

THE ENTRAPMENT AND GOVERNMENTAL OVERREACH RELIEF ACT

(The EGO Relief Act)

Holding The FBI To Constitutional Limits

Liberty today is threatened by governmental overreach, in the name of national security. There is no codified defense against entrapment, no check on the arbitrary expansion of security laws to include constitutionally protected activities, and no prohibition against showing secret evidence to judges (but not the defense) in criminal trials. The government uses these legal loopholes to incarcerate political enemies rather than criminals.

Case in Point:

Patrick Stein believed election rhetoric that President Obama was allowing the Muslims to take over America, and was afraid for his family. He expressed the need for militia organizations to defend America. The FBI assigned a confidential informant to incite Stein and two other men with lies, to engage in violence against Muslims. After months of trying, the FBI's confidential informant prodded the three targets into participating in a (fake) FBI-created bomb attack on a Muslim housing complex in Garden City, Kansas. The three men, comprising the "Kansas bomb plot", were then convicted of terrorism related charges.

A mentally challenged young man, Shahawar Matin Siraj, fell under the influence of an older FBI informant who presented himself as Siraj's best friend and mentor. The informant showed Siraj pictures of atrocities committed against Muslims, and after months of inflammatory propaganda pushed Siraj to retaliate by bombing a New York City subway station. At the last minute Siraj refused to plant the (fake) FBI bomb because he said that he did not want to hurt anyone, and needed his mother's permission first. Nonetheless, he was sentenced to 30 years.

The aforementioned are just two of hundreds of stories of people who would never on their own have engaged in violence without being incited by FBI lies into criminal plots fabricated by the FBI. The US government should not incite crime and violence to entrap its own citizens, regardless of whether the target is on the political right or left.

Constitutionally protected free speech is not free if it becomes the basis for an FBI entrapment. It is the difference between a democracy and an authoritarian police state.

5 officers of the Holy Land Foundation were convicted of material support for terrorism, because their foundation made donations to charities in Palestine. The charities were not on the terrorist list, and were the same charities used by the US government itself to distribute relief aid in Palestine. The US prosecutor conceded that none of the Foundation's money went to support terrorism but claimed that the donations raised the prestige of Hamas, a designated terrorist organization in Palestine, and therefore constituted material support. Two officers were sentenced to 65 years in jail simply for trying to relieve suffering in a war-torn country.

Under this absurdly expansive interpretation of the material support statutes, many people who intended no violence have been targeted by terrorism prosecutions for engaging in normal, constitutionally protected activities like charitable donations, free speech, free association and social hospitality. Even peace advocates have been investigated for terrorism after advising designated terrorist organizations on how to **give up** terrorism. (See: *Holder v. Humanitarian Law Project*, 130 SC (2010)). Laws that fail to give notice of what is prohibited are traps for decent citizens trying to do what is right. They're the difference between the rule of law, and the arbitrary rule of politicians with an agenda.

Yassin Aref, an imam in Albany NY, was convicted in an FBI sting and sentenced to fifteen years, even though the evidence was so weak that an appellate court upheld his conviction based only on evidence for which the jury had acquitted him. During the case the prosecution supplied the judge with secret evidence which the defense was not allowed to see and which influenced the court to make unfavorable rulings against the defense. (It is now believed that the secret "evidence" falsely identified Yassin Aref as an Al-Qaeda bomb maker. This bomb maker died several years after the trial proving that Aref was not the bomb maker - the FBI targeted the wrong man.). But the conviction, based on secret evidence, was allowed to stand.

The increasing use of secret evidence in criminal cases destroys the perception of justice. It is the difference between the constitutionally guaranteed right to confront witnesses and evidence in public trials, and star chamber proceedings where secret evidence and politics pre-determine the outcome. Entrapments, arbitrary interpretations of statutes, and secret evidence, are all devices to convict innocent people for their political beliefs. The EGO Relief Act limits these abuses by:

1. Codifying (for the first time) an entrapment defense to limit prosecutions of targets for involvement in crimes initiated and created by the government;
2. Limiting material support to terrorism prosecutions to cases where there is proof that the target intends to support violence;
3. Providing that any classified evidence shown to the judge by the prosecution must also be disclosed to security-cleared defense counsel.

Support the EGO Relief Act. The Constitutional Rights you protect and the political prosecutions you prevent may be your own.