a bishop. It's natural to assume that men in semi-sacred roles should not be treated like the rest of us.

Let's look at the US Constitution. The Framers of this design for the new United States, in 1787, were extremely careful about making government accountable. They accomplished this through establishing checks and balances, an idea they got from Montesquieu's *Spirit of the Laws* (Cf Freedom fries.)

The first three articles of the Constitution lay out the exact prerogatives of each of the three branches of government:

legislative, executive, and judicial. In Article I, it can easily be seen that the legislature has the greatest power – as it can throw out any member of the other two branches by way of impeachment. Those two branches have no similar power over the legislature.

Wait, I'll bet your thinking the judicial system can get rid of a president by finding him guilty of a crime. Wrong. The entity that brings cases to court is the prosecutor and he is in the Executive branch.

To Impeach a Judge

The Constitution gives the House of Representatives the sole right of impeachment. To impeach is only to accuse (from Latin *impedicare*, to catch). If the House votes Yes to impeach, by simple majority, the case then goes to the Senate for “conviction.” Note: President Clinton was impeached, but the Senate did not convict him, so he remained in office. If “convicted” – and this is not a judicial thing with any due process protections for the accused – the person simply loses his job.

Most Americans think impeachment is only for presidents, but it's for any officers appointed by the United States, including military officers and *US attorneys*. It's also for judges. Eight federal judges have been impeached so far. (Of course, if it's a state judge, Congress has no involvement.)

The task of impeachment is unabashedly a political one. Sure, they may have a table in the Senate room to display evidence during the ‘conviction’ phase, as if it were judicial, but it is not judicial. There is no right of appeal and no need for the ‘judges’ – the senators – to record their reasoning. Fabulous.

Generally speaking, an appointed judge must be allowed freedom of decision-making in all court cases. Naturally

we want him or her to think the case through, and not be watching his or her own back. This is why judges are given tenure for life (except in those states where judges are popularly *elected*.)

Still, judges have tenure only “on good behavior.” As stated in Article III of the Constitution,
“The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour.”

“Judges Are Now Acting Political Anyway”

There is a separate issue here. It is a matter of American culture having deviated — heavily prompted by the media — away from the Madisonian values of the separation of powers.

One such deviation has to do with American willingness to see presidents expand their powers beyond that allowed in the Constitution, to act “*ultra vires*.” That is, Congress legislates on subjects not listed in Article I Section 8 of the Constitution -- which is its only grant of authority.

Another terrible thing is that Americans are forgetting the sacred role of judges as impartial, non-ideological, reasoning human beings. It has become customary for the media to predict the outcome of Supreme Court cases by saying whether the conservative or the liberal judges will win.

Hello? What? This is ridiculous. He or she can’t use it as a plaything to advance a cause, no matter how highly he or she values that cause.

“Come on, Mary, you are being naive. Grow up. Don’t you see: judges are political. They were appointed on that basis.” NO WAY, JOSE. I will never accept that. We are dead ducks if we accept that.

The Boston Case, a False Flag

When I try to talk about how Judge O'Toole has acted in the Tsarnaev trial, I feel overwhelmed by the knowledge that this whole case, the Marathon bombing, is a false flag. Nothing about it smacks of a genuine criminal case against the then 19-year-old Jahar. The "evidence" presented by the FBI was "vintage FBI." The statements by the Prosecution were outrageous and the non-statements by the "Defense" were fantastic.

How could the jurors have voted to convict on the evidence when the "evidence" was so thin? And then proceed to give the maximum penalty the death sentence? I do not know. So let's ask: What was the proper role for Judge O'Toole to play in the Tsarnaev case?

There's a big difference between a judge's role in a jury case and when it is a judge-only case. In jury cases, the judges do not have to answer the question "Is the accused guilty?" They play referee, letting the two adversarial teams, prosecution and defense, run the case.

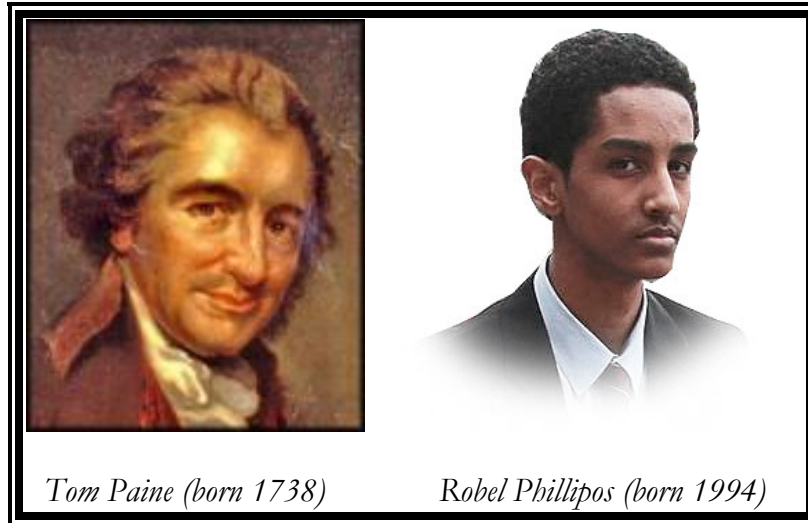
The jury is the sole trier of fact. The 12 members toddle off to the jury room and deliberate for as long as is needed to come to a unanimous vote — or to declare that they cannot come to a unanimous vote — in regard to each charge.

The defense team sent hundreds of "motions" to Justice O'Toole asking for the prosecution to be disallowed from doing this or that. According to Cheryl Dean, Judge O'Toole showed favoritism to the prosecution in 95% of his replies.

That's a bad sign but it's clear that the Defense chose not to cross-examine witnesses whom any normal attorney would have wiped the floor with.

I, for one, do not blame *that* on the judge.

15. Gag Orders, Censorship, and Honesty



Most of the complaining in this book has been about an oversupply, not an undersupply of information. A perfect example of the oversupply can be seen in *Long Mile Home* (sort of a pun on the 26-mile Marathon). The two authors, Scott Hellman and Jenna Russell, concoct anything they please in order to paint the Tsarnaevs as terrorists.

This chapter is about the gagging and censoring of people who try to get past all that garbage and tell the truth. But first let's put the fight between lies and truth into context.

In many animal species there is a trait for lying. Of course it can't be done through words, except in *H sapiens*, but it has the same purpose. The liar attempts to better his situation by deceiving others.

He may puff himself up to look stronger; she may pretty herself up to attract a mate (or *he* may pretty himself up, as in the peacock species!). Or an animal may sneak up on its prey by pretending to have a different, harmless intent, and so forth.

Human Deception and Self-Deception

Humans are fabulous liars, and fabulous self-deceivers as well. Surely this is so deeply wired in that we are not going to overcome the trait any time soon. We need dishonesty! It helps our individual survival.

However, if dishonesty is causing such trouble that a society loses control of reality, we had better stop glorifying it and apply some discipline. Typically, societies -- especially through their religions -- have done this by **promoting the value of truth.**

I think that is the way to go. Frankly for each individual, it does not “pay” to be truthful. But it does pay, for the society. Since the individual wants to live in a society that functions well, the raising of ideals is important.

We all have an emotional ability to get excited about our group’s **ideals**. As far as I know, people feel proud of the ideals shared by the society. Somehow we do grasp that an ideal is “real,” and that it won’t be easily tossed aside.

Margaret Thatcher remarked in the 1980s that there is no such thing as society – there are only individuals. Was she correct? Well, yes to the extent that it is possible to break down the ideals of a group and leave folks rudderless. She was perhaps attempting to do exactly that by her remark.

Humans self-deceive. We often have self-deception about motives. Let’s say Thatcher’s motive was as I outlined – to harm society. Some analysts would say she doesn’t realize that she’s doing that. I think they could be right. The whole subject of the wickedness of our leaders is urgent.

Trying To Keep a Lid on Free Speech

If there were complete censorship imposed on the masses by a few individuals at the top – one thinks of China in the Mao era – the controllers would have neatly disposed of

their main problem-from-below. That is, people would not be able to consult friends about changing the system.

They also could not refer to the words of Holy Scripture that might give them a basis for solidarity in fighting off their cruel oppression. Indeed, in China the mere adherence to any religion was enough to get you tortured.

There is ever-increasing censorship in our society today. It should certainly be interpreted in the same way as China's. Namely, its purpose is to keep people from conspiring against the top dogs and also to keep them from passing around words of strength such as are furnished by ideals.

Tom Paine, pictured above, was the great champion of free speech. He is best known for his writings: *Common Sense* (imagine that: common sense!) and *The Rights of Man*. He was constantly on the street, waking people up both in revolutionary America and France. One can hardly overestimate how much he bequeathed to posterity.

I grew up in the Paine tradition. No doubt I took credit for my thoughts, but really I had been indoctrinated! His ideals were *taught in schools*. Honest. In fact they inspired the rulings in Supreme Court cases. Americans highly prized free speech -- the right of every person to criticize government, and yak about public policy.

Note: Paine was imprisoned in Paris under Robespierre and came very close to being guillotined.

The Manipulation of Culture

So what's going on now? How did the high ideals of free speech in America lose their vigor? There were two methods. One was simply that a corrupt Congress passed outrageous laws such as "the Patriot Act." That occurred within six weeks of the "Great Lesson" of 9-11.

The other method was by cultural change. Yuri Bezmenov explains, in a superb 1983 interview with Ed Griffin, now on Youtube, how he was assigned by his Soviet leaders to ruin American culture. “You start with the three-year-olds. A complete cultural change takes only 15 years.”

As Daniel Estulin says in his book *Tavistock Institute*, Sesame Street was part of a controlled change. He points out that the children’s fascination with the characters on Sesame Street was the way of getting their attention and then messages could be sent to them. The money for Sesame St, Estulin says, comes from the Rockefeller-controlled Carnegie foundation.

There is also the matter of omission from the textbooks. Kids today are not shown the rules about honesty. One can assume they would not “get” the Pinocchio fable.

High school students are also not taught history, much less the valuable technique of applying the lessons of history to the present. A phrase such as “Greece’s Golden Age” would not ring any bells. I doubt if kids know about putting history “down the memory hole” as was Big Brother’s policy in Orwell’s *1984*.

Recall that Orwell (who surely had insider knowledge) spoke of twisting the meaning of words entirely such as “war is peace” and “slavery is freedom.” In Jahar’s case we had a white backpack being called black, by *lawyers*!

Tightening the Noose

Since 2014, legislatures around the world, supposedly guided by a UN Security Council Resolution, have passed laws to criminalize free speech. A complete turning back of the Tom Paine clock. This will be aimed at social media and bloggers. (There is no need to “crack down” on, say, *The Boston Globe* or CNN. They already curb dissent wholesale.)

Germany and other countries got a jump on this law by making “Holocaust denial” and “Holocaust minimization” criminal. The alleged justification is that denial hurts the feelings of families whose loved one’s died in the Nazi concentration camps. (a familiar excuse by those who don’t want investigation). Over 2,000 Germans are arrested every year for this free-speech crime.

In Australia’s island state of Tasmania, that has ben a taboo for 20 years on discussing the Port Arthur massacre “as it will upset people and they have already been through this.” (Actually they haven’t!).

Carleen Bryant visited her innocent 29-year-old son, the patsy, in Tasmania’s prison. He said he was being mistreated. When she asked who was doing it a guard told her she was “not allowed” to talk about staff.

Gagging the Relatives and Friends of Jahar

Robel Phillipos is one of four dormitory mates of Jahar who was interrogated by the FBI, charged, and convicted. Of what? Of “lying to the FBI.” (Is that rich?) The whole set-up is fraudulent. Some FBI officials knew about the Marathon event before it ever happened. Their purpose in arresting Jahar’s friends must have been to gag them against providing any interviews. And a side benefit would be to magnify the “terror” of the whole case.

Robel’s lie was that he said he was asleep (weeded up, actually) when the two other boys plotted to throw Jahar’s goods in the dumpster. One of the boys testified against Robel. Oddly, part of Robel’s punishment was house arrest for a year – complete with ankle bracelet.

The judge in Robel’s case was Mark Wolf who let Vinnie go because of the Brady rule (see Chapter 20). Maybe when Justice Wolf catches on to Maret’s affidavit he will smell all the right rats and undo Robel’s conviction. Note: an interesting thing at Robel’s trial was the appearance of

former Massachusetts Governor Michael Dukakis, age 81, as a character witness for the accused.

Two of the boys have finished jail and been deported: Azmat Tazhayakov and K Matanov. Dias Kadybayev is doing 6 years, then will be deported. Just fathom it.



Dias and Jahar

Visiting Cheryl Dean at GumshoeNews.com

Many aspects of Jahar's case are not covered in my book, but can be founded by searching "Cheryl" at Gumshoe. She has tracked down the friends of Tsarneav, reporting about the way they were coerced to act against him. On sentencing day, victims spoke at length. Cheryl Dean said:

"It took a full day in a packed courtroom. I can't imagine how this 21-year-old, with not even one family member present, endured the #bostonstrong rhetoric [BS] and the barrage of false patriotic pride and hatred spewed at him — along with a death sentence."

Why weren't all decent Bostonians yelling and screaming about this? Isn't it part of our tourism appeal that we are stacked with revolutionary heroes? Midnight Ride of Paul Revere, anyone? Or the fact that John Adams penned a Massachusetts Bill of Rights that led to the big US one?

On the next page I offer an excerpt from the preamble and from the Declaration of Rights, both from the state constitution.

Constitution of Massachusetts of 1780:

Preamble:

The body politic is formed by a voluntary association of individuals; it is a social compact by which the whole people covenants with each citizen and each citizen with the whole people that all shall be governed ...**for the common good.** ...

PART THE FIRST ... A DECLARATION OF RIGHTS

Art. V. **All power residing originally in the people, and being derived from them,** the several magistrates and officers of government vested with authority, whether legislative, executive, or judicial, are the substitutes and agents, **and are at all times accountable to them.**

Art. VII. Government is instituted for the common good, for the protection, safety, prosperity, and happiness of the people, and not for the profit, honor, or private interest of any one man, family, or class of men; therefore the people alone have an incontestable ... right to institute government, and to reform, alter, or totally change the same when their protection, safety, prosperity, and happiness require it.

Art. VIII. **In order to prevent those who are vested with authority from becoming oppressors, the people have a right ... to cause their public officers to return to private life....**

Art. XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice.

Art. XII. No subject **shall be held to answer for any crimes or no offence until the same is fully and plainly, substantially and formally, described to him;** or be compelled to accuse, or furnish evidence against himself; and **every subject shall have a right to produce all proofs that may be favorable to him;** to meet the witnesses against him face to face...

Art. XIII. **In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.**

Art. XIV. Every subject has a right to be secure from all unreasonable searches and seizures of his person, his houses...

Chapter 16. Cheryl Dean's Devastating Questions (published at GumshoeNews, November 21, 2016)



Carmen Ortiz, JD, of the US Department of Justice

These 17 questions are posed by Cheryl Dean to persons that figured in the trial.

1. To **Judy Clarke**, Dzhokhar's "death penalty lawyer":
When the remnant of a black backpack was shown in court and said to be Dzhokhar's backpack, why didn't you mention that Dzhokhar's backpack was white? This was the only piece of evidence linking Dzhokhar to the bombing site, yet no one on the defense team seemed to think it was important.
2. To **David Bruck** of the Defense Team:
Before the trial started, during a status conference, you stated to the prosecution: "We all know that this case is all about sentencing". Why would you say this? Were you just an extended member of the prosecution? Isn't there a professional obligation, never mind a moral obligation, to defend your client?
3. To **Officer St. Onge**:
You are the one who reportedly came face to face with Dzhokhar on Spruce St. after he fled in the SUV, then

jumped out of the SUV and got away on foot. He was wounded and bleeding — why didn't you run after him? Surely you could have caught him. It then took law enforcement 19 hours to search for him, while Bostonians were told to “shelter in place.”

4. To **Richard DesLauriers**, Boston Head of FBI:

Why did you allow officer Sean Collier's cruiser to be completely destroyed barely 3 weeks after the bombing? It had not crashed or had any chemical contamination. Isn't that destroying evidence? The defense had not even seen the cruiser before it was destroyed. What is your excuse?

5. To **Marian Ryan**, District Attorney Middlesex County:

At your press conference you were asked the question, “Why weren't trained dogs brought in to find an allegedly bleeding and wounded Dzhokhar, as he fled and hid from the Watertown ‘shootout’”? You couldn't answer that then. Why not? Please answer now.

6. To **Carmen Ortiz**, the Prosecutor in this case:

Where is the receipt for the gas allegedly purchased at the gas station, while Dun Meng, the carjackee was in his SUV with both Tsarnaev brothers, just before he bravely “escaped”. It was testified to in court that gas was pumped into the car and purchased, that is, paid for. You managed to find Tamerlan's high school diploma (in his own car!), but no gas receipt, which was essential to prove the whole carjacking story.

7. To **US Attorney-General Loretta Lynch**:

Please tell us why you allowed the cruel and unusual and unwarranted Special Administrative Measures to be imposed. Muslim “terrorists” are all under SAM's, all to “protect” National Security. However, the flimsy 5 reasons given by Carmen Ortiz who asked for the SAM's did not include “to protect National Security” as one of the reasons. Tell us the real reason.

8. To **Judy Clarke**:

Why did you say in your opening statement, “It was him” pointing to your client. How did you know this? Since Dzhokhar never changed his plea to guilty, what legal right did you have to announce to the world on the first day of the trial that “it was him”?

9. To **Jeff Bauman**, the man whose legs were blown off:

You stated in court that you locked eyes with Tamerlan Tsarnaev while he was standing beside you at Bomb Scene One. How can you lock eyes with someone who is wearing very dark type sunglasses?

10. To **Matthew Isgur**, the man who manages the cameras on the MIT campus

When you took the stand, the prosecutor played a video, Exhibit 724, made of excerpts from a one-hour video you put together, covering 10pm to 11p.m. on the night of April 18, 2013. You said there are 1200 cameras on campus. Why did you show only a very far-away picture?

11. To **Carmen Ortiz**:

Why did you edit that video, omitting the actual time when Collier was killed?

12. To **Judy Clarke**:

Why did defense staff in Russia, in mid April 2015 — after the trial had started -- beg family members to ask Dzhokhar to plead guilty?

13. To **Carmen Ortiz**:

We saw a surveillance video of Dun Meng inside the gas station to which he “escaped” after being carjacked by the Tsarnaevs. In the video we see his keys hanging from his back pocket. (Shouldn’t they still be in the ignition?) Why weren’t Dun Meng’s car keys tested for Tamerlan’s fingerprints?

14. To **Dun Meng**,

Why didn't you provide the key piece of information in your first interview, about Tamerlan confessing to you that he killed Collier? And it was noted that while you were in the witness box you kept your gaze at a teacher from Northeastern University, Professor Fox. Were you depend-ing on him to guide your answers?

15. To **Nathan Harman**, MIT student:

Heather Frizzell has done a test run, on a bike similar to yours, at the relevant stretch of the MIT campus. She found that to turn her head and look at Collier's car would have occupied about one second and that this would not have given her a chance to notice that Dzhokhar's clothing had writing on it. Did you slow down?

16. To **Sgt Clarence Henniger** of campus police:

As a member of the MIT campus police for 40 years, you knew the scene intimately. On April 18 you told media that the FBI had been on campus that afternoon (hours before Sean Collier was killed). Why were they there?

17. To **George A O'Toole**, judge in the case:

Why did you put hundreds of documents under seal?

Cheryl Dean concluded her list by saying: "Dzhokhar Tsarnaev should be safe and warm, at home, right now, never having stepped foot into the Supermax solitary confines of H unit at ADX prison in Colorado where he currently is incarcerated."

She asks: "What will it take for leaders of governments, particularly the United States, to have even some semblance of honest justice or even a drop of compassion or humanity?"

Cheryl Dean's 18 Articles Concerning Jahar's Trial

These are especially valuable for their quoting of court testimony)

Prosecutorial Misconduct in the Boston Marathon
Tsarnaev Trial

Open Letter to US Attorney General, Concerning
Prisoner Tsarnaev's SAMs

Was There Any Actual Defense for "the Marathon
Bomber"?

Twinning: the Cases of Martin Bryant and Jahar Tsarnaev
Chidings of Great Joy

How FBI, Prosecutors, and Judges Conspired To Win

Open Letter to the Jurors in Marathon Bombing Trial

Judge O'Toole's New Rulings of January 15th Inspire
Open Letter

"Yes, Your Honor. Yes Sir, Three Bags Full, Sir." Says
Bruck

Tsarnaev Judge Had Illegal Tête-à-tête with Jurors

DJ Fife, Prosecution Witness at the Tsarnaev Trial

Ludicrous Evidence at Tsarnaev Trial Regarding Pressure
Cookers

Changes in the Tsarnaev Defense Team?

The Stun-Grenading of Jahar Tsarnaev by Police – Part 1
of the Boat Scene

Tsarnaev's Written "Confession" – Part 2 of the Boat
Scene

Did Martin Bryant Write This Letter to His Sister Lindy?

Hospital Personnel Assumed Tsarnaev Guilty, Even As
His Wounds Were Treated

Status Report on Tsarnaev, the Non-bomber of the 2013
Boston Marathon

*All were published at GumshoeNews.com, 2015-2016

17. Show Trials -- Judith Shklar's Five Criteria (published September 9, 2015)



Judith Shklar (1928-1992)

Some political scientists understand law better than law professors. This is because they are in the habit of seeing legal events and ideas in a broad context of life.

The late Judith Shklar is one such political scientist. She had a way of seeing law as it related to personal psychology and culture, in her magnificent 1968 book, *Ordinary Vices*, and as it relates to politics in *The Liberalism of Fear* (1978).

Her 1964 book, *Legalism*, reflects her thinking about Stalinist Russia, and perhaps the Nazi Germany. In part of that book she discusses “political trials.”

Soviet leader Josef Stalin famously held political trials known as “show trials.” These helped him remove any challengers, and set an example to all persons as to what the dictator might do to them if they did not conform.

Shklar wrote, in *Legalism*, page 149:

“What distinguishes most, though not all, political trials is that they scorn the principle of legality, which, ideally, renders criminal law just. To some degree most political

trials follow Goebbels's famous dictum that trials should not begin with the idea of law but with the idea that this man must go. The judge will be subservient to the prosecution, the evidence false, the accused bullied, the witnesses perjured, and the rules of law and procedure ignored." (1964: 149)

The onlookers to such a case need not be concerned with "what really happened." The real happening is the dispatching of the accused person to his or her fate, or, more generally, the asserting of the right of the rulers to do as they are doing, whatever that may be.

The Boston Marathon Bombings

We do not know who planted the bombs that caused injuries at the finish line of the Boston Marathon on April 15, 2013. We cannot know, from a jury verdict, that Dzhokhar Tsarnaev did it. For, while the jury convicted him, in April, 2015, the jurors had been deprived of much relevant evidence, and were given much false testimony, some of which deserves the adjective "fantastic."

Let's map out whether Tsarnaev's trial, in the US, was a show trial, according to the five characteristics named above by Judith Shklar. I'll deal with each of the five, reversing the order in which she listed them.

1. (Shklar): "The rules of law and procedure ignored"

The initial police complaint was laid by Officer Daniel Genck. The purpose of a complaint is to establish that there's a case to answer. Genck stated that he compared the faces of two men as shown on an ATM video with their Massachusetts Registry of Motor Vehicles mug shots.

"I have reviewed images of two men taken at approximately 12:17 a.m. by a security camera at the ATM and the gas station/convenience store where the two carjackers drove with the victim in his car. Based on the

men's close physical resemblance to RMV photos of Tamerlan and Dzhokhar, I believe the two men who carjacked, kidnapped, and robbed the victim are Tamerlan and Dzhokhar Tsarnaev....”

Genck was entitled to claim that he had found a match. I say he should only have said “the two men *who Dun Meng alleges* to have carjacked him”. I say he ignored the rules.

There is also the strange deviation from the norm by FBI. The United States has a bureau, subordinate to the office of the Attorney General, called the FBI, Federal Bureau of Investigation. It has no police power and no authority to tell the citizens what to do. Yet in the wake of the Boston Marathon bombing, an FBI agent went on television to *instruct* the public not to use any photographs except “authorized” ones in the search for the suspects. Amazing!

FBI agent Richard DesLauriers said:

“Today, **we are enlisting the public’s help to identify the two suspects**. For clarity, these images should be the only ones, and I emphasize the only ones, that the public should view to assist us. **Other photos should not be deemed credible**, and they unnecessarily divert the public’s attention in the wrong direction and **create undue work for vital law enforcement resources....”**

Also, the mother of the boys stated, as soon as the manhunt for her sons began, that the FBI and CIA had often been in touch with them over a few years. This refutes the FBI’s proclaimed ignorance about the two Tsarnaev brothers.

2. (Shklar): “The witnesses perjured”
--

Watertown police officer Sergeant John MacLellan testified at the trial of Dzhokhar Tsarnaev that the accused had hurled a pressure cooker bomb at him, on Laurel Street, during confrontation with police, on April 19, 2013.

MacLellan also said that the younger brother, Dzhokhar, got away by driving a Mercedes SUV and that Dzhokhar accidentally caught Tamerlan in the wheel, which led to Tamerlan's death.

This cannot be true. No such confrontation, at which the Tsarnaevs were free to shoot at police, could have taken place. There is a video, known as the Podstava video, that was posted on Youtube on May 11, 2013. It shows the older boy, Tamerlan, lying face down on the sidewalk, being frisked and then escorted to a police car. So he must have been in custody from that moment onward.

Is it a real video? His family members in Russia have confirmed that the appearance and the voice are that of Tamerlan. The photographer of that video appears, from the text of the video, to be a resident of Watertown living on Mt Auburn Street (in an apartment) from which some of the video was shot – not Laurel St.

There is also the CNN video showing a naked man in custody of police, which the family agrees is Tamerlan. That man shows no signs of having been wounded.

3. (Shklar): “The accused bullied”

Judith Shklar did not indicate whether it was in court, or prior to trial, that an accused would be bullied. *Before* his trial, Jahar was in hospital. Despite his being very injured – and very bereaved – he was interrogated by a Gitmo team as a “high value” detainee. injured from gunshot.

It is not clear why law enforcement would send bullets into a boat rather than find other ways to apprehend the suspect. He was, of course, only a suspect, not a fugitive.

Next, we look at the period of imprisonment to identify any bullying. The public and even the family has hardly

seen Jahar, so we cannot really know what he may have endured. However, it was reported officially that he was in solitary confinement most of the time. That is known to lead to mental derangement and is considered torture.

As for the accused being bullied in court, this did not happen, as he did not take the stand. Perhaps he wanted to take the stand, and may have been bullied out of it.

4. (Shklar): **“The evidence false”**

As discussed in Chapter 3, Dee McLachlan discovered false evidence within Exhibit 22. A further piece of false evidence is the text of Jahar’s “confession,” allegedly written by him on the wall of the boat. It included this:

“I do not mourn because his [Tamerlan’s] soul is very much alive. God has a plan for each person. Mine was to hide in this boat and shed some light on our actions.... The U.S. Government is killing our innocent civilians but most of you already know that. As a M (bullet hole) I can’t stand to see such evil go unpunished, we Muslims are one body, you hurt one you hurt us all. ...Now I don’t like killing innocent people it is forbidden in Islam but due to said (bullet hole) it is allowed.”

How would he have known that Bro was dead? Even in the MacLellan version of a police shootout, where Tamerlan is merely caught in the wheel and dragged along, the driver, Jahar, would not know that death subsequently resulted. (There are “hospital records” of Tamerlan being dragged.)

5. (Shklar): **“The judge will be subservient to the prosecution”**

In a civil action, American courts run on an adversarial system, with each of the two private parties expected to “do its worst.” The judge is neutral and adjudicates the matter by applying law. In a criminal case, one of the two

parties is usually the state prosecutor; the other is the defendant, rather than a plaintiff and a defendant.

The judge should still be neutral as between the two parties but “equality” is hard to achieve. Jurors are treated only to what the judge will allow as admissible evidence. What if someone is leaning on the judge?

Here we are attending to Judith Shklar’s fifth criterion for a show trial, that “the judge will be subservient to the prosecution.” There always exists a tendency for a judge to be more state-friendly than accused-friendly. That can be deduced from the fact that legislatures often feel they must make specific enactments to *protect* accused persons!

In the strange behavior of Tsarnaev’s defense team we see the biggest hint of “subservience of the judge to the prosecution.” That is to say, if the defense acts against its own client we suspect the prosecutor to be the cause of that. (Why else would it happen?) If the prosecution is thus “in charge” of the defense, it probably controls the judge as well.

Federal District Judge George A O’Toole, in this trial, did not noticeably rise above the fray and curtail any of the prosecutor’s moves. The following are some of the items, other than those mentioned above, that may cause one to see this judge as subservient to the prosecution:

- He allowed every manner of emotional pitch to be made by the victims of the bombing, including references to patriotism.
- He allowed the pre-trial holding of Dzhohkar in solitary.
- He never alluded to the state of bereavement (and physical injury) the accused was in.
- He did not take judicial notice of many issues that members of the public were talking about, such as the occurrence of a drill that day.

-- His instructions to the jury did not warn of the pressures the jury would be under in such a public case.
-- He acted as if he did not notice the discrepancy between the color of the accused backpack (white or grey) and the color of the backpack that exploded (black).

Most startling is Judge O'Toole's refusal to deal with two amazing side events. One is the death of Tamerlan's friend Ibragim Todashev, a Chechen immigrant, who trained with Tamerlan in the sport of boxing.

Todashev was killed in his Florida home. Allegedly, he was writing a confession to another crime (a murder in Waltham). The jury knew of the Waltham case but they couldn't guess if Tamerlan had any involvement.

Todashev's murder looks to many people as a way of getting rid of a person who could have pointed to the real bombers and thus helped Jahar. Suppression of evidence in a big way! Other friends of the brothers, were also taken out of circulation by arrest, deportation, or harassment.

The second event is the news brought by the Tsarnaev boys' aunt, Maret Tsarnaeva. She sent an affidavit to Judge O'Toole, as a *pro se* motion. Admittedly due to delays it did not come in to Boston until May 29, 2015 when Jahar had already been convicted.

Her affidavit is in the Court as Order 1469. An attorney from the Minnesota Bar, John Remington Graham, helped Maret to file this. (See Exhibit F for a related amicus argument that she sent, and Exhibit G for a Spanish version of her affidavit.) The affidavit says, *inter alia*:

"I wish to note the following: The lawyers from Boston strongly **advised that Anzor and Zubeidat** [Jahar's parents] **refrain from saying in public** that Dzhokhar and his brother Tamerlan were not guilty. They warned

that, if their advice were not followed, Dzhokhar's **life in custody near Boston would be more difficult...**

"Mme [Judy] Clarke and Mr. [William] Fick also requested of Anzor and Zubeidat that they **assist in influencing Dzhokhar to accept the legal representation of the federal public defender's office in Boston.** Mr. Fick revealed that **Dzhokhar was refusing** the services of the federal public defender's office in Boston, and sending lawyers and staff away when they visited him in custody."

Opinion of This Writer

I will now offer an answer to the question posed above: Does the Boston Marathon bombing trial appear to be a show trial in the sense in which Judith Shklar described "political trials" in her 1964 book *Legalism*? The reader may expect me to say Yes, based on the fact that Jahar's case does accord with the five characteristics of a show trial.

However, in my opinion, No, this was not a show trial. For a show trial, the motive is the government's desire to teach a point. If a man in the Communist USSR refused to give up his property, say, he could be charged with a crime and humiliated and terrorized. Everyone would get the message "Don't do what he did."

I don't see young Dzhokhar, a typical teenager on the day of the Marathon, as qualifying. He hadn't done anything forbidden. So no need to parade him to the citizenry as a "negative model." Thus, I say, his was *not* a "show trial."

If Not a Show Trial, Then What Was It?

Jahar's trial was more likely an accident. Probably the two brothers were scheduled to be killed and then "go down in history" as the Marathon bombers, the way the four deceased Muslims in London are now routinely named as the blower-uppers of three Tube stations (what a joke!).

In the Charlie Hebdo case in Paris, the dramatic shooting of the staff was blamed on the Kouachi brothers, who couldn't possibly have "escaped" from the scene in the way the press described (walking right the past cops). Days later, they were shot when captured in a warehouse.

Am I saying that Tamerlan was successfully killed by the authorities? Well, yes, that much is certain. And did they also intend to kill the young one? I don't know. They shot 228 bullets at the boat. If they considered Jahar a terrorist, wouldn't they want to get him alive to get information from him? It's miraculous that Jahar survived gunfire.

I conclude that the having of a trial was a nuisance rather than a useful showpiece. I note that Mr Fick's revelation that Dzhokhar had been resisting his Boston lawyers indicates Jahar was not completely mind controlled, as I had earlier imagined.

So why did Jahar apologize for the crime (*after* he was the sentenced to death? – see Exhibit D). Perhaps he figured he should do that to spare any more of the relatives, or himself, from harm. (I can't believe I am saying this!)

UPDATE, December 18, 2017:

At the end of Chapter 30, I append an item I had not known about. You may have heard that many Bostonians feel sure that Jahar was the bomber because they saw *with their very own eyes* that he laid a backpack on the ground.

On closer inspection, the film called "White Hat" that has the relevant scene in it, is not a "surveillance video." You have to read the fine print *very* carefully to realize that the FBI presents the film as a re-enactment! **No real footage of Jahar leaning over to drop a backpack exists at all.**

Jahar should be set free immediately on the basis of this alone. It crystalizes the campaign of false accusations.

18. Is *The Boston Globe* an Accessory after the Fact?
(published June 5, 2016)



Boston Globe reporter, Eric Moscovitz. Headline: Marathon terror

One hears that the media are “doing us in.” Or that the media control Congress. One hears, from writers, such as myself, that the media deliberately design our culture. Let’s ask -- if any of their operations **break any laws**.

Let’s turn to the dishonesty section of the South Australian Criminal Law. That’ll be Section 139.

“A person who deceives another, and by doing so
(a) dishonestly benefits himself or a third person,
(b) dishonestly causes a detriment to the person
is guilty of an offense. Maximum penalty, imprisonment
10 years.”

Why don’t we hear much of that crime? Because there is also a *tort* of fraud: you can sue in a civil action if a person’s deceit has caused you a loss. As with medical malpractice, the doctor is much more likely to be sued than prosecuted, as the patient will be compensated monetarily.

What about the Crime of Assault?

Ransacking the criminal law for a possible charge here, I am thinking of assault. These lies about the Marathon led to a martial-law order by Massachusetts Governor Deval Patrick. **That in itself was terrifying** to many people. Of course the lies about two youths having done a bombing also caused terror.

Under common law, the crime of assault includes hurting a person by scaring them. No visible damage to the body is required. The physical damage is to one's physiology.

The legal dictionary of TheFreeDictionary.com offers this definition of assault:

“an intentional act by one person that creates an apprehension in another of an imminent harmful or offensive contact. An assault is carried out by a threat of bodily harm coupled with an apparent, present ability to cause the harm. It is both a crime and a tort.”

Would you put up with a neighbor terrorizing you? You could sue him (a tort) or “press charges” to prosecute. I think we need to get serious about pressing charges.

Have a look at what *The Boston Globe* purveyed, in regard to the famous carjacking incident:

“Carjack Victim Recounts His Harrowing Night,”
by Eric Moskowitz, Globe Staff, April 25, 2013
The 26-year-old Chinese entrepreneur had just pulled his new Mercedes to the curb on Brighton Avenue to answer a text when an old sedan swerved behind him, slamming on the brakes. A man got out and approached the passenger window. It was nearly 11 p.m. last Thursday. The man rapped on the glass. Danny [Dun Meng], unable to hear him, lowered the window — and the man reached

an arm through, unlocked the door, and climbed in, brandishing a silver handgun. “Don’t be stupid,” he told Danny. He asked if he had followed the news about Monday’s bombings. Danny had. “I did that,” “And I just killed a policeman in Cambridge.” He ordered Danny to drive.

Danny described 90 harrowing minutes ... where they openly discussed driving to New York, though Danny could not make out if they were planning another attack.

...

[Danny’s cell phone rang.] “If you say a single word in Chinese, I will kill you right now,” Tamerlan said. Danny understood. His roommate’s boyfriend was on the other end, speaking Mandarin. “I’m sleeping in my friend’s home tonight,” Danny replied in English. “I have to go.”

“Good boy,” Tamerlan said. “Good job.”

No, seriously, can you imagine Tamerlan talking like that?

Globe reporter Eric Moscovitz continues: When the younger brother, Dzhokhar, was forced to go inside the Shell Food Mart to pay, older brother Tamerlan put his gun in the door pocket to fiddle with a navigation device — letting his guard down briefly after a night on the run.

In a flash, [Danny] unbuckled his seat belt, opened the door, and sprinted off at an angle that would be a hard shot for any marksman. “F—!” he heard Tamerlan say, feeling the rush of a near-miss grab at his back (**what?**) ... Danny reached the haven of a Mobil station across the street ...

His quick-thinking escape, authorities say, allowed police to swiftly track down the Mercedes, abating a possible attack by the brothers on New York City [!] and precipitating a wild shootout in Watertown that would seriously wound one officer, kill Tamerlan, and leave a severely injured Dzhokhar hiding in the neighborhood.

Lies! Whoppers! So did the writer of the false carjacking story, Eric Moscovitz, commit the crime of assaulting anyone? I doubt it, as the element of the crime necessary for a conviction is that the person *intended* to cause fear (and the threatened attack has to be ‘imminent’). But the *planners* of the Marathon event did have in mind to cause fear. That must have been a main goal of the whole affair.

Accessory after the Fact

I think Kevin Cullen, editor of *The Boston Globe*, must have been involved in the planning of the Marathon bombing, judging by how quickly his newspaper played up “all the right” aspects of it. But even if he did not have *prior* knowledge of the government role he must have been informed afterward of how to handle the “story.”

Cover-up of a crime is a crime. It is also a crime to assist a murder by, say, providing a false alibi. Legally you would be called an accessory after the fact. (That is, in addition to having committed perjury on the witness stand.) In my opinion, *The Globe* was an accessory after the fact of the bombing. Its corporate officers can be charged.

All of that is nothing compared to the effort to stop the very process of clear thinking. A major effort is made by media to produce some things that are false -- and recognizably so. Julian Rose said, on December 22, 2106:

“The profession of mainstream media journalism has descended into truly toxic levels of printed and broadcast disinformation. One can now virtually count on the fact that what is being said on any topic of political significance, will be a carefully scripted trotting-out of government and corporate propaganda.”

Please see the following two page excerpt of a book by *Globe* writers and after that we can discuss treason.

What To Do Till the Trial Starts? Read a Book!

Excerpt from Scott Helman, and Jenna Russell *Long Mile Home*, 2014, pp 41-246. [This book, by *Boston Globe* writers is utter fiction, aimed at promoting Jahar's guilt, pre-trial, so say I.]

The Waltham slayings had come at a turning point in Tamerlan's life, his isolation deepening, his views becoming more radical, his family falling apart... Had the killing of Teken, Weissman and Mess [a Waltham gang-style murder] been Tamerlan's first violent strike against America?

Had it been a warm-up of sorts for the Marathon attack and for murdering Sean Collier -- the race and the cop both symbols of everything he wasn't? [amazing!] When they kidnapped Danny and commandeered his Mercedes the route they drove took them right past the street where the three men had been slain. The ritualistic array of the bodies suggested these were no ordinary killings. [That correct for sure.]

The authorities began to take a hard look at Ibraghim Todashev who had also trained with Tamerlan at the gym. On May 21 Todashev sat down in his Orlando apartment. The interrogation started at 7.30pm and lasted five hours. A court filing by federal prosecutors would later confirm [?] that Todashev had asserted Tamerlan's participation in the murders.

When the FBI agent looked away, according to a law enforcement official's account, Todashev picked up the table and threw it at the agent. The agent drew his gun and saw Todashev running at him with either a metal pole or a broom-stick handle. The agent fired more shots, killing him.

On April 22, 2013 while in hospital Jahar communicated a lot by writing. He told the interrogators he and his brother considered setting off bombs at the Charles River celebration of the Fourth of July ... to the music of the Boson Pops.

[You can say anything when you write a book! The FBI never records an interrogation; it only writes it down as it sees fit on a Form 302. Pretty odd system, eh?]

When the brothers assembled their bombs faster than expected they began looking for a place to strike.

They had drawn motivation, Jahar said [“said’ means FBI says he said] from the US invasion of Iraq and Afghanistan and acted on their own without assistance from al-Qaeda.

In mining Jahar’s laptop, investigators had found books and a magazine promoting radical interpretations of Islam. The books included *Defense of the Muslim Lands*, *The First Obligation after Iman*, and *Jihad and the Effects of Intention*, which promotes martyrdom. [But they were going to go to New York?]

Jahar had also downloaded one book, with a forward by Anwar al-Awlaki, a New Mexico-born Muslim cleric. Jahar likely [!] watched Awlaki’s influential Internet videos. ...

Youtube removed clips of Awlaki’s sermons in 2010, after a British student said that watching them inspired her to try to assassinate a member of Parliament – he survived the attack. By then, US officials viewed Awlaki as a major source of inspiration for militants trying to strike against the US.

The 9-11 Commission found that three of the 9-11 hijackers had met with him. [Which “hijackers” please?]

Nidal Malik Hasan, a US Army major and psychiatrist, e-mailed extensively with Awlaki before shooting and killing thirteen people and injuring more than thirty at the Fort Hood military base in Texas in 2009. Umar Farouk Abdulmutallab, who confessed to trying to set off explosives hidden in his underwear while on an airliner stayed at Alawki’s house....

[That’s the only passage in *Long Mile Home* that deals with the radicalization of Jahar. It is based on circular reasoning. “He must have been radicalized, judging by what he did.”]

Can this style of writing be called anything other than media thuggery?

Let's Discuss Treason

Thanks to our right to free speech and press freedom, a newspaper can lie and not thereby commit a crime. As I pointed out, *The Globe* may be guilty of incitement, assault (by frightening the public), cover-up, and of being an accessory. I think without media's help the persons who pulled off the bombing couldn't have done it.

Do such persons act *treasonously*? I think yes. The crime of treason is fairly specific, maybe too specific, in the US Constitution. There had been ridiculous abuses of treason law in colonial days when one was a traitor if he even thought about, or joked about, killing the king. So the Framers acted cautiously requiring that treason consist of **aiding the enemy or levying war against the nation**.

But we can still be liberal in interpreting the parchment. And anyway it does nothing to change the **state** law, that is, common law, as to the crime of treason. Persons who would set up a terrorist attack, even a fake one (but I am not calling the Marathon bombing fake) *are* levying war.

There is almost no jurisprudence on the subject, as the government is careful to charge traitors with something else, such as espionage, and **prevent a public debate on treason**. All the more reason to talk the subject deaf, dumb and blind. And why not use the more ordinary definition of treason – disloyalty to one's own group?

Nowadays this is important as many Americans, in the upper crust, see themselves as citizens of a world class of elite individuals-- as if they had no need for nationality.

We can crack down on that disloyalty by calling it treason -- not if all they do is fancy themselves "nationality-less" but if they act on that by killing their own people. Why not? Is there any point in letting them get away with it?

18. Brady Ruling on Exculpation and a Boston Mobster Case *(published January 23, 2016)*



Vincent Ferrara

Boston federal judge Mark Wolf

In 1963 the US Supreme court, in the Brady case, confirmed the right of an accused to have access to *exculpatory evidence*, that is, to be able to present any material that shows his innocence – that is now known as the Brady rule.

I won't go into the case. All one needs to know is that there was a piece of evidence on file which, had the defendant been allowed to see it, would have given him a better outcome. The Court said:

“We now hold that the **suppression by the prosecution of evidence favorable to an accused** upon request violates due process where the evidence is material either to guilt or to punishment.... **The principle [is] avoidance of an unfair trial to the accused.**”
[Emphasis added]

So What Is the Problemo?

The problemo is the fact that the courts are working for “someone else.” Maybe the bad judges are themselves living in fear. Maybe a mafia has threatened to break the bones of their grandkids. I don't care if that's what is making judges misbehave -- they must not do it.

They will have to risk their grandkids. Otherwise let them resign from the bench.

In 1990, a perfect case of attorney corruption came up in the federal court in Boston. There was a mobster named Ferrara (also called ‘Vincent the Animal’) who was in jail for murder. He had done a plea bargain to get a 22-year sentence instead of a life sentence. Ferrara didn’t realize there was material *in the prosecutor’s file* that showed another man had confessed to the murder.

Later, in 2008, US Judge Mark Wolf reexamined the situation and said he had to let Ferrara out of jail, animal or not. He then did so. He freed the prisoner without further ado. Judge Wolf blamed US Attorney Jeffrey Auerhahn for having suppressed the exculpatory evidence, contrary to the Brady rule. A Boston cop testified that Auerhahn knew of Ferrara’s innocence. Yay, cop!

Law, Beautiful Law

So, do we find Attorney Auerhahn in jail today? We certainly should. Obstruction of justice is a felony. I quote 18 USC 1503 which has to do with influencing (or injuring) a court officer or juror:

“(a) **Whoever corruptly**, or by threats or force, or by any threatening letter or communication, **endeavors to influence**, intimidate, or impede any grand or petit juror, or officer in... any court of the United States... or... obstructs ... the due administration of justice, **shall be punished**... (b) The punishment for an offense under this section is...(3) ... imprisonment for not more than 10 years, a fine under this title, or both.” [Emphasis added]

Now, before you go bringing a nice cake to prisoner Auerhahn in jail, let me assure you that he ain’t there. No one brought charges against him, AS INDEED THEY

NEVER DO.

Still, we must thank Judge Mark Wolf of the US District Court in Boston, for speaking clearly of Auerhahn's wrongdoing -- which is, unfortunately, common behavior among US Attorneys. And happily, the First Circuit Court of Appeals referred to Auerhahn's behavior as "outrageous," "egregious," "feckless" and "a grim picture of blatant misconduct."

Of course I do not agree with that last word. It was *not* "misconduct." It was *criminal* conduct, unless I am having trouble reading the English language. Now, wait till you hear what happened next. The Board of Bar Overseers (I had never heard of them) asked for disciplinary action against Auerhahn -- to suspend Auerhahn's license to practice law for two years.

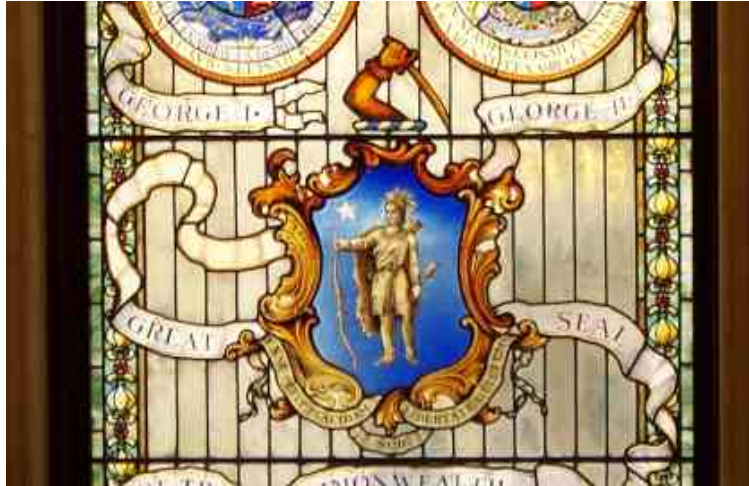
So maybe you think the panel of decision makers would be composed of several laypersons and some lawyers? Wrong-o. It was composed of three *judges*. These were: Rya W Zobel, William G Young, and **George A O'Toole**.

They ruled: "*the allegations of professional misconduct have not been proven by clear and convincing evidence.*" The offending fellow didn't get even a 6-month suspension.

Harvey Silverglate, a Boston attorney, commented that the judges "HAD TURNED SOMERSAULTS" to let Auerhahn off the hook. He said: "I think it's a rebuke to Judge Wolf and to all of those [who] for years now have been engaged in the never-ending but seemingly futile battle to get the Department of Justice to turn over exculpatory evidence that can exonerate a defendant...."

Never-ending but seemingly futile? Hmm. Not any more! Come on, troops. Let's do what must be done here.

**20. What the Massachusetts Governor Can Do – an
Open Letter to Charlie Baker** (*published Sept 10, 2015*)



An Algonquian chief. "By the sword we seek peace."

Your Excellency, Dear Governor,
Greetings from the Antipodes. I write to you to propose a few interesting solutions to the Tsarnaev problem.

It has recently come to the notice of many citizens that the Marathon bombing was done by the FBI, the mafia, a Security contractor, or some seemingly official group.

It must be awkward for you, Governor, that a Massachusetts citizen, Dzhokhar Tsarnaev, is in a federal prison, whilst the folks of Boston have caught on to the above-mentioned issue re the Marathon.

How to relieve the situation? I have a few suggestions.

The first idea that came to my mind was for the governor of Massachusetts to grant a pardon to Tsarnaev for the crime that he is accused of locally, namely the killing of Sean Collier, a campus cop at MIT. My assumption was

that this state pardon would up-end the unfair federal conviction.

Can a person be pardoned before he is convicted? We recall how President George HW Bush pardoned several persons on Christmas Eve, 1992. At least one of them, Defense Secretary Caspar Weinberger, had not yet been tried.

I have perused the Constitution of the Commonwealth of Massachusetts, so beautifully drafted by John Adams in 1780. I find, per amended Article VIII, that pardoning someone for a crime for which they have not yet been convicted will not be “availing.” This is a good thing. I did not really like Bush’s pre-trial pardon.

Extradition

So I make two other suggestions regarding the unsolved crime of the murder of Sean Collier.

First, you could do as planned, that is, demand extradition of Tsarnaev from Colorado where he is reportedly in a Supermax prison, but on a rush basis so that he can be tried very soon for the murder of Collier, and the people will not be kept waiting. As there is undoubtedly no evidence to convict him, he would go free.

One could argue that he would then be due back at Supermax but I don’t think so. The information that would come out at a fair trial in Massachusetts would redound to the federal conviction. Actually it could cause an extreme upheaval, could it not?

Treason

My other suggestion similarly requires that Tsarnaev be brought to Massachusetts for trial, but on an altered

charge, namely that of treason. As you may know, I am the author of *Prosecution for Treason*, published in 2011. I seem to be one of only two scholars interested in the topic, the other being Anthony Chaitkin who published in 1994 the wonderful study, *Treason in America from Aaron Burr to Averill Harriman*.

The killing of a policemen accords well with the classic concept of treason. The Whiskey Rebellion of 1794 involved farmers who harmed the federal tax collectors in Pennsylvania. For this, two men were convicted of treason against the United States.

If Sean Collier was killed while on duty, this could (I think) be treason against the state. I have not located any Massachusetts statute to define this crime, so I presume the common law applies. There is, however, a statute to specify the punishment, *viz.*, Massachusetts Chapter 264, section 2:

“Whoever commits treason against the commonwealth shall be punished by imprisonment in the state prison for life.”
--

Knowing what I know about the ‘podstava’ to which the Tsarnaev brothers were subject, I feel sure they did not kill, or even go near, Sean Collier. So, I’ll grant it would be slightly an abuse of process to use the law to prove a point. But it would make people think, and we certainly need that.

Of course there is federal law of the crime of treason specified in Article III of the Constitution:

18 UDC 2381: “Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason.”
--

US Supreme Court Justice Antonin Scalia recommended in the case of Jose Padilla, who was said to have been planning to bomb a building in Chicago, that the proper charge would be treason. That is based on Padilla's "levying war."

I wish Padilla had come up for treason charge and then the public could see how that differs from the very amorphous charge of terrorism. In Tsarnaev's case, the charge referring to the exploding of a bomb was the crime of "use of a weapon of mass destruction."

State Sovereignty

Your Excellency, I have another suggestion for getting past the anomaly that currently appertains, in which we have citizens realizing that a Massachusetts man, Mr Tsarnaev, is in a federal prison based on a wrongful trial. Of course that matter could be, and should be, dealt with in federal court, but here I am only trying to think of what Massachusetts can do.

I might note that I am, like you, a Republican. (I ran for Congress in 2006.) My devotion to states rights is solid. I naturally applaud the decision in the Lopez case of 1995 and the Morrison case of 2000. The expansion of the commerce clause has, in my opinion, been ultra vires, and ultra vires things have the same effect on me as the tines of a fork screeching on a plate.

Yes, I am about to offer a state-sovereignty solution to the ultra vires events of April 19, 2013.

There we saw (and I mean the whole world saw, to its great consternation) an unwarranted imposition of martial law on the people of Watertown. Quite the visual it was, with house-to-house searches, Humvees, and machine guns on the streets. All ordered by your predecessor.

Announcing That the Emperor Is Unclad

The hour grows late. Maybe we should get it over with. This would entail confronting the strange developments that have been going in the United States since the 1980s. We now have huge police forces, generously budgeted private “security” companies, foreign troops stationed in every state under the National Guard Partnerships for Peace program, and who knows what else.

Ever since a court in Italy declared that the bombing of the Railway Station in Bologna had been done not by the accused leftist radicals but by NATO (for the purpose both of blaming the left and giving the population a bout of terror), we’ve been finding out that such things are “policy.”

Ever since an FBI informant, Emah Salem, audio-recorded the instructions from his handler, proving that the 1993 bombing of the basement of the World Trade center was a ‘sting’ operation, Americans have had the chance to realize – if they care to – that for the FBI to carry out a bombing is not unusual at all. It’s child’s play.

Since we can now see that the Marathon event was this type of thing, it may be time to stop all pretense that it is anything else. The trial of Tsarnaev can be just the ticket to straightening out our absurd situation.

I say ‘absurd’ meaning in comparison to our belief in the goodness of government, I don’t really think it’s absurd that the powerful kill the weak – it’s a very normal thing. (And oh how the Framers knew that, in 1787.)

What Can Be Done Legally, by Massachusetts State

The ability of one of the 50 states, or better yet, a combination of states, to correct the unconstitutional, nay criminal, takeover of the nation by the feds, as seen today is, of course, great. A Massachusetts governor has power

to use force, as specified in Amendment LVII, of Chapter 2 of the state constitution as follows:

“Article VII. The general court shall provide by law for the recruitment, equipment, organization, training and discipline of the military and naval forces. The governor shall be the commander-in-chief thereof, and shall have power to assemble the whole or any part of them... to employ them for the suppression of rebellion, the repelling of invasion, and the enforcement of the laws.”

It is the ‘repelling of invasion’ that we are concerned with. I realize it goes against the grain to speak of one’s national government forces as invaders, but as Confucius said, it is the beginning of wisdom to call things by their right names.

Of course it is true that the Framers gave Congress the authority to call forth the militias of the states to repel invasion, meaning invasion by foreign powers or by Indian tribes. Article I, section 8, clause 15 is clear on this. But the state also has the right. it was held that the president could call out the militias (as he did for the War of 1812), but that the **governors of states could call up their own militias** when they deemed it necessary, as in cases of invasion.

In 1812, Massachusetts governor Caleb Strong had asked the State Supreme Judicial Court if it was his call, rather than the president’s, to send Massachusetts militia men to war. The court said yes, but *Houston v Moore* overrode that.

As I understand it today, you, Sir, can call out the militia (now misleadingly named the National Guard, thanks to Elihu Root’s chicanery but that’s another story).

The fundamental basis for all of this is that the people are the militia. It is rooted in English law that the people are the best enforcers of law. The people, even when not

organized, form the “posse comitatus” the group of able-bodied men who can meet an emergency.

It remains only to ask if it would be legal for a state to act with armed force against an illegal incursion on its territory by national troops. I believe that merely to ask the question is to see the answer. However, I’ll say no more as I realize the very thought is almost unbearable.

Legal Tactics: Prosecutions and Civil Law Suits

If we are facing up to the criminality of, say, the FBI as seen, possibly, on April 15, 2013 at the finish line of the Boston Marathon, we might think both of applying **criminal law, and of civil action** to seek damages. Again, it is hard to concentrate on such a thing -- but if we were advising people in another nation how to do it, it would seem straightforward, and maybe even pleasant.

Various types of court action can be imagined that aim at unwanted incursions by the feds onto state territory. On the lowest rung we find the kind of simple lawsuit that ask for an injunction or **restraining order**. Presumably one can go to a local court to request that a judge write such an order. I can picture it being filed at a federal court, too.

As for prosecuting a violent crime that a federal agency may have committed against a state or its folks, it does again seem that **local courts are the place to begin**. The state attorney general can prosecute any party that commits a crime within that state’s territory.

Some people think there is a “sovereign immunity” involved. The US government does enjoy immunity from lawsuits, but legislation sometimes limits that immunity, and often the sovereign grants leave to a plaintiff to file suit against it.

In no case could sovereign immunity protect against criminal liability. No member of government is allowed to commit a crime. She has no immunity from prosecution.

(We may also wonder if a person in a government role who is acting criminally is in fact an impostor. I discuss this in my 2011 book *Prosecution for Treason*.)

What crimes are we talking about here? Any crime, from assault and battery to murder (as in the murder of Tamerlan Tsarnaev, age 26), and destruction of property. Those who are to be charged could be anyone from the top leaders to the smallest fry.

There is also the set of crimes known as accessory or **accomplice**. Clearly many media persons provided cover-up for the crimes connected to the Boston Marathon.

Even surrounding the trial of Tsarnaev in April 2015, there was unending deception pouring from the media that had **the effect of making the wrong person look guilty**. (Update: the movie *Patriot's Day* has gone way overboard on this.) There are also crimes related to obstruction of justice.

As for normal lawsuits for damages, these are inhibited by the aforementioned doctrine of sovereign immunity. But there is a major exception for civil rights cases. That is true in Massachusetts law, and of course is codified federally at 42 USC 242.

RICO Law

If ever there were an underused law, it is the Racketeer Influenced and Corrupt Organization Act of 1970, RICO, as codified at 18 USC 1961-1968. It can be used for prosecuting criminal enterprises, and also for civil actions.

When an individual is the plaintiff, she has to show how the racketeers caused her some economic loss. Your Excellency, I assume the state of Massachusetts could file

a RICO suit against an organization such as the FBI, claiming major economic loss related to the 2013 Marathon!

There is a two-year statute of limitations in federal RICO, but this tolls from when the loss occurred. Let's say the deployment of local police outside the Moakley Courthouse in April and May 2015 was costly. You would have until May 2017 to file a claim.

Of course the state of Massachusetts can also use RICO law in prosecutorial mode (for crimes over a 10-year period). Individuals cannot use RICO to start a RICO *prosecution*, but when they file civil RICO for damages as a tort, they can mention that they hope the judge will cast an eye on the relevant crimes.

In conclusion I thank you for listening. Don't worry, I do know it all sounds crazy. If it turns out that I am imagining things about the FBI and that they are not a criminal organization, that will be wonderful. No one will be more pleased than myself to admit to having misread the situation completely.

Governor Baker, I'd like to send you my new book, *Fraud Upon the Court*, which rehearses yet another possible solution to the problem of a Massachusetts boy wrongly incarcerated in Supermax, namely the use of a Writ of Error Coram Nobis. It's an ancient English writ that Congress has validated federally and that I assume could rest on common law in Massachusetts.

It's just one more of law's magic ways of helping the human race.

Thank you for all that you have done and will do.

Yours sincerely

Mary Maxwell, PhD, LLB

21. Frizzell Comes Up with a Gun Surprise

(published August 26, 2016)



Exhibit 948-231 – The Ruger as it was found at the crime scene in Watertown.

A Boston woman, Heather Frizzell, has been working hard on the Marathon bombing trial. In this article I summarize what she has learned about the gun allegedly used by the Tsarnaev brothers to kill the 28-year-old MIT campus cop, Sean Collier. Heather says:

“After months of pouring over the eyewitness testimony and studying the location in question, I am confident of one thing: the person who appeared at Collier’s [car] window with a gun wasn’t Tsarnaev.”

The research published by Ms Frizzell is lengthy so I will only recap it here. First, the *dramatis personae* of the gun story:

— Jahar, a student at UMass, Dartmouth (which is an hour’s drive south of Boston).

— **Stephen** Silva, his close friend since eighth grade. At the time of these events he is about age 20. Silva lives in Cambridge, Massachusetts. Silva is the man who allegedly lent a gun – a Ruger P95 handgun — to Jahar.

— Howie, real name: Merhawi Berhe, the man who allegedly lent that gun to Stephen (Howie is thus the grandfather of the gun that shot Collier, so to speak).

— Dias, Jahar’s pal who is doing 6 years for having “obstructed the investigation of Jahar’s terrorism” by dumping a backpack or a laptop in a dumpster.

— **Steven** Silva, the twin bro of Stephen Silva, no joke – doesn’t figure much in the story. Heather vouchsafes to say SILVA, no first name, when she means *Stephen*. OK?

— US Attorney Alope Chakravarty, the prosecutor (seconding Carmen Ortiz) in the 2015 trial of Jahar.

— Miriam Conrad, the defense attorney (seconding Judy Clarke) in the 2015 trial of Jahar.

— Da retired lawyer, Thomas Frizzell, father of Heather, whom she often mentions as giving technical advice to her.

This chapter is all taken from Frizzell’s “Who Killed Sean Collier: Part Two, the Gun.” It’s forty pages long. The apple doesn’t fall far from the tree.

Main Themes:

There is a need to trace chain of custody of the weapon.

After Jahar was imprisoned, Dias got imprisoned and is not exactly contactable. Jahar himself may be the most uncontactable person in America today – and if he were contacted, chances are he would be loyal to his friend Silva and not upset the applecart. (Mary)

Note: Heather does not speculate, so I will try to hold back. If it bursts out of me I will write “Mary” in parentheses, as I just did.

Silva was arrested and charged with major drug dealing, and was threatened with more than a hundred years in jail. That's a fairly long time for a 20-year-old. To anticipate the next bit, think what you would do if you were charged like that but your trial had not come up yet. Hint: it rhymes with flea bargain. (Mary)

According to Silva's testimony (highly perjured – Mary), Jahar had asked him in January 2013, if he could borrow the gun that Howie had lent to Silva. "Yup, sure." And then Jahar failed to return it by the Marathon date of April 15, 2013. (Ah, sweet innuendo of life, at last I've found you.)

January is the same month the Tsarnaevs rode off to Saugus Mall to buy, without using a credit card or anything traceable, the 5 mythical pressure cookers (Mary)

In a move that "Dad" calls "giving away the courthouse," the government entity prosecuting Silva decides to forego the pleasure of catching a drug crim and lets him off, in exchange for pinning the gun on Jahar Tsarnaev. Natch.

Hence, Silva shows up as a witness for the prosecution at the trial of his dear buddy Jahar and does what we used to call in Catechism class "a Judas." (Mary) Heather fine-tooth-combs the Silva case file and discovers that the evidence Silva presented was gossamer-like and the pretend-prosecutors did not ask the right questions. (Dad)

Gun laws in Massachusetts are unusually strict. You can go to jail, for example, for being in possession of a "dirty" gun, that is, one that has a history of having been used for violent crime even if you had nothing to do with that. Howie, of all people, got arrested at a stunningly significant moment.

The Gun

Heather says: “The murder weapon was a Ruger P95 handgun with the serial number filed off, recovered from the shootout in Watertown (Noooooooooooo, nooooooooo - Mary) -- the gun that was in Tamerlan’s possession.”

This was established at trial through testimony, and Massachusetts State Police reports also match the ballistics from the Ruger to the bullets recovered from Collier’s body.... (Uh-oh ballistics – Mary)

Now backtrack. Timeline: late 2012: “Near the end of 2012 (timestamp provided by Mr. Chakravarty, not Silva) an opportunity arose to get a gun.” Howie asks Silva to *mind* the offending object, as he was worried his mother would search his room. Granted, Moms have been known to do that.

Once Silva has it, he thinks, “I could have some fun with this.” So, he sits in a car when customers come to buy drugs off him, takes their money, does not hand over the drugs and then threatens to kill them if they don’t am-scray quick smart. (Heather notes that this is no way for a merchant to build up good will in the buying community.)

— December, 2012: A man’s gotta show off, so Silva boasts at a party to having carried off that deed. A laugh is heard from Jahar, who is at the putative party – and wait till you see how putative Heather thinks it is; she almost loses her conservatism over this one.

When friends, including Jahar, were in Silva’s apartment, he showed them where he kept the gun, in a ceiling panel. (Just wondering if anyone remembers the Martin Bryant twenty-guns-in-the-white-piano story -- Mary).

Jahar does not at that moment say “I want to borrow it” - he says it on a different day when there are no party-goers. i.e., no witnesses to hear him say it. Natch.

— January 23-ish, 2012: At some later time Jahar goes to Silva's house, having made no phone call or text message to check that Silva is home (Recall Dartmouth is an hour's drive) to pick up this new toy. Heather refers to Jahar and his cohort as "of the millennial generation that puts everything into a text, a tweet, a chat, etc." Yet the court never sees any such confirmatory evidence.

Subsequent to Jahar's borrowing the gun, and with nary a query from Silva as to whether the young Chechen has actually deployed the damn thing, Silva asks Jahar to return it "because Howie is wanting it again." (The Mom coast is now clear.)

— March, 2013: Jahar, in training for the Marathon as it were, is busy and keeps putting Silva off as to when he can hand it over. So spake Silva to the prosecution team (or was it the defense team? In this trial they are more identical than Steve and Stephen).

--- April 15, 2013 – Income tax day; Jeff Bauman goes to hospital, etc.; also it's Patriot's Day.

As Heather Tells It

I will now state some of the above, quoting Heather and the various principals in the case. But if you are pressed for time, hop to the bottom where she springs quite the denouement.

[Prosecutor at 2015 trial elicits the gulch from Silva]:

Q – Explain that opportunity.

A – Well, like I said, me and my brother and my friend [Nicholas Silva, who is a cousin whose sibling got beat up and so wanted a weapon type thing] had been talking about obtaining a gun.

Around the same time a friend of mine from my neighborhood [the elusive Howie], asked me if I could do

him a favor and hold down a firearm for him because he needed to get it out of his house.

Q – What was his name?

A – Howie.

Frizzell writes:

“Nothing is given about the transfer of the gun from Howie to Silva – We also know nothing about who might have seen the gun change hands. However, from Silva’s testimony, he then “stored it away in my apartment, in a ceiling panel”, and states that the people who know about it are “my twin, my friend and a few close associates”. So that means *Steven*, Nicholas, and “a few close associates” could have all been called to testify to corroborate Silva’s story. But the mysterious associates never appeared at trial.”

Q – Did you tell the defendant? [i.e., the hapless Jahar]

A – Yes.

Q – What was his reaction when you told him that you had a gun?

A – It wasn’t much of a reaction. He just acknowledged it.

A – When I got down to Florida I just hung out at a friend’s house and continued selling weed.

Q – How long did you do that for?

A – From about the middle of August until the end of November.

Q – November 2012? ...

A – At that time I came back from Florida, my brother and friend had an apartment in Revere, Massachusetts.

Q – Did you take the gun out of your residence again?

A – Yes, one more time.

Q – When was that?

A – New Year’s Eve 2012.

Q – And where did you take it?
A – To a friend’s apartment in Medford, Massachusetts.
Q – What was happening there?
A – Nothing. We were just throwing a New Year’s Eve party.
Q – Why did you take it there?
A – I was just being stupid. I wanted to show it off.
Q – And did you?
A – Yes.
Q – Did the defendant come to that house?
A – Yes.

Heather always looks into these things in detail: “It’s happening on a specific date for a specific occasion, meaning many of the attendees would be likely to remember whether they were there and that someone might have shown off a gun.”

Then Heather looks at the boys’ tweets. “That’s strange. Here Silva is saying he has the flu and isn’t planning to go out for New Year’s Eve, which directly contradicts the story he gave in court. Not only that, but their exchange seems to imply that Dzhokhar doesn’t have plans to go out either. ...”

Q – When you talked to him about the gun, did he ask you for anything?
A – Yes.
Q – What did he ask you for?
A – He asked me to potentially borrow the gun....
Q – Did he tell you why he needed the gun?
A – Yes.
Q – What did he tell you?
A – He said he wanted to rip some kids from URI.
Q – When you say “rip,” what does that mean?
A – Rob.

Q – Is that what you did with Nicholas a few months earlier?

A – Yes.

“Silva has never seen an aggressive streak in Dzhokhar. On Miriam Conrad’s cross, she points out”:

Q – And he [Jahar] wasn’t violent, right?

A – No. I’ve never seen him violent.

Q – And he never picked on anybody?

A – No.

Q – He was kindhearted?

A – Yes, he was.

Q – Now, this robbery that you told us about, you — that you did?

A – Yes.

Q – You didn’t tell the Feds about that the first, second, even fourth time that you sat down with them, did you?

A – Initially, no, I did not.

Q – And, in fact, you told them that you had never discussed a robbery with anyone before Jahar asked to borrow the gun, right?

A – Yes.

Q – Was he with anyone?

A – Yes, he was.

Q – Who was he with?

A – Dias.

Frizzell writes:

“At the time of Silva’s testimony, Dias was in federal custody awaiting sentencing — a perfect witness to corroborate Silva’s story.” (But he might as well have been in Timbuktu.)

“Then Silva arrives at the last time he saw Dzhokhar before the Marathon. By now, it’s early April and he has still not received the Ruger back, but has made no more statements about what Howie was doing during this time. In fact, according to Silva, this was a brief meeting in which Dzhokhar purchased some weed.”

“It’s difficult to track the prosecution’s view of Dzhokhar’s marijuana usage, because at different times during the trial they either used evidence that he had cut back on smoking as a sign of radicalization, or evidence that he dealt on campus as a symptom of bad character.” [See? Heather Frizzell picks up every nuance.]

A – When I got back I put the marijuana in the — Dias’ car’s trunk, and then I talked to the defendant [best mate] very shortly. He wasn’t really talking to me much. I was trying to get into a deeper conversation with him but he said he was in a rush. And I asked him about the gun and he gave me another excuse on why he couldn’t — why he didn’t bring it that day. And then I remember Dias saying, “Oh, we’re in a rush, we’re in a rush.” So I only talked to him for a little bit, told the defendant, you know, I loved him [!! That was before...], and then I got out of the car.

Heather Frizzell’s Big Find

“On March 25th I woke up and saw a *Boston Globe* article with the headline ‘Source of Gun Used by Tsarnaevs to Kill Sean Collier Pleads Guilty.’ [this means Howie]

“I told my Dad and he wanted more: What was the plea agreement? Was there an indictment? What exactly were the charges? When did they take him in?

“I was able to log onto the district court’s website and pull a few relevant documents. The charge was very strange. It was only one count of possession of the Ruger P95 handgun. There was nothing about the transfer of the gun to Silva, which would be a separate charge.”

“[Recall that] Silva, in July 2014, was arrested for seven counts of heroin possession with intent to distribute, and one count of possessing a firearm with an obliterated serial number, also known as Sean Collier’s murder weapon.

“And indeed, in December 2015, Silva was given a hearing, and received a sentence of *time served*. After seventeen months, he was free, despite multiple instances of heroin distribution, because he had ‘substantially assisted.’

“On the same day, at the same time, in the same courthouse, one floor apart, as Stephen Silva testified that he received the Ruger P95 that killed Officer Sean Collier from him, **Merhawi Berhe was pleading not guilty to possessing the very same weapon.**”

.....

Dear Reader, thus ends the first two parts of this book – on the particulars of Jahar’s case, and on the legal mechanisms that were involved.

Now for Part Three, which is not for the lazy. Here we will see what steps an individual can take.

After that you get hit with Exhibits A through N, and then an Addendum of ten more essays and finally an Afterword.

Thank you for staying the course.

22. Citizen's Arrest and Reviving Your Grand Jury



George Washington and Marquis de Lafayette fighting the system

So what are *you* going to do about the Tsarnaev travesty? That's what it boils down to. It boils down to you. We've already established that the persons who are paid by us to deal with it aren't dealing with it -- and it's unwise to wait.

Let's first look at "citizen's arrest" and then consider other stronger, and weaker, options for your action.

Citizen's Arrest

It has always been legal for an individual to stop (i.e., arrest) someone who is visibly committing a crime. In fact, such policing had to be done by laypersons until 1820 when the London "bobbies" were established in London.

I will first overstate the case and then refine it, so please don't stop after this one paragraph. Generally, each of the 50 states says it is OK for you to arrest someone who you know has committed a felony. Your action isn't criminal! Now for restrictions, or in some cases greater allowance:

One thing you should know is that you risk being sued by the person if you were mistaken about his guilt. The charge he might bring against you could be trespass or battery or false imprisonment (i.e., in your custody).

You are required to deliver your prisoner to authorities. In fact, once you have got him handcuffed you'd better phone the police and ask them to come and get him.

You may think "Oh, they wouldn't help so I will incarcerate him in my shed." Not a good idea. Here I'm discussing what the law says you can do. Anything more revolutionary is out of my scope. Granted, I started with a picture of George Washington who revolted against British rule but I do not advocate revolution – it would likely fail.

The details that follow are taken from a 1977 book by Cherif Bassiouni, Professor of Law at Depaul University: *Citizen's Arrest: the law of arrest, search, and seizure for private citizens and private police*. I'll refrain from covering some things he says that are directed at security guards and any that have to do with searches and seizures.

He has had 40 years to update the book and has not done so. I take that to mean it's dangerous – well, in our police state today it would be. Make a list of the lawless actions in the Marathon case and you will get a sense of the odds.

Still, the alternative, doing nothing (please recall the house-to-house searches in Watertown) is pretty ridiculous. Bassiouni makes only one reference to Massachusetts law. It is from Chapter 231, Section 94B.

Here I take the latest statement of that law from MAlegislature.gov as follows:

False arrest; shoplifting; defrauding innkeepers; **defenses:**

In an action for false arrest or false imprisonment brought by any person by reason of **having been detained for questioning** on or in the immediate vicinity of the premises of a merchant or an innkeeper, **if such person was detained in a reasonable manner and for not more than a reasonable length of time ...**

and if there were **reasonable grounds to believe that the person so detained was committing or attempting to commit** a violation of section thirty [etc] or attempting to commit larceny of goods for sale on such premises [etc] **it shall be a defense to such action.**

That is (I interpret): if you meet the requirements, such as a reasonable manner of holding him, and he sues you, a Massachusetts judge will not award damages to him. Granted, that law was aimed at merchants and hoteliers.

Pretend the Police Force Is On Strike

Believe me I am aware that people don't want to do this citizen's-arrest thing now. It's very scary given that SWAT teams are known to have no training whatsoever in the Constitution of our dear land. But I want you to get a sense of how natural and legal it is for you to do this job.

Bassiouni's book is not an activist handbook; it is a law book that analyzes citizen arrest. He compares this kind of arrest to the kind done by cops (they're nearly identical).

So to get the feel of it, pretend that all your local police are on strike, or have come down with the flu, and you are being asked to do your duty. You'd need to know that you should act, upon receiving a warrant to arrest the person, or if you have reasonable grounds to suspect him.

Professor Cherif Bassiouni says, on page 13:

“An arrest made by a private citizen is as binding and valid as one made by a peace officer, provided that it arises under the authority of the common law or a statute.

To constitute an arrest there must be an intent to arrest, under real or assumed authority, accompanied by a seizure, detention, or taking into custody of a person, which seizure is understood to be an arrest by the arrestee.”

OK, so here you are today, needing to arrest someone. As I said, pretend the “real” police – that is the *paid* ones, you are just as real – are in their homes and you are duty-bound to assist society. How? With luck you only have to say to the person “I’m arresting you for such-and-such” and he will be so impressed he will give himself over to your custody.

Be Good to the Arrestee

Before we proceed with the rights, protections, and duties of the arrestor (you), let’s discuss the rights of the suspect.

He has a right to be told what you are doing, and in whose name you are doing it. Of course he has a right to be treated respectfully. He has a right to contact his family and his lawyer. He has a right to physical protection, for example against the elements. Bassiouni doesn’t say that, but you may as well go overboard with kindness.

It seems silly to mention Miranda’s but you might as well cover yourself against having the case thrown out later for your failure to respect everyone’s Fifth Amendment right against self-incrimination. Acceptable wording is:

“You have a right to remain silent. Anything you say can and will be used against you in a court of law.”

Note that telling the person what you are doing matters because he’s not allowed to kill you if you are arresting him.

Your Right To Use Violence

As for your rights, I say again they came from society's natural set up. Members of society protect one another. Also it was in the past seen to be everyone's duty to do so. Bassiouni quotes Sir William Blackstone

"Any private person who is present when any felony is committed, is bound by law to arrest the felon, on pain of fine or imprisonment, if he escapes through the negligence of the bystanders. And they may break open doors in following such felon, and if they kill him, provided he cannot otherwise be taken, it is justifiable."

The key word above is "present" – you must see the crime happening. If you want to arrest someone merely on suspicion that he committed a crime, you can do it but are not justified in breaking doors, and if you kill the suspect it's manslaughter.

Does it still hold true today? Yes. Blackstone wrote in 1769. The common law under which he wrote still holds in any US state, unless a statute has abolished a particular bit of it.

Note: many state courts have had occasion to rule on the justifiability of killing an intruder. However, that topic is the legality of self-defense, not the role of policing. All people are allowed to attack someone who is about to harm them. Wouldn't it be crazy to be restricted?

Back to what you must be careful of. The word *felony* above is distinguished from *misdemeanor*. One way to tell the difference is by the mandated punishment. If the offense calls for imprisonment greater than 6 months it is safe to assume the deed is felonious.

Please pause to read the Massachusetts Compromise of 1788 – when people knew that they owned government.

The Massachusetts Compromise (*according to Wikipedia*)

[This was to urge people to ratify the Constitution when there was still no Bill of Rights, in 1788.]

George Washington's 1788 letter to the Marquis de Lafayette observed, "the Convention of Massachusetts adopted the Constitution *in toto*; but recommended a number of specific alterations and quieting explanations."

Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut -- ratified the Constitution with relative ease. The Massachusetts convention was angry and contentious, at one point erupting into a fistfight between Federalist delegate Francis Dana and Anti-Federalist Elbridge Gerry when the latter was not allowed to speak.

The impasse was resolved only when Samuel Adams and John Hancock agreed to ratification on the condition that the convention also propose amendments. The convention's proposed amendments included a requirement for **grand jury indictment in capital cases**.

It would form part of the Fifth Amendment. They proposed an amendment reserving powers to the states not expressly given to the federal government, which would later form the basis for the Tenth Amendment. [Yay!]

Following Massachusetts' lead, the Federalist minorities in both Virginia and New York were able to obtain ratification in convention by linking ratification to recommended amendments. [Mere promises but they were kept!]

A committee of the Virginia convention headed by law professor George Wythe forwarded forty recommended amendments to Congress, twenty of which enumerated individual rights and another twenty of which enumerated states' rights. The latter amendments included limitations on federal powers to levy taxes and regulate trade.

Posse Comitatus, Deputizing, Warrants from a Judge

Just to be clear, an arrest is not a citizen's arrest if the authorities have asked the able-bodied citizens to assist. You would be a **public agent** in those circumstances.

And now here is an odd thing. The FBI, when it makes an arrest, does so as a citizen's arrest. FBI persons have no police power. Frequently, however, they ask the police to deputize them -- and then they *do* act as public agents.

Police sometimes require an **arrest warrant** from a judge to carry out the arrest. You, too, can attempt to secure warrants from a judge. This will make your job easier.

Grand Juries

Now to a crucial matter – **your control** over your state or county grand jury. Running around to catch criminals is a hard job for individuals. So, in the old days there were grand juries. *Grand* means 24 members as compared to the petit jury of 12 that can try a case. The grand jury does not try anyone. Rather it calls to the government's attention the need to try someone. It issues a "true bill" or indictment.

The Fifth Amendment says:

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or **indictment of a grand jury**,...;

nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself,

nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." [Emphasis added]

The Massachusetts government website mass.gov says:

“Grand Jurors sit with 22 other jurors for a term of several months to consider evidence presented by the prosecutor. Grand Jurors do not serve on a trial, like Trial Jurors. Rather, they evaluate evidence presented by the prosecutor and decide if it is sufficient to indict (bring a criminal charge against) a person or corporation.

The grand jury does not decide the guilt or innocence of the accused. It decides if there is probable cause to bring the accused to trial.

The grand jury’s work is a pre-trial function of the court.”

That’s awful. The grand jury is a prerogative of the people **not the court.** There should always be a grand jury empanelled and you can go to any of those 23 persons to report trouble. Then it is their solemn responsibility to consider any indictment. If the “prosecutor” has usurped this function, you should go to court and ask for an injunction against this unconstitutional practice. Please do!

Note: I took that idea from Bill Windsor a contemporary hero of American law. He has a show called “Lawless America” on Youtube and is at the forefront of many battles for justice. So far, for his trouble, he is in jail. (And he suffers claustrophobia making it a terrible ordeal.)

Solidarity

We are very lacking in solidarity today. We’re trained not to trust one another, or to work for the greater good. This chapter has reminded us that the catching of criminals was understood to be the duty of all, for mutual defense.

Aren’t we in a similar position now to the colonists of 1775? We are being oppressed and the question is what to do about it? I think there is **loads of room for negotiation with our oppressors.** But a first step would be to arrest and try some of the criminals. As soon as people saw this actually happening it would engender a cultural change. “Tude” is the key to many things.

23. Retrial, Thanks to a Judge's Handshake

(published January 31, 2016)



Back row: Alito, Bader-Ginsberg, Kennedy, Sotomayor. Front row: Breyer, Stevens (since replaced by Kagan), Roberts, Scalia, Thomas

A few years ago, some silly member of Congress proposed legislating a Code of Ethics for the US Supreme Court. Of course I protested vigorously. If any of the Great Nine does not have a sense of the majesty of the law, he/she has no business being there at all, and no cute 2-page handout is going to set him/her straight.

Still, the American Bar Association did, in 1990, compose a Canon of Judicial Ethics. It contains one item that bears on the matter of “chatting with jurors.”

This is from the ABA’s Model Code for Judges:

RULE 2.8 Decorum, Demeanor, and Communication with Jurors

(B) A judge shall be patient, dignified, and courteous [etc]

(C) **A judge shall not commend or criticize jurors for their verdict** other than in a court order or opinion in a proceeding. [Emphasis added]

The subject of this chapter is Judge George O'Toole's chatting with the jurors (assembled) in the Tsarnaev case, and how it should affect the outcome. I say this judicial violation of the rules is more than sufficient grounds to declare a mistrial. Therefore, a retrial should be ordered.

Clarifying the Violation

As quoted above, the Model Code for Judges mentions that a judge should not commend a jury for its verdict. The thinking behind that is that he or she must always be impartial and *be seen to be* impartial.

The violation committed by O'Toole consists of his having met with jurors, not at the end, to congratulate them, but on March 3, 2015, before the case even began – to create a bond with them, and to influence them to follow his lead. Or so say I. Why else would he do it?

The reason the Model Code does not mention the particular sin of meeting with jurors *before* a trial is, I think, that the writers of the code would never imagine a judge doing that. Note: the Model Code doesn't bother to say "Judges must never take out their false teeth and put them on the bench." It simply "goes without saying."

You may think I am joking, and that the placing of false teeth on the bench is far more outrageous than what "our" judge did. Not so. Justice George O'Toole poisoned the minds of the jurors by shaking hands with them. The gesture can never be undone. It ruins the case.

This is a Crime, Not an Ethics Violation

I am very interested in (to the point of obsession perhaps) ways we can punish officials. Actually it would be even better to make them act responsibly. But in this book I want to sort out the punishments. We already covered impeachment of a judge.

The Constitution allows the judge to hold office for a lifetime, subject to his good behavior. As noted, if the people's representatives, the politicians (known in Australia as the pollies) vote to impeach, the whole procedure is political. The judge has no rights, not even to due process. So let's move past the impeachment topic.

Two other ways to discipline a judge are to bring him before the state board that licenses lawyers (I presume Justice O'Toole is licensed in Massachusetts since he graduated from Boston College and Harvard) – and charge him with a crime. I will discuss the crime first.

Did this judge commit a felony by shaking hands with the jurors? (He also told them “We are a team.” The mind boggles.) Yes of course that is the crime of obstruction of justice. Jahar was in need of some justice and got none. Luckily this is America and we can take care of that.

Please read the relevant federal law at 18 USC 1503:

(a) Whoever corruptly, ...endeavors to influence, intimidate, or impede any grand or petit juror, or officer in or of any court of the United States, ... shall be punished as provided in subsection (b).....

(b) The punishment for an offense under this section is...

(3) ... imprisonment for not more than 10 years, a fine under this title, or both.

So how do we know O'Toole did it? Easy, it came out in the bunch of sealed documents that got unsealed in January 2016, which is nine months after the case ended. Note: Even for a judge to greet a juror outside the courtroom may have the effect of making the juror feel some “connection” with the judge. But what we have here is much worse. Judge O'Toole met with all the jurors together and gave them a pep talk.

It was couched as a sort of welcome and appreciation and encouragement. But it is so clearly *not allowed*, one must wonder if O'Toole had taken leave of his senses. The now-unsealed document reveals that there was a "colloquy" of judge and jurors at which neither side's counsel was present! Take my word for it, this is UNHEARD OF.

Interestingly, and I suppose we have to give him a bit of credit, this judge allowed the unsealing of a document that showed the Defense asking him to declare a mistrial over the handshake caper. Oh, I forget to say he didn't just give a pep talk, he shook every juror's hand.

I am not sure why he did not suppress it by sealing the document forever. God knows there's "precedent" for it. A coroner-type judge in the Dunblane massacre Inquiry of 1996 did just that: Lord Cullen by name. (Sealed incriminating stuff for 100 years.)

Of course it doubles or quintuples O'Toole's sin that he then made a ruling – negatively – in regard to the Defense's motion for a retrial. By doing this O'Toole acted as judge in his own case. A basic maxim of law is: "*Nemo judex in causa sua debet esse*" -- no judge can be the judge in his own case.

So now we have identified a felony. There are further breaches of professional ethics involved but we can cover that in Chapter 26 below on "disbarring lawyers." Every lawyer in Jahar's trial should face disbarment IMO.

And not just disbarment. See Chapter 30's rap sheet.

24. What on Earth Is the FBI?



Man on left (LaVoy Finicum) surrenders to FBI and then is killed

Please folks, please help out. None of us know where the FBI comes from, or to whom it answers. Its first director – J Edgar Hoover – was said to control many presidents by blackmail. Heck, we don't want anyone "controlling" our leaders. And why did he do it? Who was his real boss?

In general terms it was the mafia. Or at least it was people who want to live lawlessly -- and yet be seen as the force of "law and order." Can you imagine.

Please let's stop being spectators to the most outlandish things that are happening to our society. **It would be a very basic first step to say there is something radically wrong here.** Just in regard to the Marathon case, we have several issues that need to be clearly acknowledged.

1. A bomb (or something) went off on Boylston St at 2.49pm on April 15, 2013. The person responsible has in no way been caught or even identified. We can say with confidence that it has to have involved the media and the government, judging by their passion for blaming a patsy.
2. A man named Tamerlan Tsarnaev apparently worked as an informant for the FBI, as is the case with many

immigrants and also with small-time criminals. They are told to participate “or else.”

3. Tamerlan was chosen to be a patsy and therefore, like all patsies, he was captured and killed. Perhaps by accident, CNN showed the capture on TV, and therefore many of us have been able to reject wholeheartedly the story that police had an exchange of gunfire with the Tsarnaevs.

4. That story should have been criticized anyway on the grounds of its foolishness. A man (Tamerlan) who already has a gun does not go to the MIT campus -- of all places - - to steal another gun from anyone, much less from a policeman. It is utterly preposterous.

5. Likewise, a man (Tamerlan) who already has a car does not take the risk of carjacking someone.

6. And needless to say, does not go around boasting that he has just killed a cop. It is totally counterintuitive.

7. Thus, it is a great worry that more people did not feel they could poke fun at this. Shouldn't they show anger at being taken for fools?

8. Many members of the public can be excused for not doubting, if they were conditioned to regard the nightly news as a source of truth. This is how all humans act when told the “facts” of religion. But in Boston the majority are educated and so must have at least a basic ideas about the way they can be manipulated.

9. The FBI, or military, or DHS, or SWAT – does anyone know who these people are? – sends a helicopter to observe a warm body in a boat. They figure it is the “suspect” and so shoot 228 bullets at him. When did it become policy to shoot-to-kill when there is a suspect on

the loose? Don't we have a great raft of inventions such as Tasers and teargas to bring a man down?

10. Earlier in the day (Friday the 19th), the FBI had gone through elaborate "theatre" – of a manhunt for a terrorist, and the mayor and governor go along with it, including putting on a show of martial law, with house-to-house searches in Watertown.

11. Alarming not one upper-level Bostonian – a priest, a professor, a doctor – spoke out against this illegal carry-on "in real time," and I have not yet heard of any such person assessing, subsequently, what happened. All of the professions seem to be willing supporters of this new (imaginary) thing called the war on terror.

12. That is, more than anything, a sign of **the extreme trouble we are in**.

13. The law profession not only remained silent about hugely unconstitutional behavior by government, it stepped forward to participate in the torture!

14. According to the Aunt Maret (and Uncle Dzhamaly Maazovich) claim, the "defense lawyers" – on your tab, by the way – went to Russia 14 times and never helped their client. On the contrary, they took part in threatening his family. They assured his conviction and imprisonment.

Who Is Up There?

Dear Reader, I realize that you may not have known of this until you picked up this book. I am sorry to be the bearer of shocking news. But please turn your shock into action. And recall: the visitors to Russia, the "defenders," said they were under pressure "from the highest level." That is what we need to elucidate – **who is up there at that highest level** and how can we negotiate with them?

No, I don't mean we need their names. We need to know what is driving so many moves in our society. If no members of the "upper level" -- I am referring to culture not to money -- are helping us with this particular issue (as described in the list above), it causes me to think they are consciously supporting the harm-doers.

Many people are controlled by blackmail. As I said, J Edgar Hoover ran the show in Washington DC. His very position, as an Investigator, meant he could snoop into private lives. Nowadays that's even more possible, as we have -- on the excuse of terrorism -- created new laws to allow "the FBI's of this world" to surveil everything.

Is It "the Jews"?

When one does not know who is doing something bad to society, one is happy to find a candidate to blame. The custom is to name a group that is united by nationality, language, or religion, as **that is how we evolved, to band together against an enemy tribe.**

My guess is that today's bosses do not share a nationality or a religion. The world scene is too complicated. I do not think it could be the Jews, or, for that matter, the Chinese.

Certainly if the Jews are doing all this harm they are not doing it for the sake of the tribe. I see no connection between the weird stuff that is happening and the welfare of that one group -- and anyway Jews are not "one" group.

I am bringing up this subject in order to dispose of it. It seems that many people think they've got it all figured out -- that Israel is the entity in charge of the wars in the Middle East. Maybe it's true but I don't see it.

Congress authorizes those wars, and if they do so under pressure from a lobby, they're still doing it as Americans.

(Personally, I think the hive where wars and other terrible things are planned is in the UK. See Knights of the Garter.)

In 2014, a physician and a schoolteacher in Scotland – Jim Macgregor and Gerry Docherty – came out with a well-researched book, *Hidden History* about World War I. They show how a mere two men – Lord Esher and Earl Grey – were able to bamboozle the House of Commons – and bamboozle France and Germany as well.

I don't ask anyone to take it from me that London is the center; my impression is not sufficiently grounded in facts.

If you want to pursue the Jewish idea, would you please pursue it openly? Using innuendo only serves to create a sense that we have figured out what is going on and surely that is not the case.

By the way, it would be great if some Jewish Americans would put the whole thing on the table. Why not refute the claim that 9-11 was done by “the Jews”? That is a terrible accusation and it is mean of the Jewish population not to help the rest of us sort it out.

Back to the FBI

We would be crazy to allow the FBI to continue along their present, unhampered course. Let the Marathon thing be the catalyst for change. There are plenty of Youtube videos of Watertown residents being interviewed on the street (and a word of thanks here to the interviewers!).

There is plenty of grounds for legal action against what the FBI did in Watertown. To give one example, there are civil rights laws against persons acting “under color of law” to brutalize people. See 42 USC 242.

Please see Exhibit C's two-page excerpt from a book that exposes what happens in FBI's so-called crime labs.

25. MyBPL -- A Plea to the Trustees of the Boston Public Library (*published January 5, 2016*)



Dear Trustees of the Boston Public Library:

Chairman Robert E Gallery, Vice Chairman Evelyn Arana-Ortiz, and Board Members Zamawa Arenas, Cheryl Cronin, Laura DeBonis, Carol Fulp, John Hailer, Paul A La Camera, and Byron Rushing.

Greetings from the Antipodes!

By chance I read something online today that struck me as sacrilegious toward the BPL. I want to call your attention to this matter. It is an item appearing in the *Cape Cod Times* of Dec 21, 2015. It reports that a man and wife from Brewster have engaged a sculptor named Sean Egan to make two crystal works of art in memory of persons who died at the Marathon.

As I am sure you know, the bombing that took place outside the Library building on April 15, 2013 was done by a covert agency — not by the Tsarnaev brothers as is so cruelly portrayed in the press.

The Brewster man, Ralph Ingegneris, said it broke his heart when he heard about the death of the child, Martin Richard. He said “What made me sick is that they left the bomb right next to him”.

Some day when word reaches the Ingegneris’s that the “they” who left the bomb are persons on the government payroll, I imagine they will take it very hard.

At the moment I shall not attempt to persuade them, or even contact them. The majority of Bostonians—

incredibly, to my eyes – seem to have accepted the official story about the Tsarnaevs.

I grew up in Dorchester where my father, a Boston Public School teacher, took my sister and me to Boston Public Library once a week. Sometimes he took us to the main library in Copley Square but more often to the Cuddy or the Addy (Dad's parlance for the Codman Square Branch and the Adams Street Branch).

(He also frequented “the Eggy” – Eggleston Sq. Branch - on his way home from work in the South End, but that was not my stomping grounds).

I never got over my love of books and have authored eight of them myself. The ones published by university presses are right there in your stacks. Oh, I can smell the stacks now. Oh I can taste freedom of thought and expression. How lucky we Bostonians are!

So now to the business at hand. The Brewster couple said that one of the sculptures will be of Sean Collier, the deceased campus cop, and thus will be housed at MIT.

The other one of the child Martin Richards does not yet have a home but may do so by April. They said State Rep Timothy Whelan is “eyeing” the Boston Public Library.

Please, you can't accept this. I mean you could certainly accept it and display it as part of a teach-in to show the truth about the Marathon bombing. E'en tho' I be 10,000 miles away, I would show up at your command to assist in that effort. And there are many like me, including Professor of Biology Moti Nissani, and Cheryl Dean, a Canadian who has followed the legal machinations of the case with absolute commitment to bringing out the truth.

Indeed, now that I think of it, the decision as to whether the BPL should house the sculpture could itself occasion some much-needed soul-searching in Beantown.

For starters, it could bring about a lively debate just on the subject of free speech. You must have noticed a falling off in borrowers at your library. This happens when the public is inundated with propaganda in the form of infotainment.

Sure it's a sad thought that some naughty group has committed such crimes as 9-11. I see that the percentage of doubters in New York is about to hit 51%, making 'conspiracy theory' of 9-11 a more orthodox position than the official story. That will be quite a relief, and may turn the tide for the other 'conspiracies.'

Please, the library has got to be at the forefront as regards the Boston conspiracy. Even if we were to speak only of your traditional responsibility to guard the knowledge of the past, that would well encompass the task related to sorting out the Marathon problem. There is many a book on your shelves that could be used for this.

But the point of this letter is to say that, at the very least, you must not take part in the deceiving of the people. I mentioned "sacrilege." For the sculpture to be displayed at the Library, with a general understanding that the bombing was done by Tamerlan Tsarnaev (who was in fact murdered by the FBI) or by the younger brother who is presently on Death Row, would be a sin beyond sins.

Let Fenway Park take the sculpture. Let it stand on Boston Common. Let Widener Library at Harvard house it. Anywhere but the Boston Public Library.

Your sincerely,
Mary Maxwell

Note for persons who remember *The Atlantic Monthly*:

On the first anniversary of the Marathon bombing, the US's most high quality literary magazine (or at least it was, years ago) devoted itself to assuring its readers that the campaign to free Jahar was petering out. Here is the pathetic article:

#FreeJahar Fades Away: The Tsarnaevs Go the Way of the Jonas Brothers, by Philip Bump, in *The Atlantic*, 2014.

It's the way of teen fads, really. The once virulent online activism arguing that Dzhokhar "Jahar" Tsarnaev was innocent of the Boston bombings is just whispers now, a few bedraggled Facebook pages peeling off bedroom walls.

Shortly after images of "Suspect Number Two" were released to the public and that suspect was identified as Tsarnaev on Friday, April 19, 2013, the ad hoc community of support clicked into gear on social media.

"There are now photos of accused Boston Marathon bomber Dzhokhar Tsarnaev," Gawker's Max Read wrote about an eighth grader's Tumblr page in one of the first big profiles of the movement on that day.

Scroll down a bit and you see a few morose text posts about Jahar. In one, the author is confused about the prospect of Tsarnaev getting the death penalty; in another, she rails against Troy Crossley, identified as a friend of Tsarnaev's who used his new fame to promote his rap career.

Crossley has tweeted sporadically about Tsarnaev, sending emoji kisses to @_freejahar_ He also retweeted Tsarnaev himself on April 4: "I'm a stress free kind of guy."

The #FreeJahar hashtag has been pretty quiet on Twitter recently, a few dozen posts a day, but with a big spike on Tuesday, for understandable reasons. The most popular tweet today is @toxxicbieber's retweet of @freejahar02's tweet, "Retweet this if you believe Jahar is innocent of bombing the Boston marathon. Only 20 people have retweeted it.

As Read noted at the time, Free Jahar was largely a Tumblr phenomenon, in part thanks to the fact that the most active demographic to embrace it was teenage women. (Though their motivations for doing so differed.) Tumblr is quieter these days than it used to be.

The page JaharTsarnaevIsInnocent.tumblr.com has a lengthy set of posts picking at some of the many small inconsistencies in the early reports of the attacks. It is a repository for some of the once-ubiquitous image collages that featured the handsome face of the younger brother.

If you go to that page, be warned: Pharrell's song "Happy" begins playing once you do. The posts are a mix of Tsarnaev fandom and Bieber fandom.

There are still a number of Facebook pages, too. Freejahar has 78 likes and no posts since April 24, 2013. Free Jahar has 96 likes and posted most recently in January.

FreeJaharTsar has 167 members and no public posts — but also links to FreeJaharTsar.org, an online index of every possible conspiracy theory that exists. Among the "Suspicious People Involved" that are listed: the Boston police commissioner and the head of the FBI for the region.

FreeJaharTsar.org also mentions the death of Ibragim Todashev, who died while in FBI custody last year. That was mentioned in @FreeJahar's remembrances today as well: "Lets not forget how #Tamerlan died and how his friend, Ibragim #Todoshev, was murdered by the FBI."

But that dedication to scouring the rabbit holes of the case is rare. For most of the #FreeJahar advocates, their interest probably didn't survive last summer.
[End of article by Bump in the poor, sick *Atlantic Monthly*.]

By the way, FreeJahar has thousands of supporters and shows no signs of fading away. -- MM

26. First, Disbar All the Lawyers *(published Feb 22, 2016)*



Bill Clinton, suspended from legal practice for 5 years (while president!) for perjuring about Monica Lewinski

Every state has a licensing board for professions, such as accountants, nurses, doctors, and lawyers. This is one way to control individuals who want to hang out their shingle.

Lawyers are licensed to practice by the state. If members act unethically, you can bring a complaint to the relevant board and ask for action. The likely actions are: that the board will tell the lawyer to stop doing that thing (say, overcharging), or will call her before a panel for a hearing.

The *complainer* will not be present at the hearing (unless called as a witness) but the professional person will be worried about getting disciplined. It is within the power of the association to give the person a rebuke (not published), a reprimand (which is always published), or a suspension or revocation of the license to practice.

Most state law boards adopt the Code of Ethics recommended by the American Bar Association. It warns against doing such lawyer-naughties as 1. Failing to file papers on time for the client, 2. Communicating privileged information, or 3. Participating where there is a conflict of

interest – such as representing A against B, where B used to be the client of that lawyer. The Board can't help complainers overcome something the lawyer did wrong in their case; that client would need to sue.

It appears there are two watchdogs for the professional ethics of lawyers in Massachusetts. One is the Board of Bar Overseers, the other is the Attorney and Consumer Assistance Program of the Office of the Bar Counsel. (Tel. 617-728-8750).

Massachusetts has adopted Rule 8.4 (e) of ABA's Model Code which says it is professional misconduct if a lawyer "engages in conduct prejudicial to the administration of justice." Well, that's a very good catch-all!

A Word about Impostors

Recall Chapter 19's discussion of the Brady rule of exculpatory evidence. US Attorney Jeffrey Auerhahn broke that rule bigtime, yet the panel of judges declined to discipline him. They said, in a 2-to-1 ruling:

"The allegations of professional misconduct have not been proven by clear and convincing evidence."

Why did they do that? I think I've got the answer: it's that those two judges (one of whom is George O'Toole) are working for someone else.

I developed the idea of imposture in my 2011 book, *Prosecution for Treason*. Consider George W Bush. He was an impostor president. There is no way he was working for the nation. He was employed by "secret forces."

Consider the FBI. It is an impostor organization. Thanks to the fact that Congress gave the FBI a huge expense account to create good public relations about itself, Americans have believed the FBI is a law enforcement

agency. No. The FBI has only the power to investigate. It has no authority whatsoever to enforce the law.

I think the entire Department of Justice could be an impostor. This is the office that is headed by the US Attorney General. Under her is the FBI.

Also under the Attorney General is the Anti-trust Division, mandated to break up monopolies and too-powerful trusts, by using the Sherman Anti-trust Act. As far as I know the Sherman Anti-trust Act for over a century has been about as busy as the Maytag repairman.

This does not prevent the DOJ's website from claiming:
"The mission of the Antitrust Division is to promote economic competition through enforcing and providing guidance on antitrust laws and principles."

One thinks the DOJ must subscribe to the prophecy "The lion shall lie down with the lamb."

The Crimes against Law

This chapter's focus on the disbaring of lawyers is not meant to compete with discussion of why Judge O'Toole can be indicted for the *felony* of obstruction of justice. Crime is a separate from breach of professional ethics. I think O'Toole obstructed justice scandalously by not making anything of the amicus curiae sent by Aunt Maret.

The great legal thinker Sir William Blackstone, in his 4-volume *Commentaries on the Laws of England*, of 1769, catalogues the laws that fight against misuse of the law. Blackstone lists crimes that harm the law itself. He understood that the **law is vital to our survival** and is always being weakened by forces that don't want to be subject to law.

United States Constitution, Article I, Section 8

The Congress shall have Power 1. To lay and collect Taxes, Duties, Imposts and Excises to pay the Debts and provide for the common Defence and general Welfare of the United States; 2. To borrow money on the credit of the United States; 3. **To regulate Commerce with foreign Nations, and among the several States**, and the Indian tribes; 4. To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies 5. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures; 6. To provide for the Punishment of counterfeiting the Securities and current Coin of the United States; 7. **To establish Post Offices** and Post Roads; 8. To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries; 9. **To constitute Tribunals inferior to the supreme Court**; 10. To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations; 11. To declare War, grant Letters of Marque and Reprisal...; 12. To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years; 13. To provide and maintain a Navy; 14. To make Rules for the Government and Regulation of the land and naval Forces; 15. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; 16. To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States... 17. To exercise exclusive Legislation in all Cases whatsoever, over such District as may ... become the Seat of Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And 18. **To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers**, and all other Powers vested by this Constitution in the Government.

Ask: how do Clauses 3 and 7 bear on Jahar's trial?

Overcharging a client is one thing, but why do lawyers stand by and see the Constitution ruined? After all, they

and their offspring need its protection. In 1787 the Framers, who were delegates of the 13 states, granted a few powers – 18 to be exact – to the feds. That granting is known as “federalism” (a confusing word as it makes you think of federal power but it is meant as a *limiting* of it!).

A president who wants more power than is allowed by the parchment might obtain it by his own lawlessness, that is he makes it “policy” to shoot Americans by drone rather than arresting them. Or he gets Congress to pass laws that seem to override the restrictions of federalism.

Since 1890, Congress has passed unconstitutional laws by pretending there is an element of commerce involved. See **Clause 3** which is known as the commerce clause, or as the “**Hey, you-can-do-whatever-you-feel-like Clause,**” as it was called by Judge Alex Kozinsky.

The Grand Jury that wrote up Jahar’s indictment went to ridiculous lengths to say he had broken federal, rather than state law, so they could grab the case for US Court. Here are samples from Jahar’s indictment. He:

1. Hurt commerce, as people will now be afraid to come to the Marathon. The indictment portrayed the finish line in the following language:

“Low metal barriers line both edges of the street and separate the spectators from the runners. Many businesses line the streets of the Marathon route. In the area near the finish line, businesses are located on both sides of Boylston Street, including restaurants, a department store, a hotel, and various retail stores.”

Clause 7 about “the Post Office” is used to support many laws it gives the thin excuse of federal involvement. See: 21. “[Jahar] used the internet to order electronic components that could be adapted for use in making

IEDs, and components were delivered by the United States Postal Service to his Cambridge residence.” [*Mein Gotte!*]

31. “On April 18, 2013, at approximately 10:25 p.m., in the vicinity of 32 Vassar Street in Cambridge, Massachusetts, DZHOKHAR A. TSARNAEV and Tamerlan Tsarnaev murdered Sean Collier, an MIT Police Officer, by shooting him in the head at close range with a Ruger P95 9mm semiautomatic handgun.”

Note: the fact that this gun is regulated *federally* relies on a truly unfathomable connection to the commerce clause.

In two US Supreme Court cases, *Lopez*, and *Morrison*, there was, at last, some intervention by the Court on behalf of the Constitution. Mr Lopez was convicted for possessing a firearm near a school. His 1995 case was overturned.

Held: Congress shouldn’t have passed a law against carrying a gun near a school, as this is the state’s prerogative. (But we rarely hear the state itself objecting!) In 2000, the Morrison case met a similar ruling, yet it has not led to a diminution of federal incursions.

I recommend that the state of Massachusetts intervene to say that Jahar’s behavior in killing Collier (never mind that he didn’t kill Collier) is a state offense and the US District Court has no business in it.

Ah but was it a Massachusetts Grand Jury that wrote that indictment? No, it must have been a federal grand jury, with 23 Mass-based jurors. The DoJ **wrongly** controls the grand jurors. So does the attorney general in many states. A grand jury is a people’s thing.

Trust me on this.

27. Judy Clarke's 'Patients' Have Something in Common *(published April 11, 2015)*



Ted Kaczinski,

Susan Smith

If Jahar Tsarnaev, or his late brother, thought up the idea of bombing the Boston Marathon, I'll be a monkey's uncle. If Eric Rudolph (who had allegedly bombed an abortion clinic and a lesbian bar) thought up the idea of bombing the Atlanta Olympics, I'll eat my hat.

Such terrorist acts are probably thought up at Quantico headquarters, FBI. Let me float here the conjecture that all abortion-clinic violence, all serial murders, all attention-gabbing murders, such as a Mom drowning her kids, come straight from QHQ. They are all part of the media-related effort to set the tone for our culture, and distract us.

Wikipedia says that the judge liked the way Judy Clarke acted as Public Defender of Susan Smith, a Mom who drowned her kids, so he raised her fee to \$83K. Judy seems to be 'on call' for the feds to defend anyone according to the feds' wishes.

Hence, her position as defender of the Marathon bomber strongly indicates that the feds did the bombing!

Mind Control Could Be the Key Here

If the Susan Smith case is for-real I would guess she did those murders (of her children, by drowning) under mind control. Production of Manchurian Candidates is big business in the CIA and is now also used by the mafia. And we know the Mafia and the CIA are wed, right?

Daniel McGowan's book *Programmed To Kill*, shows that the *courtroom* goings-on for most famous murder cases were risible. Albert DeSalvo could not have been the Boston Strangler, given the way the Law dealt with him.

Pease follow my retrospective logic: DeSalvo's court-appointed lawyer, F. Lee Bailey, cooked up a mean trick. He had Albert tried for a much lesser crime, and during the case he, the defender, mentioned to the jury that Albert had told a prison inmate that he was the Strangler.

The jury members, knowing that their neighbors read that in the news, would then not dare stick up for the accused. Note: there was no cross-examination to challenge any aspect of Albert's having done those murders! By the way, it would now pay to look up all of Bailey's famous cases. The various crimes were probably all scripted.

Another of Judy Clarke's clients (besides Smith and Tsarnaev) was Eric Rudolph. Did he really do the exploding shrapnel violence at the 1996 Olympics?

I doubt that he did. And consider his role as 'religious devotee' in the matter of bombing an abortion clinic. If he wanted to protect fetuses from abortion, would he be likely to become a killer in order to bring about that end? Nonsense.

Note, too, that Eric was said to have **hid for five years in the hills while on the FBI's Most Wanted List**. Are you

able to believe that? Isn't it more likely that he was in custody of his mind-controllers? I wager he did some other killings or robberies during that time. (And had he been caught, the police could say "Voila! We found our escapee." What a system!)

I think lawyer Judy Clarke herself is mind-controlled. Her Dad died when she was 15. In my research of MK-Ultra I find it too-frequent that the victim has lost a parent early in life. Would it be asking too much for someone to study this? I think you'd find that The Powers That Be knock off the family members of a person they hope to control.

This may be to get the potential-trouble family member out of the way, as perhaps explains the suicide of Martin Bryant's father in Tasmania in 1993, three years before Martin served as the patsy in the Port Arthur massacre.

But if a whole family is mind-controlled, you'll have built-in commentators when the crime is committed. In the case of Ted Kaczynski, it was a brother who turned him in. The newspaper had displayed Ted's handwriting in a note, and the Bro 'recognized' it, and said (I paraphrase) "Gee I'll bet my brother is the Unabomber. Tsk tsk."

Back to the matter of Judy Clarke's patients. I think it's time to re-open the cases of Ted Kaczynski, the Unabomber, and Eric Rudolph, the Olympics bomber. Both men are "available" in so far as they are in prison. Ted is in the same prison as Jahar, the Supermax.

A Broad-brush Statement on Mind Control

There are persons who do criminal acts under hypnosis. Many of the MK-Ultra survivors admit that they carried out murders, beyond their rational control. They were not patsies (who do not do the deed at all). They are called Manchurian candidates, so named after a fictional story.

But what of the many “middle managers” who helped out in the Port Arthur massacre, or the Boston Marathon, or 9-11? Could it be that some of them are mind-controlled yet lead apparently normal lives? I said above that I think Judy Clarke did not grow up as a free citizen.

How about George Bush who played a role in 9-11? He was definitely tortured as a child. And according to Brice Taylor’s book, *Thanks for the Memories* (a must-read for all Americans), **Bush uses a Taser to torture little kids.**

I think almost all top show biz people were selected as children and are under complete control. It’s forbidden for a popular singer or actress to question the party line. This may be true of all newscasters, too – a brash claim.

Pizzagate

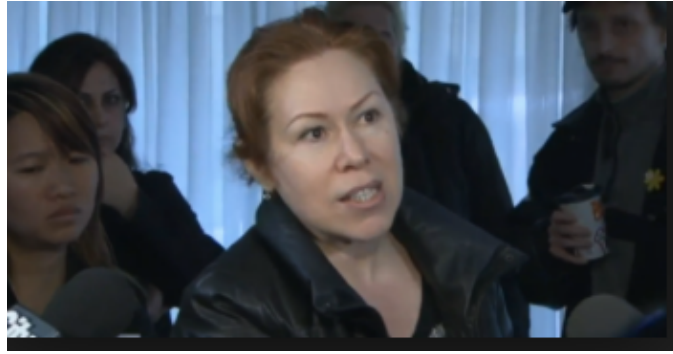
It looks as though we may be entering a new era, thanks to exposé of John Podesta’s emails when he worked for Hillary Clinton. Podesta has been a White House Chief of Staff, so must be in the in-crowd. He refers to trafficking of children for VIP sex parties as if they all do it. Meanwhile in Australia, Fiona Barnett has told of her life of horror as a child torture victim. She claims that top government people are all in this. I believe her.

Are you wondering how so many elected officials could be persuaded to change their way of life to join such practices? The likelihood is that they grew up in the game and were *recruited* to run for office. Thus we may have a majority of our leaders who are living in cuckoo land.

Please read Wendy Hoffman’s book *Enslaved Queen*, Kathleen Sullivan’s *Unshackled* or see Trish Fotheringham on Youtube, and Fiona’s pedophilesdownunder.com.

My new book *Deliverance!* covers these matters.

28. Appeals, Pardons, Change of Jurisdiction, or Writ of Error Coram Nobis



Maret Tsarnaeva, LLM (Manitoba)

One day Boston will have to correct the errors made in the Marathon trial. There are different ways to do it. The possibility of a retrial was already suggested in Chapter 23, based on the judge having shaken hands with jurors.

I think that is the best way to go. It would be enormous fun to see the trial conducted properly. Jack Graham could be the defense attorney, assisted by attorney Maret Tsarnaeva. (Nepotism has its place!)

It could result in an acquittal, and thus the exonerated person would be eligible to sue for malicious prosecution.

As for appeals, Jahar has already filed, but I don't think the appeal has much merit. It does not, of course, make anything of the wrong actions by his defense team.

What about a Pardon?

Although I have said I favor a retrial, and I will say below that I like the idea of Coram Nobis, the fact is that a pardon is neat. And it's quick. President Obama could sign one today, no further fussing required. Or his successor can do it upon Inauguration, January 20, 2017.

Time is of the essence. Perhaps Jahar is in need of medical attention. He certainly needs some social conversation. And his family needs him. Recall that his grandaunt came to the US, but was not allowed to hug him. **Fathom it.**

Pardon is also the least expensive move for the taxpayer. By the way, when the FBI gets sued for brutality, as it often does, the payout comes from taxpayer money.

Change of Jurisdiction

The setting for this trial was the Moakley Courthouse of the United States District Court. Article III of the US Constitution provides for the existence of the Supreme Court but not for lower federal courts; these exist at the pleasure of Congress. See Article I, Sec 8, Clause 9. We find such courts handling the adjudication of “*federal law*.”

Thanks to anti-terrorism laws – whose constitutionality has hardly been tested – the bombing of the Marathon seems to be a federal crime. However, the murder of Sean Collier is a state crime. Massachusetts has jurisdiction.

Thus, Governor Baker can order a recall of the case to the state supreme court. Every Republican in Massachusetts should be screaming for this to happen.

The Writ of Error Coram Nobis

Forty-nine of the fifty states inherited English common law. The common law provides for a court’s error to be corrected by the original court, not by appeals. The method for this is the Writ of Error Coram Nobis.

Such a writ exists in the US unless a state has repealed it; Massachusetts has not. On February 29, 2016 I filed a petition for the writ in Jahar’s case. I received a postcard notification but no further reply. See Exhibit K.

This procedure makes sense. The point is that a court is sacred and no fraud must be connected with it. I am not

referring to fraud committed by one party on another, but by court personnel.

In *Bullock v. US* (1985), the Tenth Circuit Court said:

“Fraud upon the court... is where ...the judge has not performed his judicial function, thus where the impartial functions of the court have been directly corrupted.”

In *Kenner v. C.I.R.* (1968), the Seventh Circuit Court said:

“A decision produced by fraud upon the court is not in essence a decision at all, and never becomes final.”

How To Go on the Offensive in Jahar’s Case

Jahar can sue under the civil rights law for deprivation of his civil rights, and Tamerlan’s widow Katherine Russell can use the same law to sue for his wrongful death. See 42 USC 242:

“Whoever under color of any law ... subjects any person to the deprivation of any rights ...”

The three-year statute of limitations is up but it should not start tolling until Jahar gets a chance to sue, and Katherine gets free of FBI harassment. At present she is suing the moviemakers of *Patriot’s Day* for defamation.

We can all go on the offensive in a more aggressive way by calling for the prosecution of the many persons who actually did commit the crimes related to the bombing of the Marathon. See Chapter 30. Warning: it’s hot.

Note: If you wish to see how easy it is for a member of the public to file a civil RICO, please see my *Fraud Upon the Court*, or write to me for a free copy. RICO refers to the Racketeer Influenced and Corrupt Organizations Act.

29. What Would Smart Bostonians Do Now?



The Public Garden -- Look at all our forebears did for us!

So we have a problem. Do ya reckon we can solve it? I don't see any reason why not. In the past, humans managed to overcome the woolly mammoth, the Roman Legions, belief in leprechauns, wife-beating husbands, husband-beating wives, and many other problems.

This is not to underestimate the challenge. A few of the features are enough to make anyone calculate a bad outcome.

Such as? Such as the amount of destruction of the environment that has already taken place. Such as the possibility that all national leaders are obeying one ruler! Or that hypnosis is being used on us wholesale, or that Dr Strangeloves galore are tampering with our very DNA.

But we can try to get on with it and not concentrate on the odds against us. In this penultimate chapter I'll just offer several methods for making some progress.

A Cornucopia of Law Devices

Starting with the Code of Hammurabi, and no doubt going back much earlier, nations and tribes have set up a definitive law for all to follow. That is a plain fact.

It is ridiculous to think that law is soon to disappear. Law is like an exoskeleton that supports and protects us. It's the only known method by which we can live peacefully and securely.

This book has presented a picture of the Marathon having been carried out by government – call it “rogue forces in government” if you don't want to call it government. The proof is in the way **the many officials and prestigious persons refuse to take up any conversation with those of us who point out the wrongs in the case.**

So now it's our turn to impose the law on them. What fun! And there are tons of existing laws we can use. I'm talking mainly about criminal law; we must punish them for their crimes against Jahar and against society.

The law has other paths we can use. For example, any **legislature** has the power to **subpoena** witnesses. Individuals have the right to seek **declaratory** relief, i.e., they can ask a court to say what the law holds. Aggrieved parties can sue for damages.

Frightened persons can ask for **restraining orders**. Cheaters can be made to disgorge themselves of ill-gotten gains, by using the (almost forgotten) Court of Equity.

Here I'll be interested in making arrests, not in merely getting someone sacked from a job. It's already very late in the day to be going after these criminals, but that's because they were able to use their governmental positions to stymie our efforts to identify who was doing what to whom.

Government as the Enemy in the Courtroom

Here is a peculiar thing. We have normally thought of a courtroom as a place where two sides can have their say, and then their case will be impartially adjudicated. But for the last two decades or so, the government of the US, and of the states, intrudes its hand into criminal cases.

The role of the prosecutor always had the potential to be a sinister one, but this was kept in check. Nowadays a prosecutor knows no restraint. He or she can act with impunity. **This is a fabulous and little-noted conflict of interest!** Sure, the defense team could fight this, but they, too, are employed by government!

Does the defender, in this case Judy Clarke, look ahead to being promoted or remunerated in future cases according to how pleasing she is to the boss in the present case?

I can remember a time (1960s) when a defender who would lower the boom on the government would *thereby* earn a rise in status! So it is interesting to see the change.

Evidence in the Hands of the FBI

Another major conflict of interest has to do with evidence **adduced** (“brought forward”) **by the prosecutor**. Where did she get this material? From law enforcement persons, that is, the police, and from – wait for it – “investigators.”

At first glance that may seem OK; investigation is needed. But in a particular case – say Jahar’s – the “bureau” of investigation, the FBI, seems to have had a very large hand **in the committing of the crime**. So naturally it helps their “cause” to concoct such evidence as a confessional note written on a boat wall and a set of receipts for the purchase of five pressure cookers (dated January 2013). The receipts had no name on them, by the way.

US Attorney Carmen Ortiz, in her role as prosecutor, adduced the receipts as evidence. These were “reportedly” discovered in Tamerlan’s wallet when he was captured. Probably the public took that to be proof of his having actually purchased those pressure cookers but it was a joke. It was a cash purchase attributable to no one.

I’ll pass over the fact that any proper Defender would grill the official who presented this particular exhibit. If I were she, I’d have done a big eye-roll and asked “Have you ever heard of a criminal saving incriminating evidence for three months for no good reason?” And not destroying it?

The judge, too, got into the act – in an invisible way. He can, pre-trial, rule evidence as inadmissible – this is a very significant power. He also can rule some topics out of bounds. Judge O’Toole made a decision that **Tamerlan’s motives** could not be discussed in court – despite the fact the defense “case” was that Jahar operated under his older brother’s influence.

I’m not trying to analyze the evidence here. The foregoing is to make the point that there is quite a conflict of interest as the *background structure* of the trial. Thus, it would not be reasonable to expect justice to emerge.

And that’s without even going into the issue of the state ordering a **dramatic manhunt** as a way of magnifying the crime, and perhaps conditioning citizens for martial law.

How Can I Arrest Thee? Let Me Count the Ways

We must turn our eyes to the ones who did the bombing. They (allegedly) caused 3 deaths and 264 injuries including many that led to amputations. And a cop was murdered on the MIT campus three days later, Sean Collier. It would be ludicrous to say we should not bother hunting for the ones who did such things.

Who can “open a case” against them? As far as I know it is possible to:

- report them to police (that is, report that a crime was committed even if you are not sure of the identity of the perpetrators – surely you would do that of a pickpocket!)

- report the matter to a local court

- report the matter to the local Grand Jury

- report the matter to the District Attorney

- file a private prosecution.

But there are also *indirect* ways to “open a case.” One can go to court as a litigant, a party to a case:

- You can file for a restraining order against the bad guys

- You can file for declaratory relief (a moral ruling)

- “With leave,” you can sue the government for damages

- You can file a Civil Rico suit (discussed in Chapter 19)

- If your civil rights were affected, you can file under the federal civil rights law, per 42 USC 242 (as described in Chapter 28). Many states have similar laws; these specifically address police **brutality and intimidation**.

I am determined to show that the way to hang on to what we still have of “rule of law” is to practice it.

Don’t listen to anyone who say Let’s throw it away and try a new system! Keep slogging away with what’s in place.

Consider again Judith Shklar’s words:

“What distinguishes most ... political trials is that they scorn the principle of legality, which, ideally, renders criminal law just. The judge will be subservient to the prosecution, the evidence false, the accused bullied, the witnesses perjured, and the rules of law and procedure ignored” -- *Legalism*, 1964

Shklar, author of many books, was an exceptional thinker, who died in Boston at age 64.

What a Patriotic Politician Could Do Now

Most folks look to their elected leader and wish he or she would be a good, helpful person with strong ideas. So if you know that description fits you, why not step forward?

In an earlier chapter I made some suggestions to Maura Healey as to what the state attorney-general (an elected position) could do. **She could call a press conference and announce that Tamerlan was killed in custody.**

I also pointed to a RICO prosecution. (The statute of limitations for that is, effectively, 10 years). I suggested to Governor Charlie Baker that he deal with Jahar by **insisting that Sean Collier's murder was a state crime.** He can pardon Jahar for that – as a way of “extraditing” him.

If Baker did not like that approach he could instead bring Jahar home to prosecute him for treason regarding Collier's death. There is precedent for that. And it is an *additional* crime, so no need for a tug-of-war with feds.

I now also point out that it is completely within the job description of the Massachusetts General Court (the state legislature) to set up an **investigation** of the Marathon. It is also within the power of the state to hold an **inquest**. To have an inquest about any of the deaths – Tamerlan, Martin Richards, Officer Dennis Simmonds – would enable the subpoena'ing of all sorts of witnesses.

I say if you are a person in *any* recognizably responsible position: a pilot? An owner of a kindergarten? a radio announcer? your speaking out would make things move.

Queen Elizabeth, in her Christmas message this year (2016), said that you can make a difference by going about your normal tasks well. I do not agree. These are extreme times and one needs to take extraordinary steps.

30. *J'Accuse*



Abu Ghraib – this is how we end up as a lawless culture.

Throughout this book I've been emphasizing punishment. It's not that I like that subject – I don't. But the happy life we enjoy is based on an understanding that everyone is under an obligation to make society operate well. That calls for disciplining those who would be lazy or who would actually scheme against their own group.

It looks like we have a lot of schemers today. See the photo of that female American soldier humiliating a prisoner? She did not invent it. She was trained to do that. If you are American, you participated in her training.

You say you had nothing to do with it? Hrmph! That means you think there is no such thing as a society – that it's all just a bunch of individuals running amok.

Oh – you claim that you live your own good life and are self-sufficient? Nice try, but nobody is self-sufficient in a population of 320 million.

How did the tap water in your kitchen get into the tap? How did you learn to read? Won't you be calling the fire department if your house starts to burn down?

Using Tsarnaev's Case As Basis for Real Indictments

I am 99% satisfied that Jahar Tsarnaev had nothing to do with bombing the Marathon, killing MIT Officer Sean Collier, carjacking Danny's car, stealing Danny's money, shooting at cops, throwing IEDs at anyone, running over his brother, going into a house in Watertown for a pee, or making any confession to interrogators at the hospital.

That being so, we should look for the actual perpetrators. I'll sketch six crime scenes and ask who may be indicted.

Crime Scene 1: The Marathon finish line on April 15, 2013.

Some persons detonated a bomb that killed three: Martin Richard, age 8, Krystie Campbell, age 29, and Lu Lingzi, age 23, and injured 264 people, and damaged property.

Crime Scene 2: The MIT campus on April 18th around 10.20 pm. Officer Sean Collier was shot in his cruise car.

Crime Scene 3: The custody of FBI (wherever that happened to be located). After he was captured, unhurt, on Mt Auburn St, Tamerlan Tsarnaev died.



*"Leaked" mortuary photo. Tamerlan Tsarneav, RIP
[This picture, too, may have been photo-shopped.]*

Crime Scene 4: The yard of David Henneberry's house in Watertown, which contained his boat. Some combination

of local and state police, FBI, and perhaps military, shot 228 bullets at the boat on which they had ascertained that a warm body lay. When Jahar emerged from the boat someone allegedly attacked him with a knife.

Someone should be charged with the crimes of the shooting and the knifing. Both are attempted murder. There are laws against use of excessive force by authorities. To bring a criminal case would help the public find out if a shoot-to-kill policy exists. (And if it does, how to challenge that policy as unconstitutional.)

The 228 bullets may be said to have been necessary for the public welfare. This is contradicted by the fact that police say they suspected Jahar of carrying a bomb. Had police bullets hit the bomb, an explosion may have harmed many people. In any case **the knifing was unrelated to helping the public as Jahar was by then in captivity.**

Crime Scene 5: The offices of media or others, including psy-op (psychological operations) planners who created the false story that's been used from Day One.

Crime Scene 6: The Moakley Courthouse or other places where persons knowingly arranged to have an innocent person convicted of the bombing (and on whose account that man, Jahar, is to be executed). Note: The trial in 2015 was just 800 years after the Magna Carta promised:

<p>“No bailiff for the future shall, upon his own unsupported complaint, put anyone to his ‘law,’ without credible witnesses brought for this purpose.”</p>

Massachusetts General Law, MGL

The MGL is divided into five parts. Part IV is about crime, punishment, and criminal procedure. You can look up any crime under the state law to see the definition and the applicable fine and/or term of imprisonment.

I shall now list some criminals and cite the legal penalties. What kind of charges can be brought against a bomber of the Marathon, and what punishment can a jury impose? It is easy to answer that by looking at two documents from Jahar Tsarnaev's case: the grand jury indictment and the jury's verdict. It was found that Jahar **murdered** Krystie Campbell by bombing. And murdered Collier by shooting.

The MGL stipulates the punishment for murder as life imprisonment; Massachusetts has no death penalty.

As for the alleged 264 other persons who were hurt by shrapnel on Boylston St, the person setting the bombs can be charged with **grievous bodily harm**. As for property damage, MGL Chapter 266, S 126A sets the penalty of 2 years imprisonment, and loss of driver's license for 1 year.

(Note: Judge O'Toole also ordered Jahar to pay \$101 million restitution. That's under federal **forfeiture** law.)

Regarding the killing of Tamerlan, this would be found to be a **murder**, unless information were brought forth to show *accidental* death. (Note: It's possible that the story of Tamerlan being run-over accidentally was proposed so that no court would have to discuss this awkward matter.)

It is worth looking at the murder of Ibraghim Todashev, by the FBI, to see how that event was reported to show the *killer's* actions as having been done in self-defense. It happened in Florida. That state could have, and should have, charged the FBI man with the crime of **murder** and then let him tell his story. Self-defense is a defense in court.

Instead, the FBI was allowed to conduct its own investigation and "cleared the man." Recall the maxim "*Nemo iudex in causa sua debet esse*" -- no judge can be the judge in his own case. Maxims aren't enforceable as such. But as no

case was brought, no one even got to bring up the *Nemo* point.

Out-of-State (Possible) Crime Scene: Virginia

Two special agents of the DoJ, Christopher Lorek and Stephen Shaw, worked in “hostage rescue.” It is rumored that *they* were killed because they had witnessed Jahar’s throat being cut at boatside. Moti Nissani has written about this. Pretty serious stuff: it consisted of dropping the two men off a helicopter into the sea. “They died on impact.”

Note that we don’t know who ordered that murder, if it was a murder, so the person to charge would be the boss of the DoJ at that time (a month after the Marathon), namely **Eric Holder**. Possibly the state of Virginia could bring a case against a John Doe who organized the training episode in which Lorek and Shaw died, or at least investigate it.

Here again we see an issue of federalism and also **a problem of the balance of powers** within a state or at the federal level. The performers of much violence – some justified some not -- is done by government. How do you get an indictment against government? A remark on the government website of Massachusetts says:

The Attorney General’s Civil Rights Division enforces and safeguards Constitutional and statutory civil rights and liberties on behalf of Massachusetts **residents and visitors** and “may bring enforcement action.”

I mentioned in Chapter 28 that the family of Tamerlan can bring a federal lawsuit for police brutality under the Civil Rights law. In 1966 Congress passed civil rights laws that cover instances of racial or other discrimination and also protect *everyone* in the US against brutality committed “under color of law.” See 42 USC 242.

The above quote from the Attorney General's office says visitors are protected, too, so I assume a case can be brought by the **elderly aunts** of Jahar who were greeted at the airport by FBI and given the ankle bracelets for no apparent reason. They were *visitors*, not suspects. And the AG, Maura Healey, can "bring enforcement action."

Now Back to Crimes Scenes 5 (Media) and 6 (Court).

Scene 5 contains the persons who spread the false story. In my discussion of *The Boston Globe*, in Chapter 18, it was noted that lying is not a crime, but if *Globe* personnel helped plan the terror event they are **accomplices** to murder. (Punishment: prison for life.)

And who penned Jahar's confession on the boat wall? Someone did it. Yet he/she can't be charged with **forgery**.



I personally accuse Jeff Bauman of having only pretended that his leg amputation postdates the Marathon. (It *pre*-dated it, as he is clearly seen lying on the ground holding onto a large thigh covering, into which is built a bloody femur and no fibula). Note: I can be sued for accusing a person of a crime. However, Jeff's *play-acting* is not a crime.

Possibly he committed the **crime of fraud** in connection with his "fund." I see there was a prosecution of a girl who falsely claimed she was injured at Marathon and tried to get money. I bet her case was fake -- intended to show that someone somewhere is guarding the truth, and that the legitimate fund-collectors are not to be criticized.

Scene 6, My Accusations

Now we turn to Crime Scene 6. This book has been focusing on the court. I had recently researched two other cases -- the Port Arthur massacre and the Sydney siege -- so was acutely aware of how the **bad behavior of courts is a giveaway as to the guilt of government.**

Maybe the murders in Crime Scenes 1 to 4 above are more terrible than the crimes performed in court. But my focus is on the way a lack of justice is killing us all. Please see the list of "*crimes against justice*" written by Sir William Blackstone's in 1769. Wow.

Blackstone notes that a conspiracy to falsely accuse an innocent man used to carry an odd punishment. Namely, the aggrieved party (say, Jahar) would be granted a "villainous judgment." That meant he could go to the property of his harmers and have "**their lands wasted, their houses razed, and their trees rooted up.**"

As far as the crimes of Scene 6 (Court) are concerned, I personally accuse Danny of perjury. He changed his story so many times that it can't be true. I must likewise accuse anyone who suborned his perjury. I take that to be the prosecutor, **Carmen Ortiz**. Correct me if I'm wrong.

I accuse US Attorney General **Loretta Lynch** of arranging for potential defense witnesses, such as Silva and Dias, to be imprisoned so the public could not communicate with them as to Jahar's innocence. Intimidating a witness is of course a crime. But Lynch committed further crimes of obstruction of justice by **setting Silva up for drug crimes.**

I accuse Lynch also of imposing SAM's on Jahar while in Supermax Prison. It is clear that her goal is to render him incommunicado. Not only does that offend his rights but is itself the **crime of cover-up**, is it not?

I accuse the first-name-only visitors to Russia (can you imagine), **Charlene, Olga, Jane**, who had the unmitigated cheek to tell the Tsarnaev family that they should go along with the conviction despite innocence. And **Alicia**.

Are those four ladies quite young? Do they think the rule is for them to obey the boss? Wrong. In law you don't get off the hook because you obeyed a superior. It is very pathetic if they think they "did the right thing." Ignorance of the law is no excuse, so they may end up in prison.

Recall that Uncle Dzhamaly met Alicia, from the defense. "I asked Alicia to explain why the defense was not using in the court proceedings the commonly known facts of the non-involvement of the brothers. ...I [reminded her of] the necessity to involve all potential witnesses, whom under various pretexts the FBI had isolated, so that they are not allowed to testify in favor of the defendant."

Dzhamaly told Alicia he had documents proving Jahar's innocence and would bring them to court himself. She asked, "How do you intend to bring them into the USA?"

"At that time, US visas were supposedly being arranged. Alicia on the previous visit in February 2015 had collected from us the information, passport details and photos of me and my sister, Roza Tsarnaeva. Later, Alicia repeatedly consulted with us, saying "you will be able to travel." After my conversation with Alicia held on April 14, 2015 in Moscow, the Tsarnaevs were refused entry visas."

General Law of Massachusetts, Chapter 268 section 13 E: (b) Whoever alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, ... shall be punished, by a fine of not more than \$10,000, or by imprisonment for not more than 5 years...
--

See? The law contains all that is needed to sort things out.

SHOCK SCOOP: The “White Hat” Deception

Have just learned that, in 2014, *National Geographic* broadcast a film called “White Hat” showing a Jahar look-alike leaning down to drop the backpack. It says on the intro: “Video surveillance evidence from the marathon provides the FBI with a lead: a suspect laying a back-pack at the scene, wearing a white hat.”



No! Wait! It's *not* a video of Jahar. They *admit* it's a *re-enactment*. Why re-enact a crime if you possess the real footage? Why hire a cast of hundreds?

The FBI does *not* possess any surveillance video, or citizen's video, of Jahar dropping any backpack. The jurors were shown alleged surveillance footage but that backpack dropper was seen only *from the rear*!

Two more points: in the video the dropped backpack is clearly a white one, not the black that Jahar was accused of. (!) Also, the hat sometimes shows #3, sometimes #7. I hear there was much chatter about that on the Net. Thanks to all the persons who kept at it. Mr Hummux, of Boston for 9-11 Truth, gave me this info. He runs 911TV.org which captures many lost treasures. – MM, December 21, 2017

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Dante's Divine Comedy: The Inferno

When I learned that aspects of the Marathon bombing are pure fiction, my first thought was that the professional writers of fictional stories in English language should sue the US government for interfering in their profession!

I'm a writer of fictional stories in Catalan. I have 11 completed books, mostly unsold. I am, or was, a compulsive reader, mainly of fiction. When I was 14, I had the card number 100 of the public library in my town, a city of more than 50,000 people. (Even the number 100 is high; they didn't accept my first request submitted before age 14). Eventually I became a registered user of many public libraries in Europe.

I have read most of the Greek classics, such as Aristophanes, and Latin ones of Petronius, Ovid, etc. I have read most of the representative books of the entire field of literature. I can read Catalan and Spanish (ancient and modern), some ancient Latin and Greek, Italian, a little of French, and now also English — thanks to Jahar Tsarnaev.

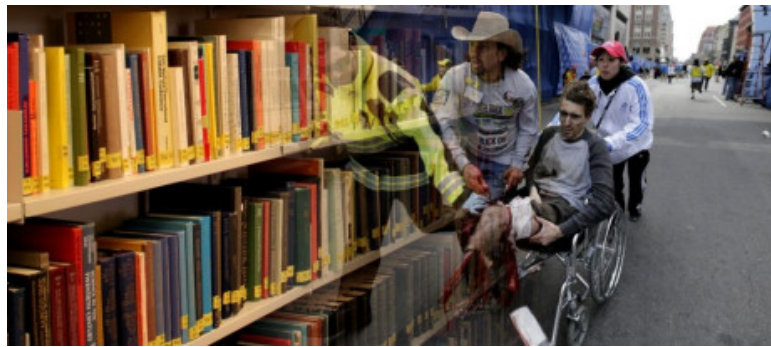
I have read all of Dostoyevsky. I felt outraged when I finished reading the hundreds of pages of *The Brothers Karamazov* and then, asking at the library for the continuation, was told that when Dostoyevsky died he left the book unfinished. How could any writer die while writing such a great work! Dying shouldn't be allowed to inspired

artists! Weren't the geniuses immortal?

I thought it was irresponsible to leave the reader in the middle of such intricate theological doubts and arguments as he did!

Of course I've read Dante several times, in three languages, the richest translation being the one in Catalan. I've read all of Kafka's oeuvre. His *Metamorphosis* is, in my opinion a book infinitely less decisive than *The Trial*, which inspired me to write an article in defense of Jahar.

I confess that I've even indulged in pieces by Ralph Hornsby and Corin Tellado! I mean I'm the kind who will read anything printed in a book or similar. But since the Boston hoax, I stopped reading fictional stories — and writing them. Despite my **media exposure** being low compared to others (as I haven't seen TV for many years), I got to the point where I felt saturated with bad and bizarre fiction.



Els escriptors en llengua catalana també estem plantejant-nos accions judicials contra I mitjans de comunicació oficials per saturar el públic amb ficció de sèrie B disfressada d'informació. (Catalan writers plan to sue official media for their saturation of the public with grade-B "fiction.")

Media's lack of contact with reality, and particularly the toxicity of the Marathon case, maimed my once notable capacity for digesting reality through written fiction.

Why would anyone read Kafka when we find every day kafkian arguments in our newsfeed? Why would anyone read Orwell when we are living in an already Orwellian world?

Why read Dante when we have on the news a Dante scene of people without legs, with all the falsification of a case against Jahar. Why would anyone be interested in any story by a really talented writer of fiction when our entire reality has been subverted to become a bad fiction?

Our intelligence has been mistreated to the point where we are unable to distinguish fiction from news (or if you're still able to distinguish it, you're not allowed to point out the difference).

Then you have no other option than to stop buying "real fiction" because you are being force-fed "fictional reality." That's the reason I think that **writers of fiction in English should sue the US government for professional interference** by their promotion of the lies of the Marathon.

It is thanks to Jahar that I've had to learn English. I look forward to talking with him one day when he gets freed.

Muchas gracias to Montse Alarcón Flix for providing, in Exhibit G, the Spanish version of the affidavit sent by Jahar's Aunt. She has also posted a copy in Catalan at the website GumsboeNews.com. Email her at: mairu.gore at gmail.com. -- MM

Postscript from Montse:

The strange thing is that people who see the videos of the faking of injuries still believe in the possibility of the coexistence of both fake and real victims on the ground. They believe it as an act of faith like **believing in Santa Claus**.

The fake victims perfectly identified as such remained on the scene after the police "controlled" the situation. They acted with complete freedom, with no interference from law enforcement and even with their active collaboration.

No police in the world would support the staging of fake victims in a place where there were real victims. The fact that we have some official "victims" identified as fake is reason enough to state safely that there weren't any real victims.

Exhibit B. The Outrageous Verdict in Boston

Dzhokhar Tsarnaev, No. 13-CR-10200-GAO

COUNT ONE:

1. As to Count One of the Indictment charging conspiracy to use a weapon of mass destruction, we unanimously find the defendant, Dzhokhar A. Tsarnaev:

☐ Not Guilty ☒ Guilty

If guilty, proceed to Question 2. If not guilty, proceed to the next Count.

2. As to whether the conspiracy charged in Count One of the Indictment resulted in at least one of the four deaths alleged in Count One, we unanimously find:

- a. As to the death of Krystle Marie Campbell: ☒ Yes
☐ No
- b. As to the death of Officer Sean Collier: ☒ Yes
☐ No
- c. As to the death of Lingzi Lu: ☒ Yes
☐ No
- d. As to the death of Martin Richard: ☒ Yes
☐ No

COUNT NINETEEN:

1. As to Count Nineteen of the Indictment charging carjacking and aiding and abetting, we unanimously find the defendant, Dzhokhar A. Tsarnaev:

☐ Not Guilty ☒ Guilty

If guilty, proceed to Question 2. If not guilty, proceed to the next Count.

2. As to whether the offense charged in Count Nineteen resulted in serious bodily injury to Officer Richard Donohue, we unanimously find:

☐ No ☒ Yes

COUNT TWENTY-FIVE:

1. As to Count Twenty-Five of the Indictment charging use of a weapon of mass destruction (Pipe Bomb #1) on or about April 19, 2013, in the vicinity of Laurel Street and Dexter Avenue in Watertown, Massachusetts, and aiding and abetting, we unanimously find the defendant, Dzhokhar A. Tsarnaev:

☐ Not Guilty ☒ Guilty

The foregoing represents the unanimous decision of the jury.

FOREMAN:

286
uror Number

DATE: 4/8/2015

Added by Mary Maxwell:

Yes, O Lawyers and Judges throughout the USA, and Law Professors, you are looking at the death-sentence verdict of a person based on the following:

1. a bombing, by the placing of a white backpack where the evidence called for a black backpack (but what's in a name?)
2. a "carjacking," with a witness who says he heard Tamerlan confess to a killing, and to a further plan to bomb Times Square, but who was not cross-examined on this.
3. the murder of Sean Collier at MIT suggested by a distant video and the testimony of one passerby, in the dark, who did not hear gunshots, and Sgt Henniger's report that he drove by the cruise car at 10.20pm and all was well, and -- don't forget -- a Rosemary Wood 5-minute gap in the tape.
4. Photos of the brothers that are photo-shopped or actors.

A classic stitch-up in the courtroom.

And a colossal fraud delivered by media.

IN BOSTON!

I rest my case.

The tall, graying legislator strode past the American flag onto the platform of Committee Room 226. Senator Charles Grassley of Iowa began to read slowly his opening statement as chairman of the Senate Subcommittee on Administrative Oversight into the Courts.

Senator Grassley [quoted] FBI director Louis Freeh's appeal for more oversight, when he had stated that the FBI could be the most dangerous agency in the country if "not scrutinized carefully." Senator Grassley said the FBI was being hypocritical. "It is not the message that rings true. It's the actions." The documents had arrived but were so heavily redacted as to be virtually useless, he said, holding up page after page of blacked-out FBI memos.

Senator Grassley's hearings took place in the wake of the release five months earlier of a damning 517-page report by the Inspector General's Office of the Department of Justice. The investigators had included a panel of five internationally renowned forensic scientists, **the first time in its sixty-five-year history that the FBI lab had been subject to any form of external scientific scrutiny.** The findings were alarming.

FBI examiners had given scientifically flawed, inaccurate, and overstated testimony under oath in court; **had altered the lab reports of examiners to give them a pro-prosecutorial slant**, and had failed to document tests and examinations from which they drew incriminating conclusions, thus ensuring that their work could never be properly checked.

FBI lab management not only failed to investigate serious and credible allegations of incompetence but had covered them up. Management had also resisted any form of external scrutiny of the lab and had failed to establish and enforce its own validated scientific procedures and protocols -- the same ones that had been issued by managers themselves in an effort to combat the lab's known shortcomings in the first place.

But the IG's report had looked at just three of seven units in

the FBI lab's Scientific Analysis Section, a fraction of the lab's total of 27 units.

The IG had been mandated to look into the allegations of just Dr. Frederic Whitehurst, a Ph.D. chemist and FBI agent who for eight years, until 1994, had worked solely on explosives-residue analysis -- trace detection, and identification of the residue left behind by explosions.

Underpinning his complaints and their persistence were three things: **the unscientific nature of so much of what was being passed off as science in the FBI lab**; the culture of pro-prosecution bias rather than scientific truth that pervaded the lab, including the possibly **illegal withholding of exculpatory information**; and the complete inability of the FBI lab or its management to investigate itself and correct these problems.

Not only had the IG report confined itself to [whistleblower] Whitehurst's admittedly limited sphere of knowledge within the FBI lab, **it had no mandate to look into the evidentiary matters raised, to ask how particular cases might have been affected, or to look at the possibility of charges against FBI lab employees.**

Given the plentiful evidence of pro-prosecution bias, false testimony, and inadequate forensic work, it was only logical to assume that cases had been affected. **How many people might be in jail unjustly? How many might be on Death Row by mistake?** If innocent people were in jail for crimes they did not commit, how many guilty ones were walking the streets?

Senator Grassley and others in Congress quickly realized that the inspector general's report had to be the beginning, not the end. The issues Whitehurst had raised, the inspector general had investigated, and now the hearings were examining further, went to the heart of the credibility of justice and the courts in the United States.

One of the themes of this book is **the FBI's obsession with how it appears rather than what it actually is.** – End of excerpt.

Exhibit D. Jahar Thanks His Lawyers and Apologizes

THE COURT: All right, Mr. Tsarnaev.

THE DEFENDANT: Thank you, your Honor, for giving me an opportunity to speak. I would like to begin in the name of Allah, the exalted and glorious, the most gracious, the most merciful, “Allah” among the most beautiful names.

... I would like to first thank my attorneys, those who sit at this table, the table behind me, and many more behind the scenes. **They have done much good for me, for my family. They made my life the last two years very easy.** I cherish their company. They’re lovely companions. [Key-*rist!*]

I would like to thank those who took time out of their daily lives to come and testify on my behalf despite the pressure. I’d like to thank the jury for their service, and the Court. The Prophet Muhammad [said] if you are not merciful to Allah’s creation, Allah will not be merciful to you, so I’d like to now apologize to the victims, to the survivors. [such as Jeff B.]

After the bombing, which I am guilty of — if there’s any lingering doubt about that, **let there be no more.** I did do it along with my brother — I learned of some of the victims. I learned their names, their faces, their age. And throughout this trial more of those victims were given names, more of those victims had faces, and they had burdened souls.

Now, all those who got up on that witness stand and that podium related to us — to me — I was listening — the suffering that was and **the hardship that still is**, with strength and with patience and with dignity. You told us just how unbearable it was, how horrendous it was, this thing I put you through.

I also wish that four more people had a chance to get up there, but I took them from you. [“Four” means he killed Sean Collier, too. Can you beat that!]

Note: The above is heavily abridged. —

For: the Secretary of Defense

March 23, 1962

... Joint Chiefs of Staff are to indicate brief description of pretexts, which they consider, would provide justification for US military intervention in Cuba.... **World opinion, and the United States forum should be favorably affected by developing the international image of the Cuban government as rash and irresponsible, and as an alarming and unpredictable threat to the peace of the West...**

[We can]:

a. Sabotage ship in harbor; large fires, naphthalene. **Conduct funerals for mock victims...** c. Commence large-scale ... military operations.... A "Remember the Maine" incident could be arranged in several forms... 4. We could develop a **Communist Cuban terror campaign in Miami area, and even in Washington...** We could sink a boatload of Cubans en route to Florida (real or simulated).

We could foster attempts on lives of Cuban refugees in the United States even to the extent of wounding in instances to be widely publicized... C-46 type aircraft could make cane-burning raids at night. **Soviet Bloc incendiaries could be found...** 7. **Hijacking attempts** against civil air and surface craft should appear to continue as harassing measures condoned by the government of Cuba
8. It is possible to create an incident, which will demonstrate convincingly that a Cuban aircraft has attacked and shot down a chartered civil airliner en route from US to Jamaica.

a. **An aircraft at Eglin AFB would be painted** and numbered as an exact duplicate for a civil registered aircraft belonging to a CIA proprietary organization. **[It] would be loaded with the selected passengers, all boarded under carefully prepared aliases.** The actual registered aircraft would be converted to a drone. b. At precisely the time that the aircraft was presumably shot down, **a submarine or small surface would disburse F-101 parts, parachute, etc.**

Signed, General LL Lemnitzer [All emphasis added]

**UNITED STATES DISTRICT COURT DISTRICT OF
MASSACHUSETTS**

United States of America, Plaintiff

vs.

ARGUMENT OF AMICUS CURIAE

Dzhokhar Tsarnaev, No. 13-CR-10200-GAO Defendant

MAY IT PLEASE THE COURT:

1. Federal jurisdiction: The constitutional authority of the United States cannot be extended to the prosecution of Dzhokhar Tsarnaev in light of the opinion of the court in *United States v. Lopez*, 514 U. S. 549 (1995), and views of Alexander Hamilton in *The Federalist*, Ns. 17, 22, and 34 [Clinton Rossiter (ed.), Mentor edition by New American Library, New York, 1961, pp. 118, 143-144, and 209].

Congress has broad power to regulate commerce, including trade and the incidents of trade, but domestic crimes and use of weapons are generally reserved to the States. If there is sufficient evidence to prosecute Dzhokhar for murder and mayhem, he should and can be prosecuted exclusively by the Commonwealth of Massachusetts. Accordingly, amicus urges that the indictment now pending should be dismissed, and the conviction of her nephew Dzhokhar Tsarnaev of charges under several acts of Congress should be vacated.

2. The actual innocence of the accused: Laying aside misgivings of amicus and many others about of the “official” scenario concerning this case, as broadcast to the world by the government and mainstream news media of the United States, **evidence generated by the Federal Bureau of Investigation (FBI), confirmed on the judicial record of this cause, and clarified by the indictment, or suitable for judicial notice under Rule 201(b) of the Federal Rules of Evidence, conclusively proves that Dzhokhar Tsarnaev cannot be guilty of the crimes charged in this prosecution.**

The formal indictment against Dzhokhar Tsarnaev was returned on June 27, 2013. The document is 74 pages long, and accuses Mr. Tsarnaev (hereinafter called Dzhokhar) of heinous

crimes, including many counts punishable by death.

The central event for which Dzhokhar is alleged to have been responsible, according to the indictment, took place, on Boylston Street, in front of the Forum Restaurant, near the finish line of the Boston marathon on April 15, 2013. The most important paragraphs of the indictment are numbered 6, 7, and 24 (including several other paragraphs repeating expressly or by implication the substance thereof).

Paragraphs 6-7, read in themselves and in context, state that, acting in concert with his (now deceased) brother, Dzhokhar set down on the sidewalk and detonated one of two “**black backpacks**” which contained “**improvised explosive devices,**” these “**constructed from pressure cookers, low explosive power, shrapnel, adhesive, and other materials.**” Paragraph 24 clarifies that the black backpack carried, and containing **the pressure-cooker bomb allegedly detonated by Dzhokhar**, was placed in front of the Forum Restaurant and **was associated with the second explosion.**

The indictment says in paragraph 6 that both bombs exploded at about 2:49 in the afternoon (Eastern time), and that the bombs Dzhokhar and his brother placed and detonated each killed at least one person, and wounded scores of others.

On the morning after the explosions, i. e., on April 16, 2013, Richard DesLauriers, special agent in charge of the FBI in Boston, made a public statement at a press conference, which is published in printed form on the FBI website and in the news media concerning the facts later set forth in the indictment. Mr DesLauriers said, as paragraphs 6-7 of the indictment substantially confirm,

“... this morning, it was determined that both of the explosives were placed in a **dark-colored nylon bag or backpack.** The bag would have been heavy, because of the components believed to be in it... we are asking that the public remain alert, and to alert us to the following activity ... someone who appeared to be carrying an **unusually heavy bag** yesterday around the time of the blasts and in the vicinity of the blasts.”

The FBI also published on April 16, 2013, a crime lab photo of **a bomb fragment** found after the explosions. This photo is reproduced as **Tsarnaeva exhibit 1** in the appendix hereof,

and is believed proper for judicial notice.



From this bomb fragment, the FBI crime lab was able to reconstruct the **size, shape, and type of pressure cookers**, as was reported on information published by the FBI to the nation on ABC News Nightline on April 16, 2013. A still-frame, taken from (about 01:39-01:54) of this ABC television report, is reproduced as **Tsarnaeva exhibit 2** in the appendix hereof, and is offered for judicial notice.



ABC Nightline News report (at about 01:31-02:14) elaborates facts set forth in paragraphs 6-7 of the indictment, including reference to three of the four exhibits reproduced in the appendix hereof. Each of the pressure cookers in question was a Fagor, 6-quart model, marketed in or near Boston and elsewhere in the United States by Macey's. Its external dimensions are probably about 8½ inches in height, including cover, and about 9 inches in diameter. Stripped of hard plastic handles and filled with nails, bee bees, and other such metal, then prepared as a bomb, it would cause a bag carrying it to be, as observed by the FBI chief in Boston during his press conference on April 16, 2013, "unusually heavy."

Again on April 16, 2013, the FBI published a crime lab photo, here reproduced as Tsarnaeva exhibit 3 in the appendix hereof, and showing a **blown-out backpack which is said to have contained one of the bombs** -- a black nylon bag with a

characteristic white rectangle marking about 3 by 1½” more or less as it appeared following the explosions the day before.



This photo pictures the “dark colored nylon bag or backpack” which Mr. DesLauriers described in his press conference on the day after the explosions when he described what was carried by the guilty parties. It was one of the “black backpacks” referenced in paragraph 7 of the indictment. It is pictured in prosecution exhibit 26 which was introduced on the second day of the trial in this cause (day 28 on the transcript, March 5, 2015), showing that the bag or backpack in question was found on the street near the post box in front of the Forum Restaurant on Boylston Street, and, as previously noted, was associated with the second explosion on April 15, 2013, which, in paragraph 24 of the indictment, Dzhokhar is alleged to have detonated.

This general impression is confirmed by defense exhibit 3090, showing a backpack with black exterior or covering, and introduced on the sixteenth day of the trial (day 42 on the transcript, March 31, 2015). **Tsarnaeva exhibit 3** is also suitable for judicial notice.

On April 18, 2013, the FBI published a 29-second street video claimed to have been taken from Whiskey’s Steak House on Boylston Street at about 02:37-38 o’clock in the afternoon (Eastern time), only minutes before the explosions on April 15, 2013. It definitively settles the principal question raised by the indictment and the plea of not guilty interposed against it.

Part of this video is tucked into prosecution exhibit 22 introduced on the third day of the trial in this cause (day 29 on the transcript, March 9, 2015). From this street video, three

still-frame photos have been extracted.

Two of these still-frame photos were published by the FBI on April 18, 2013, on posters which were used to identify suspects. All three photos were published by CNN and the Associated Press on April 19, 2013. The third still-frame photo from this video is most telling, and is reproduced as **Tsarnaeva exhibit 4** in the appendix hereof.

As already noted, **the FBI and the indictment have together affirmed that the culprits who detonated these explosions were carrying large, unusually heavy, black backpacks concealing pressure-cooker bombs; but, the third still-frame photo from the Whiskey's Steak House video reproduced as Tsarnaeva exhibit 4, and drawn from a street video already used by the FBI to identify the suspects and acknowledged by the government in this prosecution, shows unmistakably that, shortly before the explosions, Dzhokhar was carrying a small-size, white* backpack over his right shoulder the same light in weight, not heavy laden, and displaying no sagging or bulging as would normally be evident if the bag identified contained a pressure-cooker bomb of the size and weight which the FBI has described.**

*For all practical purposes and to the naked eye, the color is white, although technical computer analysis suggests a very whitish shade of gray. Dzhokhar is not guilty of carrying and detonating a pressure-cooker bomb, as charged in the indictment, as is literally as obvious as the difference between black and white. There were and remain other suspects whose identities have been credibly suggested. See, e. g., Toni Cartalucci, *Land Destroyer Report*, April 19, 2013 (illustrated commentary entitled “Contractors’ Stood Near Bomb, Left Before Detonation.”). But here it is enough to reflect on the comment of Lord Acton that **“historic responsibility has to make up for the want of legal responsibility.”** -- J. Rufus Fears, *Selected Writings of Lord Acton*, Liberty Fund, Indianapolis, 1985, Vol. 2, p. 383 (Letter to Mandell Creighton, April 5, 1887). Whatever is done in judicial proceedings, history will judge this case, as surely as history has judged other significant cases. **3. The grievance of amicus:** It is impossible that

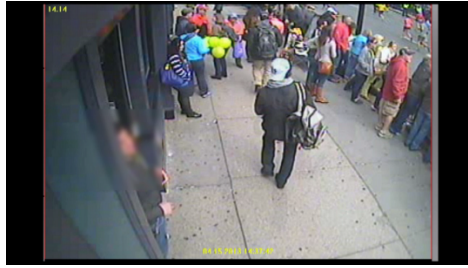
federal prosecutors and counsel for the accused did not know of the exculpatory evidence which has just been identified and illustrated. Yet **federal prosecutors went head without probable cause, as if decisive evidence of actual innocence, impossible to ignore in a diligent study of this case, did not exist**, as is wholly unacceptable in light of *v. Maryland*, 373 U. S. 83 at 86-87 (1963).

Moreover, in her opening statement at trial on March 4, 2015, as reflected in the fourth paragraph of the transcript of her comments, **court-appointed counsel for the accused forcefully insisted that Dzhokhar was guilty of capital felonies, as is positively disproved by evidence generated by the FBI, reinforced by the indictment itself.**

She said, “The government and the defense will agree about many things that happened during the week of April 15th, 2013. On Marathon Monday, Tamerlan Tsarnaev walked down Boylston Street with a backpack on his back, carrying a pressure cooker bomb, and put it down in front of Marathon Sports near the finish line of the Marathon. Jahar [i. e., Dzhokhar] Tsarnaev walked down Boylston Street with a backpack on his back carrying a pressure cooker bomb and placed it next to a tree in front of the Forum Restaurant. The explosions extinguished three lives.”

And in her summation to the jury on April 6, 2015, as the transcript shows, **court-appointed counsel for the accused said nothing of the exculpatory evidence in this case. She did not even ask for a verdict of not guilty.** She could hardly have done more to promote a conviction and the severest sentence possible, even though the third still-frame photo from the video at Whiskey’s Steak House, reproduced as **Tsarnaeva exhibit 4**, showed Dzhokhar carrying **a white backpack**, as alone was enough to defeat the indictment insofar as paragraph 7 thereof averred that the accused and his brother committed the principal acts of wrongdoing by carrying and setting down **black backpacks.**

Such misconduct is altogether unacceptable in light of *Strickland v. Washington*, 446 U. S. 668 at 687-688 (1984).



The misconduct of which amicus complains served to conceal decisive exculpatory evidence by legerdemain. Amicus urges not only that the death penalty may not be imposed in this case, for all three opinions in *Herrera v. Collins*, 506 U. S. 390 (1993), allow that the death penalty may not be constitutionally imposed where the accused is demonstrably innocent, but that sua sponte this court order a new trial with directions that new counsel for the accused be appointed, motivated to provide an authentic defense for Dzhokhar.

4. The corpus delicti: Paragraph 10 of the indictment recites a statement in the nature of a confession by Dzhokhar written on the inner walls of a boat in Watertown. But with respect to any and all evidence offered or treated as suggesting an extrajudicial admission of guilt in this case, amicus cites the penetrating observation by Sir William Blackstone in his *Commentaries on the Laws of England*, Edward Christian, London, 1765, Book IV, p. 357: “[E]ven in cases of felony at common law, [confessions] are the weakest and most suspicious of all testimony, ever liable to be obtained by artifice, false hopes, promises of favour, or menaces, seldom remembered accurately, or reported with due precision, and incapable in their nature of being disproved by other negative evidence.”

Amicus and countless others suspect that the alleged confession in the boat was staged as artifice to suit the government’s case, and not authentic. But she stands on ancient wisdom which casts doubt on all extrajudicial confessions without adequate safeguards, including the rule that an extrajudicial confession is insufficient to convict, unless the corpus delicti be sufficiently proved up. The rule is defined with

various degrees of rigor from jurisdiction to jurisdiction. In federal courts, in any event, the corroboration required to sustain a confession or statement in the nature of a confession need only be independent, substantial, and reveal the words in question to be reasonably trustworthy, as appears, e. g., in *Opfer v. United States*, 348 U. S. 84 (1954).

If such be the law here applicable, the required corroboration in this case must include evidence showing that Dzhokhar actually carried a large, heavy, black backpack on Boylston Street before the explosions on the afternoon on April 15, 2013, as claimed by the FBI and alleged in the indictment. **Tsarnaeva exhibit 4**, a product of investigation by the FBI, shows plainly that Dzhokhar did no such thing, hence no required corroboration has been established

5. Closing remarks: The views here expressed are not unique, but shared by good Americans, and others the world over. The undersigned and her sister Malkan are prepared to testify as expressed in the affidavit filed in support of the motion for leave to file a submission as amicus curiae.

This argument is

Respectfully submitted, May 15, 2015 Maret Tsarnaeva

***Photo added
by Mary Maxwell:***



Baby born in Kyrgyzstan doesn't expect to be condemned in Boston

Exhibit G. Spanish translation of Aunt Maret's Affidavit
Original in English is at the website of Paul Craig Roberts.

Please share this with Spanish-speaking Bostonians -- MM

Evidencias del FBI prueban la inocencia del acusado del atentado de la Maratón de Boston Dzhokhar Tsarnaev.

Agosto 17, 2015 Paul Craig Roberts He sido contactado por el abogado John Remington Graham, un miembro en activo del Colegio Supremo de Minnesota y del Colegio de los Estados Unidos



John Remington Graham, Maret's pro bono lawyer

Me informa de que actuando a favor de Maret Tsarnaeva, la tía de los acusados hermanos Tsarnaev y ciudadana de la República del Kirguistán donde está habilitada para ejercer la abogacía, él la ha asistido en la presentación ante el Juzgado de Distrito de Boston de una moción *pro se*, que incluye un argumento de *amicus curiae*, y un informe propio. El juez que preside la causa ha ordenado que esos documentos sean incluidos en el sumario del caso para que se hallen públicamente accesibles. Los documentos son reproducidos al final de este artículo.

Los documentos argumentan que sobre la base de las evidencias proporcionadas por el FBI, no hay lugar para la imputación de Dzhokhar Tsarnaev. Las evidencias del FBI concluyen claramente que el artefacto estaba en una bolsa negra, pero las fotografías usadas para establecer la presencia de Dzhokhar en la Maratón le muestran llevando una bolsa blanca. Además, la bolsa no tiene la apariencia pesada y abultada que tendría una bolsa que contuviese una bomba.

Como los lectores saben, yo había sospechado del atentado de la maratón de Boston desde el principio. Parece obvio que ambos hermanos Tsarnaev sufrieron sendos intentos de asesinato en supuestos tiroteos con la policía, como los supuestos perpetradores

en el asunto de Charlie Hebdo en París. Muertes convenientes en tiroteos son aceptadas como indicios de culpa y resuelven el problema de juzgar a inocentes chivos expiatorios.

En el caso de Dzhokhar, su culpabilidad no fue establecida mediante evidencias sino mediante acusaciones, por la traición de la abogada pública que el gobierno asignó a su defensa, Judy Clarke, quien proclamó la culpabilidad de Dzhokhar en la declaración de apertura de la “defensa” del caso, por una supuesta confesión, evidencia de la cual nunca ha sido proporcionada, escrita por Dzhokhar en una embarcación en el interior de la cual el malherido joven yacía moribundo hasta que fue descubierto por el dueño de la misma y hospitalizado en estado crítico.

Siguiendo a su convicción por su abogada defensora, Dzhokhar supuestamente confesó otra vez en términos jihadistas. Como los estudiantes de leyes han sabido durante siglos, las confesiones no son dignos indicios de culpa.

Dzhokhar no fue convicto sobre la base de las evidencias. En mi interrogatorio a John Remington Graham, he concluido que a pesar de 48 años de activa experiencia en justicia penal, tanto en el papel de fiscal como en el de abogado defensor, le resultó extremadamente chocante la malversación legal del caso Tsarnaev. Como Graham se está acercando al final de su carrera, está deseoso de hablar claro, pero no ha podido encontrar un solo licenciado en el estado de Massachusetts que se prestase a respaldar su comparecencia ante el Juzgado del Distrito Federal de Boston.

Ello me dice que el miedo a las represalias ha extendido su alcance al sistema judicial y que la América que conocimos donde la ley protegía a la gente ya no existe.

Aquí está el Informe de Maret Tsarnaeva:

“Informe de Maret Tsarnaeva concerniente al caso de Dzhokhar Tsarnaev Consciente de que este informe puede ser presentado o despachado como un ofrecimiento de prueba con su autorización en procesos públicos contemplados por la ley de los Estados Unidos de América y en aplicación del Título 28 del Código de los Estados Unidos, Sección 1746, Maret Tsarnaeva comparece y declara:

Soy la tía paterna de Dzhokhar Tsarnaev que ha sido procesado por el Juzgado de Distrito de Massachusetts de los Estados Unidos en imputación confirmada por un gran jurado el 27 de Junio de 2013, por causar una de dos explosiones en Boylston Street en Boston el 15 de Abril de 2013. En el cargo por conspiración, son mencionados algunos otros actos de manifiesto mal proceder. Tal como yo entiendo la acusación, si Dzhokhar no llevó ni detonó un artefacto explosivo improvisado o bomba en una olla a presión como se pretende, los treinta cargos fallan, aunque tal vez otras interrogantes persistan quedando pendientes de resolución, sobre las cuales no ofrezco comentario aquí, y que deben ser sujetas a las garantías de un debido proceso judicial, dentro de la jurisdicción de la Commonwealth de Massachusetts.

Actualmente estoy viviendo en Grozny, la capital de Chechenia, que es una república de la Federación Rusa. Mi bagaje académico incluye estudios completos en un programa de cinco años de la Facultad de Leyes de la Universidad Estatal de Kirguistán, también poseo el master de leyes (LL.M), enfocado a leyes de seguridad, expedido por la Universidad de Manitoba cuando vivía en Canadá. Estoy cualificada para ejercer la abogacía en Kirguistán. Manejo con fluidez el Ruso, el Checheno y el Inglés y otras lenguas me son familiares. Estoy dispuesta a testificar bajo juramento en procesos públicos en los Estados Unidos, si mis gastos son cubiertos y si mi seguridad personal y el derecho a regresar a mi hogar en Chechenia son asegurados adecuadamente por adelantado.

Al margen de otras anomalías y otros aspectos del caso sobre los cuales no hago comentarios aquí, tengo conocimiento de varias fotos, en las cuales el Federal Bureau of Investigation (FBI) ha confiado como medio de prueba, o de evidencias que su laboratorio criminal ha producido, y algunas otras publicaciones de material. En conjunto, todo ello muestra claramente que Dzhokhar no llevaba una gran mochila de nylon negra con un rectángulo blanco marcado en la parte superior, y conteniendo una pesada bomba en una olla a presión, poco antes de las explosiones en Boston el 15 de Abril, 2013, como pretende el FBI y se contempla en la atribución de ambas explosiones. Por el contrario, esas fotos muestran inequívocamente que Dzhokhar llevaba sobre su hombro derecho una mochila predominantemente blanca que era

de peso ligero, y no se apreciaba abultada o hundida como habría sido evidente si esta hubiese contenido una pesada bomba en una olla a

presión. La única conclusión razonable es que Dzhokhar no fue el responsable por ninguna de las dos explosiones en cuestión.

Aproximadamente entre el 20 y el 21 de Junio de 2013, durante su primer viaje a Rusia, que duró unos diez días más o menos, Judy Clarke y William Fick, abogados de la oficina de defensores públicos de Boston, visitaron a mi hermano Anzor Tsarnaev y a su esposa Zubeidat, respectivamente el padre y la madre de Dzhokhar. El encuentro tuvo lugar en casa de los padres de Dzhokhar en Makhachka que se encuentra adyacente a la república de Chechenia, y a unas tres horas en coche de Grozny. Mi madre, mi hermana Malkan, y yo estuvimos presentes durante este encuentro. Zubeidat habla un inglés aceptable. El señor Fick habla Ruso con fluidez.

Dejando a un lado otros detalles de la conversación el junio 20-21, deseo destacar lo siguiente:

- - Los abogados de Boston advirtieron vehementemente a Anzor y Zubeidat que debían reprimirse de reivindicar en público que Dzhokhar y su hermano Tamerlan eran no culpables. Les avisaron de que, si su advertencia no era acatada, la vida de Dzhokhar en custodia cerca de Boston sería más difícil. La señora Clarke y el Señor Fick también requirieron de Anzor y Zubeidat que colaborasen influenciando a Dzhokhar para aceptar la representación legal de la oficina federal de defensores públicos de Boston. El Señor Fick reveló que Dzhokhar estaba rehusando los servicios de la tal oficina y enviando de vuelta a sus abogados y personal cuando éstos le visitaban. En reacción a la sugerencia del Señor Fick, siguió una viva discusión:
- - Como familia de Dzhokhar, expresamos nuestra preocupación por si la oficina de defensores públicos de Boston no era digna de confianza y no intentaba defender a Dzhokhar eficazmente, ya que eran pagados por el gobierno de los Estados Unidos que le estaba acusando por razones políticas, como muchos creen. Los padres de Dzhokhar expresaron su deseo de contratar consejo legal independiente ya que Dzhokhar no confiaba en los abogados que el gobierno le había asignado. El señor Fick reaccionó diciendo que los agentes y abogados del gobierno obstruirían la labor de un consejero legal independiente;
- - Yo propuse que la familia de Dzhokhar contratase consejo legal independiente para trabajar con la oficina federal de defensores públicos para asegurar una adecuada y efectiva

representación de Dzhokhar. El señor Fick respondió que, si era contratado consejo legal independiente por la familia, la oficina federal de defensores públicos de Boston abandonaría el caso.- El señor Fick entonces aseguró a Anzor y Zubeidat que el Departamento de Justicia de los Estados Unidos había asignado 5 millones de dólares a la defensa de Dzhokhar, y que la oficina federal de defensores públicos de Boston intentaría defender a Dzhokhar adecuadamente. Zubeidat entonces y allí dijo poca cosa con respecto a las afirmaciones del señor Fick. Pero por mi parteo nunca he creído que la oficina federal de defensores públicos de Boston intentase alguna vez defender a Dzhokhar como prometieron. Y mis impresiones a partir de lo que pasó durante el juicio me conducen a creer que la oficina federal de defensores públicos de Boston no ha defendido a Dzhokhar competente ni éticamente. En cualquier caso soy sabedora de que a continuación de esa entrevista en Junio 20-21 de 2013, la señora Clarke y el señor Fick continuaron pasando tiempo con Anzor y Zubeidat llegando a persuadir a Zubeidat para firmar una carta mecanografiada en Ruso para Dzhokhar, urgiéndole a cooperar de todo corazón con la oficina federal de defensores públicos de Boston. Fui informada por mi hermana Malkan, de que Zubeidat les dio la carta a los defensores públicos, poco antes de su partida desde Rusia aproximadamente el 29 de Junio de 2013, para que la entregasen a Dzhokhar.

- Durante viajes siguientes de la señora Clarke y el señor Fick para visitar al los padres de Dzhokhar en Makhachkala, la estrategia para defender a Dzhokhar fue explicada, según pude saber a través de mi hermana Malkan. La oficina pública de defensores de Boston pretendían contender durante el juicio, como realmente sucedió después, que Tamerlan, ahora fallecido, fue la mente criminal, y que Dzhokhar estaba simplemente siguiendo a su hermano mayor.

Yo me opuse firmemente a esta estrategia como moral y legalmente erróneas, puesto que Dzhokhar es no culpable, tal y como las evidencias generadas por el FBI muestran. Desde entonces se han enrarecido mis relaciones con los padres de Dzhokhar a causa de su aquiescencia. Aproximadamente el 19 de Junio de 2014, durante su visita a Grozny que duró unas dos semanas, tres miembros del personal de la oficina de defensores públicos de Boston visitaron a mi madre y hermanas en Grozny. Se me dijo que también visitaron a los padres de Dzhokhar en Mackachkala. El personal que visitó a mi

madre y hermanas en Grozny alrededor del 19 de Junio de 2014, incluía una tal Charlene, que se presentó a sí misma como investigadora independiente, trabajando en y con la oficina de defensores públicos en Boston; otra que respondía al nombre de Jane, una trabajadora social que decía haber hablado con Dzhokhar; y una tercera, de nombre Olga, que era una intérprete de Ruso-Inglés de Nueva Jersey. No dejaron tarjeta de visita, pero se alojaron en el hotel principal de Grozny, de aquí presumo que sus apellidos pueden ser averiguados.

Yo no estuve presente en el encuentro de Grozny sobre el 19 de Junio del 2014 pero mi hermana Malkan, que estuvo allí, me llamó por teléfono inmediatamente después de que el mismo concluyese. Ella me reveló entonces los detalles de la conversación durante la entrevista. Malkan y yo hemos hablado sobre la visita en varias ocasiones.

Malkan habla Ruso y Checheno y está dispuesta a testificar bajo juramento en procesos públicos en los Estados Unidos a través de intérprete ruso, si sus gastos son cubiertos y si su seguridad personal y el derecho a volver a su hogar en Chechenia son asegurados adecuadamente por adelantado. Ella explica, y me ha autorizado a declarar por ella que, durante la conversación el 19 de Junio del 2014, en Grozny, Charlene la investigadora independiente afirmó llanamente que la oficina federal de defensores públicos en Boston sabía que Dzhokhar era no culpable de todos los cargos, y que su oficina estaba bajo una enorme presión de las agencias de fuerzas del orden y altos cargos del gobierno de los Estados Unidos para no resistir la condena.

Este informe ha sido ejecutado en el exterior de los Estados Unidos, pero la presente relato es cierto hasta donde llegan mi conocimiento, información y opinión y está sujeto a la pena de perjurio de acuerdo con las leyes de los Estados Unidos de América.

Entregado el día 17 de Abril de 2015 Maret Tsarnaeva

Note: As of November 11, 2017, the judge in Jahar's appeal, Chief Judge Juan Torruella, has allowed an amicus curia brief by Fetzer, Maxwell, and Baruja, that incorporates Maret Tsarneav's affidavit.

Typical Public Comments on the Tsarnaev Brothers



Watertown, April 19, 2013:

This was not someone knocking at your door to sell Girl Scout cookies

Are these all written by the same smear artist?

steevzstubs Rotten SCUMBAGS!!! I think Jahar went to get that milk in order to get on camera so he could say he wasn't at marathon

Millie L-S Yea there innocent, they just fucking bombed the biggest event in Boston, killed some people ruined people's lives. oh yeah! one of the bombs was placed behind a 8 year old! this video was absolute bs get it through ur head there not innocent. they shouldn't even be alive

GreyGhost Apr 29, 2013, From what I've been reading Tamerlan Tsarnaev certainly seems like a useless flat track bully and a failure to me. Most likely he was really spoiled as a child by his parents especially by his mother and threw his toys around the cot to get his way.

MrGoodmoney BlindSIght, 25 Jun 2015

Fuck him; lets put him down like a dangerous dog and then concentrate on the survivors.

Exhibit H. Dutch Journalist Karel van Wolferen Sees
(edited by Mary W Maxwell at GumshoeNews.com)

Which of us predicted, say, 30 ago, that the concentration of control would become so great as to permit the top few to “create nonsense realities” that folks would accept as real?

Now comes Karel van Wolferen, whose January 23, 2107 essay I got from Elias Davidsson’s website juscogens.org. It makes me feel that there is a new way to nudge the public into seeing what is happening and to lessen their fear and denial.

Believe it or not, it has to do with a statement by Karl Rove that was reported in 2004. You could say it is *the leak of the century*! Rove was White House Deputy Chief of Staff for President George W Bush at the time. Karl Rove asserted that that “**discernible reality**” (you know, grass is green, 2 plus 2 equals 4) **is no longer the way in which the world works**! He said to journalist Ron Suskind (as quoted in NY Times Magazine, Oct 17, 2004):

“We’re an empire now, and when we act, **we create our own reality**. And while you’re studying that reality ... we’ll act again, creating other new realities, which you can study too, and that’s how things will sort out. **We’re history’s actors** ... and you, all of you, will be left **to just study** what we do.”
[Emphasis added]

Well, son of a gun, that’s beautiful! The dingbats at the top “will create new realities.” I mean I’m happy to learn of this, as I hope I can use it to show innocent citizens why they are having trouble keeping competing realities straight. It’s intentional nonsense, meant to control us by mucking up our logical minds and even change our perceptions. Is that chutzpah city or what!

I now list ten gems from the article by Amsterdam professor Karel van Wolferen, entitled “Karl Rove’s Prophecy.” All headings, boldings, and remarks in square brackets are mine.

1. LOYALTY

Today **greater loyalty to the reality created in Washington and Langley cannot be imagined**. For much of northern Europe the official story that originates in the United States is amplified by the BBC and other once-reliable purveyors of news and opinion like the Guardian, the Financial Times and the (always less reliable) Economist.

Repetition lends an ever greater aura of truth to the nonsense that is relentlessly repeated. Detailed analyses of developments understood through strings of false clues give the fictions ever more weight in learned heads and debates in parliament. At the time of writing, the grave concern spread across the opinion pages is about how Putin's meddling in upcoming European elections can be prevented. [Isn't that perfect? Note: Van Wolferen is writing from the Netherlands]

2. THE CRASH OF FLIGHT MH17

Layers upon layers of anti-Russian propaganda have piled up to bamboozle a largely unsuspecting public. Putin was held personally responsible in much of the media for the shooting down of a Malaysian plane, which killed 298 people. No serious investigation was undertaken.

The presentation of clues under Dutch leadership has neither included clues supplied by jet fighter cannon holes in the wrecked fuselage nor eyewitness stories, **which would make the government in Kiev [Ukraine] the prime suspect**. Moscow's challenging the integrity of the investigation was **met with great indignation** by the Dutch Foreign and Prime Ministers

3. LOSS OF ACCOUNTABILITY AND "VENERATION" OF CIA SECRECY

Architects of an official reality that diverges widely from the facts you thought you knew must rely on *faits accomplis* they achieve through military or police violence and intimidation, in combination with a fitting interpretation — or a news blackout — delivered by mainstream media.

These conditions have been widely obtained in the Atlantic basin through **a gradual loss of political accountability at**

top levels, and through government agencies protected by venerated secrecy **that are allowed to live lives of their own**. [Holy wow.]

4. CURTAILING YOUR MIND

There has been a chain of realities as prophesied by Karl Rove, enhanced by terrorist attacks — which may or may not have been the work of actual terrorists, but **whose reality is not questioned without risking one's reputation**. The geo-political picture that they have helped build in most minds appears fairly consistent if one can **keep one's curiosity on a leash** and one's sense of contradiction sufficiently blunt.

The details of the official reality are filled in and smoothed out in the PR world, with assistance from think tanks and academia. But the question does reappear in one's thoughts: **Do the politically prominent** and the well-positioned editors, especially those known for having once possessed skeptical minds, **actually believe it all?**

[I'll have to say I ponder that a lot! They always discuss the nonsense with such a straight face, never stammering or blushing.]

5. SELF-CENSORSHIP

A disadvantage of being part of the elite is that **you must stick to the accepted story**. If you deviate from it, and have your thoughts run rather far from it, which is quite inevitable once you begin your deviation, **you can no longer be trusted by those around you**. If you are a journalist and depend for your income on a mainstream newspaper or a TV company, you run the risk of losing your job if you do not engage in **self-censorship**.

Consequently, publications that **used to be rightly known as quality newspapers** have turned into unreadable rags. The newspaper that was my employer for a couple of decades **used to be edited on the premise that its correspondents rather than authorities were always correct in what they were saying**.

6 SYRIA

As the **fighting in Syria** reached a phase when

contradictions in the official Washington/NATO story demanded a stepping back for a fresh look, editors were forced into contortions to make sure that the baddies stayed bad, and that no matter how cruel and murderously they went about their occupation in Aleppo and elsewhere, the jihadi groups fighting to overthrow the secular Assad government in Damascus remained strictly labeled as moderate dissidents, worthy of Western support.

7. WE CONSPIRACY JOURNALISTS FEEL GUILTY

How could Rove's predictions so totally materialize? There's a simple answer: 'they' got away with momentous lies at an early stage. The more authorities lie successfully the more they are likely to lie again **in a big way to serve the purposes of earlier lies**. The 'they' stands for a hydra-headed entity, whose coordination depends on the project, campaign, mission, or operation at hand.

Those with much power got away with excessive extra-legal use of it since [2001] because **systems of holding the powerful to account have crumbled** on both sides of the Atlantic.

At least that is how I remember it. Living in Tokyo, I had just read Mark Lane's *Rush to Judgment*, demolishing the Warren Report on the murder of John F. Kennedy, when I became aware that **I had begun to belong to an undesirable category of people** who were taking the existence of conspiracies seriously.

8. TAMING THE GUILT, THE WONG WAY

We have experienced massive systemic intimidation since 9/11. For the wider public we have the absurdities of airport security – initially evidenced by mountains of nail-clippers – **reminding everyone of the arbitrary coercive potential that rests with the authorities**. Every time people are made to take off their belts and shoes – to stick only to the least inane instances – they are reminded: **yes, we can do this to you!**

Half of Boston, or all of France, can be placed under undeclared martial law to tell people: yes, we have you under full control! **For journalists, unexamined guilt feelings**

still play a major role. The serious ones feel guilty for wanting to ask disturbing questions. But there is a confused interaction with another guilty feeling of not having pursued unanswered questions. Its remedy appears to be a doubling down on the official story. **Why throw in fairly common lines like “I have no time for truthers” unless you feel that this is where the shoe pinches?**

9. AL-SUQAMI'S PASSPORT, TAMERLAN'S DIPLOMA
The triumph of political untruth has brought into being a vast system of political intimidation. Remember that **the intimidator does not really care if you believe or not, but impresses you with the fact that you have no choice.** That is the essence of the exercise of brute power. With false flag events the circumstantial evidence sometimes appears quite transparently false and, indeed **could be interpreted as having been purposeful.** Consider the finding of passports or identity papers accidentally left by terrorists, or [these men] almost always having been known to, and suspected by, the police. **And their deaths through police shooting before they can be interrogated.**

10. TRUMP

A question that will be in the minds of perhaps many as they consider the newly sworn in US president, who like John F. Kennedy appears to have understood that “Intelligence” leads a dangerously uncontrolled life of its own: At what point will he give in to the powers of an invisible government, as he is made to reckon that he also has no choice?



Exhibit J. Vietnam. Schlesinger Writes to Kissinger
--

May 7, 1970. New York, New York

Dear Henry:

I have forbore from writing because of my confidence in your own intelligence and purpose and because of my full awareness of the difficulty of judging complex internal situations from the outside. But you have said to me more than once that, if the time should come when your own situation begins to seem indefensible, you would appreciate it if your friends were to let you know. In all candor I think that time has come. I honestly cannot imagine what circumstances could justify the Cambodian adventure.

As you well know, this scheme has been kicking around Washington for years. Even President Johnson had the sense to reject it when the Joint Chiefs hawked it to him some time back; and I do not see that the situation has changed all that radically so that it becomes a brilliant stroke now.

The speech in which President Nixon explained the adventure was intellectually contemptible. The notion that the United States would have been acting like “a pitiful, helpless giant” if we had not decided to burn down a lot of Cambodian villages is really extraordinary. If the President does not know his Shakespeare, I am sure you do: “O! it is excellent / To have a giant’s strength; but it is tyrannous / To use it like a giant.”

I *know* that you cannot accept the basic thesis of the speech that, if we do not fight to the end in a part of the world where we have no vital interests, our adversaries will assume that we won’t fight in parts of the world where we do have vital interests. Can President Nixon really believe this?

I have said nothing about the impact on our own country of this weird and wild policy. Did the administration really not anticipate the reaction? Did it really suppose it could get away with widening the war? It is hard to overstate the

combination of fury and impotence sweeping over the young and, worse than that, the accompanying profound disillusion with the democratic process. We are all prisoners of our experience. From the viewpoint of the young today, who were born way after FDR and Truman and can barely remember Kennedy, the democratic process, as they have seen it in action, is a sham and a phony.

They flocked behind McCarthy and Robert Kennedy in 1968, only to see a second Kennedy murdered, McCarthy and McGovern defeated in Chicago, the police rioting against the protesters. Still, the administration which had escalated the war was beaten, and a new administration, pledged to end the war, was in office. Now, fifteen months later, the new administration has widened the war, strengthened the American commitment to the Saigon regime and practically abandoned negotiations in Paris.

It is little wonder that the young are a little skeptical about the efficacy of the democratic process. What do we tell them now? To wait until 1972, by which time God knows how many Americans, and Vietnamese, now alive, will be dead?

Does the President not know how his policies are tearing this country apart and eroding faith in democratic methods of effecting change? You surely must know this; and, as an old and admiring friend, I hope you will consider in the most serious way whether the time has not come for you to dissociate yourself from an administration that, on the record of the last few weeks, will surely go down as one of the most confused and irrational administrations in the history of our country.

Let history not record that Walter Hickel was the only man in the crowd with a trace of moral courage.

Yours ever,
Arthur

Exhibit K. Petition for a Writ of Error Coram Nobis

To the United States District Court for the District of Massachusetts and to the General Court of the Commonwealth of Massachusetts From a loyal daughter, Mary Maxwell, in Australia. February 29, 2016

This is a **petition for a writ of coram nobis** for Dzhokhar Tsarnaev.

The situation in regard to “the Marathon bombing” is killing all of us. When will it stop? I appeal to the Massachusetts government to stop it -- whoever can help, be it the court, the legislature, or governor.

Since at least 1970, persons acting apparently with authority’s connivance have been staging terrorism scenes in all parts of the world; for a while it was mostly in the Middle East and Ireland.

The Boston bombing was one such staged terrorism act.

Given that the population of Boston is exceptionally highly educated, that city was perhaps chosen so that the organizers of such acts could prove to their own (sad) satisfaction that all of the people can be fooled!

In fact the Boston bombing was done more than 12 years after 9-11, regarding which a substantial number of people had seen the light.

In May, 2015, Maret Tsarnaeva sent an affidavit to Judge O’Toole, in a proper manner, pointing out that her family in Russia had been approached by US federal employees to ask that Dzhokhar’s parents tell him to plead guilty to the bombing. The reason given – it boggles the mind – was that there was pressure on *them* “from high up.”

Dzhamaly Maazovich, a first cousin of Dzhokhar’s (“Jahar’s”) late grandfather, also signed the following affidavit (not sent to the court):

“For two years, starting from June 2013 to April 2015, me

personally and members of my family repeatedly talked at the meetings that took place during the visits of defense lawyers [They]... had visited at the least, fourteen times.... For two years, our meetings and the contents of conversations were, it seemed to me, of a strange nature. Representatives of the defense team for Dzhokhar were collecting information about everything: our way of life, our lives, the origin of the Tsarnaev family tree, where we work, what contacts we have. They were interested in everything, except the facts proving the innocence of the Tsarnaev brothers, to which we had unsuccessfully tried to draw the attention of defense, because we were openly ignored. ... The **lead defense lawyer Judy Clarke** herself agreed, adding in the conversation, “**we know it – they are innocent....**”

I see it as impossible that Dzhokhar was the Marathon bomber, and believe his conviction should be vacated -- not sent to Appeals Court.

Please consider this letter to be a petition to the Court for a writ of error coram nobis. In the 1954 case of *US v Morgan*, the US Supreme Court ruled that this writ may be used to vacate a conviction and/or a sentence where justice calls for it. **It must be directed at the court** that adjudicated the case; it is not an appeal.

There are many common law writs; Congress confirmed their usage in the All Writs Act, codified at 18 USC 1651. The writ of *habeas corpus* is used when a prisoner calls out for justice; *coram nobis* can be used to vacate a ruling. A petition need be sent to the original court.

In *US v Morgan*, a man who had completed his sentence asked to have the ruling vacated, in 1954, as he had not made competent waiver of his right to counsel. The Federal District Court denied this coram nobis relief to Morgan, but the Appeals court allowed it and SCOTUS affirmed it. His conviction was set aside.

In *Korematsu*, a man who had been convicted of disobeying the 1942 martial law in California, which ‘quarantined’

Japanese-Americans, claimed in 1984 that exculpatory evidence in the prosecutor's file had been withheld from him. Judge Marilyn Patel of the US District Court heard his petition for writ of coram nobis. US Attorneys made no objection and she ruled to set aside his conviction.

In 2015, Mary W Maxwell, PhD, LLB (me) published *Fraud Upon the Court*, showing that when a court has been defrauded, such as when a judge acts dishonestly, the mechanism of coram nobis is appropriate. She cited the opinion of the US Supreme Court in *Hazel-Atlas Glass Co. v Atwood* (1944). Justice Jackson wrote for the majority:

“No fraud is more odious than an attempt to subvert the administration of justice. The court is unanimous in condemning the transaction disclosed by this record.... **The resources of the law are ample to undo the wrong ...** Remedies are available to purge recreant officers from the tribunals on whom the fraud was practiced. **To nullify the judgment if the fraud procured it....** Such a proceeding is required by settled federal law.” [Emphasis added]

In Jahar Tsarnaev's trial, prosecutors, defense attorneys and the judge all acted in a manner that defrauded the court. I cite five instances:

1. The FBI, openly on TV, asked the public not to look at any other pictures for evidence as to what happened at the Marathon. This is as blatant an instance of obstruction of justice as one could ever find. People tend to obey such authoritative persons in an “emergency.”
2. The judge, as mentioned, did not respond to a shocking affidavit from Maret Tsarnaev who reported that the defense team had announced to the accused that they knew he was innocent, yet coerced him to plead guilty, **even threatening the Mother that her son could be harmed in jail.** (That affidavit was published on the Internet by a former US sub-cabinet official, Paul Craig Roberts.)

3. Judge O'Toole met with the jurors as soon as they were empaneled and said to them "We're now teammates." He shook hands with them and recommended that they shake hands with one another. His talking to jurors is totally out of bounds – unheard of, really -- and his emotional appeal must have put pressure on them to please him.

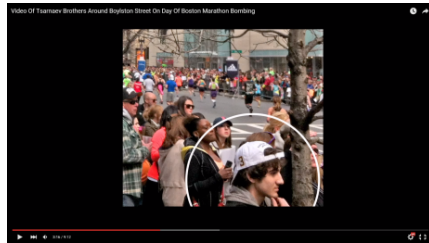
4. Exculpatory evidence was suppressed by the prosecution. Dee McLachlan, editor of an Australian news website, who is a photographer, discovered by chance that Trial Exhibit 22 is in the form of a video, but with various still photos inserted.



Ms McLachlan noticed the oddity of the fact that the photo was presented as a square, while almost all photos nowadays are 'portrait' or 'landscape,' typically 480x800. The unusual framing of the original photograph seemed questionable.

That being so, she figured that this picture started out as portrait but then had its bottom portion cropped off. In fact the person who did it must have forgotten to erase the 'halo-like' white circle. Were we to see the full picture, with the halo as a complete circle, we would be seeing much more of Jahar's body – see grey space in the photo below.

The likely reason for **depriving the jury of seeing more** of Jahar's body is that it would furnish a high-resolution photo of his backpack, which, as many people are well aware, was a silvery-white color. As such, it would contradict the prosecutor's claim that the backpack that contained the offending bomb was black.



Now placed "in the video."

5. As court-watcher in Canada, notes: in Motion 1101-1, the defense lawyer Judy Clarke ASKED THE JUDGE NOT TO SAY IN HIS INSTRUCTIONS TO THE JURY THAT JAHAR "HAS PLEADED NOT GUILTY TO ALL OF THE CHARGES."

Clarke's doing that clearly constitutes a fraud upon the court. I say she has committed a crime, per 18 USC 1503: "Whoever corruptly, ...endeavors to influence, intimidate, or impede any grand or petit juror, or officer in or of any court of the United States ...in the discharge of his duty, ...shall be punished."

Moreover, the judge proceeded to follow her recommendation! As a result, almost everyone, myself included, went away thinking Jahar had pleaded guilty. Surely the jurors were deceived.

Kindly do not reply by saying that I lack standing to **petition for a writ of coram nobis**. I most certainly do have standing as one of the millions of citizens affected by the stunning loss of rule of law.

May I remind everyone of these maxims of English law:
Impunitas semper ad deteriora invitat -- Impunity always invites to worse faults.

Lex est dictamen rationis-- Law is the dictate of reason.

Lex semper dabit remedium -- The law will always furnish a remedy.

Is it a stumbling block that it is a federal case? No, Massachusetts can have Jahar extradited now to be tried locally. (Please see my Youtube video "To Massachusetts Governor.") Jahar can be tried for treason. He is a US citizen

and the crime he is accused of was an attempt to harm people in a warlike manner. (But it seems to me that he is not guilty and that someone else is, as I describe in the postscript.)

I send this petition to the court but also to the legislature. To ask Judge O'Toole to be the judge of his own malfeasance is not logical. Is my approach unusual? Yes, but did I ever think I would live to see the day when a Boston court would behave all out of touch with law?

You ask Doesn't Jahar have new attorneys? Yes, but the appeal does not mention any of the frauds that I have listed. Are they blind? You ask Shouldn't Jahar sign this petition? Ordinarily yes, but he seems helpless and in court he appeared drugged, presumably involuntarily.

Most people assume that the story as told by *The Boston Globe*, CNN, FBI officer Richard DesLauriers, and others, is true. I do not think we can reach most citizens; they seem brainwashed. So it is up to the few who can see what is going on, to set things right. Thus please give consideration to my request for a writ of coram nobis. It is the best and easiest way to put an end to this nightmare.

This petition for writ of error coram nobis, in regard to the conviction of Dzhokhar Tsarnaev, is hereby respectfully submitted. His case number is Criminal No 13-10200-GAO.

Yours sincerely,
Mary Maxwell, a Boston-born dual citizen of US and Australia

Postscript: Having received a Post Office receipt from Boston in March 2016, but never a reply from the court, I re-sent the Petition to both houses of the Massachusetts Legislature in May, 2017.

One of the major problems that Trump discovered, was not just Deep State, but all that over which he has no control. And as I have previously written — he is not being ‘protected’ — but **is under permanent House Arrest** with all his family by the Owners of America.

Induced Turmoil

American induced world turmoil is only partly understood. Its repercussions are everywhere.

It’s easy. Just find two or more disparate groups that hate each other. Or invent them using ideological, racial, or religious differentials. Plant some media personnel. Accuse one or other of wanting to slaughter the other. Run up some False Flags and some Hoaxes. You gather, radicalize, train, arm, and pay them. And off it goes. Then you raid their banks and destroy what you don’t want. Steal the natural resources, drug manufacturing, and anything of real value.

Guatemala began with the CIA stealing bananas through United Fruit and Chiquita. El Salvador began with the CIA stealing coffee. Nicaragua and Honduras was the CIA stealing drug shipments. And of course, civil wars are a natural progression from such meddling.

The CIA

CIA is not just another little spy shop. It is a monolithic international force with many factions. It kidnaps and assassinates with impunity. It operates private gaols around the Western World. It operates armies and covert tactical special black operations. It is a parallel world. It has diplomatic immunity wherever it steps in the Western World.

America has never had any shame in destroying any domestic economies it can, to maintain its own economic and militaristic insanities. The CIA has over 300 major corporations fronting its activities. **It is funded by unlimited reserves, ‘reports’ to no government, and is unaccountable.** It has over 600 Stations in the Western World. It was out of control when JFK

wanted to disband it in 1963. So it killed him. In open light, before all the world. 53 years later and the truth will never be 'officially' revealed.

CIA James Angleton orchestrated The JFK Coup d'Etat. And Pentagon Dov Zakheim orchestrated The 9/11 False Flag.

Nazi Arrivals, JFK Files

Then of course there was the lying Chief Justice of The US Supreme Court [Earl Warren], and the lying and pardoning President [Ford]. And the problem of the nation state with no credibility, pretending it holds the moral high ground.

The Nazi number one tier had a pass straight to the US. The second tier ended up sunning in South America.



Operation Paperclip — 104 rocket scientists at Fort Bliss, 1946

The final JFK shot did not come from high right, but low right. The low shot was from the large water drain at gutter level. Deep enough for Jack Lawrence to stand and take the shot after the car was stopped in position.

Rational and Critical Thought

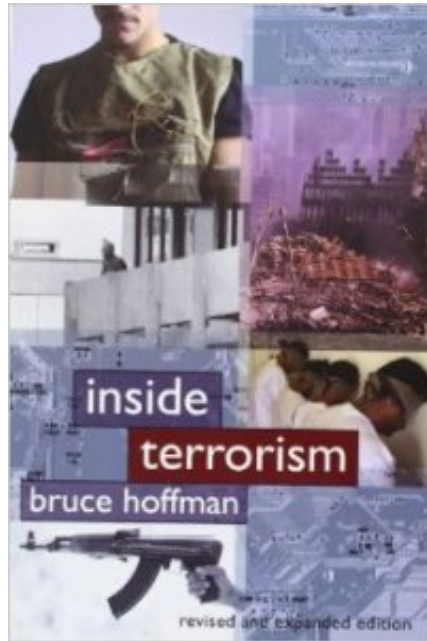
I wrote what actually happened some years ago. The incessant deceptions through Alternative Media manufactures are stubbornly wrong. As bad as the Oswald Lie.

People no longer believe the MSM. So they reach to Alternative for truth, and are confronted by further fictions. Try correctly studying and use Independent Media, those who have been correct throughout, and for many decades. Even before the manufactured digital age. Jones, Drudge, Zero Hedge, et al, have been wrong and misleading, consistently.

John Belushi was gone as soon as he mentioned that Kissinger was 'Deep Throat'. He was warned. He lived in The Chateau Marmont where we did.

**Exhibit M. Real Expert on Terrorism, Elias Davidsson,
Reviews Bruce Hoffman's *Inside Terrorism***

This review was first published by mwcnews.net (media with conscience news) under the title “Presumptuous and devoid of scholarly value”



The author, Bruce Hoffman, was for a long time a director at RAND Corporation in Washington, which he designates in his book as an “independent, objective, nonpartisan research institution” (p. xi). **Bruce Hoffman is not only an author of junk science**, but is periodically invited to comment on CNN, the Washington Post, etc, as an “expert” on terrorism.

(1) The deceptive appearance of erudition

Hoffman’s book (revised edition) consists of 432 pages. The author devotes no less than 45 pages to a bibliography on terrorism... Yet the **bibliography omits major critical works** on terrorism -- such as those by Prof. David Ray Griffin and Dr. Nafeez Mosaddeq Ahmed. Dr. Ahmed deals at depth with the covert relationship between Western intelligence agencies and al-Qaeda.

The same omission applies to critical studies regarding the London Underground Bombings of 2005, or to those of the Mumbai 2008 attacks.

(2) Junk science (a) Treatment of facts.

Good scientists are immediately recognized by the way they handle facts: They go to great pains to establish the empirical ground on which they base their theories. ...When doubt about a fact exists, an honest scholar will share that doubt with readers and steer clear from sweeping assertions.

True scholars are also known to treat with circumspection statements by third parties. **True scholars do not rely on unidentified and unverifiable sources.**

I have stopped counting the unsubstantiated allegations made by Hoffman where he relies on dubious sources, such as on statements pronounced by a figure resembling Osama bin Laden on a video recording.

(b) Disregarding two most potent types of terrorism

The author is presented by mainstream media as an expert on terrorism. Yet, from the three types of terrorism, he ignores completely the two main and most potent types: Overt state terrorism and false-flag terrorism.

False-flag operations are carried out secretly by military or police forces **to incite a population against a particular “villain.”** They are staged to appear as if they had been carried out by the “villain.” Due to the need to conceal the links between the perpetrators and state agencies, such operations require a high degree of secrecy and compartmentalization. Substantial effort

(c) No assessment of terror investigations

As terrorism is essentially a violent form of political expression, it follows that states possess vital interests in either elucidating or concealing facts. States are never neutral observers of such crimes. A scholar will meticulously scrutinize the direction, manner and zeal of governments to investigate the crime.

The author does not even hint that some of these

investigations of terrorist events may have been rigged, a charge made even by the chairman and vice-chairman of the 9/11 Commission after the Commission was disbanded.

(d) Hoffman on Mohamed Atta's suitcases

The story of Mohamed Atta's two suitcases found at the Boston Airport on September 11, 2001, because they were not loaded onto the doomed aircraft, is well known. The story has been reported worldwide and used unsparingly to establish the official legend on 9/11.

Hoffman builds upon this legend to press his point that the 9/11 "hijackers" were motivated by religion. He wrote: "It remains briefly to clarify the role religion played in the motivation of the hijackers. This can be seen very clearly in the 'spiritual guide' written for his accomplices by Mohammed Atta, the leader of the operation, and one of four pilots."

Less forgivable is the author's lack of intellectual curiosity. For one of the persistent questions regarding this episode is: What prompted Atta to drive to Portland on September 10, 2001 and fly from there back to Boston? . Had his connecting flight to Boston been delayed, he wouldn't be able to carry out the first attack on the World Trade Center. Atta's "life mission" would be a fiasco.

Let us briefly describe **what was found in Atta's suitcases**:

The police found in them all the constituent elements for building the 9/11 legend: a portable electronic flight computer, a manual for aircraft simulators, a handwritten text in Arabic, a folding knife, pepper spray, three English grammar books, an Arabic-English dictionary, three photographs, a picture of a visa, Alomari's passport. Etc.

(e) Terrorist "manuals"

On page 251 Hoffman cites "manuals" for the wannabe terrorist, that were **allegedly found by unidentified persons on undisclosed dates** in unspecified Qaeda's training camps in Afghanistan.

These “manuals” are cited as a result of al Qaeda absorbing lessons “in order to help its operatives blend in in Western environments and avoid attracting attention.”

These manuals include advice such as:

- “Don’t wear short pants that show socks when you’re standing up. The pants should cover the socks, because intelligence authorities know that fundamentalists don’t wear long pants...
-
- Underwear should be the normal type that people wear, not anything that shows you’re a fundamentalist.
-
- Not long before traveling -- especially from Khartoum – the person should always wear socks and shoes to [get] rid of cracks [in the feet that come from bare-foot walking].

It is interesting that the authors of these “manuals” used the term “fundamentalist” to describe their own movement. Is this how jihadists refer to themselves or were the authors half-baked orientalist working for **RAND** Corporation?

Conclusions

My findings above confirm what German intellectual Reinhard Jellen once wrote, namely that “ignorance and pretension [are today] not obstacles, but on the contrary prerequisites for professional success.”

Bruce Hoffman’s book can be profitably used by aspiring academic prostitutes. I first came across his book when I examined the activities of Germany’s Federal Center for Political Education -- a propaganda institution that belongs to the Ministry of the Interior. It promotes Hoffman’s book (in German translation) to German schools and universities as a textbook on terrorism. [All emphasis added]

*Elias Davidsson is author of the excellent book *Hijacking America’s Mind on 9-11*, which investigates the phone calls made from the planes that day. See also his *The Betrayal of India*, about the Mumbai attacks.*

**Exhibit N. Faculty and Goals of Law Schools, Notably
Boston College and Suffolk** (*published November 22, 2016*)



Suffolk, in the heart of Downtown



Boston College, in Newton

One may wonder where the well-paid law professors stand on the issue of the Tsarnaev trial. If you have a son or daughter looking for a law school, I suggest you write to some of these prestigious persons and see how they feel about the Marathon travesty.

Below is a list of 56 professors at the Catholic law school of Boston College, and 77 from Suffolk. I'll give the Catholics first billing as I personally expect more from a religion-based academy. (We all have our little prejudices.)

If you get in touch with some of these professors, in regard to Jahar's conviction, please let us know. They have special expertise in, say, the rule about destroying evidence, or the ethics of pressuring an accused's family to obtain a guilty plea. They may offer guidance as to how jurors evaluate a witness who changes his story serially.

There are whole books written about those topics. Alumni of BC and Suffolk, including many judges, may also want to come forward with their position on the Tsarnaev "trial."

Below you will find the mission statement for each of the two schools. A faculty member today could re-read the mission statement and see if there is any fit.

Boston College Law School — Mission Statement

We search for opportunities to instill in our students the moral and ethical application of law. Our commitment is to foster new insights through research, to impart knowledge and to critically evaluate the role of legal institutions.

Boston College Law School – 56 Faculty Members:

Richard Albert, Associate Professor/
Alexis Anderson, Associate Clinical Professor/
Filippa Marullo Anzalone, Professor and Associate Dean for Library and Technology Services/
Paulo Barrozo, Associate Professor/
Sharon Beckman, Associate Clinical Professor/
Mary Sarah Bilder, Professor/
Robert M. Bloom, Professor/
E. Joan Blum, Associate Professor of Legal Reasoning, Research & Writing/
Mark S. Brodin, Michael and Helen Lee Distinguished Scholar Professor/
George D. Brown, Robert Drinan, S.J., Professor of Law/
R. Michael Cassidy, Professor and Faculty Director, Rappaport Center for Law and Public Policy/
Mary Ann Chirba, Professor of Legal Reasoning, Research & Writing/
John C. Ford, S.J. Distinguished Scholar/
Daniel R. Coquillette, J. Donald Monan, S.J., University Professor/
Scott T. FitzGibbon, Professor/
Frank J. Garcia, Professor of Law/
Jane Kent Gionfriddo, Professor of Legal Reasoning, Research & Writing/
Kent Greenfield, Professor of Law
Dean M. Hashimoto, Associate Professor/
Frank R. Herrmann, S.J., Associate Professor/

Ingrid Michelsen Hillinger, Professor/
Mary Holper, Associate Clinical Professor; Director,
Immigration Clinic/
Kari Hong, Assistant Professor/
Renee Jones, Professor/
Gregory A. Kalscheur, Dean, Morrissey College of Arts and
Sciences, Associate Professor/

**Daniel Kanstroom, Professor of Law & Thomas F. Carney
Distinguished Scholar, Associate Director of the BC
Center for Human Rights & International Justice/**

M. Cathleen Kaveny, Darald and Juliet Libby Professor/
Elisabeth Keller, Associate Professor of Legal Reasoning,
Research & Writing/
Ken I. Kersch, Department of Political Science/
Thomas C. Kohler, Professor/
Joseph P. Liu, Professor/
Daniel Lyons, Associate Professor/
Ray D. Madoff, Professor/
Patricia A. McCoy, Liberty Mutual Insurance Professor of
Law/
Judith A. McMorrow, Professor/
Alan Minuskin, Associate Clinical Professor/
David Olson, Associate Professor of Law/
Lynnise E. Pantin, Clinical Associate Professor/
**Vlad F. Perju, Associate Professor of Law/
Director, Clough Center for the Study of Constitutional
Democracy/**
Zygmunt J.B. Plater, Professor/
**Diana C. Pullin, Professor Educational Leadership and
Higher Education Department**
Brian JM Quinn. Associate Dean for Experiential Learning,
Associate Professor of Law/
James R. Repetti, William J. Kenealy, S.J., Professor/
Diane Ring, Professor/
James Steven Rogers, Professor/

**Vincent D. Rougeau, Dean [From the dean's website]:
Boston College and its Law School are rooted in the Jesuit,
Catholic tradition of intellectual excellence and service,
and seek to promote the integration of faith and justice
through curricular offerings and extracurricular projects.**

Evangeline Sarda, Associate Clinical Professor/

Francine Sherman, Clinical Associate Professor; Director,
Juvenile Rights Advocacy Project/

Natalya Shnitser, David and Pamela Donohue Assistant
Professor/

Mark Spiegel, Professor/

Judith B. Tracy, Associate Professor of Legal Reasoning,
Research & Writing/

Paul R. Tremblay, Clinical Professor of Law/

Catharine Wells, Professor/

Herbert P. Wilkins, Huber Distinguished Visiting Professor
A.B., LL.B., Harvard University/

David A. Wirth, Professor/

Norah Wylie, Visiting Assistant Professor of Legal Reasoning,
Research & Writing/

Alfred Chueh-Chin Yen, Professor and Associate Dean

Katharine G. Young, Associate Professor of Law

Suffolk's Mission Statement

Suffolk University is a talent catalyst that recognizes and develops student potential. Leveraging our location in the heart of Boston, our faculty, staff, and alumni work together to provide a student-centered experience. This diverse community builds on its dedication and excellence in education and scholarship to empower graduates to be successful locally, regionally, and globally.

Suffolk College of Law — 77 Faculty Members

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R. Lisle Baker, Professor of Law
Andrew Beckerman-Rodau, Professor of Law
Virginia Benzan, Immigration Clinic Fellow
William Berman, Clinical Professor of Law
Carter G. Bishop, Professor of Law
Karen Blum, Professor of Law
Eric Blumenson, Research Professor of Law
Sarah Boonin, Associate Clinical Professor of Law
Barry Brown, Professor of Law
Stephen J. Callahan, Professor of Law
Rosanna Cavallaro, Professor of Law
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Frank Rudy Cooper, Professor of Law
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Sabrina DeFabritiis, Professor of Legal Writing
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Christopher Gibson, Professor of Law
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Lorie M. Graham, Professor of Law
Marc D. Greenbaum, Professor of Law

Janice C. Griffith, Professor of Law
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Stephen C. Hicks, Professor of Law
John Infranca, Assistant Professor of Law
Diane S. Juliar, Clinical Professor of Law
Philip C. Kaplan, Associate Professor of Academic Support
Maritza Karmely, Associate Clinical Professor of Law
Bernard V. Keenan, Professor of Law
Rosa Kim, Professor of Legal Writing
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Renee M. Landers, Professor of Law
Jeffrey Lipshaw, Professor of Law
Stephen Michael McJohn, Professor of Law
Elizabeth M. McKenzie, Professor of Law
Kim McLaurin, Associate Dean for Alumni and External Affairs and Clinical Professor of Law
Samantha A. Moppett, Professor of Legal Writing
Russell G. Murphy, Research Professor of Law
Sharmila Murthy, Assistant Professor of Law
Camille Nelson, Professor of Law
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Note for Dean, from Suffolk’ website:

Core Values: Suffolk University believes in the integration of civic engagement and service learning throughout the curriculum to foster the development of responsible global citizens. We are committed to acting ethically, professionally, and collaboratively.

Richard G. Pizzano, Professor of Law

Jeffrey Pokorak, Vice Provost for Faculty and Curriculum, Professor of Law

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Michael Rustad, Thomas F. Lambert Jr. Professor of Law **Ilene Seidman, Associate Dean for Academic Affairs and Clinical Professor of Law**

Ragini Shah, Associate Clinical Professor of Law

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Linda Sandstrom Simard, Professor of Law

Elizabeth Z. Stillman, Associate Professor Gabriel H. Teninbaum Professor of Legal Writing

Kathleen Elliott Vinson Professor of Legal Writing

Jeffrey D. Wittenberg, Professor of Law,

David C. Yamada, Professor of Law

Note: the above mission statements can't hold a candle to what **Northeastern Law School** promises on its website:

“Our mission — to fuse theory and practice with ethical and social justice ideals.... [We help] reflect critically upon law and its impact on individuals, enterprises, and communities. We value intellectual inquiry, critical thinking, vigorous exchange and testing of ideas. We are devoted to the pursuit of social justice. We believe we have an obligation to advocate for individuals and groups who are underrepresented, less powerful or less economically secure domestically and abroad.”

Holy cow!

The other law schools in Massachusetts are Boston University, New England Law School, and Massachusetts School of Law. I'll show their mission statements below.

I won't bother to mention Harvard Law as I'm told that 100% of the faculty members are CIA, and so its mission statement would necessarily be a lie. “No man can serve two masters.”

Mission of Boston University School of Law

Our mission is to be a leader in the teaching and study of law. We aim to prepare students for the ethical practice of law around the globe at the **highest levels of quality and integrity and to serve the public interest**.... In our scholarship, our goal is to provide the profession, the academy and the general public with **ideas, perspectives, and analyses** that **enrich a comprehensive understanding of the law**, adapted to the needs of a changing world.

Massachusetts School of Law's mission is to provide an academically rigorous affordable legal education emphasizing **ethics, advocacy, leadership**, and professional skills. MSLAW provides an education to tomorrow's leaders in law, who seek to contribute to their communities. **Lawyers have substantial influence in our society.**

Massachusetts School of Law brings together a diverse group of **scholars, judges**, expert practitioners and others to provide backgrounds a rigorous, professionally advantageous, affordable legal education so that they can improve their lives and **better serve their communities.**

Mission Statement of New England Law. [We are dedicated to: (1) preparing students to be successful lawyers and leaders in the public and private sectors through integrated practical, theoretical, and **ethical education of the highest caliber**;

and (2) contributing to the improvement of American, foreign, and international legal systems **through participation in the debate over the fairness and efficacy of those systems**, research and publication, public service, and other work that **further the interests of justice.**

Well, there ya go, law students. Plenty for you to do even now while you are still pre-professional. And it's fun, fun, fun!

Note: On next page I insert an item received at the last minute – a letter to Trump from Dr Baruja who is one of the *amici curiae* in the 1st Circuit's appeal of Jahar's trial to take place in 2018:

Dear President Trump,

August 18, 2017

I am writing to ask you for a reinvestigation of the Marathon Bombing that occurred on April 15, 2013. I believe Dzhokhar Tsarnaev, is innocent and well-deserving of a pardon...

There is a video showing that Tamerlan Tsarnaev was alive in custody at first, according to an eyewitness. And how could Dzhokhar, severely wounded in the boat, have written a "confession with such neatness on the glazed boat wall?

In regards to some of the medical anomalies ... The blood did not appear from genuine victims. It appeared on account of the crisis actors who poured fake blood around the crime scene. Ben Nye Moulage kits or the similar appear to have been used.

Now, let's consider Jeff Bauman (if that even is his real name). I concur with Dr. Loraine Day that nobody with an injury that "severe," as purported by the mainstream media, would ever be wheeled in a wheelchair because such a patient would have experienced too much blood loss.

I agree with the late Stanley Monteith MD, that Jeff Bauman should have been in "profound shock" in light of the severity of his purported injuries as described by the mainstream media. Tourniquets were not applied to both legs appropriately to "clamp off the blood supply".



Mr. Bauman "healed" too quickly after his "injuries". Just 19 days later, he was at the Boston Bruins hockey game.

Thanking you for your anticipated careful considerations into this matter, I am:

Respectfully,
Cesar Baruja, MD, US citizen

Welcome to the ADDENDUM Ten articles that update this book as of November 2017

1. Tells how Cabbie Matanov went to Braintree police station to claim that Tamerlan was bearded on April 15, 2013, so the FBI's photos of him at Marathon can't be right. *p 240*
2. Describes a minor wardrobe malfunction of Jahar. *p 245*
3. Criticizes journalistic standards of Ross and Katersky
4. Makes Tamerlan's sidewalk-arrest the baseline for Watertown event. The Podstava video wrecks the story of "cop shootout" and Jahar running over his brother.
5. Quotes the FBI's categorical denial that it knew Tamerlan before the Marathon, and gives *National Geographic's* imaginative take on the events.
6. Theorizes that in some cases the photos of the brothers at Marathon used old photos of the real Tsarnaevs and inserted them into a crowd shot.
7. Lists many unsolved crimes related to Marathon that need to be investigated now.
8. Shows many actions that people can use to get around the roadblocks in the justice system, such as Truth and Reconciliation committees.
9. Identifies the Boston Public Library's unfair emphasis on "wrongheaded" conspiracy theory.
10. Reports Bostonians' skepticism about the Marathon story and rehashes ideas for citizen action on the case.

*These were published in October, 2017 as articles in a ten-part series at GumshoeNews.com. They reflect my happy trip to Canada where I got the chance to talk to Aunt Maret.

Part 1: Cab Driver Matanov Goes to Braintree Police Station To Say Tamerlan Did Not Attend the Marathon
(published October 15, 2017)



A nice, hot bowl of borscht

Please help me get “Marathon” out of my life! It is so distressing. I’m now in Boston. How can I walk down the street here, knowing that many of the people walking near me have fallen for such a horrible scam?

Note: I never claim that “nobody got hurt at the 2013 Marathon.” I only publish things about which I have at least a modicum of knowledge and I haven’t a clue about the victims. (Except one, Jeff Baumann, whom I am sure is a fake victim.) My current state of hyper-hyper is based on my recent trip to Canada, during which I had a long visit with Jahar’s Tsarnaev’s Aunt Maret.

She told me more stuff that I can hardly bear. For now I’ll just talreport what she relayed about a guy named Matanov. Cheryl Dean already told us that several friends of Jahar got “kidnapped” by law enforcement, and are now in jail. Most of them were foreign students at UMass Dartmouth.

Another one, who was in the klink, is Cabbie Matanov. I must call him by that nickname as his real first name is Khairullozhon. Could take you a month to conquer the spelling. He drives a cab, so let’s just call him Cabbie Matanov.

When Cabbie saw the picture of Bomber One and Bomber Two on TV, he walked into the police Station in Braintree. Good thing it was Braintree, not Boston, as the FBI had not yet got control of the outlying areas such as Braintree. Matanov was doing what you or I would do. He was saying:

“Hey, Coppers, y’all done got the wrong man. My friends the Tsarnaev brothers would never do a bombing.”

Furthermore, he said,

“I was with Tamerlan and Jahar only hours after the stupid Marathon on Monday and Tam was sporting a beard. So, the guy you posted a picture of, on TV, strolling down to the finish line, is clean shaven. What’s up? How could a guy be clean shaven around 2pm and have a nice thick beard by 5pm when I saw him? I’ve heard of 5 o’clock shadow but give me a break.” (Or words to that effect.)

The Braintree police took his written statement, so it exists somewhere. But of course it was not to see the light of day, as it **TOTALLY MESSES UP THE PROGRAM**. Like this was catastrophe city for the FBI.

So what to do? Go on, use your cerebrum, cerebellum, and medulla oblongata. Concentrate. I know you can work it out. How can the police or FBI handle this young cab driver in their hour of crisis?

Very good! You guessed right — they arrested him. They waited a few months but then they pulled him in. He is behind bars now. Otherwise he’d have had to be car-crashed, right?

But wait. Cabbie didn’t just mouth off to the Men in Blue. He got on the wire to Uzbekistan (his home country). He, being a cab driver, also told every passenger what was on his mind. He told Jahar’s friends and the entire array of cousins and aunties. One auntie in particular. Her nibs in Canada.

The Borscht

So that’s where I come in. But now let me explain the photo above. Maret made a nice meal to welcome me. But the fact is, I have an uneducated palate and did not want to taste

Russian (actually, Ukrainian) fare. So I looks at Maret and says “Since when do I eat borscht?”

This brought gales of laughter, as Maret knew the pun that was intended. You see, on the evening of April 15, 2013, after everyone in Massachusetts was in shock (before they got miraculously “strong”), friends from all over started phoning their Boston contacts to ask “Are you all right?” People always do that. (There’s a fire in Melbourne? People would call me in Adelaide to see if I’m OK.)

Even Tamerlan’s family called *him*, from darkest Russia to Cambridge, Mass. His Dad, Anzor Tsarnaev, said “Are you and Jahar all right? Didn’t get hurt by the bombing, did you?” Sonny says to Dad “Since when do we go to Marathons?” I heard that story two years ago from Maret. So of course I was pleased when she got hysterical over my little joke “Since when do I eat borscht?”

Getting to Jail

You will want to know how Cabbie Manatov’s arrest turned into imprisonment. He must have had a trial, right? Josée Lépine has no doubt scooped up the transcript of it, in her usual way, right? Not exactly. There is another way, in The Great Republic, to get from arrest to imprisonment, one that the Founding Fathers did not put into the Constitution — as it never crossed their li’l ol’ cotton-pickin minds.

I mean plea bargaining. Who needs a Bill of Rights when you’ve got practically every crim nowadays “volunteering” a guilty plea in exchange for a reduced sentence? They did not arrest Cabbie in April. They waited many months, till they had got all the key friends of Jahar under control. Then they found something to charge him with.

I do declare they must have got it straight from Blackstone’s (1769) *Commentaries on the Laws of England*, Volume 4. Yes, they got him for O-B-S-T-R-U-C-T-I-O-N of J-U-S-T-I-C-E (as in interfering with the investigation).

Enter, Rupert Murdoch, or the Ghost of Randolph Hearst, Whichever

Now we shall see how the media took care of the Cabbie problemo. And this is why you never heard that a young man had marched his-sef into the po-lice station. And why you never, till this minute – or me till October 5 – knew that there was a “beard wardrobe malfunction.”

It’s because the media – who probably wrote the whole bombing plan anyway – had nary a prick of conscience about telling the Braintree story in a quite different way. Let’s see what *The Boston Globe* had to say. It headlined:

“Tsarnaev Friend Scheduled To Plead Guilty To Misleading Investigators.”

(Pretty funny, if you read that “misleading investigators” the wrong way. I mean the right way.)

Ah, NBC has it:

“Mar 24 2015. Matanov, a cab driver from Kyrgyzstan [sic] who’s been in the U.S. since 2010, was arrested a few weeks after the bombings. The FBI said that on the evening after blasts, he had dinner with both Tsarnaev brothers and spoke by phone with Tamerlan several times in the days after. But when he was interviewed by police, Matanov claimed to know the brothers only casually and later deleted a large amount of data from his computer, prosecutors charged.”

The FBI also said Matanov participated in a variety of activities with Tamerlan Tsarnaev, “including discussing religious topics and hiking up a New Hampshire mountain in order to train like, and praise, the ‘mujahideen.’” (Oh, how you can get radicalized in New Hampshire!)

Surprisingly this fairly small matter was also covered in the high-brow *New Yorker* but it’s no longer online.

Can You Stomach The Guardian?

Try this from theGuardian.com:

“‘Guilty’, Matanov, 24, said in an afternoon hearing at US district court in Boston when asked how he pleaded to three charges of lying to investigators in a federal investigation and one of destroying evidence, for *deleting files on his laptop*. [!!]

“Matanov, who appeared in court **with his ankles shackled**, was arrested in May 2014 and charged with lying to investigators; he has been held in federal custody since that time.” [Why shackle him? Is he going to do a runner?]

A deal with prosecutors could result in a sentence of two and a half years in prison, less time served, said US district judge William Young, who did not immediately accept the deal. If convicted at trial, he could have faced up to 20 years in prison.

Young scheduled a sentencing hearing for 18 June.

The Judge (and You Wonder Why We Have Tragedies)

Reuters’ narrative has more, including AN APOLOGY FROM MATANOV, and “tears in his eyes,” too. And a quote from US District Judge William Young to Cabbie:

“All we asked you to do was give a hand. All we wanted you to do was help us out, but you didn’t do that,” Young said. “You had a duty to humanity and you failed in that duty.”

Gee. I see Judge Young graduated from Harvard College in 1962 and Harvard Law in 1967.

“Fair Harvard, thy sons to thy Jubilee throng,
And with blessings surrender thee o’er – etc, etc.”

This Judge Young has worked on two of my favorite dishonest cases. the Boston Strangler and Richard Reid the shoe bomber. Geez.

I must look up my Gumshoe series “Getting a Judge.”



Next to the boat. Photographer Sean Murphy

Much needs to be said about Jahar Tsarnaev, one of the most incommunicado persons in the world today. He probably never imagined he would end up in a Supermax prison, unable to talk to anyone. Worse, no one is allowed to talk to him.

Jahar is under the post-9/11 “SAMs” – Special Administrative Measures. These came about when it was said that a “Muslim terrorist” involved in the 1993 (not 2001) bombing of the World Trade Center was trying to pass “plans” to his buddies in Egypt, or wherever.

Keeping certain “terrorists” incommunicado in prison is vital to the government in another sense, however. It prevents our finding out what really happened.

As claimed in Part I, there's a young man named Matanov in prison whose “crime” was that he tried to tell the FBI some exculpatory things about his friends, the Tsarnaevs. Matanov said he saw Tamerlan shortly after the Marathon, with a bearded face, not a clean shaven face as shown on TV by FBI.

The videos shown of clean-shaven Tamerlan may be pictures taken two years earlier, before he grew a beard.

This article is about Jahar, not Tamerlan. Jahar does not have a beard issue, but he has a clothing issue. As shown in the photo above, Jahar was wearing blue jeans when he was captured by police at the boat in the backyard of David Henneberry in Watertown.

(Henneberry died in October, 2017, age 70. One hopes it was not a murder to silence him! The Powers That Be are well known silencers of persons who have INFORMATION THAT COULD INCRIMINATE *them*.)

The fact that Jahar is shown in blue jeans could pose a serious problem for the prosecution. They have shown a (supposed) CCTV film of him at a Shell gas station in which he wears black pants.

Timeline of “Official” Stuff

Here’s a quick timeline from the prosecution’s story. As you will see later, I don’t agree with it.

Monday, April 15, 2013. Boston’s annual Marathon race. Bombs go off at 2.49pm.

Thursday April 18, 2013. Around 5pm FBI Agent DesLauriers goes on TV and shows photos of Bomber One and Bomber Two. [He pretends not to know their names, but later admits the FBI was involved with Tamerlan for years. Aw, gee.]

Thursday, April 18, at 10.20pm, the boys, now in a panic, started to run – “with visions of bombing New York next.” Desiring an extra gun, they went to the campus of MIT and killed a cop, Sean Collier. Collier is found dead at 10.35pm.

Thursday, April 18, 2017, after 11pm. They randomly found a guy, Dun Meng, sitting in his parked car and carjacked it.

Around midnight. Meng, Jahar, and Tamerlan stop for gas at a Shell station, and the CCTV films them near the pumps and also in Shell's convenience store.

Friday, April 19, 2013. At 12.35am the boys appear on Laurel St, Watertown, attacking a group of cops, as it were. They "throw pipe bombs" and Jahar "jumps in Dun Meng's car and runs over his brother" to escape.

Friday, for more than 17 hours, between 12.35am and 7pm, Jahar is nowhere to be seen.

Friday, April 19, 2013. When the governor calls off the shelter-at-home directive, David Henneberry goes to his yard for a smoke and sees a boy in his boat. A call to 911 brings the troops. Jahar emerges from the boat and is taken to hospital.

Disagreement

I think all aspects of the story are false (including some not mentioned here, such as Tamerlan's purchase of five pressure cookers back in January at Saugus Mall).

I say there was no panic by the boys, no plan to go to New York, no killing of Officer Collier at MIT, no carjacking of Dun Meng, no scene at the Shell station, and no shootout. Rather, I say, Tamerlan went to Mount Auburn St, Watertown (not Laurel St) with a friend and was arrested on the sidewalk and then stripped of clothing and put in a cop car naked.

I think Jahar was in the vicinity of Tamerlan's arrest and was nabbed by police, kept in custody, and put in the boat, drugged. No one has ever heard Jahar's side of the story.

Jahar's Wardrobe Malfunction

In the prosecution photo, where Jahar is shopping for snacks in the Shell convenience store, he has dark pants, maybe black, like track pants. So how did he change his costume to blue jeans?



This is alleged to be a CCTV photo of Jahar at the Shell station after the “carjacking”

Granted, the fact that he was missing (at least from the public’s eye) means there *was* an opportunity for a change of clothing. But if he was panicked about having been “found out” as the Marathon bomber, he certainly would not go shopping for jeans at Lord and Taylor.

There’s a photo of the alleged shoot-out, also. It was taken as a video by someone named @Katz, but in court **only still pictures** from the video were shown. Darkness prevents us from discerning the color of Jahar’s pants.

As for the carjack story, it, too, should have raised great scepticism from Bostonians. It contains ridiculous aspects:

- 2 Just the right car was sitting there at the moment Tamerlan needed it? (Meng says he had pulled over to take a phone call.)
- 3 Tamerlan immediately confessed to Meng that he was not only the Marathon bomber but that he had just killed a cop? Nobody would confess to major crimes while “on the lam”
- 4 The boys discussed, in Meng’s earshot, a plan to do more damage in Times Square? What a joke.
- 5 The car just happened to need gas at that critical moment? It caused Jahar to have to use Meng’s ATM to steal \$800.



6. This ATM shot was presented in court as evidence, to flesh out the carjack story

Note: the ATM caper was probably arranged so that we would have “photographic proof” of jahar’s theft. However, the model-boy they used does not look like the real Jahar, asfar as I can tell. It’s boo-boo time for Quantico.

Dun Meng’s original “exposure” of the Tsarnaevs allowed the media at an early stage to get the basics of the narrative. Dun Meng had been interviewed on TV, disguised and anonymous, telling about Tamerlan’s confession more than a year before the court case was held.

It’s reported that Meng, when being questioned in court about the carjacking, kept his eyes trained on his Northeastern professor, James Fox. Did Meng need some assistance in order to perform properly?

Black Pants or Blue Jeans?

There was precious little cross-examination of anyone at Jahar’s trial in April, 2105. The defense accepted the idea of a carjacking and the shootout. They could, even now, ask “Why do we see Jahar at the boat-side in blue jeans, when the prosecution’s CCTV evidence shows him in black pants at the Shell station?”

This raises a question never pursued in court: Where did the panicky – and shockingly *bereaved* – Jahar hang out for the 17 hours between the shoot-out and the boat-side arrest?

It would make sense for the FBI to keep Jahar in its custody all day. Time was needed for the governor, Deval Patrick, to teach everyone the meaning of shelter-in-place.

It is not known how Jahar got delivered to the boat. The choice of Watertown was good; It meant that a house-to-house search could take place in that relatively quiet part of town.

Most of the houses there are single or two-family. A search in Boston would have been less tidy – there are large apartment buildings and “miscellaneous people” walking around.



Watertown, MA- S.W.A.T. teams on door to door search (Barry Chin/Globe Staff)

Also, by depositing Jahar into Henneberry’s boat, the opportunity arose for a signed confession to appear on the boat wall. It even had intriguing bullet holes so one would have to try to guess the missing words.

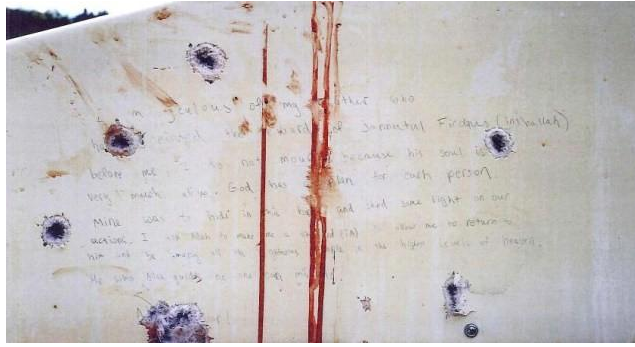


Photo credit: US Attorney's office

There is a famous aerial picture of the inside of the boat, taken from an FBI helicopter. We can see that Jahar is motionless (perhaps drugged?). So the “law enforcement” people must have known that Jahar posed no danger to them. Yet they shot 228 bullets into the boat!

A normal way to capture a suspect is to pepper-spray him, or set a dog on him, or Taser him. One need not use bullets, as in days of old. This was done to increase the drama and increase the fearsomeness of the (poor, unarmed) suspect. (In the Sydney siege we had flashbangs galore for this purpose.) The number of bullets – 228 – is admitted by the police. We can also see that the hospital report mentions “penetration wounds” which presumably mean from bullets.

Jahar Tsarnaev Should Be Interviewed

There is reason to contest the “evidence” of the “carjacking” that helped a jury convict Jahar, insofar as his costume in the Shell gas station video is not the same as in the boat-side capture scene. (There is also a need to think about the excessive force used in his capture – not to mention the unprecedented aspects of the FBI “home invasions.”)

The time has come, after exactly four years and a half years of imprisonment, for Jahar to be interviewed. We have many questions to ask him, such as how he got into the boat. Such matters were never aired at the trial. There is no reason why the government should forbid us to learn this one item: his itinerary that day. No “national security” aspect of that!

There is a rumor that Jahar has died in custody. We hope not, but it cannot be ruled out. He cannot be visited or receive mail. He may not even be able to pass messages out through other inmates, as he is in a Supermax and does not get to socialize (as far as we know). This silencing business is totally un-American. It's sooo not Fourth Amendment.

Fear

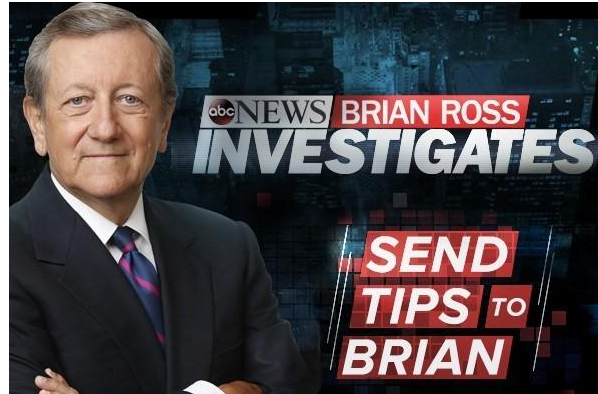
What causes the public to go along with media's nonsense? Most likely it is fear. We all have an amazing fear of challenging the party line. That's true even when the matter is inconsequential, but here there's the added fear that if you speak out, you'll meet violence (as Cabbie Matanov did). For the record: I myself am scared stiff.

"They" have so much power – clearly, the power to control judges and governors. But are "they" secure in their position? I don't think so. They at least go to the trouble of trying to make us turn our brains off. That implies that they worry that we will catch them out.

The mathematics of the situation need to be recalculated. Yes, they have power, and weapons, and have probably caused many a citizen's cultural expectations to change. But they are a tiny minority compared to the whole population.

I think we should recognize our fear. If we could see that *fear is the real stumbling block* we would be able to attend to that as our main task now. Alexandr Solzhenitsyn famously said "Oh how we burned in the camps" — lamenting that "we Russians" had not acted sooner against a relatively small group of thugs. He was imprisoned for decades in the Gulag, suffering every manner of torture.

Are you young? Do you want to spend decades burning in the camps? If not, get brave and take chances. You may lose if you act against these thugs, but you are definitely going to lose if you *don't* try.



It seems that in the last few decades, our culture has changed to such an extent that the ethics of the professions mean nothing. I can recall a time when you definitely expected doctors, lawyers, accountants, and journalists to be constrained by agree-upon rules. Most were proud of the constraint, and would happily join in on criticizing an errant member.

In journalism, some of the ethics had to do with fairness to colleagues, such as not pilfering their ideas. Some other rules were “gentlemen’s rules” -- such as to allow the bereaved family of a famous person to have some privacy. The main thrust, however, was to be accurate and fair in reporting. The best way to be fair was to get both sides of the story.

Two days ago, Gumshoe writer Cheryl Dean, an advocate of the innocence of Jahar Tsarnaev made an interesting comment. (Note: Cheryl won’t mind my saying that she doesn’t bother to get both sides of the Marathon story, since there are heaps, tons, maybe megatons, of articles proclaiming the boy’s guilt.)

Dean’s comment was about the persecution of Cabbie Matanov. She says he was harassed and finally arrested and then deported for “interfering in the FBI investigation.”

Since when do we harass a person when he is wanted on a criminal charge? No need for that sort of “Soviet” type behavior. By the way, Matanov is now in what used to be the old Soviet Union, probably glad to have got away from the US without being tortured.

The ABC Investigative Team

Cheryl’s comment prompted me to Google for the other friends of Jahar who had been arrested. In 2013, I was not interested in the Marathon case, and also I don’t have a TV, so I did not know how the story was presented. Tonight I am seeing for the first time a Day-to-Day account of the first 5 days (April 15-19) of the aftermath of the bombing.

Wow. Talk about deliberately conveying wrong impressions about Jahar by placing words in the mouths of his pals! Wait till you see the following quote by two members of the Investigative Team (whatever that is!). Their names are Brian Ross and Aaron Katersky.

Ross has won an Emmy Award, a Peabody Award, a Walter Cronkite award from the Annenberg School of Journalism of the University of Southern California, an Investigative Reporters and Editors Award, the 2007 National Headliner Award for Television Affiliated Online Journalism and the Online News Association Journalism Award.

Good heavens -- a clean sweep. Like winning the Trifecta. And Aaron Katersky is a Pulitzer prize winner. Now wait till you hear what Ross and Katersky said.

Their article is dated May 1, 2103 – a fortnight after the event, when Bostonians had not had much to go on about evidence against Jahar. It is entitled “**Boston Suspect Month Before Attack: I Know How to Build a Bomb.**”

If you had only glanced at that headline, you’d be sure Jahar said “I know how to make a bomb.” And you’d be sure the two prestigious writers (or even if they weren’t prestigious) would let you know exactly where that information came from, and would indicate if it’s possibly questionable, right?

Wrong. Here's the opening paragraph of the article:

“Just a month before three people were killed and more than 260 others injured when a pair of bombs ripped through the crowd near the finish line at the Boston Marathon, bombing suspect Dzhokhar Tsarnaev bragged to his friends that he knew how to build explosives, criminal complaints against three new suspects revealed today.”

Hold on. The statement that Dzhokhar — i.e., Jahar — pronounced about his bomb-making ability came from police? It says the source is a “criminal complaint.” That’s something written either by a person who reports a crime to police (as I may, for example, report to police the crime of cover-up practiced by a journalist), or it is written by police. Let us proceed further:

“Buried in the footnotes of court documents filed against three friends of Dzhokhar’s is a reference to a chilling statement one of the friends, Azamat Tazhayakov, made to investigators in the days after the deadly attack.”

So Azmat has told us this, has he? Well not exactly. Please continue:

“Tazhayakov also informed the FBI agents that while eating a meal with Dzhokhar and [friend Dias] Kadyrbayev approximately one month prior to the Marathon bombing, Dzhokhar had explained to Kadyrbayev and Tazhayakov that he knew how to make a bomb,’ the court documents say.”

Please re-read that. It is all in quotes, and attributed by the two journalists to “court documents.” I guess that means that we could find those exact words in the relevant court documents. Almost makes you think Azamat Tazhayakov had uttered it to a judge or maybe signed a statement.

Ah. On closer look, the FBI is the source. *They* say Azmat *said that* — to *them*. Well, fine, they probably recorded their interview with Azmat. Shall we listen to the tape? Whoops,

no tape. The FBI's "policy" — get this, I mean seriously, Folks, get this — is to *not* record any person's statement. Rather they listen and then write it up on a Form 302.

Texting 1, 2, 3

"Also revealed in the complaint was a text message conversation between one of the friends and Dzhokhar three days after the deadly attack. That day, April 18, Kadyrbayev texted Dzhokhar to tell him he resembled a man seen in images the FBI was circulating of possible suspects in the attack, **the complaint says.**"

"LOL," replied Dzhokhar. Kadyrbayev took that and other texts like "you better not text me" to be jokes, **documents say.**" [Emphasis added]

Well, I grant that it's a concession from journalists Ross and Katersky: they do at least give us the young students' claim that their notification to Jahar that *he looks like the suspect* was said humorously. And there will be one more concession, but only one; I'll tell you later. Continue:

"It wasn't until the Kadyrbayev, Tazhayakov and Phillipos were hanging out together in Dzhokhar's dorm room alone that they spotted fireworks with missing powder. **According to a criminal complaint**, that was when Kadyrbayev 'knew' his friend was involved in the attack."

Dear Citizen, I'll bet if I hadn't bolded the words "according to a criminal complaint" you'd think that you have truly just learned that Kadyrbayev did KNOW that Jahar was involved in the attack. Really disgusting, isn't it?

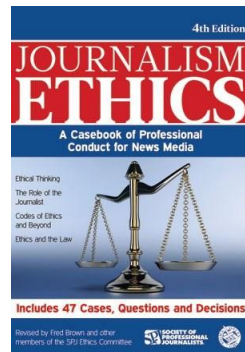
The Purported Standard of Journalistic Ethics Today

The SPJ, Society of Professional Journalists offer this statement:

"Members of the Society of Professional Journalists believe that public enlightenment is the forerunner of justice and the foundation of democracy. Ethical journalism strives to

ensure the free exchange of information that is accurate, fair and thorough. An ethical journalist acts with integrity.”

Well, there you go. Sounds reasonable to me. The Society declares four principles as the foundation of ethical journalism: Seek truth and report it. Minimize harm. Act independently. Be transparent and accountable.



I got these two links from the SPJ’s website:

“When a story breaks, it can be difficult to verify the flood of information from on the ground and the Internet. Luckily, a team of journalists from top media organizations created the **Verification Handbook**, which is edited by **Craig Silverman** of **BuzzFeed**.

“**Steve Buttry**, a journalist and professor, provides a strong argument on the website **MediaShift** that journalist should follow accuracy checklists – like doctors and airplane pilots.”

How’s Mr Ross Doing?

Brian Ross is co-author of the ABC news article under discussion here. In order for me to be fair to *him* — to give both sides of the story — I must acknowledge that the article ended with a good remark about Jahar. So if any reader had plowed through the whole thing they would have found this concession. It is s statement from Jahar’s friend Brittany:

“I was always taught to believe what you see and... what I see is two people walking with book bags. I don’t see them

planting down explosives. I don't see book bags being dropped,' Brittany Smith said, apparently referring to images widely circulated by the FBI that show the brothers with bags either near or heading in the direction of each of the bomb sites. 'If he [Dzhokhar] gets convicted and I see proof of him doing it, then I will be in total shock. I would be in disbelief and disgust that he would do that.'"

Ross and Karetsky, however, made no comment on Brittany's remarks.

Ross's Blunders Catalogued

An alt-media person, John Cook, sums up Ross's "breaking-news blunders." Writing at Gawker.com, Cook notes:

"There was the time he [Brian Ross] falsely connected the 2001 anthrax attacks to Iraq; the time he described the Ft. Hood shooter's emails to Anwar al Awlaki—which the FBI knew about and regarded as related to his medical research—as attempts to 'reach out' to 'people associated with Al Qaeda'; and the time he falsely reported that one of the planners of the Christmas underwear bombing was a former Guantanamo detainee.

"And then, of course, there was the time he hyped the Toyota Death Machine story by passing off staged footage of a parked Toyota revving its engines as a runaway automobile. Point being: Never, ever listen to anything Ross reports unless and until it has been confirmed by another, better, reporter."

What can I say?

Advertisement: If you want an unpaid job with a good journal, head over to GumshoeNews.com, based in Melbourne, Oz.



Forum Restaurant photo. Left to right, find Mary Maxwell, Donald Trump, and Joseph Stalin. (Stalin died in 1953.)

The above picture is meant to show you that photo-shopping is easy. My friend Ian took less than an hour to make this crazy concoction.

Part 3 of this series showed how easy it is for mainstream media to mislead the public by emphasizing whatever points they wish to make. The MSM is not into *reporting*, they are into creating culture. The sad thing is that in the city of Boston, with all its high-culture institutions, no-one jumped at the gutter-level reporting of the Marathon case. Instead people started to use the media-promoted slogan “Boston strong.”

We can get past all of the falseness now. The truth about the Tsarnaevs during the week of the Marathon has been knowable for some time. I myself blabbed it on Youtube in August 2015, having seen Aunt Maret Tsarnaeva talk about it.

“We’ve got the package”

There is a perfectly good video of the scene in which Tamerlan was arrested, in the wee hours of Friday, April

19th. He is seen lying prone, with his arms behind his back, handcuffed.



Sidewalk arrest at 546 Mount Auburn St, Watertown, at 1.05am. "Podstava."

A cop searches his wallet and then announces "We've got the package at 546 Mount Auburn St" – package meaning "the suspect." Tamerlan then yells "Podstava" – Russian for "This is a set-up" or "I'm a patsy." Tamerlan's family can tell it's him from his voice – this is crucial.

Got to Youtube and search "Maxwell, Podstava." The sidewalk clip was taken by a local who calls himself "Big Headphones."

Then, there is further corroboration, this time on a video presented by – of all people – CNN, two blocks away. We see reporter Gabe Ramirez telling another newsperson

"They have caught the two suspects." (Other newsman says..."both of them have been taken in custody")

This suggests they also captured Jahar, perhaps they put him into the boat where he was "discovered."

Tamerlan Tsarnaev never had a trial. He died on April 19, four days after the 2013 Marathon. I say he was murdered by the FBI shortly after they took him into custody. How do we know the FBI (or Watertown police, or State troopers,

or whatever) took him? Easy. Gabe Ramirez refers to it. We see Tamerlan, now naked, being put into a cop car:



Naked man, still handcuffed (with an earlier photo of Tamerlan for comparison)

Matanov and the Bearded Tamerlan

Part 1 of this series was about Cabbie Matanov and his statement to the Braintree police (I assume he has now learned his lesson about making statements to the “L.E.”)

He, a pal of both Tsarnaev brothers, said he dined with them around 5 o’clock on Marathon Day (that’s just hours after the 2.39pm bombing at the finish line). The point he wished to convey was that the Marathon bomber as shown on TV could not be Tamerlan, since that man had a clean-shaven face while his dinner guest was wearing a beard.

Note: there is another video of police, in semi-dark, lining another man up against the wall, supposedly Tamerlan, but that guy’s resemblance to Tamerlan won’t win any awards. See Afterword for my discussion of the use of actors. If that man had to be “hired” on a moment’s notice, it’s probably a cop!

I think it fair to interpret Matanov’s subsequent fate to the fact that his news about the beard was anathema to police (or CIA, or Mossad, or Rockefeller or whoever runs our lives). It meant that the official story would be turned on its head.

Of course you would think that the Podstava video would also cause the story to be turned on its head. Not by media!

They never mention it. As for Matanov's beard reportage I never heard of it till I interviewed Aunt Maret in Canada this month!

Matanov's official fate is that he was made to do a plea bargain of guilt for committing the crime of interfering with the investigation (as he sure did! Wow, you can't get more interferative than that). Then Cabbie served his time and then was deported to Uzbekistan.

Cheryl Dean, who has written many articles about the Marathon, corresponded with Cabbie. She tells us that

"The feds had deployed a big drone to follow his every move until they arrested him. He said it was like huge hawks circling a tiny sparrow just waiting for the perfect time to swoop down and devour that little sparrow for no reason at all just to be cruel. There were many friends that were deported for no reason at all, they knew nothing but feds didn't want anyone left who might testify on [Jahar's] behalf. One friend was jailed then deported because he wouldn't wear a wire for the feds to spy on another friend."

Holy Mother of God. This is America.

The "Official" Story of the Death of Tamerlan at 12.35am (a Half Hour before his Sidewalk Arrest!)

Readers who did not previously know about the sidewalk arrest, may have trouble absorbing it now, as their brains have been drowned in false information as to what happened. How did the police, and later the Department of Justice prosecutors, deal with the matter of Tamerlan's death? They endorsed and confirmed the utterly false media-and-FBI story.

According to that story, the two brothers got into a fight with a "huge" number of cops at the corner of Laurel St and Dexter St in Watertown at 12.35am. Per the story – and I do mean *story* – the brothers threw pipe bombs at police (oh come on, Folks). Then surrounded by this horde of

masculine, heavily armed specimens of Boston's finest – sorry, Massachusetts' finest – Jahar, age 19, managed to jump into a vehicle, run over his Bro, and escape. It is absurd.

How Can You Know?

So why do people believe it? Because there is a lot to support it. I mean a lot of *words in print* to support it. For example, there is the whole business of cop Richard Donohue having been wounded in that shootout. In an October 2015 article – hmm, that's two years ago – I published “Five Collateral Deaths in the Boston Marathon Situation.” (See Chapter 12.)

Luckily, Richard Donohue is not one of those 5 fatalities — he is alive and could be subpoenaed, and should be subpoena'd, to say what he remembers of that night.

Was any actual evidence of the shoot-out presented in court? Yup. This pathetically inadequate photo was shown to the jury:



Shoot-out at Laurel and Dexter, Allegedly Injuring Officer Richard Donohue

Proof, Anyone?

Surely we can trace proof about the actual death of Tamerlan by looking at some truly authoritative document? How about the death certificate? That has a lot of authority, right? It is a very formal state document. Moreover, it reflects the witnessing of the deceased's body by at least one person.

Sorry, no. it is not authoritative. When you have a total trashing of the rule of law, as we do now, the value of

“authoritative documents” or of tried-and-true procedures, such as taking an oath in court, cannot carry weight.

The reason they carried weight in the past was that there was a system in place to weed out dishonesty. Today our system glorifies dishonesty. This is no accident. The tricks of advertising, and of “public relations” have been open-source since at least 1928 when psychologist Edward Bernays’ textbook, *Propaganda*, made its debut.

A Note to Bostonians about Your Hospitals

Dated April 25, 2013 and signed by Henry M Nields, MD, PhD, Tamerlan’s death certificate lists the cause of death as GUNSHOT WOUNDS OF TORSO AND EXTREMITIES AND BLUNT TRAUMA TO HEAD AND TORSO.

Then under “Describe how injury occurred,” Nields writes: SHOT BY POLICE AND THEN RUN OVER AND DRAGGED BY MOTOR VEHICLE. Of course the doc can’t be the provider of that information – he only saw the body after the dragging, not while it was happening. Still, he should have seen from the condition of the body that this was unlikely to be how the death occurred.

Ya Can’t Kill Truth

The Quantico, Virginia headquarters of the FBI often creates physical evidence to appear in a way that accords with their made-up story. See the 1998 book *Tainting Evidence: Behind the Scandals at the FBI Crime Lab* by John Kelly and Phillip Wearne. It’s not my job to repeat their work here. (But thank you, Kelly and Wearne)

Well, then, what makes *me* an authority on Tamerlan’s death? I am no authority. I am a citizen with a working pair of eyes and ears that has reviewed the side-walk arrest video. What I see and hear is authoritative enough for me, especially if the government does not try to debunk it.

So, *has* the government debunked the sidewalk video that citizen named Big Headphones provided? No. Since there's no way they can debunk it, so they just refuse to talk about it. (Think of how government people deal with the billions of dollars they have paid to vaccine-injured children. They keep saying "Vaccines don't injure children and there is nothing to discuss.") Yikes.

The Timing Issue

Amateur sleuth's have also found proof of the falsity of the death certificate in the timing issue. According to the death certificate, the time of Tamerlan's death was 12.35am. But the fact is that Gabe Ramirez appeared on TV and said "They have captured the suspects" and then we see footage of a naked man who has no visible gunshot wounds, and certainly no sign of having been run over.

The naked man video occurred after 1.05am. So Tamerlan can't have died at the alleged 12.35am. It's simple. Trust me. My brain is not cluttered with "Boston strong," "police shootout," "Jahar running over his brother," etc. I see what I see.

The sidewalk arrest has been timed at 1.05am by a comparison of the audio of a police scanner saying "We've got the package" and the Podstava video made by Big Headphones in which we hear the cop say "We've got the package."

In an Apartment in Russia

Again I point out that despite the excellence of the Podstava video, it goes completely unacknowledged by the government – the mayor, the governor, the legislature, the judiciary, what have you. Nobody will even look at it.

Recall that Maret Tsarnaeva sent an affidavit-under-oath to the Boston federal court. In it she said that the defense team for Jahar, consisting of Bill Fick and Judy Clarke, visited Russia — where she then was, in 2015.

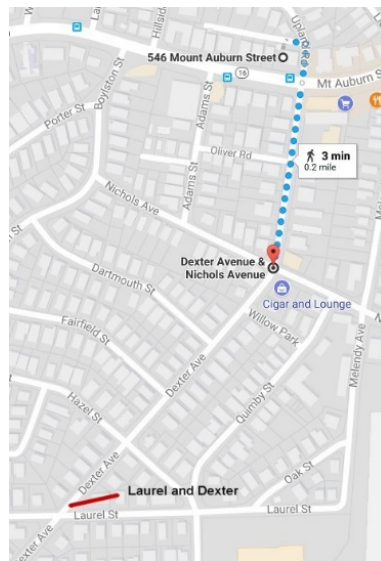
She testified that *she* tried to get those two to look at the Podstava video and THEY WOULD NOT LOOK AT IT.

They cast their eyes in another direction. And they were the *defenders*, not the prosecutors. Do you need any more? The true story is that Tamerlan, age 26, was murdered in the custody of the FBI after the 1.05am sidewalk arrest. His only child, Zahara, will be forever fatherless. Someone has pixeled her face out of her photo, at Google, in the belief, I suppose, that a minor should not have to be associated with a criminal. But Tamerlan is not a criminal.

Note: when Tamerlan's daughter reaches 16, she can file a lawsuit for her father's a wrongful death.

42 USC 1983: "Every person who under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law."

I am happy to say that a poll was taken in 2014, BEFORE Jahar's trial, and 43% of Beantowners said they're "not sure" about his guilt. Forty-three percent is not to be sneezed at.



Here is a map showing the 3-minute connection between the Gabe-announced arrest and the Podstava sidewalk arrest.



Laurel St, Watertown, after the FBI bombing of the Boston Marathon

The above photo accompanies an April 1, 2014 article in *National Geographic* magazine. No photo credit is displayed. For a moment, I thought it had come from the movie *Patriots Day*. However, on the left side of the photo we see the same house in Watertown that appears in the prosecutor-presented photo of the shoot-out.

Because we're told that the people of Watertown did not allow director Peter Berg to film *Patriots Day* onsite, I guess this must be a real shot of the cops, on Laurel St (or somewhere), taken in the wee hours of April 19, 2013.

The Marathon affair is right up there with "Bin Laden ran the 9/11 hijackings from a cave." The more you look at the story of the capture of the "baddies" (i.e., the innocent Tsarnaevs) the funnier it gets. The *National Geographic* article, reprinted below, says, straight-faced that when DesLauriers & Co saw the surveillance video of the bombers: "It brought tears to our eyes each time we watched it." Um. Would that be like the tears DesLauriers is going to be crying ("Mommy! Mommy! Help me!") when we finally arrest him for his part in the murder of Tamerlan Tsarnaev?

The word "recalcitrant" must have been invented for the FBI. Even though it has long since come to light that Tamerlan was involved *for years* with the FBI, that

organization still has the chutzpah to run its old denial of guilt, in broad daylight, on its website.

Retrieved by Yours Truly on Thursday, October 19, 2017, from archives.fbi.gov:

In response to media inquiries about recent news reports relating to the marathon bombings, Special Agent in Charge of the Boston Division Vincent Lisi, Colonel Timothy Alben of the Massachusetts State Police, and Commissioner Edward Davis of the Boston Police have released the following statement:

“Previously, members of the Joint Terrorism Task Force [JTTF] have responded to similar questions relating to whether or not the FBI, Boston Police, Massachusetts State Police, or other members of the JTTF knew the identities of the Boston Marathon bombers before the shootout. Members of the JTTF did not know their identities until shortly after Tamerlan Tsarnaev’s death when they fingerprinted his corpse. Nor did the JTTF have the Tsarnaevs under surveillance at any time after the assessment of Tamerlan Tsarnaev was closed in 2011. The JTTF was at M.I.T., located in Cambridge, Massachusetts, on April 18, 2013, on a matter unrelated to the Tsarnaev brothers.

[Oh yeah, like what?

Additionally, the Tsarnaev brothers were never sources for the FBI nor did the FBI attempt to recruit them as sources.

“There has been recent reporting relating to whether or not the FBI, Boston Police, Massachusetts State Police, or other members of the JTTF knew the identities of the bombers before the shootout with the alleged marathon bombing suspects and were conducting physical surveillance of them on April 18, 2013. These claims have been repeatedly refuted by the FBI, Boston Police, and Massachusetts State Police.

“To be absolutely clear: No one was surveilling the Tsarnaevs, and they were not identified until after the shootout. Any claims to the contrary are false.”

See what I mean? Please take note of the three authors of the above claim: Vicent Lisi, Tim Alben, and Edward Davis.

And now another gem, below. It was printed in the *National Geographic*, with the ever-bold title “how they Identified the Bombers: A Timeline.” A *timeline*, mind you I have long assumed that the *National Geographic* is owned by the CIA, as who else would have had access, these many decades, to all countries of the world. And who would have the resources for so much travel and fabulous photography?

I now reprint the *National Geographic’s* report in full, unexpurgated and verbatim. It’s pristine and virginal all the way. Even where I wanted to inject a comment, or do a little bolding, as is my wont, I stayed my hand.

Who says “you can’t make this stuff up”? Obviously you can. Obviously they did!

HOW THEY IDENTIFIED THE BOMBERS: A
Timeline From Event To Capture
by Patrick J. Kiger 4/ 01/ 2014

“At 2:49 p.m. on Monday, April 15, 2013, as a sea of spectators cheered the runners completing the Boston Marathon, two bombs exploded about 12 seconds and 183 yards apart, on the north side of Boylston Street.

“It was an act of terror that took the lives of three people and injured at least 264 others, and plunged an entire city into a miasma of fear.

“But that moment also signaled the beginning of a second, even more grueling marathon, in which an army of FBI agents and local police raced to identify and capture the perpetrators of the horrific crime, before they could escape or perhaps even strike again.

“That second marathon would end four days and six hours later, with one suspect dead and the other in custody, and Boston’s population breathing a collective sigh of relief.

“But to get to that finish line, investigators had to stage what might be the most remarkable manhunt in law enforcement history. They were forced to start from square one, without

likely suspects or an apparent motive, and sift through the carnage, the recollections of witnesses, and vast amounts of video and still photos in the search for clues.

“By 4 p.m., just over an hour after the explosions, a team that included Boston Police Commissioner Ed Davis, Richard DesLauriers, Special Agent in Charge of the FBI’s Boston office, and officials from other law enforcement agencies had set up a command post at the Westin Copley Place hotel. Eventually, more than 20 different agencies would join in the effort, and the hotel’s third and fourth floors would serve as the base for more than 1,000 investigators.

“One of the first moves was to gather as much video footage and photographic evidence as they could, starting with news media clips and footage from surveillance cameras from the approximately 200 businesses in the vicinity of the blast.

“Additionally, the team appealed to marathon spectators to email pictures they had taken with phones.

“A surge of photos and video of the event uploaded to Twitter, Facebook, Vine, YouTube and other social media provided still more potential information. In the first 24 hours, the team compiled an astonishing 10 terabytes of data, according to FCW.com, a website that covers federal information technology. That’s roughly enough to completely fill the hard drives of 10 high-end laptop computers.

“Meanwhile, chemists, explosives experts and crime scene analysts -- including more than 30 staffers from the Federal Bureau of Alcohol, Tobacco and Firearms, converged upon the 15-block zone in the vicinity of the blast. They perused thousands of pieces of potential evidence.

“On the roof of a local hotel, they found the lid from a pressure cooker—a clue that the bombers had used the cooking implement to construct a bomb—and on the street, recovered ball bearings that had been inside the explosive devices.

“According to court documents, the FBI knew that a design for such a bomb had been published by the terrorist organization

al-Qaeda on the Internet in 2010, and figured that the bombers had gotten the instructions there.

“Shreds of black nylon found with the bomb parts convinced the investigators that the two bombs had been placed in backpacks.

“Back at the command post and at an FBI lab in Virginia other investigators sifted through the mountain of visual data they were amassing, which eventually amounted to 120,000 still photos and nearly 13,000 video clips.

“They searched for anything unusual—people pacing back and forth anxiously, for example, or carrying bags that might possibly contain explosive devices. One agent alone reportedly watched the same segment of video more than 400 times.

“Eventually, one of the investigators spotted a backpack-carrying man in a white hat talking on a cell phone. As the crowd around him reacted to the first explosion, he remained calm, and then walked away without his backpack—about 10 seconds before the second explosion.

“It was the first glimpse of one of the bombers. “It brought tears to our eyes each time we watched it,” DesLauriers later recalled.

“But it was a thin lead. The image was extremely grainy, so that it was impossible to identify the suspect from it. Investigators now knew that he’d made a cell phone call at a certain time, but in that densely-packed area, so had probably hundreds of thousands of other people.

“Soon, however, investigators happened upon a second piece of security camera video, shot about 12 minutes before the explosions, which showed the man in the white hat walking with another, bigger man, who wore a black hat and sunglasses and carried a similar backpack. They were headed in the direction of the blast site.

“One of the men in the video matched the description given by bombing victim Jeffrey Bauman, who told FBI agents that just

before the blast, he'd seen a man in sunglasses and a black cap place a backpack on the ground and step away.

“Though the FBI possessed facial recognition software, the images of the suspects captured on street surveillance videos were too grainy to match their faces against the pictures in government databases.

“By Thursday morning, the law enforcement team was debating what to do. Many of the brass from the FBI and other law enforcement agencies wanted to hold off releasing the photos, in the belief that another 12 to 24 hours of analyzing phone records might point them to a suspect. But they also feared that the bombers might strike again.

‘We did not want to have more bombs go off in Boston or anywhere else, and the quickest way that we could identify these individuals was to share that video evidence with the American public,’ DesLauriers later explained.

“At approximately 5:00 p.m. on Thursday evening, the FBI posted photos of the suspects on its website. ‘Somebody out there knows these individuals as friends, neighbors, co-workers or family members of the suspects,’ DesLauriers explained to reporters. ‘Though it may be difficult, the nation is counting on those with information to come forward.’

“Indeed, the suspects’ anonymity soon vanished. One of them soon received a copy of one of the FBI’s images via Twitter, from someone who noted the resemblance.

“Thursday evening, just outside Boston in Cambridge, the two suspects allegedly ambushed and shot to death Sean Collier, a Massachusetts Institute of Technology campus police officer, apparently in a vain effort to steal a second firearm from him, and then carjacked a black Mercedes-Benz SUV belonging to a 26-year-old man from China. After being held captive for over an hour, the victim managed to get away at a gas station and call 911.

“In the early morning hours of Friday, in the nearby community of Watertown, a local police officer made a visual ID on the carjacked vehicle, and a violent shootout ensued between the

two suspects and police. Officers managed to tackle and handcuff one of the suspects in the street—only to see him run over by the SUV driven by the other, smaller man, who managed to escape.

“The suspect who’d been run over soon died from his injuries, before investigators could talk to him. But at the hospital, FBI agents brought in an electronic device that scanned his fingerprints and ran them through the agency’s database, and attempted to identify a match. Soon, they had a name: Tamerlan Tsarnaev, 26, an immigrant from Kyrgyzstan who’d arrived in the U.S. in 2003. The dead man had been interviewed by the FBI in 2011, because of a tip from the Russian government that he might have connections to Chechen extremists.

“Searches of other databases yielded his younger brother Dzhokhar Tsarnaev, 19, who unlike Tamerlan had become a naturalized citizen. The FBI’s facial recognition expert visually compared the Dzhokhar’s driver’s license photo with the ‘white hat’ image, and concluded they likely were the same person.

“Police soon found the vehicle in which the younger Tsarnaev had escaped, abandoned in Watertown. They called residents in the neighborhood and advised them to remain in their homes while authorities searched for the suspected terrorist.

“As the sun rose on Friday morning, however, Dzhokhar Tsarnaev still had not been found, and Massachusetts Governor Deval Patrick made the decision to extend the lockdown to the entire city of Boston.

“That evening, a tactical team surrounded the surviving suspect, who had taken refuge in a boat parked in a Watertown resident’s backyard, and he was taken into custody.

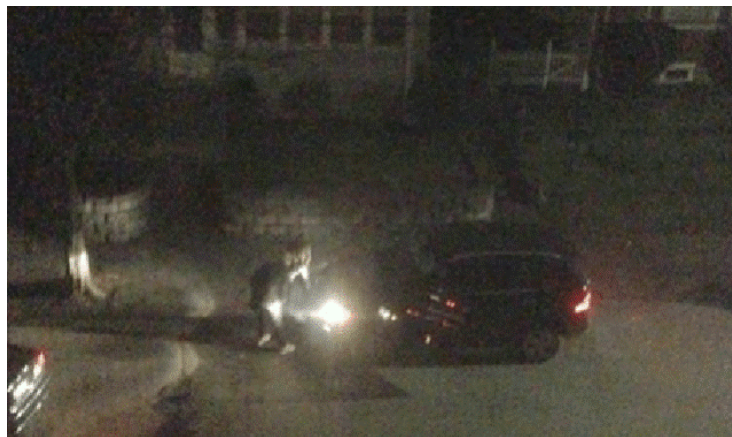
“The search was over.”



The first bomb at the Marathon, at 2.49pm, April 15, 2103

Today, we'll go to the famous grainy video of Bombers One and Two walking "single-file" at the Marathon to see if it could have been photo-shopped. Jess Bidgood of the *New York Times* has pointed to the *graininess* of the single-file photo.

This article takes the form of a chat between me and a friend who wants to remain anonymous for the time being. Neither of us are experts in photo-analysis, but there are some oddities that don't require expertise to illuminate. PHOTO ONE is from Laurel St.



1. The shootout. (Water pistols perhaps?)

Maxwell. Please say something about that shot.

Friend. I think we can dispose of it; it is worthless. For one thing I can see that the alleged Tamerlan in this photo must be an actor. I call him Fat-ass. See his rear end? Tamerlan was a very fit athlete, would not have stuck out like that.

Maxwell. Let's now turn to PHOTO TWO. This scene occurred – well I mean it is alleged to have occurred — when Dun Meng and his two carjackers pulled into the Shell gas station. There is a video of Tamerlan running, or walking fast.



2. *"Tamerlan" Outside the Shell Station*

Friend. That's not Tamerlan. It must be an actor. By the way, note his dark pants, but the real Tamerlan was wearing khaki pants when he was arrested on the sidewalk around 1.05am. Have a look at PHOTO THREE. His pants are practically screaming "Hello I'm khaki! Notice me, notice me!"



3. *The Podsava shot: The “package” being arrested Mount Auburn St sidewalk.*

Friend. Personally I think they stripped him naked when they realized he shouldn’t be wearing khaki pants. That clothing would disagree with the plan for the evening – I presume – which was to have the fake Tamerlan be black-panted.

Maxwell. I must say they take a lot of chances pulling off a show like this. I found the logistics of my quite simple show at the Adelaide Fringe to be traumatic enough.

Friend. Now we come to PHOTO FOUR. It has a photo-shop element in it, even though it’s a video – and that could be true also of the grainy video of boys walking in single file. I think they got an actor to play Jahar walking around the store. Note how this guy takes each item off the shelf with his left hand. The real Jahar is right-handed. Also, this actor (let’s call him Dorito-boy) is constantly touching his face, probably to hide it from the camera.



4. *Left-handed boy shops at Shell station on April 18; picks face*

Maxwell. Frankly, I feel sure the Tsarnaevs never went to the Shell to buy Doritos and that Meng made up the whole story about being carkacked. Russ Baker of *WhoWhatWhy* has demolished Meng’s story.

Friend. Yes, and during the trial, it was reported by Tweets that Meng kept his eyes focussed on his Northeastern professor, James Fox, while being questioned in court. Maybe looking for guidance.

Maxwell. Wow. Of course if there were no carjacking, there shouldn't be any magical CCTV photo date-stamped at the appropriate moment. Still, most people won't be persuaded about the left-hand bit.

Friend. I beg to differ. There is also a video that was taken in Whole Foods Cambridge, 20 minutes after the Marathon bombing. (The media broadcasts it as proof of how callous the killer is, that he could walk so casually into a supermarket!)

See in PHOTO FIVE how he reaches out with his right hand. Also he, the real Jahar in Whole Foods, is taller than the actor in Shell. And he doesn't put his hand in front of his face.



5. Right-handed boy shops in Whole Foods just after the bombing

Maxwell. Hmm. I think I saw a different video where Dorito-boy emerges from the Shell looking MORE like Jahar than the current version. Like the Rolling Stone cover picture.

Friend. I believe that although a Jahar-actor walked around the convenience store, for the first 2 minutes of the CCTV video, someone may have cleverly pasted in a photo of Jahar into it, where he exits the store.

Possibly they did that to some earlier frames also. In regard to Tamerlan, they definitely inserted a real picture of him, a still, into th video to make it look like he is at the chier's counter. Towards the end, in PHOTO SIX, they also inserted a real face of *Tamerlan* – he's standing at the cashier's counter.



6. *Emerging from shop.* -- See "Tamerlan" still inside shop, circled with black pen.

Maxwell. It's so easy to swap heads – as they famously did with Lee Harvey Oswald holding a rifle in his backyard. I asked my geek friend Ian to insert Tamerlan's head on a photo of someone else, PHOTO SEVEN. Have a laugh:



7. *Maybe a sportsman eating borscht?*

Maxwell. But Dee McLachlan, with oodles of film-editing experience, says it is very hard to do that to a *film*, as you would have to photo-shop each frame.

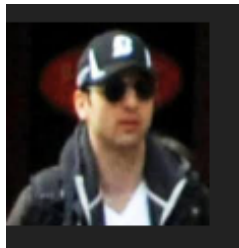
Friend. They get paid by the hour at the FBI, don't they?

Maxwell. Unless they're slaves down in a bunker somewhere, and I wouldn't rule it out. So let's go to PHOTO EIGHT.



8. The video that National Geographic says "brought tears to the eyes of FBI chief, Richard DesLauriers"

Friend. The main problem with this Boylston St video, besides the peculiar fact that the brothers are walking single-file, is that Tamerlan is clean-shaven. His family believes he had a beard continuously since 2012. He never shaved it off.



This is a detail from the same video as 8 above.

Maxwell. If so, maybe he and Jahar were working for FBI and were asked to pose for this on a different day.

Friend. The FBI now admits that it had involvement with Tamerlan for years. As you know, many immigrants are asked to do some small or big job for CIA, FBI, etc.

Maxwell. Yes, Mary Gregory has told me that she sees Chinese women with their baby carriages lining up at a certain office in New York to get their instructions. Also I must tell you that I think Jahar worked for FBI, or someone, and was asked to do the milk-exchange routine. If not, would Whole Foods have had such a handy shot of him, taken right after the bombing? (I'll bet he did his milk-exchange on an earlier date).

Friend. I just don't know. I have heard it suggested that in the single-file video (Photo 8 above) the two boys were filmed separately from one another and/or that the single-file shot is the Tsarnaev brothers at an *earlier* Marathon. Tamerlan was definitely overseas in Russia from January 21 to July 17, 2012.

The purpose of that trip was to renew his Krygystan passport, not, as the media says, to pursue some political business. So no, he wasn't at the 2012 Marathon. And as you said, he asked his Dad "Since when do we go to Marathons?"

Maxwell. The remaining problem is, of course, how did they get the single-file picture to contain a Tamerlan shot taken elsewhere?

Friend. Mary, there's another way to prove that the famous single-file photo of Tamerlan could not be genuine. One of Jahar's friend, Khairullozhon Matanov, invited both brothers to dinner the afternoon of the Marathon.

Needless to say, Tamerlan was bearded, as he has been continuously since 2012. Later, Khairullozhon saw DesLauriers' shameless press conference on TV and knew right away that the video was false, as Tamerlan seemed to be beardless. So he reported that to the Braintree police station, and is now deported. He was naïve about the facts of life.

Maxwell. We were all so naïve. Let me run thru the pix again, looking for beards on the older boy. The single-file one, clean-shaven. The shootout – hard to tell in the dark, probably clean-shaven. Hurrying to Shell station, hard to tell, I think he has five-o’clock shadow. Photo thru window, at Shell cashier’s bearded. Gee that was quick growth! Sidewalk arrest, bearded.

Friend: Let’s look at PHOTO NINE.

Maxwell: That’s the one whre Dee McLachlan noted that they had inseted a still into the video show to the court and that the picture was square, not portait or landscape. Do you recal that she made a fuss about the cropping oyut of a telltale white/grey backpack?



9. The subject of a “*coram nobus*” petition

Friend. Of course I recall. I read everything Gumshoe publishes about the Marathon. I know you sent that deviant picture to the judge.

Maxwell. Yep. I sent it to the Court in March 2016, After a year of no reply, I sent a copy of that to the Massachusetts Legislature. I’m not holding my breath to get their answer.

Friend: I douobt if it’s reallyl Jahar. This person’s chin flips up at the bottom

Maxwell. Oops. Another actor? Could spoil my coram nobis.

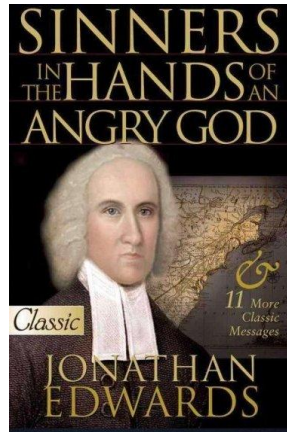
Friend. In sum, I want to make a general observation. The feds like to confuse us. They put many different versions out. Thus those who are questioning the authenticity of any pix would be easily confused with those that look real. I feel as if I'm going crazy, from my inability to understand how, at one moment, there can be the real Tsarnaev boys, with their younger faces, and then, suddenly they have unrecognizable features of their faces or unrecognizable movements.

By the way, I could swear that, when the video at the Shell convenience store was circulated in the media and YouTube, Tamerlan in the window shot looked different — he appeared to have a good-length beard. But after the Internet started boiling with discussions about how could Tamerlan grew a beard of such length within the three days, from the Marathon day, the feds removed his beard. They concocted the picture. The newer one was shown to the jury.

Maxwell. Oh, and by the by, here is one more picture, PHOTO TEN probably not photo-shopped but using actors. MIT has submitted it to the court as though it was from campus surveillance camera. Cheryl Dean refers to it as the two ants – supposedly the Tsarnaevs, approaching the parked cruiser car of Officer Sean Collier.



10. Killer ants approaching police car near Koch Bldg at MIT



Jonathan Edwards was a famous preacher in Massachusetts Bay Colony. In 1741 he preached a sermon entitled “Sinners in the Hands of an Angry God.” He begins it with a quote from Deuteronomy 32:35, “Their foot shall slide in due time.” Edwards’ theory of the fate of the wicked is that “The sword of divine justice is every moment brandished over their heads, and it is nothing but the hand of arbitrary mercy, and God’s mere will, that holds it back.”

I do not relate to that theology. Maybe their foot will slide in due time. But why wait? It seems we have waited a long time for Henry Kissinger’s foot to slide. Better to attend to the problem of evil ourselves. Let’s attend to the Marathon.

Dzhokar – Jahar -- Tsarnaev was found guilty on each of 30 separate counts by a unanimous jury. As you read the counts below, I suggest you say aloud “Guilty” after each one, meaning *some* human being did do that crime, and it was not the named defendant. Note: I got the following list from abovethelaw.com, which credits @GarrettQuinn from MassLive “for on the spot Tweeting about the verdicts”.

The Verdict in 2015: Jahar Guilty, selected only 6 of the 30 to show here. (Many of the others are repetitive.)
These three refer to the bombing on Boylston St:

COUNT 2: Use of weapon of mass destruction (Pressure Cooker Bomb #2): GUILTY.

COUNT 6: Conspiracy to bomb a place of public use: GUILTY.

COUNT 11: Conspiracy to maliciously destroy property: GUILTY

COUNT 16: Used or carried a firearm (Ruger P95 9mm) during and in relation to a crime of violence: GUILTY

This next one is the Meng affair (reality no bar):

COUNT 19: Carjacking and aiding and abetting: GUILTY.

This one refers to the shoot-out on Laurel St (again, reality no bar):

COUNT 27: Use of a weapon of mass destruction (Pipe Bomb #2) GUILTY.

In short, some sinner did bomb the Marathon and some other sinner did kill Sean Collier. Whodunnit?

The bombing visibly took place (although conceivably it was only a smoke bomb), and Sean Collier really died (there is an amazing paucity of evidence, but I assume he did die). So apparently we've got a few killers out there on the loose. Perhaps the Massachusetts governor should order a lockdown until the killers are found!

Other Crimes

As there was no carjacking and no shoot-out at Laurel St, there's no need to pursue any guilty parties for that, but other crimes were committed and should be punished. Let's discuss seven — the crimes of conspiring, murder, violating a person's rights by misusing "color of law," obstruction of justice, treason, misprision, and terrorism.

Each state has a combination of common law, inherited from Mother England, and statutory law enacted by its legislature. I'll refer mainly to federal law, Congress's statutes. Federal law is easily located online by searching the name of the crime, plus "USC" – for United States Code of law.

Crimes of the Bombing Itself

A bomb qualifies as a weapon of mass destruction — indeed one of the charges of which Jahar was found guilty is "use of

a weapon of mass destruction.” This became a federal crime as a result of anti-terrorism law in 1996, which was in turn based on the bombing of a federal building in Oklahoma City in 1995. Googling for “USC, mass destruction” brings us to Cornell University’s Law website:

18 U.S. Code § 2332a – Use of weapons of mass destruction
(a) Offense Against a National of the United States or Within the United States. A person who, without lawful authority, uses, threatens, or attempts or conspires to use, a weapon of mass destruction—
(2) against any person or property within the United States, and
(A) the mail or any facility of interstate or foreign commerce is used in furtherance of the offense; [makes it federal]
(B) such property is used in interstate or foreign commerce or in an activity that affects interstate or foreign commerce; [plus other things not relevant to our case] ... shall be imprisoned for any term of years or for life, and **if death results, shall be punished by death or imprisoned for any term of years or for life.**

The Crime of Conspiring

Prosecutors routinely bring “*conspiracy*” into the list of charges – for instance, conspiracy to use a weapon of mass destruction. Thus, we might not only charge the individual who planted the Marathon bombs, and the individual who detonated them, but all who worked on the plan in conspiratorial fashion.

In Boston they set up a patsy — two patsies — Tamerlan and Jahar. This required all manner of conspiring. A major perpetrator of this crime was the MSM, the mainstream media. Of course we can’t indict such an amorphous entity as “the MSM.” We could look at individual reporters, news editors, corporate directors of TV networks, etc. They had to have been ready, armed with knowledge in advance, in order that they would say the right things, and not say the wrong things, in their hour-by-hour coverage of April 15 and up to the capture of Jahar. They all deserve a trial.

The Crime of Murder One person murdered is Tamerlan. another is Collier. There was also the attempted murder of Jahar while he was in the boat. The hospital listed his boat-related injuries:

“Your injuries include:

1- Penetrating injury to the left face with exposed mandible, Superficial foreign body removed from your left eye in trauma bay, Multiple facial bone fractures, Complex temporal bone fracture with disruption of a middle ear and ossicles, Left proximal facial nerve injury, CI transverse process injury, Superficial anterior neck wound, Shattered right scapula, Penetrating wound to left wrist, Right medial thigh penetrating injury, Penetrating wound of the right lower extremity, Left lower extremity open wound, Left external auditory canal, Left middle ear injury.”

I list the crime as “attempted murder” as it looks to me that Jahar was not meant to survive. But I don’t really know that. We can subpoena the FBI and find out.

The Crime of Violence under Color of Law

The harm done to Jahar, boatside, qualifies as violence under color of law. The law at 42 USC 1983 makes it possible for a person to sue in cases of police brutality, that is, bring a civil action (as I mentioned, Tamerlan’s child Zahara can sue). The same law also enables government to prosecute brutality.

The point of “color of law” is that a person wearing a government badge has greater opportunity to do harm than does your basic thug. It is understood that people stand back and let a cop do what he wants. Normally, police have immunity regarding their handling of a suspect, but Congress realized that there are times when the immunity should not apply.

Hence the law at 42 USC 1983. Some states have similar provisions. An interesting Massachusetts case, *Cronin v. Town of Amesbury*, led to the rule that a “cop” acting for personal interest – not in the line of duty – is NOT acting under color

of law. This was affirmed at appeal by the 1st Circuit in 1995. Think about that – he’s not immune.

What of the rounding up of Jahar’s friends, including Cabbie Matanov – in order that they be prevented from defending the accused. i.e., the patsy? This falls under obstruction of justice, but since they were in uniform their rough behaviour, done to intimidate, could well fit under 42 USC 1983. Thank you, Congress.

The Crime of Obstruction of Justice

Gumshoe has published dozens of articles by two Canadians, Cheryl Dean and Josée Lépine, and by myself, as to the criminal behaviour of the attorneys and the federal judge in *US v Tsarnaev*. I won’t repeat all those charges here. They include tampering with witnesses, with jurors, and the subornation of perjury. Wow.

What about the ones who engaged in photo-shopping? Was that aiding-and-abetting, or cover-up? I have no prosecutorial experience, so I am not sure. The crime of cover-up is well-established under the heading of obstruction of justice.

Note: those who filmed actors in the Shell shop buying snacks may have actually done this *after* April 2013 – Dun Meng’s story did not get fleshed out for a while. At this point the “artists” would have known that someone in prison had something to do with being accused of the carjacking. Ba-ad.

Others who engaged in obstruction of justice include doctors and hospital administrators who lied, and any victims who perjured themselves in court or who simply made false statements in public. Not to mention all the cops who told elaborate lies about a shootout on Laurel St. Poor cops. They really should pay attention to the law.

The Crime of Treason

The US federal crime of treason is strict because it was taken straight from the Constitution, Article III, sec 3. So we find:

18 USC 2381 “Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years....”

The phrase “owing allegiance” means any US citizen and probably any permanent resident of the US. The phrase “levying war” probably includes any act of violence committed against the government or against the population.

I say “*probably* includes” as there are almost no court cases to look to for helpful jurisprudence. Prosecutors have largely turned a blind eye to treason. We all know why, don’t we? John Harington (d 1612) put it succinctly in a rhyme:

“Treason doth never prosper: what’s the reason?
Why, if it prosper, none dare call it treason.”

In my 2011 book, *Prosecution for Treason*, I make the case that any Congressperson who signs legislation that violates the Constitution thereby commits treason. In my 2015 book *Fraud Upon the Court*, I say that any judge (judges normally have absolute immunity for their rulings) who “levies war against the people” by making unconstitutional law commits treason. (Obviously – Article III, section 3 says so!)

Further, a judge who knowingly condemns an innocent person to death commits treason. I say all the Supreme Court judges who were sitting in September 2011 are traitors, in regard to the execution of Troy Davis. Arrest them!

I believe Jahar’s Boston judge is likewise, although the situation can still be rectified, as Jahar is still alive.

The Crime of Misprision

It is wonderful to know that you can be punished for not dobbing. (“*To dob*” is Australian for “to tattle.”). The name of the crime is *misprision*, rhymes with *vision*. For any felony:

18 USC 4: “Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.”

Amazing. Moreover, there is a specific law against misprision of *treason*. So you’d better watch out, or I’ll dob you in for it.

18 USC. 2382: Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.. [Yay!]

The Crime of Terrorism

The hyping of the Marathon case was based on its being an act of terrorism. It certainly *was* an act done by terrorists, probably for the purpose of terrifying the population. Where do we find the law? I’d like the reader to get the hang of how easy it is to find it by typing “USC, terrorism.” So I won’t quote it here. But if you search you won’t be disappointed.

Whenever we get around to realizing that no one is above the law in the US (in Australia, the monarch is above the law), we can start indicting the terrorists who did the Marathon bombing. And then the 9/11 attacks on the World Trade Center.

Won’t that be a ball!



In 2013, Bostonians got conned regarding the Marathon story, but it wasn't their first experience of this. It also happened in the 1960s. I was 15 in 1962. Going out at night had no particular fears associated with it. We'd walk to Wednesday night choir practice, or whatever, without our parents even saying "be careful."

What was there to be careful of? In a Catholic parish you knew everyone and there weren't any killers. After the first Strangler episode we didn't change our way of life, but by the sixth strangling, or so, we had learned to stay indoors. Choir stopped having evening rehearsals. Really, community life declined. I guess that was one of the intended outcomes. Another was training us to believe that there really are weirdos who will do anything.

Let me briefly compare the Boston Strangler con job to the Marathon con job. I'll show that the media had a field day, the court case was an Inside Job, that both men were killed in custody, and the accused's ethnicity was "used

Media

The media dragged members of Tsarnaev's family thorough the mud for months. Of course media had a lot of material to work with: and the venue was that of a great icon – the Marathon race, there were numerous amputees and

subsequent hero stories. The story of the brothers' growing up in Russia and getting radicalized could be speculated on endlessly as there were no investigators to counteract it.

As for "the Boston Strangler," it was just a concept for a while. The media dragged the concept through the mud. All the police had to do was describe how each of the women's bodies was found. Some had nylon stockings wrapped around their neck, one had a broom handle in her vagina. The victims tended to be old, which was a new twist on "perving."

After Albert got outed, the media could dig up unlimited stories about the failures of his family. For instance, that his wife became frigid "resulting from the birth of their deformed child." Then there was the very hubba-hubba story as to how Albert knocked on doors, told women he was looking for models and "measured" them for outfits.

Once Boston "learned" (wrongly) who had done so much harm, the script team had to fill months of newspaper accounts of how such a person could exist.

Court Case

There is a striking similarity between the court cases of Tsarnaev and DeSalvo. In Jahar's 2015 trial, the defense team did all it could to see that exculpatory evidence did not see the light of day. They amazingly did not cross-examine witnesses whose tales were laughable.

Most importantly, the defender, Judy Clarke, told the jury that Jahar was guilty "It was him." The public naturally thought her client had pleaded guilty, that's what I thought myself. But no, he didn't. And in her summing up she did not even ask the jury to return a verdict of innocence!

DeSalvo had a famous lawyer, F Lee Bailey, age 32, an ex-Marine who'd been in the news for defending Sam Shepherd in a sensational trial. It would be hard to get the public to be sympathetic to DeSalvo, and thus the lawyer could dispense with all the standard protections of the accused's rights without constitutionalists jumping up and down.

Not unlike Clarke, Bailey arranged for Albert to be presented as guilty (by the *defense*). He did this by cutting a deal with the prosecution: Albert would be tried for something other than the murder of those women, and at the trial it would be “mentioned” that he had confided to a fellow inmate (George Nasser) that he was the Strangler.

Setting the Stage

I wonder if the Marathon planners had someone else in mind to be the bomber, as it looks like they did rather little to plant seeds of the “badness” of Jahar and Tamerlan Tsarnaev. No journalist has ever sounded congratulatory in describing Tamerlan’s athletic achievements, but neither have they been painting the boys as criminals or mental cases.

It seems obvious to me that Albert DeSalvo was chosen early on to be set up for some newsworthy crime. Just before he left the Army (he was in from 1948 to 1958), he was accused of molesting a nine-year-old girl. He vigorously denied it and “charges were eventually dropped.”

If they couldn’t be bothered to indict him, the chance is that the allegation was false. But even so, media can wave the information in front of the public “He was once accused of child molesting.”

Valentines

Another crime he committed has, I think, a laughable feature. There had been a theft from a person’s home of silver dollars. When I was a kid you could still trade all your paper dollars for silver dollars at the bank. But people usually only did this for gifts, such as to give someone a silver dollar for a birthday.

So there was Albert in a shop, buying his wife and child some candy for Valentine’s Day. He paid in silver dollars and these dollars happened to have red paint on them. (Or so we are told.) Well, don’t you know, the person whose house was burgled of silver dollars had reported that there was tell-tale marking in them – red paint!

And don't you know, a cop — who had been standing at the counter when Albert bought the Valentine's candy — just happened to see the incriminating red paint. (Like cops all know the details of all theft reports?) So he was done for. How he came to do the measuring of the door-knocked models I do not know. Some people do have sexual addictions. But how could he be so lucky as to choose houses where no kids were home from school, or no husbands home from work. (I suspect DeSalvo never did this nonsense at all.)

As this sort of thing was now on Albert's record, it as easy to accept that he was a woman-killer. Note: that's a complete non-sequitur, but who was going to analyse it?

Killed in Jail

Another similarity between the "Marathon bomber" and the "Boston Strangler" is our acceptance of their murder in custody. Both men were killed and no one protested. I have yet to hear anyone — except those who know the Marathon business was fake — protest that an apprehended man was killed. We all saw naked Tamerlan looking healthy, getting into an FBI car. The next thing you know he is dead.

No one in their right minds in Boston would have protested the stabbing to death of Albert DeSalvo, when he was in a maximum security section of Walpole Prison. After all, when a man has gone around killing 13 ladies, some of them elderly, you just don't have warm heart for him, do you? Ditto the bomber.

If you are interested in what happened to Albert, please see *Boston Strangler* by Alan Rogers who is a professor of History at Boston College. He notes of the rampage:

"In 1962 Anna Slesers, the first victim of Strangler, is found by her son who works at Lincoln Labs. Homicide detectives Sherry and Donovan inspect. Two weeks later, Nina Nichols, sister-in-law of the president of the Boston Bar Association, is strangled. Also in 1962, CBS does an expose on police

corruption. Thus the Commissioner is replaced. Ex-FBI man Ed McNamara gets the job.”

Note: You may read in the MSM that Albert’s body was exhumed and the new evidence shows he did commit one of the murders. Do me a favor? Don’t believe it. It’s a lie.

Ethnics Take the Rap

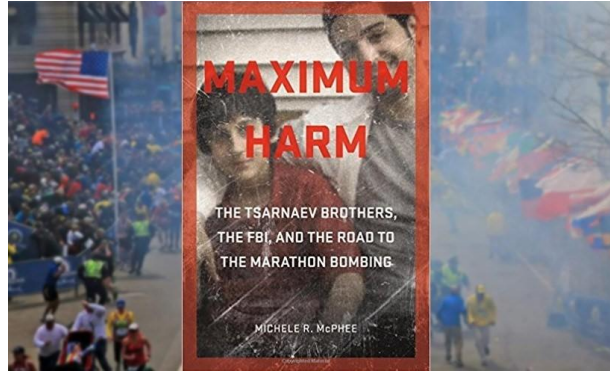
I’ve heard there was a reason to choose an Italian as the Strangler -- the fact that Boston’s West End, a district filled with Italian immigrants, was scheduled to be demolished.

I can’t vouch for it. But there’s surely a connection between blaming Muslims for terrorist acts (done actually by the FBI) and calling for the destruction of countries in the Middle East. Who will stand up for a Bin Laden? Who would even stand up for Afghanistan in 2001 when we began to bomb that country on the thin excuse that Bin Laden was hiding there?

See? We don’t use the old noodle when we should.

As for the Tsarneavs, their Dad, Anzor, is from Chechnya. That nation used to be in the Soviet Union and is now in the Russian Federation. The people are known for standing up for themselves, like the Catalans and the Welsh. Russia is eager to persecute the Chechens.

I’m guessing that the US government went along with a Russian request to aid in the persecution of any Chechen should the opportunity arise. It arose in 2013 re Jahar. Note: the fact that Jahar and brother are also *Muslims* has not been played up too much, except for the boat-wall confession note.



Michele McPhee's book. Imagine using a tender family photo in this way!

Dear Mr David Leonard, President of the Boston Public Library, 700 Boylston St, Boston, MA 02116

Greetings!

From my youth I recall the ground floor of the BPL as a quiet, uneventful place. Today (October 23, 2017) it was all hell's-a-poppin,' especially thanks to the WGBH newsfeed, and activities for readers. Anyone would be uplifted just being there. Congratulations to you and your staff.

I walked over to the “bibliographical assistance” desk and asked the very helpful librarian four questions. First, “Do you have a special section of books that deal with ‘Nine Eleven,?’” and second, “Is there a particular section that handles *conspiracy theory* in regard to 9/11?”

She said “Yes, we definitely have a section on 9/11, and I’ll check the catalogue for conspiracy in particular.” She then handed me a paper with the Library of Congress number HV6275 for conspiracy.

Third, I asked “And do you have a place devoted to books about the Marathon bombing?” She typed in “Marathon bombing” and named some titles, such as Michele McPhee’s *Maximum Harm* (I tried not to grimace) and fourth, “May I also have the conspiracy section on Marathon?”

“No, there apparently isn’t a section on that.”

I myself am the author of a conspiracy book entitled *Marathon Bombing: Indicting the Players*. I'd better provide you with a copy for the BPL, Mr Leonard, — possibly mine is the only one so far on that subject. I am a proper scholar and your shelves already have books authored by me, on human evolution.

Visiting Section HV6275

Off I went, then, to read your books on the conspiracy of 9/11. I was confident you would stock all nine of David Ray Griffin's well-researched books, such as *The New Pearl Harbor: Disturbing Questions About the Bush Administration and 9/11* (2004), and *9/11 Contradictions: An Open Letter to Congress and the Press* (2008). Griffin is a 78-year-old professor whose earlier books were on theology.

I would have bet money that the BPL also carried Kevin Ryan's well-sourced book *Another Nineteen* — meaning, say, the men who bought United Airlines put options just before the big day. And since Elias Davidsson's *Hijacking of America's Mind on 9/11* is in 770 libraries, I presumed (but erroneously) that the BPL has it. Elias is the fussiest scholar I know. In the *Hijacking* book he traces all the phone calls from the planes on 9/11.

I found the HV6275 section; it's on the second floor under a banner that says "Law and Politics." Practically made me salivate. I didn't mind bending down to find the offending conspiracy books on a low shelf. Alas, none of them are investigations of 9-11 truth! They are about the awfulness of conspiracy theory.

For example:

Conspiracy Theories: The Roots, Themes and Propagation of Paranoid Political and Cultural Narratives, by Aaron Gulyas;

Conspiracy Theories and Other Dangerous Ideas, by Cass Sunstein (5 copies available); and

Among the Truthers, by Jonathan Kay (7 copies available).



Believe me, in my day we did not refer sarcastically to seekers of the truth as “truthers.” (Was Galileo a truther? Was Luther?) The blurb of Kay’s book says:

“From left-wing 9/11 conspiracy theorists to right-wing Obama-hating ‘birthers’ — a sobering, eyewitness look at how America’s marketplace of ideas is fracturing into a multitude of tiny, radicalized boutiques—each peddling its own brand of paranoia.”

I’m one of the truthers and am not paranoid — I think I’ve got facts right but will always shift over to another position if good evidence pops up. And the great authors I mentioned (Griffin, Ryan, and Davidsson) — show no signs of paranoia. I don’t even agree that they are “peddling” their ideas.

Thus we have name-calling in Section HV6275. Is that OK on the shelves of a big city library? I think it is. I think just about anything can be offered to the readers of Boston. But the number of copies on hand – 7 in the case of Kay’s book — makes me think the book was promoted by the BPL. If so, on what grounds?

Or on what grounds was the decision made to skip David Ray Griffin’s very compelling account of the problems in the official 9/11 story. Have we become a nation in which it is wrong to say anything about the bad deeds of government? I expect there is a whole section at BPL of books about our revolutionary heroes, such as Tom Paine. Dear me, are they in danger of being tossed out?

I found this quote by Thomas Jefferson (in a letter to Joseph Cabell, dated 1816):

“I felt the foundations of the government shaken under my feet by the New England townships. There was not an individual... whose body was not thrown with all its momentum into action.... God bless you, and all our rulers, and give them the wisdom, as I am sure they have the will to fortify us against the degeneracy of our government.”

The Homeless

Excuse me for sounding negative, O President. My day today at the Library was very happy. I liked seeing the bedraggled old men enjoying your comfortable chairs upstairs. They weren't even pretending to be reading a book, but no one disturbed them.

I had visited the BPL previously this year, on September 7th. I came up from the Deep South where I had been staying in Motel 6's. In my campaign for the US Senate (now ended) in Alabama, I needed to travel all over that state. My trip to Boston was to attend a lecture at the Watertown Library.

The next day, when I decided to inspect the Marathon finish line, I dropped in to the BPL and inquired if I could get a Library Card. Your very courteous clerk asked me for my address. I said “Well, I don't exactly have a fixed address now, I am sort of homeless.” He replied without a hint of condescension “All right, if you get into a shelter, come back with the shelter's address and we can use that as your address for a Library Card.” I was very touched.

On my way out I saw a sign near your elevator that said “Rodgers and Hammerstein wrote *Oklahoma* on a table in the Ladies Room.” “Oklahoma where the wavin' wheat can sure smell sweet, when the wind comes right behind the rain.” I love all that stuff. And I die for libraries.

Thank you for listening.

Yours sincerely,
Mary Maxwell, PhD, LLB



Your TRC could take the form of a flashmob?

I wonder if schoolkids in the US today learn anything about our anti-government heritage? Please read William Nelson's wonderful 1975 book, *The Americanization of the Common Law*, which is specifically about Massachusetts. He quotes a clergyman in colonial days who was threatened by government. Said the proud clergyman:

"I do not fear it, I can have anofe to assist me in that afare; let them Come in to my field if they Dare, I will split theaire braines out."

Atta boy, Americans! That's the spirit!

Last week I visited Boston and can tell you that "most people" – 5 out the 6 that I randomly chose to speak to – do not accept the Marathon story. In fact, one guy volunteered "The FBI story is the crappiest crap I ever heard." As for the one out of six who did not make it a clean sweep for me, all she did was give me a cold stare and walk away. So how do I know if she even spics English?

Now look, Everybody, the current disease isn't self-curing. Richard DesLauriers, Kevin Cullen, et al, are not going to "turn themselves in." Not ever. You have to turn them in. Oh, and Cheryl Dean has submitted a new name for your consideration; Col. Tim Alben. He was head of the state

troopers “at the material time.” I hadn’t realized that Massachusetts state police use military-rank titles. Just a quick quote about the Colonel when he first got the job. (He and DesLauriers have now left for greener pastures.):

“Alben has mediated domestic disputes in rural areas, pursued countless speeders on interstate highways and busted cockfighting [!!!] and illegal gaming rings in Hampden County. In 2004, he played a key role in organizing a massive security and logistics effort for the Democratic National Convention in Boston, and his rise continued to the top of the agency. Alben, who will oversee more than 2,300 troopers, is the son of Albert, a member of the State Police from 1956 until 1981, retiring a year before his son joined the ranks.”

(Note: a Massachusetts state trooper was also in the Florida home of Todashev at the material time.)

The rest of this article is a discussion of what we can do.

Rehash of Part 7

In Part 7, I attempted to show that *not only is the case not solved* — “Who bombed the Marathon?” — but a large part of the case has *never been brought*. We do need to indict the right persons for the bombing of the Marathon and the injuries it caused. But the identification of the guilty will emerge more easily after other crimes of the day have been spelled out.

Here are the seven “other crimes” I identified, and there may be many more:

conspiring to commit a crime, murder, violating a person’s rights by misusing “color of law,” obstruction of justice, treason, misprision, and terrorism.

Whom do you think we should name for the **murder** of MIT cop Sean Collier? If he is actually deceased, then somebody did it. Moreover, a lot must have gone into the planning of that death. By the way, it has been reported, since the very day, that large numbers of cops were seen on the MIT

campus during the afternoon of April 18. (Collier was shot at 10.20pm.) I wonder what that was all about.

There were also crimes committed in the process of pinning the blame falsely on Tamerlan and/or Jahar, as seen in the “show trial.” Most of these fit under the heading **obstruction-of-justice** crimes. Cheryl Dean and Josée Lépine have contributed excellent analysis of the court case to Gumshoe since 2015. They pinpoint prosecutorial misconduct all over the place.

Note: Jahar was convicted of carjacking. It was Count 19 of the verdict. Each and every juror said “Carjacking? Guilty.” If the brothers had nothing to do with the Marathon, the entire testimony by Dun Meng is exposed as perjury.

As to the “**violation of a person’s rights under color of law**,” who do you think should be indicted for murdering Tamerlan while in FBI custody? Or for using **excessive force** – almost unbelievably excessive — against Jahar? The FBI clams to have interrogated the very wounded Jahar, in between his various surgeries. They then they walked away “confident” that there were no other accomplices. Have you heard of anything so ridiculous?

The point of Part 7 was to call attention away from the alleged “Brothers Are Bombers” story, to the fact that normal justice must *now lead to the indictment of many participants*. I showed how the crimes of terrorism, treason, and even li'l ’ol misprision of terrorism (failure to do) can be added to the rap sheet.

Think of what we may have to look forward to if we allow the hidden forces to be lawless in our country. Our food supply could easily be cut off simply by someone halting transport. No trucks, no deliveries to supermarkets. Of course all our communications csn be knocked out by one cyberattack. And in winter, just end fuel. Henry Kissinger has already said this would be the thing to do, to control the people.

A reminder of the codified law, federal and state:

FEDERAL: USC – UNITED STATES CODE

Treason -- 18 USC 2381

Obstruction of justice -- 18 USC 1501 03

Cover-up -- 18 USC 1519

Terrorism -- 18 USC 2332

Violation of civil rights -- 42 USC 242

RICO -- 18 USC 1961-68

STATE: MGL -- MASSACHUSETTS GENERAL LAW

Treason -- Chapter 264 section 2

Attempt to murder – Chapter 265 section 16

Subornation of perjury -- Chapter 268 section 2

Destroying property -- Chapter 266 section 126A

Intimidating witnesses, jurors – Chapter 268 sec 13B

Violation of civil rights -- Chapter 12 section 11H:

“said civil action shall be brought in the name of the
commonwealth”

Note: Massachusetts’ statute of limitations is generally 3
years but no limit on the crimes of murder and treason.

What Can We Do?

The following is a list of what-can-you-do’s. But you have to
actually do them! Their mere existence as part of our legal
heritage does not cause anything to happen in its own!

RICO (Racketeer-influenced and Corrupt Organizations)

Citizen’s Arrest, Freedom of Information Act

Licensing Boards’ Disbarring of Lawyers, TRCs (Truth and
Reconciliation Committees) Pre-emptive Strike in Self-
Defense, Outlawry, Grand Juries

Two of the items on the list above are everyday fare for
citizens. Namely: getting the dirt from government files by
using the **Freedom of Information** provisions, and going to
your **state licensing board** to complain about a bad lawyer.
(Note: you can also go to *police* to complain about *criminal* acts
of a lawyer. What’s keeping you?)

Three other items can be categorized as what people might have to do if the proper office-holders won't do their duty: make a **citizen's arrest**, perform a **pre-emptive strike** in self-defense, and declare a criminal an **outlaw**. Those things are almost never done and we would naturally be scared to do them. But they're legally provided for; they are proper.

The **RICO** approach is available, too, but you can use it only if you suffered an economic loss related to the Marathon. A very small loss suffices to get you entry as a litigant, and once you are in court you can describe the crimes galore. The state can also use RICO to prosecute, but it seldom does so.

The Two Biggies

The remaining items from the list are no doubt the easiest to use. Use them and satisfaction will eventually come! I'm referring to *grand juries* and *truth and reconciliation committees*

TRC's

I performed a mini -- or maybe a mini-mini — truth commission on the street in Boston last week, when I went around asking people what they thought happened. (OK, maybe mini-sub-mini.) The point is, you and your friends can do all the collecting of public opinion you like.

One of the famous TRC's, sponsored by the United Nations, was held in El Salvador. The truth they were trying to elicit was: who got killed by death squads and which persons participated in those death squads. The TRC actually did come up with answers, even for deaths that occurred years ago.

As it says in Shakespeare's *Merchant of Venice*:

"Well, old man, I will tell you news of your son: give me your blessing: truth will come to light; murder cannot be hid long; a man's son may, but at the length truth will out. "

If you are a thinker-out-of-the-box, you can come up with adventurous ways to handle a Marathon-bombing TRC. But can you promise the truth-tellers that they will be protected?

No, not really, but they will judge your strength and if it looks good they will be likely to trust you.

It's probably best if *many* people start up little TRC groups, , not one big combined one. They will therefore not have to feel embarrassed about the smallness of their operation. Small is fabulous. Oh, and a lot of small TRC's will also be set up by the CIA – come on, it's their job. They need to confuse the matter and discredit you. So what? Ignore them.

Grand Juries

Regarding grand juries, **the citizenry** already has a perfectly valid right to *notice crime* and *report it* to their state grand jury. Don't attribute these powers exclusively to government. I found it helpful, when learning about the role of grand juries, to read that in olden days in Massachusetts the grand jurors even had responsibility for *noticing sagging bridges!*

Why does this not happen now? Bill Windsor has studied the practice in many states. He notes that when individuals get called up for grand jury service they are wrongly told that the attorney general is the authority. They are bossed around.

He also notes that every citizen has the right to approach, at least in writing, the current foreman of the grand jury, **to deliver information**. If your state prevents this, he suggests you file for a restraining order against that practice. I agree.

We are lucky that in 1992, Justice Scalia in *US v Williams* compared the wording of Bill of Rights Fifth Amendment: “No person shall be held to answer for a capital ... crime unless on a presentment or **indictment of a grand jury....**” -- with the fact that none of the three main Articles of the Constituion assigns responsibility for grand juries to a branch of government. Hence, he said: “[The grand jury] is a constitutional fixture in its own right ... it belongs to no branch of the institutional government, **serving as a kind of buffer or referee between the Government and the people...**

“Recognizing this tradition of independence, we have said the 5th Amendment’s constitutional guarantee presupposes an investigative body ‘acting independently of either prosecuting attorney or judge.’” Scalia also noted: “[The grand jury] can investigate merely on suspicion that the law is being violated ... It need not identify the offender it suspects ... The grand jury **requires no authorization from its constituting court to initiate an investigation**

Of all the items on Part 8’s list, I think this one, the grand jury has the most potential. There is one more possible way for you to do what is needed. It is rather like setting up a TRC. **You can set up** a grand jury, in effect, but call it something else. In my 2011 book *Prosecution for Treason*, I suggested that you call it a “Clarendon Assize” after a famous historical sitting in 1166. Behold “the Watertown Assize” of 2018, a historic turning point. Yay!

The “authorities” won’t be happy that you do this, but, as we say in Australia, stiff biccies. The First Amendment guarantees freedom to peaceably assemble and to make known your plaint to government. Goes something like this:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

Anyway, your home is your castle. Why not hold an assize in the parlor? Have a few friends over to the first meeting to get the feel of it, and for the second meeting, invite the local police. Tell them they are there only as spectators as it would be a conflict of interest for them to engage in what is really a pretend-grand-jury.

So why bother to do all this as pretense? To overcome psychological barriers that got set up last century. Ask yourself who be – officially – the sovereign ruler of the United States. Play peek-a-boo in the mirror and you’ve got the answer.

AFTERWORD – Critiquing the Photos

Enough! There is no case. The boys did not bomb the Marathon, did not shoot Sean Collier at MIT, did not kidnap Dun Meng and his Mercedes, did not steal from an ATM, did not shop for snacks at the Shell station, did not get into a shootout with police in Watertown.

The many people who have written books pushing the official story must be on the payroll of agencies that plan to do *more* great harm to us. Shame on them. Same for all the TV personnel, and movie makers (there are three movies so far!).

Paul Craig Roberts has declared outright that the whole thing was an orchestration, and has said that citizens who continue to believe it are a danger to the world. And to themselves!

This book has pointed to the many absurdities we were asked to accept: that a mass killer wrote a confession on a boat wall while in a very injured state, that a fugitive boasted of his crimes to his carjackee, that amputee Jeff Bauman had only a tibia and not a fibula. God help our poor, lazy brains.

I have only just realized that photos may be more persuasive than talking philosophy or politics. So this Afterword is going to float a new argument: that the Tsarnaev brothers *did not even attend* the 2013 Marathon. Aunt Maret has said that for a while.

Part 4 and 6 of Addendum discussed photos. I now think *all* the *Tamerlan* shots related to Marathon were either inserted by a photo-shop into still pictures, or, if they are videos, then the man was an actor, not the real Tamerlan. (It's only a guess.)

As for Jahar, I'm *not sure* if he was at the 2013 Marathon but he was said, by the FBI, to have been at the 2012 Marathon.

The jurors were shown photos or videos to prove:

1. that both boys walked on Boylston at the 2013 Marathon
2. that Jahar stood near 8-year-old Martin Richards
3. that Jahar put a backpack on the ground with a bomb
(There really is no such video or still. Amazing, huh?)
4. that Jahar talked on his cell phone at the crucial time
5. that the boys walked away, but not panicking like others
6. that Jahar bought milk at Whole Foods 20 minutes later
7. that the boys killed MIT cop Sean Collier, to get his gum
8. that Jahar used Dun Meng's ATM card to steal \$800
9. that Jahar bought snacks at the Shell convenience store
10. that they then did a shootout at Laurel St versus cops

Note that sunglasses could be covering a multitude of sins:



(I must acknowledge here that CCTV cameras generally do not give true pix; they have a fish-eye lens which can distort.)

While it's clear to his family that the naked man and the sidewalk-arrest man are both the real Tamerlan, on April 19 at 1.05am, that's *completely separate from* the Marathon event.

By the way, had the boys been *innocently* at that famous bombing, they'd have yakked about it just as we all would. But Jahar's tweet on the Marathon night was "No love in the city."

The one below is odd in that Jahar is not merged with the other people, and is carrying a full backpack (unlike other shots where the bag is limp). Does he have the walk of Dorito-boy? I've read that the man in left doorway got pixeled out. Hmm.



Think about this. Now that we know that the story is laden with absurdities, and woeful obstruction of justice, it's safe to guess that the baddies must have decided months in advance that the Tsarnaevs were to be blamed for this bombing – but how to get them to attend the Marathon that day? I'll bet there is no real way – but there's always “the pictorial way.”

Recall that I, too, was seen in front of Forum Restaurant, even though I was in Australia. Find me with blonde hair, an inch left of Jahar, directly above Mrs Richards. President Trump is to the right of Jahar and to the left of the applauding Stalin.



Oops, and there's Oz Prime Minister Malcolm Turnbull at the far right.

I guess the “Tamerlan” in this photo could have been snapped anywhere, as there is no crowd. And by the way, he seems maybe too slim for the Tsarnaev boxer.

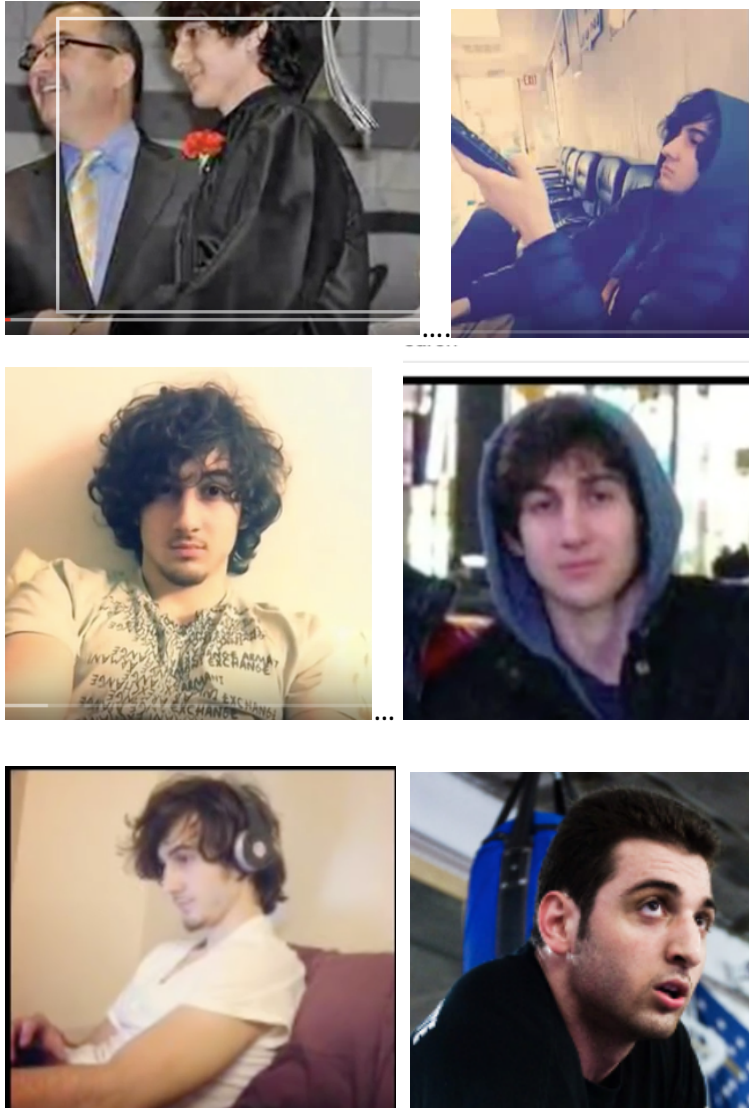


I'll display several pre-Marathon *genuine* pix of Jahar, in which we can get to know his facial features. Start by studying a picture of his sister Alina -- she resembles Jahar a lot.



Let me say again this Afterword contains **a hypothesis – that the Tsarnaevs did not attend the 2013 Marathon**. It's *not* meant as a wrap-up of the preceding 300 pages of analysis!

There are many videos on Youtube, including a 4-hour video by Peekay, that aim at showing that the bombing is fake. I do not approve of those videos. They have had millions of views but they don't lead to much other than a sense of helplessness.



All above are the real-deal Jahar, and Tamerlan lower right.

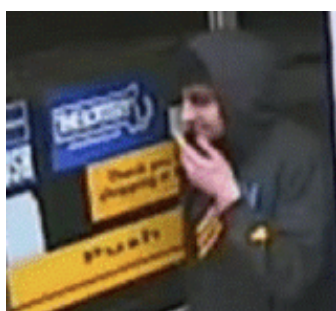
I now have *doubts* that the Marathon pictures are the real Jahar. In this book I assumed that the pix that Dee McLachlan discovered to be suspiciously cropped, was of Jahar.

But now, looking at the nose, I suggest he's an actor. This is not a firm claim by me; I honestly can't work it out. And his

chin seems to jut out too much. What do you think?



Also, I said that the boy shopping at Shell for snacks (Dorito-boy) is an actor based on left-handed and face-scratching, but I said the one emerging from the shop is a pasted-in real Jahar face. *I now recant* -- I think that one (below) is not a pasted-in Jahar. It is the same left-handed boy seen shopping.



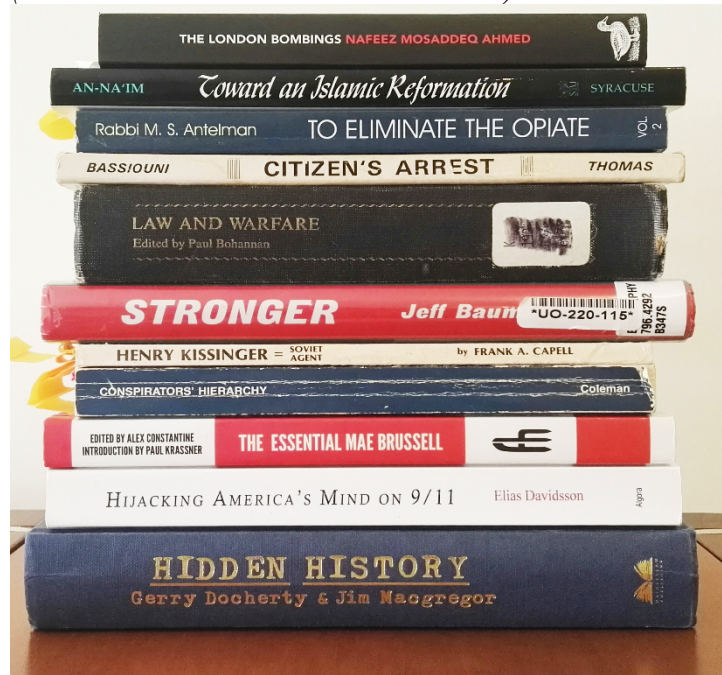
The ATM photo below, with hat, does not strike me as Jahar. Oops, I now even question the boat picture on the right!

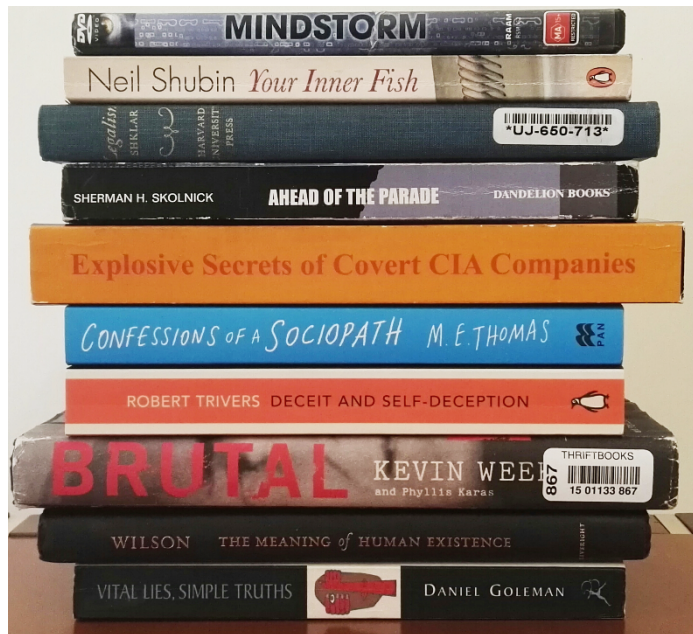
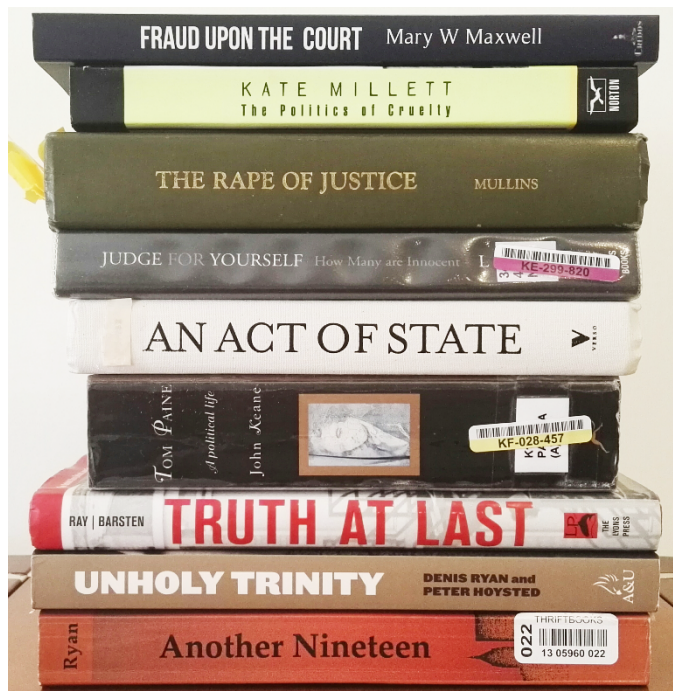


I'd love to know what you think, especially if you are an expert. Please contact me. Thanks!

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