

Jury selection begins in trial of Boston Marathon bombing suspect Dzhokhar Tsarnaev

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Jury selection began Monday in the trial of Dzhokhar Tsarnaev, the 21-year-old man accused by federal prosecutors of planting explosive devices at the 2013 Boston Marathon. Tsarnaev is charged with 30 felony counts, 17 of which carry the death penalty. He has pleaded not guilty to the charges.

The April 15, 2013 bombing killed three bystanders and injured 264 others. In the aftermath of the bombing, the Boston metropolitan region was placed under de facto martial law. Residents were ordered to “shelter in place” and police officers armed with military-grade weapons conducted warrantless house-to-house searches of entire neighborhoods as part of a manhunt for the then-19-year-old Tsarnaev and his older brother Tamerlan.

Hearings this week will focus on the jury selection process. Over 1,200 prospective jurors are expected to be interviewed before the defense and prosecution settle on 12 jurors and six alternates. Presiding over the trial is US District Judge George O’Toole.

In the US media, Tsarnaev’s guilt is being treated as an obvious and unquestionable fact, though the primary evidence cited consists of confessions he allegedly made to the FBI. At the direction of the Obama administration, FBI officials initially interrogated Tsarnaev, critically wounded by a hail of police gunfire, without reading him his Miranda rights.

The trial itself is based on an evasion of a host of unanswered questions surrounding the case, including the connections between Tsarnaev’s brother, Tamerlan, and US intelligence agencies, and the FBI murder of an associate of Tamerlan in May 2013.

O’Toole instructed jurors to avoid media coverage of the case, a demand made more difficult by the judge’s

decision last month to deny the defense’s request to move the trial from the Boston area.

Last week, a US federal court ruled against a defense appeal of O’Toole’s decision on the trial’s venue, as well as a request for a delay. In a dissenting opinion to the federal court’s 2-1 ruling, Judge Juan Torruella noted that he had not had time “to read even a small part” of the evidence presented in the appeal, “much less give it the careful consideration a case involving the death penalty deserves.”

Federal prosecutors have declared that if Tsarnaev is found guilty they will pursue the death penalty, which is available in a federal case. Massachusetts state law bars capital punishment.

Public opinion in the city of Boston is opposed to Tsarnaev being executed, according to a recent *Boston Globe* poll. The jury selection process requires that no jurors be appointed who oppose the death penalty.

Defense attorneys are expected to paint Tsarnaev as the accomplice of his older brother Tamerlan, who was killed by police in a shootout days after the bombing occurred. Last year, defense attorneys requested that prosecutors reveal details showing that the FBI had sought to recruit Tamerlan as an informant within the Boston Muslim community. This request was later denied.

Along with the trial of Tsarnaev, a number of associates of the two suspects have been prosecuted, deported or killed by federal officials since the April 2013 events.

In May 2013, Ibragim Todashev, a fellow Chechen and acquaintance of Tamerlan, was shot dead by FBI agents while being interrogated about his connections to the suspects. Last week, Todashev’s father released

a letter addressed to Obama denouncing the killing of his son.

“They did it deliberately so that he can never speak and never take part in court proceedings,” he wrote. “They put pressure on my son’s friends to prevent them from coming to the court and speaking the truth.”

Friends of Dzhokhar Tsarnaev have been prosecuted for supposedly removing evidence pertaining to the federal investigation into the bombing from the latter’s dorm. One of the friends, Dias Kadyrbayev, is now scheduled to testify against the younger Tsarnaev in exchange for leniency in his own sentencing.

Entirely dropped from media discussion of the trial are the connections the bombing suspects had with federal officials in the lead-up to the bombings. Tamerlan Tsarnaev was known to US officials at least since mid-2011, after Russian Federal Security Service (FSB) agents sent memos to US intelligence officers expressing concern that the older Tsarnaev “was a follower of radical Islam” and was “prepared to leave the United States for travel to the country’s region to join unspecified underground groups.”

After carrying out a brief threat assessment of the older Tsarnaev, FBI officials closed their investigation, claiming that they had found nothing incriminating. Tsarnaev is then alleged to have participated in the brutal killing of three men in the Boston suburb of Waltham on the ten-year anniversary of the 9/11 terrorist attacks. Despite the fact that one of the victims was described as Tamerlan’s “best friend,” the older Tsarnaev brother was never questioned by investigators, allowing the case to remain unsolved.

In late 2011, Tamerlan Tsarnaev was placed on a federal “no fly” list with a notation that Homeland Security officials “detain [Tsarnaev] and immediately call the lookout duty officer” at the National Counter-Terrorism Center should he attempt to leave the country. Despite this, Tsarnaev was able to board a flight in early 2012 to Russia, where he spent six months trying to establish ties with a number of underground Islamic fundamentalist groups in the Northern Caucasus region of Dagestan. These groups have been involved in armed conflicts with the Russian government.

Upon his return to the US, Tamerlan allegedly began engaging in provocative behavior, including frequenting web sites promoting fundamentalist

versions of Islam and publicly condemning moderate interpretations of the religion.

Massachusetts state and local police officials appeared before a congressional panel in May 2013 and testified that they had not been told by federal officials of the FBI probe of Tamerlan Tsarnaev or his reported ties to Islamist terrorists in advance of the internationally attended Boston Marathon.

The Tsarnaevs are also connected by family ties to US intelligence. For years, Ruslan Tsarni, Tamerlan and Dzhokhar’s uncle, ran an organization channeling funds and equipment to Islamist separatists in Russia’s Caucasus region. Tsarni based his operation in the home of Graham Fuller, former vice-chairman of the US National Intelligence Council and ex-CIA station chief in Kabul, Afghanistan.



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