

9/11 and the Moussaoui case: miscarriage of justice

Open letter to Judge Leonie Brinkema

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Region: [USA](#)
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Open letter to Judge Leonie Brinkema,

U.S. District Court,
Alexandria, Virginia

Your Honor, Judge Brinkema,

I feel compelled to address you this letter regarding the Moussaoui case. I hope this is not yet too late to avoid a terrible miscarriage of justice.

In the Jury Questionnaire Proceedings of February 6, 2006, which was posted on the web, you gave the following direction to the jury:

“I assume every one of you is aware of what happened on September 11, 2001, and has watched or read extensive media coverage about that day and has watched news reports or read about Al Qaeda.”

Yet in the same directions you said:

“ Persons on trial must be judged not on the basis of what is in the news or popular media, but rather on the hard evidence presented in the courtroom during the trial.”

To my knowledge, no evidence was presented to the Moussaoui court which establishes the true facts on the events 11 September 2001, and the identities of the perpetrators of the crime committed on that day. Nor did the Court refer to any authoritative findings regarding these events by other courts. The Court simply assumed and asked the jury to assume that the facts reported in the media and in non-judicial reports were true. Such reliance on hearsay is contrary to principles of criminal law.

On the base of these assumed facts, your Court asks the jurors to determine whether Moussaoui's silence while in detention had the causal effect to allow the perpetration of the above crime by nineteen named individuals, who have never been found guilty for the crime they are accused, and whose identities remain in question.

I am concerned that your contradictory directions to the jury and the failure by your Court to establish, according to standards of evidence required in criminal law, that the crime of 9/11 was committed by the nineteen alleged hijackers, may represent a gross miscarriage of justice. I urge you, in the name of justice, to reconsider your decisions.

Respectfully,

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