

Trial begins for friend of Boston Marathon bombing suspect accused of obstruction

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Trial began on Monday for Azamat Tazhayakov, a friend of Boston Marathon bombing suspect Dzhokhar Tsarnaev. Tazhayakov faces charges of obstruction of justice and conspiracy and could face up to 25 years imprisonment and \$250,000 in fines if found guilty.

According to prosecutors, Tazhayakov and Dias Kadyrbayev, both Kazakh nationals, entered Tsarnaev's dormitory room three days after the April 15, 2013 bombing, after photographs of Dzhokhar Tsarnaev and his brother Tamerlan were broadcast as those of suspects in the attacks. The two proceeded to remove a laptop, fireworks casings, a backpack and other items from his bedroom that could have been linked to the attack. A third acquaintance, Robel Phillipos, faces trial on charges of making false statements to authorities.

"The government will prove to you that the defendant and his co-conspirator removed the backpack for one reason, and that reason was to protect their friend who they had just learned was one of the two suspected Marathon bombers," said US assistant attorney Stephanie Siegmann in her opening statement.

Tazhayakov's attorneys maintain that their client was not involved in the finding or removing of the items from Tsarnaev's bedroom. "Azamat's actions will show that he never intended to obstruct justice. As a matter of fact, he never intended to help the bomber himself," said attorney Nicholas Wooldridge of his client, adding that Tazhayakov had been fully cooperative with law officials, allowing searches of his personal belongings, and had never actually handled the material in Tsarnaev's room. "It's not about the bombing... Don't get sidetracked. Don't get shocked and awed," Wooldridge added, in reference to prosecutor's attempts to invoke the tragedy to sway the jury.

Dzhokhar Tsarnaev is facing capital charges for detonating homemade pressure cooker bombs behind the finish lines of last year's Boston Marathon. The attack killed three people and injured over 260 others. His older brother Tamerlan was killed in the days following the event in a shootout with police, while the younger man was seriously wounded.

The prosecution made reference to statements that supposedly demonstrate Dzhokhar Tsarnaev's proclivities toward Islamic extremism. At a dinner prior to the bombings he is alleged to have told Tazhayakov that in becoming a martyr, "You would die with a smile on your face and go straight to heaven." Tsarnaev also allegedly shared his knowledge of how to build explosives with Tazhayakov.

The harsh indictments doled out to associates of the Marathon bombing suspect are grossly excessive. There is no evidence that any of these young men had advance knowledge of the bombings or were in any way involved in the attack.

Last month, Kadyrbayev—who faces his own trial for similar charges in September—asserted in court that he had been manipulated by US agents in order to obtain incriminating statements from him which led to his being indicted. "Oh, you're not under arrest, you're just trying to help us out," Kadyrbayev quoted an interrogator as saying, alleging that his poor grasp of the English language had led him to forego his Fifth Amendment right to see a lawyer before giving any statements to authorities.

Others in the small Central Asian community in Boston have been swept up in the witch-hunt. Last month, Khairullozhon Matanov, a Kyrgyz national and associate of Dzhokhar and Tamerlan, was arrested and charged for "altering, destroying and falsifying records, documents and tangible objects," so as to "obstruct the

FBI's investigation of the bombings." Matanov potentially faces 44 years imprisonment for deleting files from his computer and failing to mention having had dinner with the two bombing suspects in the aftermath of the April 15 events.

Legal experts have noted the vindictive character of the government's charges against Tazhayakov. "It's to send the message that we're tough on crime and very tough on terrorism, but at what price?" Christopher Dearborn of Suffolk University Law School told the *Associated Press*, asking, "How does that resemble fairness?"

In that sense, the legal aftermath of the Boston Marathon bombing is a continuation of the campaign of police repression unleashed by the attack. The bombing served as a pretext for an unprecedented declaration of de facto martial law imposed on the city of Boston and its surrounding region. On April 19, residents of the city and nearby areas were told to "shelter in place" as police conducted warrantless searches through neighborhood streets, backed by armored vehicles and helicopters overhead.

The trials of the friends and acquaintances of the Tsarnaevs serve as a dress rehearsal for the main event, the trial of Dzhokhar Tsarnaev, now set for later this year, without the danger (for the US government) that Tsarnaev could take the stand and tell what he knows about the connections between his family and US intelligence agencies.

The *Boston Herald* noted Tuesday, "Prosecutors yesterday gave a brief glimpse into the massive case they plan on bringing against accused Boston Marathon bomber Dzhokhar Tsarnaev." The *Herald* added, "Quotes from Tsarnaev should be commonplace in the trial of Tazhayakov" as prosecutors attempt to establish that "he and his friend were in cahoots."

The newspaper goes on to quote criminal defense lawyer Terrence Kennedy, who says that the mention of Tsarnaev "will have a profound effect on the jury pool in a negative way in terms of him getting a fair trial." Suggesting a change of venue was in order, Kennedy urged Tsarnaev's defense team to "attach the articles, the transcripts from the television broadcast" in order to move the trial out of the Boston area.

US officials have a clear interest in forcing Tsarnaev to accept a plea deal in order to avoid a public trial, which could potentially expose more evidence of the

US intelligence community's ties to Dzhokhar and his older brother, Tamerlan, who was killed on April 19, 2013 in a shootout with police.

Tamerlan was known to federal authorities for his sympathies to Islamic fundamentalism as early as 2011, when he was the subject of a threat assessment by FBI officials. Months later he was inexplicably allowed to travel to Dagestan in the Northern Caucasus, where he reportedly established ties to anti-Russian Islamic fundamentalists before returning home unhindered by US authorities. This occurred despite his having been included on a federal no-fly list.

Ruslan Tsarni, the uncle of Dzhokhar and Tamerlan, had headed an organization that supplied equipment to Chechen separatists in the Northern Caucasus from the home of Graham Fuller, a top CIA official in the 1980s and Tsarni's former father-in-law.



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