

DRAFT

Plan to Prosecute Public Servants and Others and Provide Restorative Justice and Reconciliation Opportunities for Victims and Perpetrators of Crimes

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Please provide suggestions and corrections to DFPA@aol.com

This plan provides strategies and documents to initiate and follow through with the investigation, arrest or summons, indictment and prosecution of civil and military government officials, legislators, members of the judiciary, corporation officials and others who have violated the law. It also provide opportunities for "restorative justice" and reconciliation to help heal/restore both the victims of crimes committed by the United States and the architects and perpetrators of these crimes.

What Is Restorative Justice and Why Use it Now?

Restorative justice is a natural, proven form of justice that seeks to restore victims and offenders to whole, contributing members of society. It emphasizes preventing additional harm and repairing the harm caused or revealed by criminal behavior. It is best accomplished through cooperative processes that include all stakeholders.

From "Restorative Justice web site at <http://www.restorativejustice.org>."

Restorative justice is the right and proper thing to do.

The U. S. and its agents have violated and continue to violate the rights of many individuals.

Currently, the U.S. is continuing to illegally detain innocent individuals that the U.S. and its agents have abused and/or tortured, because certain U.S. officials believe that these individual are threats.

If victims of crimes by U.S. officials participate in a restorative justice process and receive justice and sincere counseling, they are unlikely to be threats to the U.S. or turn to terrorism once released.

Normally restorative justice is utilized after a perpetrator is found guilty. By applying restorative justice techniques after an arrest or summons is initiated and before a grand jury is impaneled, the need for lengthy indictments and trials could be reduced. This would allow contrite perpetrators who make amends, and victims who are willing to forgive, get on with their lives sooner.

This restorative justice approach should not in anyway detract from the severity of crimes committed or excuse or exonerate anyone who has committed a serious crime.

For additional information about Restorative Justice go to **Restorative Justice** web site at <http://www.restorativejustice.org> and **Prison Fellowship International** web site at <http://www.pfi.org/>

Background

Congress and the new administration have failed to provide meaningful responses to numerous requests for investigations, hearings, impeachments, commissions and special prosecutors and are unwilling and unlikely to do anything meaningful about prosecuting and/or impeaching officials even though it is their legal duty to bring charges against the perpetrators of all crimes. Most of their talk about special prosecutors, commissions and investigations appears to be posturing.

If a special prosecutor is appointed, it will likely be months while they gather information

and decide whether or not to prosecute. Meanwhile thousands more will die in Iraq, Afghanistan, Pakistan and Palestine and millions more will lose their homes and jobs.

Whether or not a special prosecutor is appointed, a task force of FBI agents and U. S. Attorneys should be formed to investigate and prosecute civil and military public officials, legislators, members of the judiciary, corporation officials and others who have violated the law. Whether or not such a task force is formed, individual FBI agents, U. S. Attorneys and local and state prosecutors are paid to prosecute crimes that affect the people in their jurisdiction.

Attachment I, **Prosecuting Public Officials/figures for Corruption: the Approach in the United States**, by Michael Hatter

If the president, attorney general or other senior government official prohibits investigations and prosecuting of crimes for which there is probable cause, they will be guilty of obstruction of justice, misprision of a felony and failure to provide honest services. If they believe someone has committed a crime, it is their legal duty to require that the crime be investigated.

There are many sources of information about prosecutions and organizations working on prosecutions:

- David Swanson has links to these sources and organizations and a myriad of tools to help with prosecutions on his web site, in particular, **Criminal Prosecution and Accountability** at <http://prosecutebushcheney.org>
- The fact that United States Attorney Patrick Fitzgerald had the sitting governor of Illinois, now former Governor Blagojevich, arrested and indicted shows that it is feasible to arrest and indict sitting legislators, senior government officials, presidents and judges.
- Vincent Bugliosi's book, "The Prosecution of George W. Bush for Murder" makes a legal case, establishing jurisdiction and probable cause, for any state attorney general, most local district attorneys, and U.S. Attorneys to charge former president George W. Bush and his co-conspirators with murder on behalf of U.S. service members who have died in Iraq or as a result of the war in Iraq. The fact that there is no statute of limitations on murder makes this a powerful tool. Bugliosi's legal principles are applicable to many crimes other than murder. For example, a legislator who has appropriated funds for the Iraq war could and be prosecuted for aiding and abetting in the murder of U.S. service members who have died in Iraq.
- An article titled **How to Prosecute a President: frequently asked questions (FAQs)** is available on Charlotte Dennett's, former candidate for Attorney General of Vermont, web site: <http://chardennett.org/>. Dennett and Bugliosi put these FAQs together to assist those who want to encourage local district attorneys (DAs) to prosecute Bush for sending soldiers to Iraq under false pretenses. These FAQs describe the applicable law and other relevant information.
- Bob Alexander has information about Vince Bugliosi and his book and links to important web sites on his web site, <http://prosecutegeorgebush.com>. Bob led the efforts to mail a copy of Bugliosi's book along with a personal letter from Vince Bugliosi to every DA in every jurisdiction in the U.S. where a U.S. service member has died. All 50 state attorney generals have also been provided copies of Bugliosi's book. The next step in this process is to find DA's, state attorneys, FBI agents and U. S. attorneys willing to do their job.
- Michael Haas, in his book **George W. Bush, War Criminal?** alleges that president G. W. Bush committed 269 war crimes. Haas provides detailed descriptions of these crimes, which can be found on his web site at <http://www.uswarcrimes.com/> by clicking

on the link “Types of War Crimes.”

• Michael Hutter in his article, **Prosecuting Public Officials/Figures for Corruption: the Approach in the United States** [hutter prosecuting public officials for corruption.pdf](#), stresses the importance of preserving public confidence in the democratic process. It concludes with the statement that “*Federal prosecutors are given broad weapons to prosecute public corruption.*”

No matter what the government does or doesn’t do, it is obvious that the people must stay strenuously involved.

Individuals need not be a lawyer or even a paralegal to help work on this.

Actions

1. Use an existing or establish an office in the Washington DC area to prepare documentation and coordinate accomplishment of these efforts
2. Find attorneys, individual(s)/group(s) to work together physically or by email:
 - a. To prepare the documentation required for criminal prosecution as outlined in [Preparing Documentation For Criminal Prosecution](#)
 - b. To continue or to begin representing detainees who have been abused, tortured and/or detained without warrants or probable cause.
 - c. Contact the offices of local prosecutors, FBI and U. S. Attorneys. Obtain their mail, email addresses, phone and fax numbers. Establish a working relationship with them. The [Sample Intro Letter to Potential Investigators and Prosecutors](#) may be adapted to help with this.

Note: Contact WeThePeopleNow.org at DFPA@aol.com or 703-725-7849 if you would like to help with prosecutions. Individuals need not be a lawyer or even a paralegal to help work on this.
3. Compile a prioritized list of subjects that should be prosecuted and lists of victims¹, victim’s attorneys, witnesses and criminal offenses.
4. Develop a relational data base of all this information.
5. Beginning with the highest priority subjects, discreetly prepare criminal complaints, affidavits in support of criminal complaints, applications for summons and forwarding letter as outlined in [Procedures for Preparing Documentation For Criminal Prosecutions](#). These documents will be refined and can be modified to be used and reused by investigators and prosecutors throughout the United States.
6. Convert the requests for disbarment/disciplinary complaints filed with state bar licensing boards by attorney Kevin Zeese and the Velvet Revolution to criminal complaints and affidavits showing probable cause.
7. With the assistance of their attorneys as appropriate, identify victims and witnesses of torture, abuse, maiming, illegal arrests or detentions, property seizures or damage and other crimes by the U.S. and its agents. Subpoena and/or otherwise make available

¹ Victims of U.S. crimes and potential witnesses to these crimes include past and present detainees in U.S. Prisons in Guantanamo Bay, at Bagram AFB, Afghanistan, in black sites and in the rendition programs and, in particular those who have not been treated humanely or who have been treated cruelly, tortured, abused or held without charges. Victims also include essentially all the people of Iraq and Afghanistan and in particular those who have been maimed and those who have lost their loved ones, livelihoods, homes and property. Victims also include U. S. Armed Forces personnel who have served in Iraq and Afghanistan, in particular those who have died or been maimed.

selected individuals as witnesses and victims. Those selected should include in particular those being held today in the prisons and programs outlined in footnote #2. These witnesses and victims will be expected to conference/meet with those who perpetrated crimes against them and to hopefully receive restitution and/or determine reasonable restitution for all victims from the perpetrators for all the victims and reasonable reparations from the U. S. Government.

8. Beginning in Washington DC, Fairfax County, Arlington and Alexandria Virginia and in particular with those who have received a copy of Vincent Bugliosi's book:

a. Call, fax, email and meet with local district attorneys, state attorney generals, FBI agents, U. S. Attorneys and other federal, state and local investigators and prosecutors and/or their staffs. Attachment C provides a draft sample letter of introduction

b. Exchange information with them about criminal justice procedures and documentation, jurisdiction, applicable laws, Bugliosi's book and related topics.

c. Provide them with copies of Attachments A and B.

d. Request they arrange for facilities for restorative justice and reconciliation efforts for the victims and perpetrators of crimes.

e. Request they investigate and arrest/summon those alleged to have committed serious crimes and have them confined while insuring all their rights are protected.

9. While proposed grand jury indictments are being prepared for the U.S. perpetrators of torture, subjects should participate in individual reading/study group discussions with the victims of the crimes, be educated on the severity of their alleged crimes, see the errors in their ways and learn about the the major elements of restorative justice. These major elements include *taking steps to repair harm* e.g. being contrite, apologizing to victims, paying restitution and providing assistance to victims. Attachment B provides general information about restorative justice.

10. Subjects should be encouraged, as appropriate, to apologize and pay restitution on their own instead of spending time and money on attorneys and before grand juries.

11. As lesson are learned in the Greater Washington DC area, correct the documentation and processes and find people from all over the country willing to contact state and local prosecutors.

12. Consider criminal complaints against specific senior military personnel under the UCMJ.

13. **Prepare and file law suits** as necessary to obtain restitution and justice.

14. Politely inform the FBI, U.S. Attorneys, DoJ officials, federal magistrates, judges, etc. that if enough information is provided to show that a felony has been committed, government officials having knowledge of this information who do not investigate it and do nothing about it will be:

a. in violation of 18 US Code Section 4, *Misprision of felony*, which requires:
"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."

b. Failing to provide honest services

c. Obstructing justice

15. If DoJ, the FBI, U.S. Attorneys and U.S. Courts refuse to act or act improperly on criminal complaints, injunctions, suits, etc. file applicable documents with the International Criminal Court.

16. Ask appropriate foreign governments whose citizens have been harmed by the actions of the U.S. to file similar complaints. Work with and support other nations. For example, support **Judge Baltasar Garzon**, a Spanish judge internationally known for trying to extradite former Chilean dictator Augusto Pinochet, is considering possible criminal action against six former Bush administration officials for the torture of Spanish citizens at the U.S. prison at Guantanamo Bay.

17. Continually refine this plan based on lessons learned.