

Argument

A change of venue is required on motion of the Defendant if “extraordinary local prejudice will prevent a fair trial.” *Skilling v. United States*, 561 U.S. 358, 378 (2010). As *Skilling* reaffirmed, this entitlement is a “basic requirement of due process.” *Id.* (quoting *In re Murchison*, 249 U.S. 133, 136 (1955)). In addition, Fed. R. Crim. P. 21(a) obliges a trial court to transfer proceedings to another district “if the court is satisfied that so great a prejudice against the defendant exists in the transferring district that the defendant cannot obtain a fair and impartial trial there.”

The defense brings this second request for a change of venue because the need for such a change has increased, due in part to continuing prejudicial publicity and leaks, since the first motion was filed last July. In *Skilling*, after the defendant’s initial motion for change of venue was denied, juror questionnaires were returned and a codefendant pled guilty. The defendant then renewed his request for a change of venue arguing that questionnaires revealed bias, and that the news accounts of the plea further tainted the jury pool. *See Skilling*, 561 U.S. at 370-73. The Fifth and Sixth Amendment guarantees of due process and a fair trial by an impartial jury can only be effectuated if courts monitor new threats to the fairness of the proceedings as they arise. Here, as in *Skilling*, additional new publicity and leaks necessitate a second look. The nature, scope, and extent of that pretrial publicity must be evaluated and weighed again in conjunction with all of the factors that threaten Mr. Tsarnaev’s due process and fair trial rights.

I. THE NATURE AND EXTENT OF CONTINUING PRETRIAL PUBLICITY REQUIRE A CHANGE OF VENUE.

Extensive pre-trial publicity, both that submitted with the prior motion for change of venue (DE 46, Ex. 2a) and that submitted with this motion (Ex. 1 (Declaration of Josie Smith) and attachments, Ex. 1a (search terms), Ex. 1b (more recent *Boston Globe* log and articles), and Ex. 1c (more recent *Boston Herald* log and articles)), supports the conclusion that a fair and impartial jury cannot be selected in the Eastern Division of the District of Massachusetts.

The *Boston Globe* coverage of the Boston Marathon bombing and its aftermath from April 16, 2013 to July 11, 2014, and its impact on Mr. Tsarnaev's ability to obtain a fair trial in the District of Massachusetts were presented to the Court and discussed in DE 461 and its attachment and exhibits.¹ That submission included emotionally-charged coverage and reports of inculpatory statements by the defendant that will not be presented in the government's case in chief.

More recent pre-trial publicity repeats many of these matters and further includes reports on proceedings resulting in the convictions of Mr. Tsarnaev's friends, who were charged with removing evidence from his dorm room and lying to law enforcement (*see*,

¹ The government's surreply to the defendant's first venue motion [DE 512] contained a lengthy attack on Dr. Bronson and his methodology, and also included the results of media searches conducted by some unidentified person at the government's behest. The government's critique of Bronson and his methodology was based on factually erroneous and misleading premises and the government's own searches were seriously flawed. The declaration of Josie Smith (Ex. 1) addresses in detail the government's media-search methodology, and explains how the articles used by Dr. Bronson were collected. The declaration of Dr. Neil Vidmar (Ex.2) defends the methodology employed by Dr. Bronson.

e.g., Ex.1b, *Boston Globe* articles 25, 26, 74, 77, 80, 81, 84, 92, 94-97, 102, 107, 109-111, 129; Ex.1c, *Boston Herald* articles 15-17, 53-55, 57-59, 62-64, 66, 68, 74-77). It also includes reports on the Marathon bombing's impact on victims and the City of Boston and the recovery of victims (*see, e.g.*, Ex.1b, *Boston Globe* articles 2, 3, 8, 13, 32, 37, 38, 46, 138; Ex.1c, *Boston Herald* articles 8, 26, 33, 41, 67, 93); reports of legal proceedings in this case (*see, e.g.*, Ex.1b, *Boston Globe* articles 1, 11, 15, 27, 31, 56, 65, 98, 106, 108, 133, 141; Ex.1c, *Boston Herald* articles 23, 27, 37, 45, 60, 65, 90, 94); and references to the Marathon bombing in articles more directly concerned with other matters.

Notably among the recent coverage, one article links the Marathon bombings to the terrorist attacks of September 11, 2001. *See* Ex. 1b, *Boston Globe* article 45. Another article, commentary, castigating the defense for filing the earlier motion for change of venue, notes that “many [of the people near the finish line] still suffer with the physical and emotional aftermath of the attack that day in April 2013.” Ex. 1b, *Boston Globe* article 67.

In addition to the coverage from the *Globe* and the *Herald* compiled by the defense, this Court can take judicial notice that the Marathon bombings and related events (including the cases and charges brought against others for obstruction of justice and lying to authorities in connection with the investigation) also have received extensive attention on television, radio, and in other electronic and social media. Some of this local coverage recently has connected the Marathon Bombings to other current “hot button” events, including the threat believed to be posed by the group known as the Islamic State

in Iraq and Syria (“ISIS”) and by implication the atrocities, including graphic beheadings widely disseminated on video, that ISIS has perpetrated against civilians. *See, e.g.*, <<http://www.wcvb.com/news/military-syria-airstrikes-stop-imminent-threat-of-attack-in-us/28229230>> (segment from the WCVB 6:00 p.m. news on September 24, 2014 linking the Marathon bombing and Tsarnaev to ISIS).

All of these media references serve to keep the Marathon bombings and subsequent events fresh and raw in the public consciousness. For the reasons first set forth in the Declarations of Edward Bronson (attached to DE 461) and Neil Vidmar (attached hereto as Exhibit 2), the continuing adverse pre-trial publicity and effects of the events at issue in this case give rise to a presumption of prejudice requiring a change of venue.

Social science research has shown that potential jurors exposed to extensive pretrial publicity develop a “story model,” that is, a framework or theory of events through which subsequent information is filtered. *See* Bronson Decl. (attachment to DE 461), ¶¶ 14-17, Vidmar Decl. (Ex. 2). A person who has developed a story model of the defendant’s guilt based on exposure to pre-trial publicity will be less likely to consider evidence at trial in a way that conflicts with that previously-developed story of guilt. The prevailing “story” of guilt in this case recently has been reinforced by the widely-reported convictions and guilty plea of three of defendant’s friends who were charged with obstructing justice and lying to investigators.

Studies have demonstrated the impact of pretrial publicity in a number of contexts. A recent study, Tarika Daftary-Kapur, et al., “Examining Pretrial Publicity in a Shadow

Jury Paradigm: Issues of Slant, Quantity, Persistence and Generalizability,” 38 Law and Hum. Behav. 462 (2014), examined the effect of pretrial publicity in a manslaughter case in New York involving a police shooting resulting in the death of one of three persons in a car. The case had generated extensive pretrial publicity and was emotionally charged because the victims were African-American and Hispanic. The study involved both a shadow jury tracking the criminal trial as it proceeded in New York City and a mock jury in Boston that received manipulated exposure to the pretrial publicity naturally occurring in New York. Some received pro-prosecution publicity; some received pro-defense publicity. All participants received the same trial summaries in Q/A format as the case was presented.

The study found that:

- 1) “[t]here was a significant effect of slant of PTP [pretrial publicity] on decision making in both the natural and controlled exposure conditions. Specifically, those exposed to proprosecution oriented PTP tended to be more punitive in their guilt ratings as compared with those exposed to prodefense oriented PTP....[D]espite admonitions, participants wittingly or unwittingly were biased by the content of the PTP in their decisionmaking....The results speak to the strong biasing effect of pretrial publicity.”
- 2) “the greater the quantity of exposure (for both naturally and experimentally manipulated exposure) the more biasing the effects. This provides support to the claim that the more expansive the PTP coverage, the greater the effect on potential jurors.”
- 3) “PTP effects [from PTP experienced up to 14 months prior to trial for the natural exposure participants] persisted throughout the course of the trial”, “presentation of trial evidence does not eliminate a PTP effect that continues to persist in the face of the evidence.”, and “jury instructions...failed to protect against PTPs influence in this study.”

Id. at 474.

A meta-analysis of 44 empirical tests representing 5,755 subjects examined the effect of pretrial publicity on juror verdicts. *See* Nancy M. Steblay et al., “The Effects of Pretrial Publicity on Juror Verdicts: A Meta-Analytic Review,” 23 *Law and Human Behavior* 219 (1999). The analysis concluded that “[t]he data support the hypothesis that negative pretrial publicity significantly affects jurors’ decisions about the culpability of the defendant. Jurors exposed to publicity which presents negative information about the defendant and crime are more likely to judge the defendant as guilty than are jurors exposed to limited PTP.” *Id.* at 229. It also stated that “[o]f particular importance in change of venue motions is the jurors’ prejudgment of the defendant at pretrial; the data show the greatest PTP effect at this point in time....The second point of measurement (posttrial but before jury deliberation) still revealed a significant impact of PTP, though with a reduced effect size. The third and final point – the final and postdeliberation verdict – is the ultimate issue in any case. Here the data support the existence of continued PTP effects at this crucial time.” *Id.*

While the data did not directly address remediation of PTP effects, “the few data sets available here suggest that proposed remedies of brief continuance of the case, expanded voir dire, judicial instruction, trial evidence or jury deliberation do not provide an effective balance against the weight of PTP.” *Id.* at 230. This conclusion was supported by a review of remediation literature by others. *See id.*

The analysts also concluded that their meta-analysis provided “indirect support for the story model...through the persistent PTP effect throughout trial proceedings and jury

deliberation.” *Id.* at 231. The story model “provides a context for understanding the persistence of PTP effects, suggesting that negative publicity provides not just isolated fragments of information, but a belief framework about defendant culpability. This biased schema then directs the juror’s attention and provides a filter through which subsequent evidence is perceived.” *Id.*

Here, the story model generated by the pretrial publicity is one of guilt, complete with reports of admissions by the defendant and convictions of his friends in related cases. In denying a prior motion for change of venue, this Court noted the passage of time between the crime and the trial and the diminished media coverage during that time as a factor decreasing the need for a change of venue. *See* DE 577 at 10. However, the impact from the development of a story-model based on the initial flush of pre-trial publicity remains notwithstanding the passage of time. Moreover, as noted, significant publicity with potential impact on the jury venire continues to the present and consistently reinforces the existing story framework.

II. THE NATURE AND SCOPE OF VICTIMIZATION SUPPORT A CHANGE OF VENUE.

The effect of the extensive pretrial publicity, much of it emotionally charged, is exacerbated by the scope of the impact of the bombing and its aftermath. The victims in this case are not limited to those killed or injured or their families, friends and acquaintances. The offenses charged here are widely viewed as an attack on the City of Boston and the Boston Marathon, an event described by the Boston Globe as the “most iconic sporting event” in the city. *See* DE 461, Ex.2a, article 644. The aftermath of the

bombing also had a direct and dramatic effect on the cities of Watertown and Cambridge, their residents, and those involved in the events in those locations. It impacted Marathon spectators and their families, friends, and acquaintances. It impacted those who treated and cared for the injured. All of these persons, places and events should be viewed as victims in this case. Just as a defendant charged with killing an individual would not be tried by a jury including relatives, friends, and acquaintances of the victim, and people connected to the events that resulted in the killing, so, here, such a substantial portion of the Eastern Division of the District of Massachusetts has been victimized by the attack on the Marathon and the related events or is connected to those victimized, that the effect on the jury pool requires a change of venue.

The notion of nearly universal local victimization is not merely theoretical. Indeed, the government has disclosed that one of its expert witnesses will testify, in substance, that the Marathon bombings and their aftermath have inflicted tangible injury on the entire local population, especially children:

We expect [the expert] to . . . describe clinical phenomena that demonstrate the terrifying impact that the defendant's actions had upon the community. [The expert] will first describe generally the impact of terrorism and catastrophic events on children. For example, [the expert] will describe that likely PTSD symptoms typically increase among children who have been impacted by a catastrophic event. The intensity and duration of the events, as well as the manner in which responsible adults deal with the event, affect the types of symptoms manifested. In this case, all of these factors were extraordinarily traumatic. [The expert] will further explain that although most children develop mechanisms to outgrow or overcome these experiences, many, especially those who have previously experienced trauma, become especially vulnerable. [The expert] is expected to explain how, statistically, even modest symptoms of PTSD, for a child, lead to dramatically different outcomes upon matriculation and on social,

academic, professional and overall adjustment gauges as compared to children without such symptoms.

[The expert] will present the findings of his work related to the impact of the Boston Marathon and Watertown events. For example, [the expert's] team surveyed families in the Boston area, including Watertown and Dorchester, as relates to the behaviors and symptoms evident in students who were exposed in some way to the events of the week of April 15, 2013. The survey found significantly increased exhibition of likely PTSD symptoms among school aged children.

.....

Based on his training and experience as well as the studies he has conducted and reviewed, [the expert] is expected to opine that the defendant's selection of manner and means of committing the instant crimes will continue to traumatize individuals for years to come and that many will be permanently compromised by the defendant's actions.

Ex. 3 (Government letter dated August 1, 2014, filed herewith under seal). Put another way, the government will elicit evidence at trial that every juror, and in particular every child close to every juror, who was "exposed *in some way* to the events of the week of April 15, 2013" is an actual victim of the charged offense facing a "significantly increased risk" of serious mental health consequences that "will continue to traumatize [them] for years to come" and will leave many "permanently compromised." It is difficult to conceive how a juror confronted with such testimony could possibly remain impartial.²

The nature and scope of victimization here, coupled with the pretrial publicity, compel a change of venue. While the Court in *Skilling* rejected the defendant's claim that the impact of hostility towards him in Houston, coupled with extensive pretrial publicity

² Whether or not the court permits such testimony trial, the underlying fact remains that, even in the government's view, every prospective local juror is an actual victim of the charged crimes.

required a change of venue, it noted that only 12.3% of Houstonians contacted in a survey named Skilling in a list of Enron executives they believed guilty, 43% had never heard of him; and 23% associated his name with Enron but reported no opinion about him. *See* 561 U.S. at 382, n. 15. Here, in contrast, 88.6% of those surveyed recognized the name Dzhokhar Tsarnaev; 57% believed he was definitely guilty and 34.5% believed he was probably guilty. *See* DE 461, Ex.4f.

Moreover, in this case, the victimization of the city of Boston and the surrounding communities arising from the bombing at the Boston Marathon is much greater in both extent and kind than was the alleged victimization of Houston arising from a corporate bankruptcy. The *Skilling* Court also noted that the news stories there contained “no confession or other blatantly prejudicial information.” 561 U.S. at 382. Here, the news stories did contain that kind of blatantly prejudicial information. The *Skilling* Court also noted that four years had passed between Enron’s bankruptcy and Skilling’s trial. *See id.* Here trial is scheduled for approximately twenty-one months after the Marathon events and their immediate aftermath.

The defense submits that the analysis employed by the court in *United States v. McVeigh*, 918 F.Supp. 1467 (W.D.Okla.1996), is more appropriate to the facts of this case, and that employing that analysis here demonstrates that a change of venue should be granted, as it was in *McVeigh*. *McVeigh* involved the bombing of the Murrah Federal Office Building in Oklahoma City. That attack initially generated extensive publicity both nationally and in Oklahoma. The publicity in Oklahoma, including “continuing coverage of the victims and their families” continued for a longer period of time after

national coverage abated. *Id.* at 1471. So, too, here. “The Oklahoma coverage was more personal, providing individual stories of grief and recovery.” *Id.* So, too, here.³ The “Oklahoma family” was “a common theme in the Oklahoma media coverage, with numerous reports of how the explosion shook the entire state, and how the state has pulled together in response.” *Id.* Here, “Boston Strong” became a rallying cry, a civic response embraced by Boston’s sports teams along with civic figures and the general population.⁴

Here, as in *McVeigh*, the strong emotional and community response evidenced in the pretrial publicity demonstrates that potential jurors from the Eastern Division of the District of Massachusetts can only be presumed to feel a personal stake in the outcome. As in *McVeigh*, a change of venue is required to provide Mr. Tsarnaev with a fair trial by an impartial jury.⁵

³ Here, as in Oklahoma, media coverage has, from the beginning to today, reported extensively on individual stories of grief and recovery. *See, e.g.*, DE 461, Ex.2a: 4, 5, 8, 46, 48, 49, 80, 109, 110, 158, 176, 296, 329, 342, 343, 396, 398, 413, 528, 571, 619, 774, 802, 926, 996, 1925, 1033, 1077, 1209, 1390, 1455, 1721, 1727, 1792, 2996, 2029, 2102, 2012, 2151, 2159, 2166, 2204, 2207, 2256, 2257, 2325; Ex.1b: 32, 37, 131, 138; Ex.1c: 33, 41.

⁴ “Boston Strong” has a Wikipedia page, is found on many types of merchandise, and has been repeatedly referenced in the news coverage. *See, e.g.*, http://en.wikipedia.org/wiki/Boston_Strong; <http://www.bostonstrongbracelet.org>; http://www.cafepress.com/+boston-strong=gifts?utm_campaign=AKE-I-D&utm_content=search; DE 461, Ex. 2a: 138, 230, 241, 246, 252, 344, 375, 429, 430, 489, 523, 537, 580, 583, 683, 802, 822; Ex. 1b: 104, 143; Ex. 1c: 69, 84.

⁵ In rejecting an analogy to *McVeigh* in a case involving a defendant charged with perjury arising from his grand jury testimony denying he knew the name of one of the 9/11 hijackers he had seen in the company of another 9/11 hijacker whom he testified he had met in San Diego and last seen in December 2000, and denying handwriting of that

III. Public Opinion Supports a Change of Venue.

The survey data discussed in Dr. Bronson's Declaration [DE 461 attachment] further supports a change of venue, finding the following percentages of persons interviewed in the Eastern Division of the District of Massachusetts who believe the defendant was guilty; should receive the death penalty if guilty; participated in, or knew someone who participated in the 2013 Boston Marathon; ever participated in or attended the Boston Marathon:

<u>Def. Guilty</u>	<u>Death Penalty</u>	<u>Partic./ knew 2013</u>	<u>Ever Partic.</u>
57.9%	37.0%	51.9%	49.3%

This compared with the following percentages from the Western Division of the District of Massachusetts, the Southern District of New York and the District of Columbia:

W.Div. MA	51.7	35.0	19.0	16.7
S.D.N.Y.	47.9	27.6	9.4	7.8
D.C.	37.4	19.0	11.8	5.6

IV. Voir Dire Cannot Assure Selection of a Fair and Impartial Jury.

In denying the earlier motion for change of venue, this Court stated that voir dire will be adequate to identify prejudice during jury selection. *See* DE 577 at 6. The

name in his examination book was his, the court stated: "If [defendant] was actually charged with participating in the September 11 attacks, it is possible to imagine that the prejudice in this case would be comparable to the community scrutiny and outrage that justified a change of venue in *McVeigh*. But [defendant] is charged with perjury, not terrorism, and this fact distinguishes his case from the *McVeigh* matter." *United States v. Awadallah*, 457 F.Supp.2d 246, 252 (S.D.N.Y. 2006). Here, of course, Mr. Tsarnaev is charged with terrorism.

efficacy of voir dire as a safeguard against the impact of prejudicial pretrial publicity has been questioned in many social science studies. *See, e.g.*, Christina A. Studebaker and Steven D. Penrod, “Pretrial Publicity The Media, the Law, and Common Sense”, 3 *Psychology, Public Policy, and Law* 428,440-442 (1997); *see also* Bronson Decl. (attachment to DE 461) and Vidmar Decl. (Ex.2).

The First Circuit has also questioned the adequacy of voir dire as a safeguard against the effect of pretrial. In *United States v. Delaney*, 199 F.2d 107 (1st Cir. 1952), the Collector of Internal Revenue for the District of Massachusetts was indicted for receiving bribes and other offenses. This “occasioned widespread publicity in the public press, particularly in the Boston area.” *Delaney*, 199 F.2d at 109. During the course of the proceedings, a Congressional investigation into corruption in Collectors’ Offices took evidence about the Boston office and Delaney, including information about matters for which Delaney had not been charged. The Boston press also covered these hearings extensively. The coverage “thoroughly blackened and discredited” Delaney’s character prior to trial. *Id.* at 111. Delaney’s motions for a continuance based on prejudicial pretrial publicity were denied. *See id.* at 111-112. He went to trial and was convicted. The First Circuit reversed, finding the district court abused its discretion in denying the requested continuances. In so doing, the court recognized the inefficacy of voir dire as a cure, stating:

No doubt the district court conscientiously did all he could, both in questions he addressed to the jurors at the time of their selection and in cautionary remarks in his charge to the jury, to minimize the effect of this damaging publicity....But,[quoting Justice Jackson]... “The naïve assumption that prejudicial effects can be overcome by instructions to the

jury all practicing lawyers know to be unmitigated fiction.”...One cannot assume that the average juror is so endowed with a sense of detachment, so clear in his introspective perception of his own mental processes, that he may confidently exclude even the unconscious influence of his preconceptions as to probable guilt, engendered by a pervasive pre-trial publicity.

Id. at 112-113.

Here, for the reasons discussed by the First Circuit and by contemporary scientific researchers, this Court should reconsider its conclusion that voir dire can cure the effects of the extensive prejudicial pre-trial publicity generated by the Marathon bombing and its aftermath.

Conclusion

For the foregoing reasons, as well as those set forth in prior filings, this Court should grant Mr. Tsarnaev’s motion for a change of venue to an appropriate location outside the District of Massachusetts. The Court should hold a hearing on this motion and to determine the district of transfer.

Respectfully submitted,

DZHOKHAR TSARNAEV
by his attorneys

/s/ William W. Fick

Judy Clarke, Esq. (CA Bar # 76071)
CLARKE & RICE, APC
1010 Second Avenue, Suite 1800
San Diego, CA 92101
(619) 308-8484
JUDYCLARKE@JCSRLAW.NET

David I. Bruck, Esq.
220 Sydney Lewis Hall

Lexington, VA 24450
(540) 460-8188
BRUCKD@WLU.EDU

Miriam Conrad, Esq. (BBO # 550223)
Timothy Watkins, Esq. (BBO # 567992)
William Fick, Esq. (BBO # 650562)
FEDERAL PUBLIC DEFENDER OFFICE
51 Sleeper Street, 5th Floor
(617) 223-8061
MIRIAM_CONRAD@FD.ORG
TIMOTHY_WATKINS@FD.ORG
WILLIAM_FICK@FD.ORG

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on December 1, 2014.

/s/ William Fick

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 13-10200-GAO
)	
DZHOKHAR TSARNAEV)	

DECLARATION OF JOSIE SMITH

I, Josie Smith, declare as follows:

1. I am self-employed. I have worked with Ed Bronson since 2005.
2. In the course of my employment I research media coverage for attorneys seeking information concerning the media coverage generated in connection with a particular case.
3. I collected the newspaper coverage used in connection with the supplemental material in support of the motion for change of venue filed by attorneys for Dzhokhar Tsarnaev on August 7, 2014.
4. In connection with that process I developed search terms designed to produce all articles that refer to the case or to the events that precipitated the case, directly and indirectly. I understood that these broad terms would produce articles that were both relevant and not relevant to the case. That is why I then reviewed each article to determine that it, in fact, referred to the case or to the events that precipitated the case before I included it in the collection. Once I found such a reference I did not make any determinations of degree of relevance. I excluded articles that contained a search term but did not refer to the case.
5. At the request of counsel for Tsarnaev I have reviewed the coverage in the *Boston Globe* and the *Boston Herald* between the dates of July 26, 2014 and November 15, 2014 using the same search terms and procedures previously used in collecting coverage from the *Boston Globe* from April 15, 2013 through July 11, 2014. Those search terms are attached to this declaration (redacted to protect certain personal identifying information).
6. For the *Boston Globe*, that review produced the following:
 - 143 articles that referred to the case or to the events that precipitated it including
 - 102 news articles;
 - 5 briefs;
 - 2 events;
 - 1 letter to the editor;
 - 11 commentary,

- 1 comment,
- 2 television listings;
- 4 editorials;
- 8 opinion pieces;
- 1 quiz,
- 3 photo captions, and
- 3 interview Q and As.

7. In terms of time of appearance:

- 3 appeared in July after July 26, 2014
- 33 appeared in August, 2014
- 35 appeared in September, 2014
- 50 appeared in October, 2014
- 15 appeared in November prior to November 15, 2014

8. For the *Boston Herald*, that review produced the following:

- 95 articles that referred to the case or to the events that precipitated it including:
 - 62 news articles;
 - 4 briefs;
 - 4 letters to the editor;
 - 17 commentary,
 - 1 comment,
 - 1 television show review;
 - 5 editorials;
 - 1 interview Q and A.

9. In terms of time of appearance:

- 3 appeared in July after July 26, 2014
- 20 appeared in August, 2014
- 26 appeared in September, 2014
- 34 appeared in October, 2014
- 12 appeared in November prior to November 15, 2014

10. Copies of the articles referenced in paragraphs 6-9 are submitted with this declaration.

11. I also reviewed the government's surreply addressing Dr. Bronson's declaration. On pages 8-9 of that document the Government states that it searched the *Boston Globe* archives using the search term "Boston Marathon or "Boylston Street" and looked at the first 50 articles to appear (in reverse chronological order). It lists the titles of 30 of those articles that it asserts "have little or nothing to do with the Marathon bombing or this case." Of those 30 articles listed by the government, 15 (articles 1, 2, 5, 6, 7, 9, 12, 15, 19, 20, 21, 22, 23, 24, and 30) are not on the list of articles I included in my collection. The other 15 do, in fact, refer to the Marathon bombing or to Tsarnaev.

12. I recreated the government's search. It started on July 10, 2014 and went back to April 1, 2014. It did not include the coverage from the 11 ½ months following the Marathon bombing.
13. Pages 10-11 of the government's surreply lists articles returned by other searches it conducted from 4/16/2013 to 7/10/2014. Those searches used terms (brutal, awful, chilling, fear, and anguish) not included in the search terms I used. Of the 12 articles listed by the government, 4 are not in my collection. The other 8 do, in fact, refer to the Marathon bombing or Tsarnaev.
14. Recreating the government searches (from 4/16/2013 to 7/10/2014) referenced on pages 10-11 of its surreply produces 25 articles for its first search (Boston Marathon and brutal); 49 articles for its second search (Boston Marathon and awful); 15 articles for its third search (Boston Marathon and chilling); 219 articles for its fourth search (Boston Marathon and fear); and 15 articles for its fifth search (Boston Marathon and anguish). The government's surreply lists the titles of 12 of those 323 articles.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 28th day of November, 2014.



Josie Smith

Exhibit 1a (Redacted List of Search Terms)

Search Terms (my list):

"Boston Marathon" OR "Marathon" OR "Patriot's Day" OR "Patriots' Day" OR "Patriots Day"
OR Tsarnaev Or Tsarnaeva OR "Ruslan Tsarni" OR "Dias Kadyrbayev" OR "Azamat
Tazhayakov" OR "Robel Phillipos" OR "Ibragim Todashev" OR "Boylston Street"

"L. L. [REDACTED]" OR "S. [REDACTED]. C. [REDACTED]" OR "S. [REDACTED] C. [REDACTED]" OR "M. [REDACTED] R. [REDACTED]" OR "M. [REDACTED]
[REDACTED]. R. [REDACTED]" OR "M. [REDACTED] R. [REDACTED]" OR "K. [REDACTED] M. [REDACTED] C. [REDACTED]" OR "K. [REDACTED] M. C. [REDACTED]"
OR "K. [REDACTED] C. [REDACTED]" OR "One Fund" OR "One Run for Boston"

"D. [REDACTED] D. [REDACTED]" OR "D. [REDACTED] D. [REDACTED], [REDACTED]" OR "D. [REDACTED] D. [REDACTED]" OR "M. [REDACTED] F. [REDACTED]"

"R. [REDACTED] D. [REDACTED]" OR "R. [REDACTED] D. [REDACTED]" OR "R. [REDACTED] D. [REDACTED]" OR "R. [REDACTED] D. [REDACTED].
D. [REDACTED]" OR "R. [REDACTED] D. [REDACTED]" OR "R. [REDACTED] D. [REDACTED]" OR "R. [REDACTED] D. [REDACTED]"
OR "R. [REDACTED] 'D.' D. [REDACTED]" OR "R. [REDACTED] 'D.' D. [REDACTED]"

"K. [REDACTED] C. [REDACTED]" OR "E. [REDACTED] L. [REDACTED]" OR "L. [REDACTED] C. [REDACTED]" OR "H. [REDACTED] A. [REDACTED]" OR "R. [REDACTED]
S. [REDACTED]" OR "J. [REDACTED] W. [REDACTED]" OR "J. [REDACTED] N. [REDACTED]" OR "J. [REDACTED] N. [REDACTED]" OR "J. [REDACTED] N. [REDACTED]" OR "J. [REDACTED]
E. [REDACTED]"

"C. [REDACTED] C. [REDACTED]" OR "K. [REDACTED] C. [REDACTED]" OR "S. [REDACTED] y C. [REDACTED]" OR "Z. [REDACTED] D. [REDACTED]" OR
"G. [REDACTED] R. [REDACTED]" OR "M. [REDACTED] K. [REDACTED]" OR "E. [REDACTED] B. [REDACTED]" OR "D. [REDACTED] R. [REDACTED]" OR "J. [REDACTED]
R. [REDACTED]" OR "D. [REDACTED] S. [REDACTED]" OR "L. [REDACTED] A. [REDACTED] Y. [REDACTED]" OR "J. [REDACTED] C. [REDACTED]" OR "E. [REDACTED] R. [REDACTED]"

"J. [REDACTED] O. [REDACTED]" OR "M. [REDACTED] I. [REDACTED]" OR "F. [REDACTED] D. [REDACTED]" OR "J. [REDACTED] D. [REDACTED]" OR
"J. [REDACTED] C. [REDACTED]" OR "D. [REDACTED] F. [REDACTED]" OR "W. [REDACTED] W. [REDACTED]" OR "M. [REDACTED] W. [REDACTED]" OR "K. [REDACTED]
W. [REDACTED]" OR "E. [REDACTED] W. [REDACTED]" OR "A. [REDACTED] W. [REDACTED]" OR "S. [REDACTED] G. [REDACTED]" OR
"A. [REDACTED] H. [REDACTED]"

"V. [REDACTED] M. [REDACTED]" OR "N. [REDACTED] G. [REDACTED]" OR "M. [REDACTED] G. [REDACTED]" OR "M. [REDACTED] C. [REDACTED]" OR
"R. [REDACTED] L. [REDACTED]" OR "N. [REDACTED] Y. [REDACTED]" OR "A. [REDACTED] E. [REDACTED]" OR "J. [REDACTED] C. [REDACTED]" OR "P. [REDACTED]
N. [REDACTED]" OR "D. [REDACTED] S. [REDACTED]" OR "R. [REDACTED] J. M. [REDACTED]" OR "R. [REDACTED] M. [REDACTED]" OR "D. [REDACTED] Y. [REDACTED]"

"April 15 bombings" OR "April 15 blasts" OR "April 15 explosions" OR "April 15 tragedy" OR
"blast in April" OR "blasts in April" OR "explosions in April" OR "bombing in April" OR
"bombings in April" OR "blast at finish line"

"blast at the finish line" OR "blast at the race finish line" OR "blast in Boston" OR "blasts at
finish line" OR "blasts at the finish line" OR "blasts at the race finish line" OR "blasts in Boston"
OR "bomb at finish line" OR "bomb at the finish line"

"bomb at the race finish line" OR "bomb in Boston" OR "bomb suspect" OR "bomb suspects"
OR "bomb victim" OR "bomb victims" OR "bombing at finish line" OR "bombing at Marathon"
OR "bombing at the finish line" OR "bombing at the race finish line"

"bombing in Boston" OR "bombing suspect" OR "bombing suspects" OR "bombing victim" OR "bombing victims" OR "bombings at finish line" OR "bombings at the finish line" OR "bombings at the race finish line" OR "bombings in Boston" OR "bombs at finish line"

"Boston Strong" OR "Boston One" OR "Boston Remembrance Run" OR "Run to Remember" OR "Day of Remembrance" OR "We Art Boston" OR "Boston Bites Back"

"attack in Boston" OR "attack on Boston" OR "Boston tragedy" OR "tragedy in Boston" OR "ballpark security" OR "homemade bombs" OR "home made bombs" OR "two bombs" OR "two blasts" OR "blast near finish line" OR "blast near the finish line"

"horror in Boston" OR "Boston horror" OR "sadness in Boston" OR "Boston sadness" OR "pain in Boston" OR "Boston pain" OR "anguish in Boston" OR "Boston anguish"

"explosions in Boston" OR "first blast" OR "first bomb" OR "first explosion" OR "pressure cooker bombs" OR "second blast" OR "second bomb" OR "second explosion" OR "two explosions" OR "two bomb blasts" OR "two bomb explosions"

dragnet OR manhunt OR lockdown OR "Monday's tragedy" OR "victims of the bombings" OR "Freedom Song" OR "C [REDACTED] W [REDACTED]" OR "C [REDACTED] R [REDACTED]" OR "Suspect 1" OR "Suspect 2" OR "S [REDACTED] E [REDACTED] B [REDACTED]" OR "D [REDACTED] H [REDACTED]"

"bombs at the finish line" OR "bombs at the race finish line" OR "bombs in Boston" OR "Boston blast" OR "Boston blasts" OR "Boston bomb suspect" OR "Boston bomb suspects" OR "Boston bomb victim" OR "Boston bomb victims" OR "Boston bomb"

"Boston bombing suspect" OR "Boston bombing suspects" OR "Boston bombing victim"

"Boston bombing victims" OR "Boston bombing" OR "Boston bombings" OR "Boston bombs" OR "Boston explosion" OR "Boston explosions" OR "Boston victim" OR "Boston victims"

"explosion at finish line" OR "explosion at the finish line" OR "explosion at the race OR finish line" OR "explosion in Boston" OR "explosions at finish line" OR "explosions at the finish line" OR "explosions at the race finish line"

"blast near the race finish line" OR "blasts near finish line" OR "blasts near the finish line" OR "blasts near the race finish line" OR "bomb near finish line" OR "bomb near the finish line" OR "bomb near the race finish line"

"bombing near finish line" OR "bombing near the finish line" OR "bombing near the race finish line" OR "bombings near finish line" OR "bombings near the finish line" OR "bombings near the race finish line" OR "bombs near finish line"

"bombs near the finish line" OR "bombs near the race finish line" OR "explosion near finish line" OR "explosion near the finish line" OR "explosion near the race finish line" OR "explosions near finish line" OR "explosions near the finish line"

"April bombing" OR "April bombings" OR "Boston bombers" OR "explosions near the race finish line" OR "P████ S████" OR "M████ M████" OR "A████ H████-D████"

"Events of April 15," OR "April 15 events" OR "Event of April 15," OR "April 15 event"

"M████ D████" OR "M████ G████" OR "A████ G████" OR "K████ R████" OR "K████████" OR "B████████" OR "K████ B████████" OR "R████ E████████" OR "S████ M████████" OR "A████ D████████" OR "A████ H████████"

D████ AND carjacking

"shoot out at Watertown" OR "shootout at Watertown" OR "shoot-out at Watertown" OR "B████ M████" OR "E████ W████████" OR "R████ T████████"

"Back Bay explosions" OR "stay-at-home order" OR "shelter in place" OR "shelter-in-place" OR "S████ T████████" OR "Watertown Police Foundation"

Exhibit 1b (*Boston Globe* log and articles)

Boston Globe Articles Log & Breakdown
7/26/2014 – 11/15/2014
Dzhokhar Tsarnaev

Index #	Date	Headline	Page Section	Type	# of printed pages	Short (S)	Pictures	Side bars
1 Boston Globe	7/26/2014	Tsarnaev lawyers demand investigation of news leaks			2			
2 Boston Globe	7/27/2014	Ted, Big Papi, and Yaz: That's now the order of greatness in the Sox pantheon -- so says Yaz	A1	Commentary	3	S	1	
3 Boston Globe	7/31/2014	Wondering where the time went	C1	Commentary	3	S		
4 Boston Globe	8/1/2014	Activists say city's Trust Act falls short: Fear exemptions weaken measure			2			
5 Boston Globe	8/1/2014	State's judiciary is a key piece of Patrick's legacy			3	S		
6 Boston Globe	8/2/2014	Sox fan since '60s has advice: Sit back, relax, enjoy		Letter to the Editor	1	S		
7 Boston Globe	8/3/2014	Statisticians return to Boston, where the discipline took shape	B1		3	S	1	
8 Boston Globe	8/5/2014	Few preparations in event of Ebola in US: Unclear how to allot drugs, equipment	A1		3		2	
9 Boston Globe	8/5/2014	Shear enthusiasm	B1		2			
10 Boston Globe	8/7/2014	Tsarnaev friend in court in drug case			2			
11 Boston Globe	8/8/2014	Tsarnaev lawyers target media			2			
12 Boston Globe	8/8/2014	Satire & brimstone: 'God Hates Musicals' skewers the Westboro Baptist Church -- with show tunes			4		1	
13 Boston Globe	8/10/2014	For this Kennedy, all politics is (for now) local: Late senator's son Ted finally makes his move	A1		7		1	
14 Boston Globe	8/13/2014	Patriots take the Ice Bucket Challenge			1			
15 Boston Globe	8/15/2014	Tsarnaev defense seeking D.C. trial			2			
16 Boston Globe	8/15/2014	Demoulas fray needs a breath of impartiality			2			
17 Boston Globe	8/15/2014	Marathon field grows: BAA sets event size at 30,000			2			

Index #	Date	Headline	Page Section	Type	# of printed pages	Short (S)	Pictures	Side bars
18 Boston Globe	8/15/2014	A tale of two new mayors: New York Mayor Bill de Blasio has made a strong impression (for better or worse) on his constituents. In Boston, Mayor Martin Walsh's reputation remains a work in progress	D1		4	S	3	
19 Boston Globe	8/17/2014	Miles logged: Keflezighi makes rounds after Boston win	C1		3		1	
20 Boston Globe	8/17/2014	Fewer feet at starting line: Boston Marathon planning for 30,000 runners next April: Organizers cite strain of expanded field after '13 bombings	Z1		3		1	
21 Boston Globe	8/18/2014	Prayers for peace taking wing: Old South Church will send symbols of healing to Missouri congregation	B1		3	S	1	
22 Boston Globe	8/20/2014	Bad policy, bad policing: Post-9/11 influx of military-grade weapons doesn't match public safety needs		Editorial	2	S	1	
23 Boston Globe	8/20/2014	Not a beacon for empathy	B1	Commentary	2			
24 Boston Globe	8/20/2014	Sports Log: Miscellany		Briefs	3			
25 Boston Globe	8/21/2014	Friend of Tsarnaev expected to plead guilty to obstruction			2			
26 Boston Globe	8/22/2014	Tsarnaev college friend pleads guilty: Judge hears of plea deal in obstruction of justice case	B1		3			
27 Boston Globe	8/23/2014	Tsarnaev lawyers push for indictment to be thrown out: Grand jury selection process is faulty, they say			2			
28 Boston Globe	8/24/2014	Lowell officer charged in fatal crash	B1		3		1	
29 Boston Globe	8/24/2014	Unvarnished truth in Foley's life, video of gruesome death		Opinion	2	S	1	
30 Boston Globe	8/24/2014	Up close from far away		Commentary	3		1	
31 Boston Globe	8/26/2014	Prosecutors hit Tsarnaev defense findings: Data 'flawed' in bid to move trial			2			
32 Boston Globe	8/27/2014	Marathon bombing survivor, nurse get dream wedding			1		1	
33 Boston Globe	8/28/2014	Candidates spar over Tsarnaev, Remy cases: Ryan, Sullivan face off in fractious debate as race for DA in Middlesex intensifies	B1		3			
34 Boston Globe	8/28/2014	Tsarnaev sister arrested in threat			2			

Index #	Date	Headline	Page Section	Type	# of printed pages	Short (S)	Pictures	Side bars
35 Boston Globe	8/29/2014	Menino, the book		Briefs	4		1	
36 Boston Globe	8/31/2014	Living life louder: Always the life of the party, 'Eddie from Malden' went blind, then shrugged it off	B1		4	S	1	
37 Boston Globe	9/3/2014	Audio game may help soften tinnitus's din	A1		3		1	
38 Boston Globe	9/3/2014	One Fund plans to distribute final \$18.5 million to victims			2			
39 Boston Globe	9/4/2014	Gubernatorial foes thrust, parry in debate: TV spotlight on three Democrats	A1		3	S		
40 Boston Globe	9/7/2014	Here and there		Briefs	1			
41 Boston Globe	9/7/2014	Nava feels like himself again: His bat clicking since June recall			2	S	1	
42 Boston Globe	9/8/2014	Walsh says ISIS threat calls for citizen vigilance: Mayor sees peril in loner extremists			2		1	
43 Boston Globe	9/10/2014	Cambridge mosque denies terror-suspect visits			2			
44 Boston Globe	9/11/2014	Witness in Tsarnaev friend's case paid: Government cost for cooperation exceeds \$66,000			2			
45 Boston Globe	9/11/2014	Events to recall victims of 9/11			2		1	
46 Boston Globe	9/12/2014	Businesses can't claim Marathon loss: Coverage calls for US terrorism designation			2			
47 Boston Globe	9/12/2014	Project Smile gets names for date auction		Briefs	1			
48 Boston Globe	9/13/2014	Anti-terror software can help -- but requires public support		Editorial	2			
49 Boston Globe	9/13/2014	Russia rebukes Tsarnaev lawyers: Tells US they falsely claimed to be with FBI	B1		3			
50 Boston Globe	9/14/2014	Costly 'Luke' arm may be out of reach of those who need it most	G1		3		1	
51 Boston Globe	9/14/2014	Run Bimma		Interview Q&A	2			
52 Boston Globe	9/15/2014	Surveillance and privacy: Snowden case reveals a program with few checks and little accountability		Opinion	3		1	
53 Boston Globe	9/16/2014	Tsarnaev team denies posing as FBI: Lawyers say claim is 'preposterous'			2			

Index #	Date	Headline	Page Section	Type	# of printed pages	Short (S)	Pictures	Side bars
54 Boston Globe	9/18/2014	Lawyer in death case faces penalties			2			
55 Boston Globe	9/18/2014	Daily guide: Radio Highlights: All Things Considered		TV Listings	3			
56 Boston Globe	9/19/2014	Prosecutors want Tsarnaev at jury selection: Say alleged bomber should air concerns before trial starts			2			
57 Boston Globe	9/20/2014	Purse maker blends security and fashion: Bags accepted under NFL stadium rules			2		1	
58 Boston Globe	9/21/2014	Diagnosis music: Quartet plays at intersection of medicine and sound	B1		3	S	1	
59 Boston Globe	9/21/2014	Hundreds honor officers who died in line of duty			2			
60 Boston Globe	9/21/2014	Boston was part of the equation all along	N1		3		1	
61 Boston Globe	9/21/2014	Celebrating its 30th year, Boston Film Festival goes 'Wild'			3	S	1	
62 Boston Globe	9/21/2014	Red Sox Legacy		Briefs	3			
63 Boston Globe	9/24/2014	Judge threatens to remove lawyer: Death penalty attorney accused of disobedience			2	S	1	
64 Boston Globe	9/24/2014	Bid for new venue is denied			1			
65 Boston Globe	9/25/2014	Judge keeps Tsarnaev trial in Boston, delays the start	A1		3			
66 Boston Globe	9/25/2014	Will Mueller shake up the NFL?		Opinion	2			
67 Boston Globe	9/26/2014	Getting what he's due	B1	Commentary	2			
68 Boston Globe	9/27/2014	Restorers set to open capsule in Old State House sculpture			2	S	1	
69 Boston Globe	9/28/2014	State's Democrats ever reluctant to back military action		Opinion	3			
70 Boston Globe	9/29/2014	This time, Tom comes up short	B1	Commentary	2			
71 Boston Globe	9/30/2014	Menino pens a new chapter	B1		3			
72 Boston Globe	10/4/2014	Program aims to counter extremism	A1		3			

Index #	Date	Headline	Page Section	Type	# of printed pages	Short (S)	Pictures	Side bars
73 Boston Globe	10/4/2014	Menino's best stories left out of his memoir		Opinion	2			
74 Boston Globe	10/7/2014	Tsarnaev friend was 'intoxicated': Lawyer contends he remembers nothing	B1		3			
75 Boston Globe	10/7/2014	Head of the Charles Regatta preparations include heightened security			1			
76 Boston Globe	10/7/2014	'Newsroom' plot involves Marathon bomber			1			
77 Boston Globe	10/8/2014	Former classmate now a US witness: Testimony seen against Phillipos	B1		2			
78 Boston Globe	10/8/2014	Officials declare MIT building safe after chemical spill			2			
79 Boston Globe	10/8/2014	Affleck strong			1			
80 Boston Globe	10/9/2014	A place for proportion	B1	Commentary	2			
81 Boston Globe	10/9/2014	Tsarnaev friend incriminates other: Convict testifies against fellow bombing case suspect to get deal	B1		3			
82 Boston Globe	10/9/2014	Arts: Mike Mandel & Chantal Zakari: Shelter in Plates		Arts Listings	4			
83 Boston Globe	10/10/2014	Peek into 1901 capsule is fleeting	B1		2			
84 Boston Globe	10/11/2014	Legal analysts divided on marijuana defense: Tsarnaev friend denies lying, says he was too high	A1		3		1	
85 Boston Globe	10/12/2014	Tsarnaev allegedly knew of 3 killings	B1		3			
86 Boston Globe	10/12/2014	Me TV: Live broadcasters find their audience online		Commentary	3	S	1	
87 Boston Globe	10/12/2014	Catching Up With: Suzanne Jones Walmsley, Notre Dame-Hingham/Harvard track			2			
88 Boston Globe	10/12/2014	The Ticket - Television picks: Friday: Dane Cook: Troublemaker 10 P.M., Showtime		TV Listings	2		1	
89 Boston Globe	10/13/2014	Desisa, Daska win BAA Half Marathon	C1		3		1	
90 Boston Globe	10/14/2014	Thile and Meyer show uncommon genius			2	S	1	
91 Boston Globe	10/14/2014	Menino treatment decent but not too deep			3		1	

Index #	Date	Headline	Page Section	Type	# of printed pages	Short (S)	Pictures	Side bars
92 Boston Globe	10/15/2014	Stress after bombings detailed: Witness tells of defendant's acts once Tsarnaev ID'd as suspect			2			
93 Boston Globe	10/16/2014	Struggle and sparkle on the Menino book tour	A1		3	S		
94 Boston Globe	10/16/2014	Witness says Tsarnaev friend was 'extremely' high on pot			2			
95 Boston Globe	10/17/2014	Witness for the defense	A1	Photo caption	1		1	
96 Boston Globe	10/17/2014	Dukakis testifies in Phillipos's defense: Ex-governor, a longtime family friend, says he called student in 2013	B1		3			
97 Boston Globe	10/18/2014	Specialist backs Phillipos's defense: Says marijuana use could have effect on memory			2			
98 Boston Globe	10/18/2014	Judge rejects requests by Tsarnaev			2			
99 Boston Globe	10/19/2014	Sculptor Echelman honored by Smithsonian			1			
100 Boston Globe	10/19/2014	Thomas Menino: Finally has time to read		Interview Q&A	2			
101 Boston Globe	10/21/2014	Snowden discusses Marathon bombing			2		1	
102 Boston Globe	10/22/2014	Jury begins deliberations in bombing obstruction case: Final arguments made regarding friend of Tsarnaev			3			
103 Boston Globe	10/22/2014	'Top Chef' hosts Boston first responders			1		1	
104 Boston Globe	10/23/2014	Hoyts feted by Boston as symbols of strength			2			
105 Boston Globe	10/24/2014	.[226 128 138].[226 128 138]. and Keating finds a niche		Editorial	2		1	
106 Boston Globe	10/25/2014	Tsarnaev lawyers seek delay on US access to witnesses			2			
107 Boston Globe	10/28/2014	No verdict yet for bombing suspect's friend			2			
108 Boston Globe	10/28/2014	US team refutes Tsarnaev defense			2			
109 Boston Globe	10/29/2014	Tsarnaev friend convicted of lying	A1	Photo caption	1		1	
110 Boston Globe	10/29/2014	Consider mitigating factors		Editorial	2		1	

Index #	Date	Headline	Page Section	Type	# of printed pages	Short (S)	Pictures	Side bars
111 Boston Globe	10/29/2014	US jury convicts Tsarnaev friend: Phillipos is guilty of lying to agents His mother makes a plea for leniency	B1		3			
112 Boston Globe	10/29/2014	Sportswriter turned 'Top Chef' judge for a day		Commentary	3	S		
113 Boston Globe	10/31/2014	Thomas Menino, Boston's transformative mayor, dies	A1		12			1
114 Boston Globe	10/31/2014	Obama praises ex-mayor as 'bold, big-hearted, and Boston strong'			3			
115 Boston Globe	10/31/2014	When a universal background check passes, he will share the victory		Opinion	2			
116 Boston Globe	10/31/2014	Great challenges, but a heart that was greater		Opinion	2			
117 Boston Globe	10/31/2014	Thomas M. Menino 1942-2014		Opinion	3		2	
118 Boston Globe	10/31/2014	Start to finish, he did it his way	B1	Commentary	4	S		
119 Boston Globe	10/31/2014	Death of Menino mutes campaigning: Races may be locked in place amid lull	B1		3			
120 Boston Globe	10/31/2014	President Obama, Ray Flynn, and others recall Boston's longest-serving mayor		Comments	4			
121 Boston Globe	10/31/2014	A champion mayor: Menino played well, especially with Sox	C1	Commentary	3		1	
122 Boston Globe	11/1/2014	Menino, a man on a mission until the end: Life after office was short, just 297 days, but defined by a sense of purpose	A1		4		1	
123 Boston Globe	11/1/2014	At quiet memorials, tearful tributes to Menino			3		1	
124 Boston Globe	11/2/2014	Amanda Palmer finally bows to pressure			1			
125 Boston Globe	11/3/2014	A long, mournful line: Diverse thousands pay tribute as Menino lies in state at Faneuil Hall	A1		4			
126 Boston Globe	11/3/2014	Ex-staff members serve mayor one last time as honor guard			3			
127 Boston Globe	11/3/2014	Cardinal celebrates tireless, humane mayor: 400 attend Mass in South End, offer thanks, seek solace			3		1	
128 Boston Globe	11/3/2014	Rock makes a Marathon bombings joke			1			
129 Boston Globe	11/4/2014	Phillipos jurors say acquittal never close: Panel weighed role in loss of evidence	B1		3			

Index #	Date	Headline	Page Section	Type	# of printed pages	Short (S)	Pictures	Side bars
130 Boston Globe	11/4/2014	Lawyers accused of time wasting: Sampson defense files new motions			2	S		
131 Boston Globe	11/4/2014	Jeff Bauman marries Erin Hurley		Photo caption	1		1	
132 Boston Globe	11/5/2014	Tsarnaev sister's plea averts jail time: Admits to lying in counterfeit case			2			
133 Boston Globe	11/6/2014	Court will cast wide net to impanel a jury for Marathon bombing trial	A1		3			
134 Boston Globe	11/7/2014	Judge delays sentencing in Tsarnaev friends' cases: Court ruling may pose a challenge			3			
135 Boston Globe	11/9/2014	A cultural mecca and a medical mecca: Have a kosher Christmas?		Briefs	4		1	
136 Boston Globe	11/9/2014	Asking for trouble? Back with a new book, Amanda Palmer reflects on a stormy time in her life -- and wouldn't change a thing	N1		4		2	
137 Boston Globe	11/10/2014	Walsh ties goals to fast flow of data: Hopes real-time systems will aid in construction, zoning, licensing	A1		4	S	2	
138 Boston Globe	11/11/2014	Long after bombings, an amputation: Marathon victim had surgeries, lasting pain	A1		3			
139 Boston Globe	11/11/2014	Casey Affleck confirms he's not a 'Strong' man			2		1	
140 Boston Globe	11/11/2014	'The Newsroom' misses with 'Waterton'			1			
141 Boston Globe	11/13/2014	Tsarnaev lawyers get deadline for witness list: Judge orders names by the end of December			2			
142 Boston Globe	11/13/2014	Inside a death penalty trial: Judge Ponsor offers fictional account of how process works		Interview Q&A	3		1	
143 Boston Globe	11/14/2014	Ring the bell for little-known bills						

Boston Globe Articles Log & Breakdown
7/26/2014 – 11/15/2014
Dzhokhar Tsarnaev

of Articles: 143

Photos: 57

Information boxes/sidebars: 1

Type of article:

Front-page breakdown:

News articles – 102

A1 - 17

Briefs – 5

B1 - 24

Events – 2

C1 - 4

Letters to the Editor – 1

D1 - 1

Commentary – 11

G1 - 1

Comments – 1

N1 - 2

TV Listing – 2

Z1 - 1

Editorial – 4

Opinion – 8

Quiz - 1

Photo Caption – 3

Interview Q&A – 3

Breakdown by month:

2014:

July 26, 2014 – 3

August – 33

September – 35

October – 50

November 15, 2014 – 22

TOTAL – 143

Tsarnaev lawyers demand investigation of news leaks

Boston Globe - Boston, Mass.

Subjects: Federal court decisions; Attorneys; Law enforcement

Author: Ellement, John R

Date: Jul 26, 2014

Start Page: B.3

Section: Metro

Document Text

Lawyers for accused Boston Marathon bomber Dzhokar Tsarnaev Friday demanded that a federal judge investigate the anonymous sources behind the news reports that a Cambridge man allegedly supplied Tsarnaev with the gun used to kill MIT police Officer Sean Collier.

In their request, lawyers said that they had previously asked US District Court Judge George O'Toole to determine the source of leaks from law enforcement to the news media and were willing to drop the issue after O'Toole issued a warning.

But now, the defense said, there has been a new round of leaks especially involving the case of Stephen Silva, a Cambridge man who was arrested on federal heroin trafficking and gun charges Monday night and was identified by a number of news outlets as the source of the gun used to kill Collier.

Court papers in the Silva case said only that he was allegedly in possession of a Ruger P95 9mm handgun with an obliterated serial number in February 2013 and did not refer to Tsarnaev or the bombings of April 15, 2013.

"As these almost instantaneous leaks of sensitive investigative information demonstrate, members of law enforcement apparently feel free to ignore the court's admonition to refrain from discussing the investigation in the media, including trying to marshal the evidence against Mr. Tsarnaev," the defense wrote.

Tsarnaev and his older brother, Tamerlan, were on the run from police on the night of April 18, 2013, when they allegedly killed Collier in an unsuccessful attempt to steal his service weapon. A Ruger P95 9mm pistol, with its serial number obliterated, was recovered at the scene of a shootout in Watertown, where Tamerlan died, which followed the killing of Collier.

Boston Globe articles (7/26/2014—11/15/2014) 1

The filing by Tsarnaev's lawyers Friday identified numerous news outlets that cited anonymous law enforcement or government officials as saying there was a link between Silva and the gun allegedly used by Tsarnaev.

On Wednesday, the Globe quoted Silva's court-appointed lawyer, Jonathan Shapiro of Boston, as saying he was informed by federal authorities that his client's gun charge is related to the Collier shooting.

Tsarnaev, 20, has pleaded not guilty to charges that could bring the death penalty in his alleged role in the April 15, 2013, blasts. He is being held in a federal prison in Ayer.

John R. Ellement can be reached at ellement@globe.com. Follow him on Twitter @JREbosglobe.

Credit: By John R. Ellement Globe staff

Boston Globe articles (7/26/2014—11/15/2014) 2

Ted, Big Papi, and Yaz: That's now the order of greatness in the Sox pantheon -- so says Yaz

Boston Globe - Boston, Mass.

Subjects: Professional baseball -- Boston Red Sox; Athletes

Author: Shaughnessy, Dan

Date: Jul 27, 2014

Start Page: A.1

Section: Metro

Document Text

Yaz says David Ortiz is better than Yaz.

Ouch.

Ortiz hit a bunch of homers in Toronto last week. Big Papi's first two clouts gave him 453 homers, pushing him ahead of Carl Yastrzemski for 35th place on the all-time list. The random stat spawned considerable debate about Ortiz's place on the medal platform of Red Sox greats.

Unless you're a nitwit, Ted Williams is always No. 1 with the Red Sox. Those of us who grew up in the dark days of the 1960s Red Sox generally agree that Yaz wins the silver medal in Sox lore. He patrolled Fenway for 23 seasons, single-handedly won the greatest pennant race of all time in 1967 when he also won the Triple Crown, and received 95 percent of the vote when he became eligible for Cooperstown in 1989. Yaz won seven Gold Gloves. He was clutch in his three postseason series (.369, 1,047 OPS). Yaz wasn't just the greatest thing since sliced bread. He had his own (Big Yaz) bread.

That's why it was stunning to hear some folks last week say that Ortiz is a bigger deal than Yaz.

So I went to the source. I went to Yaz, our rarely seen, even-more-rarely heard "greatest living Red Sox."

Me: "Who is the greatest Red Sox player?"

Yaz: "It's got to be Ted. Without a doubt. To hit like he could hit . . . oh, geez."

Me: "Who's the second-greatest Red Sox hitter of all time?"

Yaz: (laughing) "See you later!"

Boston Globe articles (7/26/2014—11/15/2014) 2

Me: "No, seriously. There was a lot of sports radio debate about this when David passed you on the all-time homer list this week. Did you hear any of it?"

Yaz: "I really don't listen to 'em."

Me: "Do you think about your place in Red Sox history?"

Yaz: "Not really. Once I was elected to the Hall of Fame, I never really thought about anything after that."

Me: "Where do you put David Ortiz in Red Sox history."

Yaz: "I would say as a hitter, I would say he's next to Ted."

Me: "Better hitter than you?"

Yaz: "I think so, yeah. I would put him ahead of me. He had more power than I had."

Me: "If you were driving your car and somebody flipped on the radio and you heard people debating the merits of Carl Yastrzemski and David Ortiz, regarding their relative contributions to the Red Sox, how would you feel?"

Yaz: "I'd be glad that they would have me in the same class as him."

Yastrzemski is being polite. But he is also being realistic. Ortiz can never match Yaz's 23 seasons, but his long-term, ongoing production, his three World Series championships, and his clutch contributions entitle him a place in this conversation.

The Red Sox have retired the numbers of Williams, Yastrzemski, Joe Cronin, Bobby Doerr, Carlton Fisk, Johnny Pesky, and Jim Rice. They also employed Jimmie Foxx, Tris Speaker, Wade Boggs, Cy Young, Lefty Grove, Roger Clemens, and Pedro Martinez.

Ted is number one. The greatest hitter who ever lived. Other than John F. Kennedy, Ted Williams was also the biggest newsmaker in Boston during the 20th century.

Most baby boomer Bostonians have long believed that Yaz deserves the number two spot in Red Sox lore. But the case for Ortiz is very real. It's hard to argue with three championships vs. no championships (then again, Sam Jones won 10 rings; is he three times better than Larry Bird, who won only three?). It's hard to dismiss all the big hits, the grand slam against the Tigers, the .688 average in the 2013 World Series, and the emotional lift Papi gave the city in the days after the **Marathon bombings**.

Like Yaz, Ortiz still has a quick bat in his late 30s. At the age of 39, Yaz was able to pull a home run off lefthander Ron Guidry (25-3) in the 1978 playoff game at Fenway. Ortiz, who looked like he was all done five years ago, still has the quickest bat in baseball at the age of 38.

Boston Globe articles (7/26/2014—11/15/2014) 2

On the down side, Ortiz has only been here half as long as Yaz. He failed a drug test in 2003. And he has almost exclusively been a designated hitter. He can't possibly be a greater Red Sox than Yaz, who owned the turf in front of Fenway's Green Monster for almost two decades. Can he?

Yaz is generous about Ortiz's DH role.

"DH-ing is very difficult, and he seems to have mastered it," said Yaz. "It's not that easy. When I DH'd my last year, I hated it. To go to the plate and get yourself mentally prepared, it's not easy to do when you're not in the game. You're watching the game, and then all of a sudden, it's like, boom, you've got to go up there. I give him a lot of credit."

Yaz hasn't been to Fenway this season, but says he watches most Sox games on television. Yaz's grandson, Mike, is hitting lots of triples and doubles at Double A in the Orioles' system. We see Yaz in Fort Myers for a couple of weeks every spring, but he doesn't interact much with the major league hitters. Yaz barely knows Big Papi.

"I didn't really notice him when they first got him because I spend all my time with the minor league hitters," said Yaz. "But I watch him take batting practice down there. I really haven't talked hitting with him, but he's a hard worker and he's got tremendous power to all fields. He's got great balance and he's got a great follow-through. Pitchers try to nip at the corners, but he's very patient. When they make a mistake, he jumps on it. The bat speed? I think it just comes through hard work. A lot of it has to be natural. He's earned everything."

Including the endorsement of Carl Yastrzemski.

Dan Shaughnessy is a Globe columnist. He can be reached at dshaughnessy@globe.com. Follow him on Twitter @dan_shaughnessy.

Credit: By Dan Shaughnessy Globe staff

Illustration

Caption: Carl Yastrzemski shook hands with George Scott after homering in 1967, the year he won the Triple Crown. David Ortiz has three World Series titles on his resume. Danny Goshtigian/Globe Staff/File 1967 Dilip Vishwanat/Getty images

Wondering where the time went

Boston Globe - Boston, Mass.

Subjects: Professional baseball -- Boston Red Sox; Athletes

Author: Gasper, Christopher L

Date: Jul 31, 2014

Start Page: C.1

Section: Sports

Document Text

It was hard to believe that it was only nine months ago in the same clubhouse that the Red Sox celebrated a World Series title. That championship feeling is as distant now as the clubhouse mood before Wednesday night's listless 6-1 loss to the Toronto Blue Jays.

On Oct. 30, 2013, a Wednesday, the Red Sox packed into their clubhouse for a sodden celebration, drenching each other in champagne, beer, and adulation after defeating the St. Louis Cardinals, 6-1, at Fenway Park to cap a worst-to-first redemption.

On July 30, 2014, a Wednesday, many of the same players were in a subdued and solemn version of the same space, the room dripping with uneasiness, uncertainty, and tension.

It felt like a bond was being broken, a brotherhood disbanded, as the Sox were primed to scatter the ashes of their broken team across major league baseball, including ace lefthander Jon Lester.

With Thursday's 4 p.m. trade deadline looming and the Red Sox strapped to the bottom of the American League East like they're wearing lead cleats, the team that embodied **Boston Strong** looked like Boston, So Long.

The Sox started Wednesday on the verge of deconstructing their World Series championship team, with no greater symbol of the expected Great Purge than the trade chatter surrounding playoff hero and impending free agent Lester.

It's one thing to trade Jake Peavy, another to move Lester and John Lackey, who was the winning pitcher in the deciding game of the 2013 World Series.

It felt like the Red Sox were holding a going-out-of-business sale for the 2013 world champions. Everything must go!

You expected to see an auctioneer in the home clubhouse. At least that would have livened things up a bit.

Boston Globe articles (7/26/2014—11/15/2014) 3

Lester, who was 4-1 with a 1.56 earned run average last postseason, and the Red Sox are destined for a break-up, no matter how much they claim to long to be together forever. The only question is will it happen via trade, or after the season, when Lester hits free agency?

The sturdy lefty is in line for a market-value contract (\$24 million-\$25 million per season) and that's suddenly too rich for the Red Sox' taste. It doesn't matter that Lester is a player who has proven he can succeed in the crucible of Boston baseball and had the second-best pitcher WAR (wins above replacement) in major league baseball at the start of Wednesday.

There is no question being burned by bad long-term deals given to Carl Crawford, Adrian Gonzalez, and Josh Beckett has distorted how the Sox view re-signing Lester.

Aging baby-boomers can identify with the Sox' new team-building approach. They don't trust anyone over 30.

Meet the risk-averse Red Sox, who are willing to cede one of the single biggest advantages derived from being in this baseball-obsessed market -- the financial might to write off bad contracts. Deals that would be crippling for other clubs can be sold off by the Sox because they have a fan base that is willing to have its fealty monetized.

But the Sox want to build their team now like they have the budget of the Kansas City Royals.

You don't have to be legendary political economist Adam Smith to figure out that if the Sox are going to try to legislate a one-team market correction for baseball they're going to miss out on some quality players.

The persistent trade talk and seeming inevitability of a Lester deal made being at Fenway feel like waiting in line at the RMV -- tedious, joyless, but entirely mandatory. It only got worse during the game, as the Sox sank back to 12 games below .500 (48-60).

At about 3:15 p.m, Twitter reports filtered in that the Sox had traded away a homegrown lefthanded pitcher who overpowered the Cardinals in the 2013 World Series.

But it wasn't Lester.

The Sox shipped malcontent Felix Doubront to old friend Theo Epstein and the Chicago Cubs. Doubront just beat the Sox by two days in completely quitting on this team, after his embarrassing relief "effort" on Monday in a 14-1 drubbing by the Blue Jays.

Lester, who has been one of the few bright spots for the Sox, going 10-7 with a 2.52 ERA, was originally supposed to start Wednesday night against the Blue Jays. But the Sox announced Tuesday that Brandon Workman would make the start.

No need to risk damaging the merchandise before you hawk it for maximum value.

Lester's belongings were still in his locker when the clubhouse opened a little after 3:30 p.m. Pictures, civilian clothes, game pants, and a collection of cleats all secure in his stall.

Manager John Farrell, while acknowledging the reality of the rampant trade speculation, said in his pregame news conference that Lester was scheduled to start Sunday against the Yankees.

Lester was on the field for batting practice. In the first inning, NESN cameras spotted Lester in baseball attire in the dugout.

He wasn't gone yet.

As the Red Sox were ostensibly preparing to part with the remnants of 2013 glory, their 2015 dream was on display in the clubhouse, pregame. The flat-screen televisions showed Miami Marlins star and Red Sox object of desire Giancarlo Stanton club his 24th home run of the season.

Farrell insisted that even with a sell-off general manager Ben Cherington has a plan to restore the Sox to contention in 2015.

"I think we have every intention to compete and contend next year," said Farrell. "That's not to say that we're not looking to win as many games as we can this year.

"The question mark remains who are the players who come back for individual players that we have now. We don't know that yet. But I would hope that the team that is built for 2015 isn't just based on those who are brought back in trades by tomorrow at 4 o'clock. This is an ongoing process that we continue to build."

Check back with the Sox in nine months.

Christopher L. Gasper is a Globe columnist. He can be reached at cgasper@globe.com.

Credit: By Christopher L. Gasper Globe Staff

Activists say city's Trust Act falls short: Fear exemptions weaken measure

Boston Globe - Boston, Mass.

Subjects: Immigration policy; Aliens; Cities; Law enforcement

Author: Ortega, Oliver

Date: Aug 1, 2014

Start Page: B.3

Section: Metro

Document Text

While immigrants and advocates for them are supporting a proposed ordinance that would reduce the role of local law enforcement in deportations, many of them took issue with the measure during a hearing before the Boston City Council Thursday night, saying it does not offer enough protections for detainees.

The Boston Trust Act, introduced by City Councilor Josh Zakim in June with support from Mayor Martin J. Walsh, would prohibit local officers from holding immigrants for US Immigration and Customs Enforcement for an additional 48 hours after they have made bail or been ordered released.

The detention of immigrants is part of the federal Secure Communities program, which critics say leads to noncriminals being deported and erodes trust between law enforcement and immigrant communities. Over 100 municipalities across the country, including Somerville and Cambridge, have limited or ended the policy.

On Thursday, the advocates voiced their objection to exemptions in the measure that would result in people convicted of violent crimes, registered sex offenders, and immigrants on the federal government's consolidated Terrorist Watchlist being referred to immigration authorities.

"Officials should refuse all ICE detainers unless they have a criminal warrant," said Laura Rotolo, an attorney with the American Civil Liberties Union of Massachusetts.

Those exceptions violate the US Constitution by denying immigrants due process, she and other attorneys testified at the hearing, as well as open the city to civil lawsuits. Federal rulings in the last few years have raised doubts about the constitutionality of using detainers to hold people for ICE.

One of the aims of the ordinance is to build more trust between law enforcement and immigrants.

Boston Globe articles (7/26/2014—11/15/2014) 4

"A lot of people are afraid to call 911 for fear of deportation, and that makes our communities less safe," a recent Salvadorian immigrant who lives in East Boston told the councilors through a translator.

The woman, who did not give her name, said she was here illegally after fleeing a civil war.

Critics of the Boston Trust Act argue that more coordination is needed between local and federal authorities, especially in the aftermath of the **Boston Marathon bombings**.

Jessica M. Vaughan, director of policy studies for the conservative-leaning Center for Immigration Studies, said that not reporting illegal immigrants could open the door to future crimes. In 2012, Luis Guaman, an Ecuadorian national, was convicted in that country of murdering a Brockton woman and her son. In 2008, a Salvadoran man with a criminal record killed three members of a family in San Francisco.

Zakim and Councilor Salvatore LaMattina told the audience of more than 100 people that it is incumbent on Boston to pass immigration policies in the face of federal inaction.

After the hearing, Zakim said he would be open to changing the provisions that activists singled out. He also emphasized that the ordinance would protect the city from lawsuits.

Councilors Michelle Wu and LaMattina said Thursday that they would support the ordinance, while Councilors Tito Jackson and Ayanna Pressley said they were moved by testimony from more than 20 people at the hearing.

Oliver Ortega can be reached at oliver.ortega@globe.com. Follow him on Twitter @ByOliverOrtega.

Credit: By Oliver Ortega Globe correspondent

State's judiciary is a key piece of Patrick's legacy

Boston Globe - Boston, Mass.

Subjects: Governors; State court decisions; Appointments & personnel changes

Author: O'Sullivan, Jim

Date: Aug 1, 2014

Start Page: D.5

Section: Metro

Document Text

Deval Patrick has reached the season of finalities.

This week, he watched as lawmakers overrode what are likely the final vetoes he'll ever have the pleasure of issuing. He has only so many press conferences left, a limited number of Monday leadership meetings to go, just a few bill signings remaining.

It is legacy time for the governor, that time in a governorship when aides count up, concoct, and repackage the accomplishments of the last -- in his case -- eight years as truly groundbreaking and stash away the shortcomings in the state archives like embarrassing family photos.

Patrick will tout, with varying degrees of credibility, achievements in education, health care, life sciences, the economy, renewable energy, infrastructure, and the response to the **Marathon bombings**. He will probably not dwell much on the Department of Children and Families, the drug lab scandal, or his imperiled casino law.

Perhaps more durable than either the centerpieces or blemishes on his resume is the imprimatur that Patrick has left on the state's judicial system. Not since renegade drug lab chemist Annie Dookhan was handling evidence has someone left this many fingerprints lying around.

This week, he swore in Ralph Gants as the chief justice of the Supreme Judicial Court, Patrick's second appointment to the highest seat on the highest court. On Thursday, after deadline, Geraldine Hines was expected to take her place as the court's first black woman, tilting the court to majority female for the first time. The governor has tapped the first black chief justice, Roderick Ireland, who retired last week; the first Asian-American justice, Fernande Duffly; and the first openly gay justice, Barbara Lenk.

Patrick, who will have appointed five of the seven justices once Hines is in, has had a similar impact on the rest of the state's court system.

Boston Globe articles (7/26/2014—11/15/2014) 5

Of its 411 judicial positions, Patrick has, with five months to go in his term, filled 164, according to his office, good for 40 percent. Seventy-six of them have been female, and 31 minorities.

Mary Lu Bilek, dean of the UMass Law School, which she credits Patrick with helping to create, said that diversity on the bench can lead to more nuanced legal opinions.

"Where you come from influences how you understand the facts, and so the same legal standard ends up with a different perspective and a different result depending on where you come from," she said.

Some in the courthouse crowd take exception to Patrick's appointments to the state's highest court because, the argument goes, they are not typical workaday judges who have logged time in the state's lower courts. He has instead looked to superior and appeals court judges to fill his openings. In courts where the case volume is higher -- like the district, juvenile, and probate -- dispensers of justice deal more directly with real life and less with the sometimes gauzy, suppositional world of the upper courts.

But, quality or judgments about judges aside, the bench will serve as an undeniable centerpiece of Patrick's legacy, and one that he can point to should he, one day, decide to make another run at electoral politics.

Stacked against his immediate predecessors, the sheer quantity of Patrick's appointments, a variable over which a governor has little control, sets him apart. (Also setting Patrick apart is his length of service; he's set to become the first governor since Michael Dukakis to complete two terms.)

"He won the judicial lottery, by having more judicial picks available to him than any governor since Dukakis," said former GOP state representative and Romney aide Daniel B. Winslow, himself a former judge. "He's been very lucky in having an opportunity to shape the bench, and leave a legacy within the judicial branch that will far outlast his executive branch legacy."

Former Republican governor Bill Weld, who appointed Winslow, said that, dating back to when Dukakis was governor, the judicial appointment process had become "almost routinized and excellence has been the touchstone."

"And it's not like that in other states," Weld said. "In states where they elect judges and even in some states where the governor appoints judges, you've got to make a political contribution to get a judgeship, and that's no way to run a railroad when you've got lifetime appointments."

"If you lined the Dukakis, Cellucci, Weld, and Patrick nominees for superior court and appellate court up against each other, you really couldn't tell a difference" in quality, Weld said.

Boston Globe articles (7/26/2014—11/15/2014) 5

Patrick's immediate predecessor, Mitt Romney, tapped 65 judges, banking to the ideological left early in his term and then to the right toward its end. Romney, too, won plaudits for the diversity of his appointees. For obvious reasons, his ties to Massachusetts' particular brand of jurisprudence was not something Romney emphasized while running for president.

Patrick, who may also someday look to make appointments to a higher court, is less bashful about his time as the chief executive of the Commonwealth -- which he notably claimed "invented America" -- and thusly would be more likely to brag on its judiciary. Particularly now that, soon, nearly half of it will be of his own choosing.

Jim O'Sullivan can be reached at Jim.OSullivan@globe.com. Follow him on Twitter at @JOSreports.

Credit: By Jim O'Sullivan Globe Staff

Sox fan since '60s has advice: Sit back, relax, enjoy

Boston Globe - Boston, Mass.

Subjects: Professional baseball; Athletes

Date: Aug 2, 2014

Start Page: A.8

Section: EditorialOpinion

Document Text

As far as the Red Sox are concerned, can we all calm down just a bit?

Yes, this season has been abysmal. But think about it -- if anyone told you in 2003, or any year before that, that the Red Sox would win not just one but **THREE** World series titles in 10 years, you would have had them committed.

After a drought of 86 years, it took three years to win a second title, and **SIX** years to win a third. And, win or lose, every series the Sox have been a part of was one for the history books: 1967, 1975, 1986 -- all great, even though we lost.

And those wins -- 2004, and a full eclipse of the moon on the night they won? Then 2013, with **Boston Strong** and the **INCREDIBLE** worst-to-first run the Sox had?

Sorry, but I'm not panicking. I'll be home, watching and rooting for my Sox, just as I have since the early 1960s. It's been a sweet ride, and one my ancestors could only have dreamed about.

Robin Douglas

Beverly

Statisticians return to Boston, where the discipline took shape

Boston Globe - Boston, Mass.

Subjects: Statistical data

Author: Johnson, Carolyn Y

Date: Aug 3, 2014

Start Page: B.1

Section: HealthScience

Document Text

In November 1839, a group of five men convened in Boston to draft a constitution for a society charged with "the purpose of collecting, preserving and diffusing statistical information in the different departments of human knowledge."

Far from being specialists, these early statisticians were prominent in other domains -- a clergyman, a publisher, a lawyer, a congressman, and a physician, brought together by a shared interest in accruing information about the world with crude tools that often boiled down to simply tallying things up.

This weekend, about 6,000 statisticians are visiting Boston for the annual meeting of the American Statistical Association, highlighting the astonishing arc the field has taken since that inaugural meeting. From practitioners of a nascent science that was simply trying to collect reliable data on crops and population, statisticians now deploy powerful computational tools to sift meaning from a tsunami of data that can range from the full genomes of thousands of people to the casual interactions people have online.

The number of undergraduates majoring in statistics or biostatistics has tripled during the past decade and the number of people earning master's degrees has doubled. It is one of the hottest jobs around; a report by the research firm McKinsey and Co. predicts that by 2018, the United States will face a statistician shortage, needing at least 140,000 people with the analytical skills to work on big data problems.

Nearly everything can now be turned into a data point, from credit card use to the makeup of microbes in our stomachs, and statistics is hearkening back to the field's roots in the mainstream as a force that will shape society.

In its early days, the Statistical Association's members included US President Martin Van Buren and the British nurse Florence Nightingale. The nascent science was essential to a young country, shaped understanding of the importance of sanitary conditions in wartime hospitals, and allowed a growing country of immigrants to understand who was in it.

Boston Globe articles (7/26/2014—11/15/2014) 7

Today, statistics have begun again to creep back into the public consciousness -- used to assemble winning baseball teams and predict elections with greater accuracy.

For years, working as a statistician meant dealing with public misconceptions. Ron Wasserstein, executive director of the American Statistical Association, recalled that when he earned his graduate degree in statistics in the early 1980s, friends and family mistakenly thought that it involved memorizing lots of numerical trivia. He would have to explain that the methods of statistics were used to figure out how to understand patterns in data, such as whether a drug is effective, whether cigarettes cause lung cancer, or whether a poll of 1,000 people is likely to be indicative of general opinion on a topic. Now, things have changed.

"You can tell people, 'I'm like "Moneyball," but for biomedical applications,' " said Rafael Irizarry, a professor of biostatistics at the Harvard School of Public Health.

The methods used to gather and analyze data began changing and becoming more sophisticated, thanks in part to the efforts of the statisticians. Francis A. Walker, a president of the Massachusetts Institute of Technology and former president of the American Statistical Association, helped improve the field and the quality of the census.

"He helped bring the census from a rather crude counting in the 1790s into something that begins to give a meticulously detailed picture of a nation that was growing," said Stephen Stigler, a professor of statistics at the University of Chicago. "We've been a field that's been changing many times over the years, but there's some constancy to that and one of them is: How can we process information? If you have a collection of measurements or observations, how can you reduce it to something you can understand?"

Surprisingly, even as the tools of statisticians have changed radically, the underlying quest has remained remarkably the same. Extracting meaning from data is the same basic problem, even if today the challenge is more likely to be how to sift meaning from what would have once been an unthinkable amount of information, not how to assemble it in the first place.

At the meeting this week, presentations are spanning a wide gamut, from the application of statistics to understanding neuroscience in President Obama's BRAIN initiative, to the challenges in designing cancer clinical trials, to projections of the finish time for the nearly 6,000 runners who were unable to complete the **2013 Boston Marathon after the bombing** halted the race.

In fact, Irizarry said, statisticians have become so essential and integrated into so many different disciplines where the tools are needed to make sense of data that some people experience almost an existential crisis.

"Some people who are trained as statisticians become very much involved in a specific field, they sometimes start wondering, 'Am I still a statistician?' " Irizarry said. "Now, all of a sudden they almost have become a geneticist and some of them even start to do

experiments. That's one of the things I hope, that we can continue to be a discipline and continue to have this core knowledge we all share."

S.N.D. North: The first director of the permanent US Census Bureau, and the ASA's sixth president.

Florence Nightingale: The English nurse was an innovator in statistics, and an honorary ASA member.

Gertrude Cox: The "First Lady of Statistics" received the first master's degree in statistics from Iowa State.

Statistically significant

A look at prominent members of the American Statistical Association

Carolyn Y. Johnson can be reached at cjohnson@globe.com.

Credit: By Carolyn Y. Johnson Globe Staff

Illustration

Caption: About 50 American Statistical Association members were at the Deming Library dedication in 1991, including (from left) Edward Deming, Benjamin Tepping, and J. Stuart Hunter. The group's founders convened in Boston in 1839. The constitution of the ASA from 1839. ASA Archive

Few preparations in event of Ebola in US: Unclear how to allot drugs, equipment

Boston Globe - Boston, Mass.

Subjects: Ebola virus; Disease control; Vaccines; Immunization; Personal protective equipment; Supplies; Hospitals; Public health

Author: Kotz, Deborah

Date: Aug 5, 2014

Start Page: A.1

Section: Metro

Document Text

As the death toll from Ebola nears 900 in West Africa, medical ethicists warn that US medical facilities and states have few plans in place to allocate limited supplies of life-saving medications and equipment such as ventilators if such a deadly outbreak were to occur here.

Public health officials say it is unlikely the disease would spread widely in the United States because infection control procedures and protective gear are more advanced than in Africa. But the unprecedented number of cases in Africa and the ease of travel have ethicists and emergency preparedness experts pondering what-if scenarios.

With no vaccine or drugs to fend off Ebola, they say, an outbreak could overwhelm hospitals as patients compete for supplies of ventilators to help them breathe or beds in intensive care units. If an experimental vaccine becomes available, its supply would be limited at first -- as were supplies of vaccine during the outbreak of the H1N1 "swine" flu in 2009 -- and determining who would be the first to get it in a national epidemic could cause widespread panic.

Only a few state health departments have established ethical guidelines for rationing medical care in certain situations. Massachusetts is not one of them, offering no guidance for how hospitals should distribute immunizations or treatments in short supply, according to the Department of Public Health.

"Imagine we have a pandemic in Boston with proven treatments that are in limited supply," said Dr. Robert Truog, director of Harvard Medical School's Center for Bioethics. "We have not adequately thought through how to make the allocation decision of who will get it and who will not."

The Centers for Disease Control and Prevention has issued a warning for Americans to avoid nonessential travel to Guinea, Liberia, and Sierra Leone, which have Ebola cases.

Boston Globe articles (7/26/2014—11/15/2014) 8

CDC director Dr. Tom Frieden said on the CBS Sunday talk show "Face the Nation" that it's possible someone could travel to the United States with Ebola and spread the virus to family members through personal contact, but he doesn't think "it's in the cards that we would have widespread Ebola in this country."

Officials said Monday an ailing man, who had recently traveled to West Africa, was being treated at Mount Sinai Hospital in Manhattan and kept in isolation while tests for Ebola and other illnesses were performed. New York City's Health Department, however, issued a statement saying that after consulting with Mount Sinai and the Centers for Disease Control and Prevention, it concluded the patient is unlikely to have Ebola.

Ebola spreads through direct contact with an infected person's blood and other bodily fluids and is not as contagious as airborne viruses such as the flu and the common cold.

Threats of supply shortages were real during the 2009 H1N1 outbreak and after last year's **Marathon bombing**.

At Boston Children's Hospital, physicians worried on the day of the bombing that they might not have enough ICU beds or staff if 50 injured children showed up at once. While that didn't happen, "it was a little bit of a wake-up call," said Truog, who practices critical care medicine at Children's, "that we need more planning and to build consensus" among public health officials, hospital doctors, patients, and their families.

Hospitals did deal with a shortage of amputation kits in the days after the bombing, said Atyia Martin, director of the Office of Public Health Preparedness at the Boston Public Health Commission. While the city has a "skeleton" plan to locate, purchase, and ship supplies from other locations, it has "limitations," she said, and can't be used to solve every shortage crisis.

Bioterrorism fears following the 2001 anthrax attacks led to hoarding of the antibiotic Cipro, which is used to treat it, causing shortages in some states. And amid an avian flu outbreak five years later, concerns about a possible flu pandemic prompted then-Governor Mitt Romney to ask Massachusetts legislators to appropriate \$36.5 million to stockpile thousands of hospital beds, breathing machines, and doses of medication, but his request was turned down.

New York is one of only a handful of states that has a guideline recommending how hospitals should allocate ventilators should a deadly flu pandemic strike this country, similar to the one in 1918 that killed 675,000 Americans. "We use a scoring system that predicts the likelihood of survival," said Dr. Hassan Khouli, chief of the critical care section and chair of the ethics committee at Mount Sinai Roosevelt in New York City. Khouli serves on the state's task force that is updating the guideline to include children. "The ethical principle driving this is to save the most lives."

The CDC and Institute of Medicine have recommended ways to allocate scarce vaccines and ventilators, but these are voluntary. The CDC recommended, for example, that

vaccines and anti-viral medications should first be distributed during a flu epidemic to those who preserve the "functioning of society" -- vaccine makers, police officers, and hospital workers -- over those who are more likely to experience serious complications, such as pregnant women.

Without a federal mandate, however, local health officials are more likely to follow recommendations issued by their municipality or state, said Arthur Caplan, head of the division of bioethics at New York University Langone Medical Center in New York City, preferring to, perhaps, distribute immunizations made by a local plant to pregnant women in their community rather than shipping it to the military.

Many hospitals have ethics committees that could set policies for patient triage if an outbreak results in dire shortages. "We've thought a lot about this," said Dr. Paul Biddinger, medical director for emergency preparedness for Massachusetts General Hospital. "We're unlikely to end up in a circumstance where we don't have enough resources, but it's not impossible."

The hospital doesn't have a specific policy for allocating ventilators or medications and would likely turn to federal recommendations, he added.

In practice, however, such guidelines may be tough to implement. "You can have rules about taking sick people off of ventilators to give them to someone else," Caplan said. "But I don't know that every doctor in a crisis will be willing to follow them."

Deborah Kotz can be reached at dkotz@globe.com. Follow her on Twitter @debkotch2.

Credit: By Deborah Kotz Globe Staff

Illustration

Caption: Protective gear was employed at Emory University Hospital in Atlanta. Two Americans with Ebola are getting an experimental drug. A2.Jeremy Writebol (top) held up a picture of his father and mother, Nancy Writebol, who along with Dr. Kent Brantly (above) contracted Ebola helping others in Africa. 11 Alive Atlanta via ReutersOrlin Wagner/Associated PressSamaritans Purse via Getty Images

Shear enthusiasm

Boston Globe - Boston, Mass.

Subjects: Barbers; Cancer

Author: Cullen, Kevin

Date: Aug 5, 2014

Start Page: B.1

Section: Metro

Jamie Lee Higgins walked into Florian Hall in Dorchester on Monday morning looking like Jessica Chastain. She walked out looking like Sinead O'Connor.

She is 20 years old, an age when most people in her place are preoccupied with their appearance. But she was even more beautiful when she left her long locks of red hair on the floor at Florian Hall, because she did it for a 4-year-old boy named Tommy Kelly.

"That could be any of my brothers," Jamie Lee Higgins said, looking toward the table where her three young brothers sat, bald as cue balls. "It could be my family."

If it takes a village to raise a child, Adams Village is doing pretty well by Tommy Kelly. The ladies who work at Aidan's Corner Barber Shop on Adams Street set up shop in Florian Hall and began shaving heads at 7:30 Monday morning.

"The police have a summer camp for kids, and when we got here, all the kids were waiting," Heather Walker was saying.

Heather Walker runs the Aidan's barber shops in Adams Village and Lower Mills in Dorchester. All the women who work for her have Mondays off because that's when many hair salons are closed. But they didn't hesitate when asked to spend their day off creating wiffles, the Great Buzz Off for TK. They even brought in some stylists from other salons.

All for a little boy from Dorchester.

Tommy's father, Eddie Kelly, is a Boston firefighter, His mother, Katy, is a labor advocate. The night before the anniversary of the **Marathon bombings**, I happened to see Tommy Kelly at the Boylston Street firehouse. His mom was running for the team that supports the Martin Richard Foundation and Norah O'Donnell from CBS was interviewing Katy Kelly at the firehouse. Tommy was running around the firehouse.

J.R. Ortiz, a lieutenant on Engine 33, drew TK duty, keeping Tommy occupied while mom did the interview. J.R. Ortiz is in good shape but he needed oxygen when it was over. If you bottled TK's energy, you could light up China.

Boston Globe articles (7/26/2014—11/15/2014) 9

The next time I saw Tommy, two months later, he was lying in a bed in Children's Hospital, his energy sapped. He had been diagnosed with an aggressive form of kidney cancer.

If the news for Edzo and Katy Kelly that their son had cancer was every parent's nightmare, the reaction from their immediate neighbors in Adams Village, their extended neighbors in Dorchester, their well-beyond-extended neighbors in Boston and elsewhere was the answer to every parent's prayer: that an entire neighborhood, an entire city, a virtual community that stretched to Italy and Ireland and Brazil and who knows where else was pulling and praying for their little boy.

Tommy Kelly is Heather Walker's customer. She cuts his hair and the truth is, as much as he likes Heather, Tommy Kelly is a 4-year-old boy and does not like sitting in a chair and getting his hair cut.

"Just before Tommy got sick, Edzo brought him in for a haircut and he was none too happy," Heather Walker said. "Then this beautiful little girl came in and Tommy looked at her and he just stopped. He sat there and let me cut his hair."

On Monday, Florian Hall looked like the barber shop on Parris Island, where Tommy Kelly's uncle Greg lost all his hair years ago. Men, women, boys, girls stepped forward, like sheep, willing to be sheared.

The idea is, if Tommy Kelly has to lose his hair, we all have to lose our hair.

TK, dressed as Spider-Man, ran around like, well, Spider-Man.

Heather Walker was on her feet for 10 hours straight.

"I cheated," she said. "I took 10 minutes to grab a salad."

When it was all over, more than 1,000 people had their heads shaved at Florian Hall.

For a little boy.

For their neighbors.

For something bigger than all of us.

For Spider-Man.

Kevin Cullen is a Globe columnist. He can be reached at cullen@globe.com Credit: By Kevin Cullen Globe Staff

Tsarnaev friend in court in drug case

Boston Globe - Boston, Mass.

Subjects: Indictments; Conspiracy; Drug trafficking; Heroin

Author: Wen, Patricia

Date: Aug 7, 2014

Start Page: B.2

Section: Metro

Document Text

A former UMass Boston student, who is a close friend of Boston Marathon bombing suspect Dzhokhar Tsarnaev, pleaded not guilty Wednesday to heroin-distribution charges and possession of a defaced pistol, which may link him indirectly to the shooting death of an MIT officer a few days after the explosions.

In a court hearing that lasted just minutes, Stephen Silva, 21, of Cambridge, stood expressionless as his lawyer, Jonathan Shapiro, waived Silva's right to a detention hearing. As a result, prosecutors in US District Court in Boston were not required to say anything about the evidence they have collected, which would back up their request to keep Silva behind bars.

The US Attorney's office has not said how they have linked Silva to the Ruger P95 9mm pistol, with a largely defaced serial number. A gun of that description was recovered in a Watertown neighborhood on the morning of April 19, 2013, when police exchanged gunfire with the Tsarnaev brothers, and the older brother, Tamerlan, died. Police later determined that the Ruger gun found in Watertown was the one used by the Tsarnaevs to shoot and kill MIT officer Sean Collier on the night of April 18.

The indictment says that Silva had possessed a pistol of that make and model in February 2013, but prosecutors have not given more details, or said when and how Silva may have allegedly provided the gun to the Tsarnaevs. His lawyer told the Globe that federal authorities have said that Silva's gun charge is related to the Collier shooting.

As about 10 family members and friends looked on, some weeping, Silva pleaded not guilty to each of the charges he faced. Aside from the gun charge, the Cambridge Rindge and Latin graduate is accused of conspiracy to sell heroin and possession of heroin on six occasions in June in Medford.

The conspiracy charge is the most serious offense he faces, and comes with a minimum five-year prison term, as well as a maximum 40-year term. Silva's next court hearing is scheduled Oct. 8.

The spectators included his identical twin brother, who has a similar name, Steven Silva, who sat in a back row with others who appeared to be relatives and friends. They left the hearing, declining all media requests for interviews.

A close friend of Stephen Silva, who attended the proceedings, said she could not help crying when she saw him emerge in court: He was dressed in a brown prison suit with his wrists tied in handcuffs, surrounded by guards.

"He does not belong in federal prison," said the 20-year-old woman who knew Silva at Cambridge Rindge and Latin and at UMass-Boston. She asked to remain nameless because she doesn't want to get involved in the criminal case.

She also said that Silva, who was studying political science, wanted to go to law school and become a public defender.

She and another friend, who also was a high school classmate of Silva's, said they cannot imagine Silva as a heroin or gun dealer. They said he was a fun-loving, open person who could never have kept that level of criminal activity secret from close friends. They were aware, however, that he often possessed significant amounts of marijuana.

The drug dealing became known to MBTA police last year. Court records show that on Nov. 21, 2013, he was arrested at the JFK/UMass Red Line Station for having two packets of marijuana, \$555 in cash, and a list of names, which police say appeared to be customers.

He was identified by MBTA police then as a "street-level" drug dealer, which is at the bottom of any drug-dealing enterprise.

Silva was arrested two weeks ago on the federal drug and gun charges. After Wednesday's court hearing, Silva's lawyer emphasized his client is not accused of having anything to do with the April 15, 2013, Boston Marathon bombings, which killed three people and injured more than 260.

"He has not been charged with anything related to the bombing," said Shapiro.

Patricia Wen can be reached at wen@globe.com.

Credit: By Patricia Wen Globe Staff

Tsarnaev lawyers target media

Boston Globe - Boston, Mass.

Subjects: Federal court decisions; Litigation; Attorneys

Author: Andersen, Travis

Date: Aug 8, 2014

Start Page: B.2

Section: Metro

Document Text

Lawyers for accused Boston Marathon bomber Dzhokhar Tsarnaev on Thursday sought to bolster their argument that his trial should be moved to Washington, D.C., with an analysis of factors including media coverage that they say has been prejudicial against their client.

In a filing in federal court in Boston, the lawyers submitted a sworn declaration from Edward J. Bronson, a professor emeritus at California State University Chico, who the defense described as "perhaps the most experienced and well-known [trial] venue expert in the United States."

Bronson analyzed reports in The Boston Globe and other outlets and found that "the Globe's coverage was marked by an overload of inflammatory themes, words, phrases, and passages," the lawyers wrote.

The professor added in his report that "terror," "terrorist," and related terms have been used to characterize Tsarnaev more than 1,400 times in the Globe. The word "terrorist" was used more than 620 times, Bronson wrote, though "often the word was not used to characterize Mr. Tsarnaev, but as part of phrases like terrorist attack."

"The inflammatory coverage of the Boston Bombing case, even viewed solely through the Globe's content, was overwhelming and thus extremely prejudicial," Bronson wrote.

In a footnote, Bronson conceded that many of the more than 2,420 Globe articles he cited were not about the bombings but only referred to them.

"Obviously a passing reference is not prejudicial, but does show the pervasive impact of the case," Bronson wrote.

Reached by phone, he declined to discuss his findings in detail but did say that every Globe article under review "at least mentioned" the bombings.

Boston Globe articles (7/26/2014—11/15/2014) 11

He also wrote in a footnote that "the Globe and the [New York] Times are more down-the-middle than their competitors."

US District Court Judge George A. O'Toole Jr. has yet to rule on the defense motion to move Tsarnaev's trial.

Travis Andersen can be reached at travis.andersen@globe.com. Follow him on Twitter @TAGlobe.

Credit: By Travis Andersen Globe Staff

Satire & brimstone: 'God Hates Musicals' skewers the Westboro Baptist Church -- with show tunes

Boston Globe - Boston, Mass.

Subjects: Theater -- God Hates Musicals

Author: Brown, Joel

Date: Aug 8, 2014

Start Page: G.4

Section: Lifestyle

Document Text

GOD HATES MUSICALS

Book by Joe Creedon, music by Bryan Dunn, lyrics by

Emily Laverdiere

Directed by Creedon

Presented by Ministry of Theater

At: Boston University's TheatreLab@855,

855 Commonwealth Ave.,

Aug. 13-24. Tickets: \$25, www.godhatesmusicals.org

Joe Creedon grew increasingly disturbed as he watched TV coverage of the Boston **Marathon bombings** last year.

"Around seven o'clock at night, the news media had the footage long enough that they could start to edit it, and they did, to look like a movie trailer," Creedon says.

"Explosions! How exciting! A terror attack had happened in Boston! I remember thinking how lame and hollow that made me feel. And thinking that this was all just turning into a media circus. And then I thought, 'I wonder when the Westboro Baptist Church [is] going to chime in?'"

"And then, 10 minutes later, they sent out a tweet saying they were going to come protest the funerals of the victims of the bombing," he says.

Boston Globe articles (7/26/2014—11/15/2014) 12

He got mad at the church, but also at the media attention its actions have regularly attracted. "I thought, someone should do something. And then I thought, I should do something."

The fringe church from Kansas is infamous for sending protesters to funerals and other solemn occasions to proclaim that such tragedies are God's judgment on America's increasing acceptance of homosexuality. "God hates fags" is their mantra.

Creedon is an improv comedy veteran, so instead of shouting back he wrote a (mostly) comic musical that's (very) profane in the manner of "South Park." "God Hates Musicals," opening Wednesday at Boston University's TheatreLab@855, features a star-crossed gay romance between a confused young member of the Westboro church and a cynical TV reporter, each caught between conflicting agendas. Both sides, the church and the media, are vigorously skewered in the play, but it also offers a current of hope.

The show has a cast of 12, led by Bryan Daley as the confused (and fictitious) David Phelps and Brett Johnson as reporter Jonathan Shamban. It includes a scene where members of the church sing a medley of show-tune parodies -- hate-strewn, mostly unprintable rewrites of classics including "Oh, What a Beautiful Morning," "Oklahoma!" and "Hard Knock Life" -- with lyrics by Creedon's former ImprovBoston colleague Emily Laverdiere.

"That's just kinda how my mind works," says Creedon, 33, who ran "The Family Show" at ImprovBoston for more than a year and is now an instructor and producer with Fine Line Comedy. "For me the world needs to be filtered through a comedic lens. Especially hard truths and hard facts. They're much more digestible when you can find the humor in them.

"As far as I'm concerned, the point of satire is to make something so ridiculous that it can't be taken seriously anymore," he says. "I think because a musical is so over-the-top and rich with emotion, it is the exact way to satirize a group of people that is so over-the-top and rich with emotion. That emotion is hate, but they feel it very richly and they feel it authentically, to the exclusion of almost every other feeling."

His script gets a hesitant thumbs-up from an unlikely source: former Westboro member Zach Phelps-Roper, the 23-year-old grandson of the church's late founder, Fred Phelps. Freed from the constant pummeling of the family's beliefs, Phelps-Roper has found himself lighter of spirit. His new mantra for healing the world's pain and divisions is hardly what one would expect: "Unconditional love and empathy."

In his research on Westboro, Creedon came to believe that the actions of the church members had little to do with theology or homosexuality and more to do with family dysfunction and Fred Phelps's desire to control his flock. Creedon reached out to Phelps-Roper, whose exit from the church in February had been in the news.

Boston Globe articles (7/26/2014—11/15/2014) 12

Phelps-Roper didn't want to interact with him much at first, due to the play's unflattering-to-say-the-least portrait of his family, including his mother.

"I thought they were trying to make fun of the people . . . not the message," Phelps-Roper says. "I just didn't see the potential of it at the time."

But when he saw a video Creedon made for an Indiegogo campaign to fund the production, he decided the show's message might be OK after all. He asked to read a script. At Phelps-Roper's request, Creedon agreed to change a couple of lines about family members. The portrait still seems as caustic as can be, but the underlying message is good, Phelps-Roper says.

"I thought the satire was useful because it kind of makes the [church's] message sound a little ridiculous," Phelps-Roper says from his home in Topeka, Kan., where he works at a pizza shop and Dairy Queen. The church's real message has a terrible effect on some people, "and that's what makes me want to try to change their hearts and minds."

"It was challenging to settle on tone," playwright Creedon says. "I knew that I wanted there to be a love story in it, and for the love story to be genuine, as they weigh the moral of the show, which is, 'The only thing that combats hate is love.' To a degree, we do need to love the Westboro Baptist Church if we want them to stop these shenanigans. But at the same time you don't want to make some milquetoast, boring, everybody-should-get-along type show."

Creedon is not expecting a Westboro protest outside the show, but the wide variety of profanity and homophobic "jokes" by the church characters may make it controversial to some, he says. "We couldn't do our subject justice if we weren't going to say that language," he says.

"God Hates Musicals" ends with the arrival of an unlikely traveler who is bound for Provincetown and rather improbably fretting about Cape traffic.

"The whole thing with that church, it's all about waiting for the rapture," Creedon says. "So how do you tie it all up at the end? Jesus. Perfect."

For the moment, at least, Phelps-Roper's story is not quite as clearly resolved, but there are moments. Recently he has attended a couple of counter-protests against church pickets.

"I was really happy, actually, when I could see my family on the other side of the picket line," Phelps-Roper says. "I got to tell them that I loved 'em. I hadn't seen 'em in four or five months, so it was really nice. They kind of ignored me, I think, but there's no possible way they didn't hear me, because I was shouting at the top of my lungs, 'I love you, Gabe! And Jonah!' Those are some of my brothers."

Joel Brown can be reached at jbnbpt@gmail.com.

Credit: By Joel Brown Globe Correspondent

Illustration

Caption: From left: Floyd Richardson, Bryan Daley, and Dennis Hurley costar in the musical, which features a gay romance and parodies of some classic show tunes.
Samantha Laine

For this Kennedy, all politics is (for now) local: Late senator's son Ted finally makes his move

Boston Globe - Boston, Mass.

Subjects: Festivals; Bills; Election results

Author: Jacobs, Sally

Date: Aug 10, 2014

Start Page: A.1

Section: Metro

Document Text

BRANFORD, Conn. -- Bruce Wilson Jr. has a problem. It is a problem that can be summed up in three words: Ted Kennedy Jr.

On a perfect summer day at the Branford Festival in June, Wilson, a candidate for Connecticut's 12th state Senate district, was nibbling on fried dough with his wife under the Republican Party tent as a beaming Kennedy, the Democratic candidate, strode across the green like a king anointed. While onlookers snapped photos on their phones, Governor Dannel Malloy paused to shake Kennedy's hand. A phalanx of young Kennedy volunteers worked the crowd while others chatted about an upcoming event dubbed Republicans For Kennedy.

Yes, you got that right. "Republicans for Kennedy," say the red and blue T-shirts.

"I love Ted Kennedy, I just love this man," exclaimed Carol Gagliardi, who hosted the Republican event for Kennedy. "Everyone thinks this is a stepping stone to the presidency and I hope that it is!"

But if Wilson has a problem in his opponent's name, so does Kennedy.

The 52-year-old son of the late senator Edward M. Kennedy is running for political office for the first time and finds his legendary political name a double-edged sword. While it brings him instant recognition, it is also inextricably linked to America's most famous, some say infamous, political family, one rooted in Massachusetts, not Connecticut.

Kennedy is one of a generation of 25 surviving first cousins from six families -- descendants of the children of Joseph and Rose Kennedy. The members are known as much for their chaotic and sometimes tragic personal lives as their efforts at public service. Those who have run for public office have had mixed results; none has neared the heights of their parents' generation. Two who openly considered running for federal

office, Max and Caroline Kennedy, found the public reaction so rocky they chose not to enter the ring after all.

Ted Kennedy Jr. now treads tentatively onto the political stage he has eschewed for nearly three decades. Though he has been talked up for high-profile offices over the years -- including US Senate seats in Connecticut and Massachusetts -- he has chosen the bucolic Connecticut district in which he has lived for close to 20 years (total registered voters 61,018) for his first political foray. Neither Kennedy, a health care lawyer, nor Wilson, a businessman, is widely known here. As he travels the district, Kennedy listens patiently to the stories about his father and uncles that voters forever want to share. But he presents himself with determination as a local fellow, firmly a man of the Nutmeg State.

"Hi, I'm Ted Kennedy Jr. from Branford," Kennedy said, approaching a table at the annual summer Strawberry Festival in Killingworth. "If you have any advice for me, please let me know." Kennedy, whose voice so echoes his father's arch New England tone it sometimes snaps people to attention, looks more like a Kennedy than either of his two siblings. But these days he is all local, all the time. He has refused financial contributions from out of state as well as all national media requests. He declined to be interviewed by the Globe, saying, "I really can't talk. I'm running for local office and I'm talking to local people."

Wilson, 50, a straight-talking member of the Madison Board of Education, takes it all in stride. A Connecticut native and the retired CEO of a pharmaceutical and manufacturing company, he has cast himself as the candidate best suited to address the region's financial woes. He has plenty of time to talk. If Kennedy wants to turn down money and media attention, he shrugs, "I'm sure it's being done for a very calculated reason. What can I say? I am the most un-famous guy there is. I don't have millions of dollars. I don't have a famous last name."

But in the sizzling heat of the summer's public forums, that name continues to electrify some. On glimpsing Kennedy at the Killingworth festival, Barbara Turnbull, 71, leapt to her feet and snapped photos on her phone, declaring, "I love the Kennedys. I can't believe it!! I have goosebumps." And then she posted a photo of herself and the latest Kennedy to seek to join the family business on her Facebook page.

"Me and Ted Kennedy Jr. @ the Killingworth Strawberry Festival. Come on down and meet him."

Finding his own path

This year's Cinco de Mayo found **Roseann Sdoia** and a group of her girlfriends eating chips and salsa on a sun-splashed patio at the Spaulding Rehabilitation Hospital. During her short stay there, Sdoia, who was injured at the Marathon bombing and had her right leg amputated above the knee, had seen a steady stream of well-wishers. And so when a hospital staffer asked if she would like to meet Ted Kennedy Jr., she agreed.

Boston Globe articles (7/26/2014—11/15/2014) 13

Sdoia, 46, knew nothing about Kennedy except that "he was the senator's son." And indeed, the broad-shouldered Kennedy who sat down next to her appeared much like his father with his tousled brown hair and gregarious demeanor. After a few minutes' talk, Kennedy observed that the two of them had much in common as he, too, had lost his right leg above the knee, when he was 12. Sdoia, who was soon to select a prosthetic of her own, asked if she might see his.

"I thought he might pull up his pant leg, but nope," said Sdoia. "He stood up and started to unbuckle his pants. I thought, 'Uh-oh. What is going on here?' Next thing you know, he dropped his pants down to his ankles and showed his leg. We were all shocked for a minute, and then everyone started giggling. He intended it as common relief, to lighten the moment and that is exactly what it did."

The loss of his leg to bone cancer in 1973 has indelibly shaped Kennedy's life path. While he has worked for more than two decades as a lawyer specializing in health care and financial issues, he has also served as a lifelong advocate for people with disabilities and has been active in a host of cancer and disability organizations.

Many Americans of a certain age once closely followed the story of the brave Kennedy boy who endured two years of drug treatments before triumphantly returning to his favorite sports, sailing and skiing. The grueling experience forged a deep bond between Kennedy, the middle of three children, and his father. His trials, including his mother's chronic drinking and his parents' marital troubles, were detailed in a made-for-TV movie called "The Ted Kennedy Jr. Story" that aired in 1986.

Whether related to his traumatic childhood experience or not, Kennedy strayed from the traditional Kennedy trajectory in Massachusetts at an early age. Reared largely around Washington D.C., where his father joined the US Senate the year after his birth, Kennedy decided to attend Wesleyan University in Connecticut over Harvard University, the alma mater of many Kennedys.

"He wanted to be a Ted at Wesleyan rather than a Kennedy at Harvard," recalled a friend who knew him at the St. Albans School, an independent boys school in Washington, D.C. "Being a Kennedy at Harvard meant a lot of scrutiny and pressure. We both knew what he was choosing."

But moving to Connecticut hardly removed him from the Kennedy orbit. The year after he entered college, Kennedy took a semester off to join his father's 1980 presidential campaign. Kennedy, then 19, spent months in Iowa often traveling alone and spending the night in strangers' homes.

"I visited 88 out of 99 towns in Iowa," Kennedy recalled during a campaign stop in June. "There're not many people who can say that. I loved it. My father made it fun. Even when people got angry and upset it was fun."

Boston Globe articles (7/26/2014—11/15/2014) 13

The experience was nonetheless a harsh political awakening for some of the young Kennedys who participated in the campaign, according to Adam Clymer, the author of "Edward M. Kennedy, A Biography." Some voters did not hesitate to bad-mouth the elder Kennedy, sometimes viciously.

"A lot of the younger generation who were involved in that campaign saw the brutality of the attacks on Kennedy and that turned them off," said Clymer. "A lot of them backed off of politics."

But Ted Jr. was not one of them, at least not right away. One month after he graduated from Wesleyan in 1984, Kennedy was asked to speak at the Democratic National Convention in San Francisco. Then 22, Kennedy spoke movingly of the needs of the disabled, saying, "Disabled people are not unable people."

The following year his father urged him to consider a run for the seat in Cambridge being vacated by House Speaker Thomas "Tip" O'Neill Jr. Kennedy moved to Somerville and attended a handful of political events. In the end, he decided against it and his first cousin Joe Kennedy won the seat.

Ted Kennedy Jr., who paused to speak to the Globe a few times while campaigning, says, "In all honesty, it was something my father thought I should consider. But I never really did. I was young and I thought I should do my own thing." In resisting his father's entreaties, Kennedy at times turned to his mother for support, Clymer said, "and Joan would say, 'If you don't want to, don't do it.' "

A gentle person who has struggled with alcoholism for many years, Joan Kennedy instilled in her children a humility and sensitivity somewhat at odds with the more competitive Kennedy side of the family. According to some family members, Ted Jr. was particularly attuned to her struggles.

"Ted has a vulnerability to addiction that they both share," said Tim Shriver, a cousin and the son of Eunice Kennedy Shriver. "She is his role model in being open and tender and also in being tough enough to live with and survive addiction with a great trust in a higher power. In all honesty, those are not skills that come from the other side of the family."

Kennedy remained in Boston for several years working for the Massachusetts Rehabilitation Commission on a project designed to expand job opportunities for the disabled. In 1989, he returned to Connecticut and enrolled in a master's program in forestry at Yale University. But if he had hoped to distance himself from the influence of his famous family, he may have found that nowhere was far enough away.

The list of Kennedy family members who have struggled with drug and alcohol problems is long. In 1991, one more name was added to that list: Ted Kennedy Jr.

Boston Globe articles (7/26/2014—11/15/2014) 13

Kennedy, who had a reputation for partying in his college years, announced that July he had spent three weeks in an alcohol treatment program, saying the "continued use of alcohol is impairing my ability to achieve the goals I care about."

Shriver says Kennedy was motivated to quit not by the devastation drugs and alcohol have inflicted on his family but on his growing self-awareness: "He knew his life was out of control."

Some close to the family believe another factor in Kennedy's decision to stop drinking was Katherine Gershman, a Yale-trained psychiatrist whom he had been dating for a couple of years and who would eventually become his wife. Shriver, 54, the chairman of the Special Olympics, says Kiki "was a game changer."

Declining to enter politics

For all the fanfare that follows him, Kennedy by many accounts gives off few airs. During the three decades he has worked on behalf of the disabled, Joyce Bender, chief executive and founder of Bender Consulting Services in Pittsburgh, who has served with Kennedy on the board of American Association of People with Disabilities for more than a decade, says, "Kennedy doesn't just talk about it or say the right words. He lives this. When he shows up he doesn't say, 'Oh, I'm Ted Kennedy.' He's not like that at all. He says, 'I'm a person with a disability.' "

By end of the 1990s, Kennedy had completed his law degree at the University of Connecticut Law School and was working for a New Haven law firm focusing on the issues of health care and regulatory and reimbursement issues. In 2000 he cofounded The Marwood Group, a New York-based health care advisory and financial services firm that employs about 150. Early this year, Kennedy left Marwood to join Epstein Becker & Green, primarily, according to a few close to his campaign, because it has an office in Stamford, Conn.

Kennedy says he has declined to this point to enter politics because he wanted to be present for his children, Kiley and Teddy. Kennedy's father was often absent fulfilling his Senate responsibilities and tending to the next generation of Kennedys who had lost their own fathers.

"He was the father to everyone in my family," said Kennedy. "And he had enormous responsibilities in Congress. No one knows better than me the demands of politics. So I really wanted to wait."

Kennedy, however, has always kept a foot in the political pool. Over the years he has been a supporter of a number of Connecticut Democrats and campaigned on behalf of several family members, including his brother, Patrick, the former Rhode Island congressman. Kennedy campaigned on behalf of President Obama in several states. When then-Senator John Kerry was appointed secretary of state last year, speculation was widespread that he might make a move for his seat. Once again, he demurred.

Boston Globe articles (7/26/2014—11/15/2014) 13

But then the ground shifted. State Senator Edward Meyer, a five-term Democrat representing the 12th district, announced this spring he would retire. Kennedy's oldest child will be a junior at Wesleyan, and his son will be a junior at Choate Rosemary Hall. When Meyer, a friend, urged him to run, Ted Kennedy said yes.

He announced his candidacy in a packed auditorium in April at the Blackstone Memorial Library in Branford. As he spoke, a woman stood in the back of the room holding a sign that said, "Finally!!!"

A tough upcoming election

The two candidates for Connecticut's 12th Senate seat met for the first time on a sunny patch of grass at the Branford Festival, where they exchanged awkward pleasantries.

"He seems like a nice enough guy," said Wilson. "But let's get on to the issues."

Although it is relatively early in the political season, differences between the two candidates have begun to emerge. As chairman of the Madison Board of Education's policy committee, Wilson is well-versed in educational issues and says his career in business makes him the more experienced of the two in job creation, a significant local issue. "We need more decent paying jobs," said Wilson, father of three. "And I don't mean jobs in big law firms."

Walking through the district's public events, Kennedy takes time to explain himself. Posing for selfies with voters on request, he presents himself as a man ready to learn.

"I'm a health care lawyer and I know a great deal about a lot," he said in Killingworth, laughing it up with a small group eating pancakes. "But there are a lot of issues I don't know about."

The district's political allegiance is unclear given that close to half the voters are unaffiliated. Over the past few decades, the Senate seat has been alternately held by Democrats and Republicans.

"All I know is this is going to be a tough race," said Joe Mazza, Guilford's first selectman and a Republican.

Although Kennedy is stressing his local roots, he also invokes the Kennedys who came before him. At his official nomination in Madison in May, he described his father as "my hero," a man who he said believed "in consensus building and bipartisanship."

Among those attending were many of the generation who had come of political age while Kennedy's father and uncles were in office. They listened rapt as the younger Kennedy concluded with a story that his Uncle Jack liked to quote from General Hubert Lyautey, a marshal of France. When Lyautey's gardener was unwilling to plant a flowering tree

because it would take decades to mature, Lyautey told him to plant it immediately, that there was "no time to lose."

"That was one of my Uncle Jack's favorite quotes," said Kennedy. "And as Democrats we know that a strong future means making the necessary investment because in many ways Connecticut has no time to lose."

For voters now evaluating the race in the 12th District, there is one more small thing to consider. Should Ted Jr. be defeated in the fall, should he decide never to run again, it does not mean an end of the Ted Kennedy line. Kennedy's son, Edward M. Kennedy III, declared five years ago at the age of 11 that he intends to run for his grandfather's US Senate seat in Massachusetts in 2044.

"My son is definitely interested in politics," said Ted Kennedy Jr.

Sally Jacobs can be reached at sally.jacobs@globe.com.

Credit: By Sally Jacobs Globe Staff

Illustration

Caption: Ted Kennedy Jr. (right) thanked Al Goldberg at an American Legion Hall. Gina MacDonald-Page posed with Ted Kennedy Jr. after his announcement to run for the state Senate in Branford, Conn. He has spoken of learning to ski with his father after leg amputation, below, and campaigning with his father. Steven G. Smith for The Boston Globe G. Morty Ortega/Getty Images U.P.I./File 1974 Associated Press/File 1979

Patriots take the Ice Bucket Challenge

Boston Globe - Boston, Mass.

Subjects: Professional football

Date: Aug 13, 2014

Start Page: B.14

Section: Lifestyle

Document Text

Another day another Ice Bucket Challenge. After Tuesday's Patriots practice, the team gathered at the far end of the field, away from fans and media, and without fanfare players then lifted buckets over their heads and dumped water on each other. No, coach Bill Belichick was not spared and neither was owner Robert Kraft. We're told Belichick also challenged division rivals the Jets, the Dolphins, and the Bills to do the same. Meanwhile, **Boston Bombing survivors** Patrick Downes and Jessica Kensky challenged Justin Timberlake, who gamely accepted, along with more than 20 pals. JT in turn challenged Jimmy Fallon, Steve Higgins, and the Roots. In the unlikely event you haven't heard about it, the #icebucket challenge is a viral phenomenon. The way it works is this: Donate \$100 to a charity or dump ice water over your head, film it, and use social media to challenge others.

Tsarnaev defense seeking D.C. trial

Boston Globe - Boston, Mass.

Subjects: Marathons; Trials; Attorneys; Legal arguments; Public prosecutors

Author: Valencia, Milton J

Date: Aug 15, 2014

Start Page: B.4

Section: Metro

Document Text

Federal prosecutors and lawyers for alleged Boston Marathon bomber Dzhokhar Tsarnaev sparred over motions Thursday as they prepared for a November trial.

Judge George A. O'Toole Jr. said at the hourlong status hearing that he will give lawyers more time to submit arguments on whether the trial should be relocated to Washington, D.C.

The defense team has argued that blanket news coverage of the bombings has spoiled any chance of finding an impartial jury in Greater Boston. Prosecutors oppose the request and plan to file more legal arguments.

The defense team also argued that it needs more information from prosecutors about the expert witnesses they plan to call and more time to review that information. They called on prosecutors to better outline their evidence, and the defense plans to ask that the trial be delayed.

"This is information we've asked for on a long-term basis," defense attorney Timothy Watkins said.

O'Toole said he will consider the request.

The judge also said he will take under advisement prosecutors' request for more information about expert witnesses the defense plans to call.

"Federal criminal trials should not be waged by surprise," Assistant US Attorney William Weinreb said.

The judge said he will not hold a hearing on the defense team's concern about government leaks of information, but he called on prosecutors to make sure that law enforcement officials follow procedure and refrain from releasing information to the news media.

Boston Globe articles (7/26/2014—11/15/2014) 15

Tsarnaev, 21, faces the death penalty if convicted of setting off the April 15, 2013, bombs at the Boston Marathon finish line, killing three and injuring more than 260. He and his brother were also accused of fatally shooting an MIT officer.

Tamerlan Tsarnaev was killed in a confrontation with police in Watertown.

Milton J. Valencia can be reached at mvalencia@globe.com.

Credit: By Milton J. Valencia Globe staff

Demoulas fray needs a breath of impartiality

Boston Globe - Boston, Mass.

Subjects: Mediation

Author: Leung, Shirley

Date: Aug 15, 2014

Start Page: B.5

Section: Business

Document Text

If there is anyone who knows how to resolve a dispute involving family, money, and high emotions all on a tight deadline, it is Ken Feinberg.

He is the 68-year-old Brockton-bred lawyer everyone from President Obama to Tom Menino has called upon to figure out how to disperse millions of dollars to victims of tragedies from 9/11 to the Boston **Marathon bombings**.

So how would he handle the Greek tragedy known as Market Basket?

Feinberg, who has been following the issue closely from his perch in Washington, said he would first hire a neutral mediator to forge a comprehensive settlement between the two warring factions of the Demoulas family, which owns the supermarket chain.

This person, he warned in his booming voice, faces a monumental task. Perhaps peace in the Middle East might be easier.

"There is nothing more difficult, in my experience, than a mediation involving competing family members," said Feinberg, reached at his D.C. office, where Verdi's "Requiem" and other operas play in the background all day long.

"I saw it at 9/11, I saw it at BP. If parties are that emotionally invested in their hardened position, the greatest mediator in the world won't be able to get the parties to yes and consensus," he said. "Reasonable, rational alternatives are dead on arrival."

With the turmoil at Market Basket in its fourth week, the Demoulases and the company board have not brought in a third-party mediator. Employees are still protesting and customers are boycotting the understocked stores, vowing to shop elsewhere for groceries until the chain brings back beloved boss Arthur T. Demoulas.

Boston Globe articles (7/26/2014—11/15/2014) 16

Market Basket is bleeding tens of millions of dollars, and thousands of workers have lost paychecks. To regain control, Arthur T. has offered to buy out Arthur S. and his family, but negotiations have been painfully slow.

The situation has become so dire that Governor Deval Patrick has stepped in as an informal mediator, making calls Wednesday to board chairman Keith Cowan and the two feuding cousins in an attempt to prod everyone closer to a deal.

Feinberg praised Patrick's decision to try to get things done over the phone rather than assemble everyone in the same room. Feinberg said this "shuttle diplomacy" approach -- similar to how negotiations over Gaza and Israel are being handled -- is preferable in this case.

"It's probably not the kind of dispute where face-to-face mediation would be very productive," he said of the Demoulases. "They would probably start throwing things at each other."

As a mediator, Feinberg added, the governor needs to be a good listener. It's crucial to allow those involved "to vent about the merits of the dispute," he said.

Feinberg has never shopped at a Market Basket, nor does he know the family. I asked if he was surprised by how long sale talks have dragged on. After all, there's a buyer, there's a seller, and there's urgency with 25,000 jobs and 71 stores on the line.

"Nothing surprises me anymore about disputes. I've seen it all," he said. "The most complex lasting disputes are often family disputes, where the parties dig in their heels. Not only do they feel they have the better of it on the merits, they also feel wronged."

So who is wronged here?

"Everybody," said Feinberg. "One major reason there is not a deal is because everybody involved feels wronged. Family members feel wronged, the public feels wronged, the employees feel wronged, the board feels wronged."

He wouldn't dare predict when an agreement could be struck, but thought it was a positive sign that the governor has intervened. But if there is another impasse, Feinberg said he would offer his services -- pro bono, of course.

"I would be glad to serve in the public interest," he said.

If Feinberg could settle this decades-old family feud, his legacy would be complete.

Shirley Leung is a Globe columnist. She can be reached at shirley.leung@globe.com. Follow her on Twitter @leung.

Credit: By Shirley Leung Globe Staff

Marathon field grows: BAA sets event size at 30,000

Boston Globe - Boston, Mass.

Subjects: Marathons; Age; Records & achievements

Author: Springer, Shira

Date: Aug 15, 2014

Start Page: C.7

Section: Sports

Document Text

With registration for the 2015 Boston Marathon opening Sept. 8, the Boston Athletic Association announced Thursday that the event's field size will be set at 30,000. That number will make the 2015 race the third-largest in Boston Marathon history, trailing the record-setting 38,708 runners who participated in the centennial edition in 1996 and the 36,000 who stood at the Hopkinton starting line this past April.

Recognizing there would be increased demand for entries after the **2013 bombings**, race organizers expanded the field size in 2014. Between 2009 and 2013, the entry limit was held at 27,000.

"As we look forward to 2015, our goal is to accommodate as many participants as possible in the Boston Marathon, while maintaining the exceptional race experience and unique characteristics that make this event special," said BAA executive director Tom Grilk in a statement about the change. "Our field-size limit allows us to meet that goal, and our registration process recognizes the commitment needed to qualify and gain entry into the Boston Marathon."

The BAA will employ the same "rolling admission" process it used for the the past three races. The process allows the fastest qualifiers based on age and gender time standards to register first.

On Sept. 8, eligible runners who have met their age/gender qualifying standards by 20 minutes or more may enter. If space remains after the first week (through Sept. 13) of staggered registration for runners who have bettered their qualifying standard by five minutes or more, then registration will reopen for all qualifiers on Sept. 15.

Until Sept. 17, the fastest qualifiers will be given preference. If space remains after Sept. 17, then registration reopens Sept. 22 to qualifiers on a first-come, first-served basis.

The rolling registration was implemented after the 2011 Boston Marathon sold out in a record 8 hours and 3 minutes in October 2010. With the race filling so quickly, thousands

Boston Globe articles (7/26/2014—11/15/2014) 17

of qualifiers were unable to register, voicing frustration and disappointment with a process that amounted to a sprint to the online registration page.

For the 2013 race, the BAA lowered qualifying standards by five minutes across all age groups and both genders in an additional measure to alleviate some of the crush.

AGE GROUP MEN WOMEN

18-34 3:05:00 3:35:00

35-39 3:10:00 3:40:00

40-44 3:15:00 3:45:00

45-49 3:25:00 3:55:00

50-54 3:30:00 4:00:00

55-59 3:40:00 4:10:00

60-64 3:55:00 4:25:00

65-69 4:10:00 4:40:00

70-74 4:25:00 4:55:00

75-79 4:40:00 5:10:00

80-over 4:55:00 5:25:00

Credit: By Shira Springer Globe Staff

A tale of two new mayors: New York Mayor Bill de Blasio has made a strong impression (for better or worse) on his constituents. In Boston, Mayor Martin Walsh's reputation remains a work in progress.

Boston Globe - Boston, Mass.

Subjects: Cities; Education policy; Preschool education

Author: Ryan, Andrew

Date: Aug 15, 2014

Start Page: D.1

Section: Metro

Document Text

Two men in dark suits ducked unnoticed into Pepe's & Mito's Mexican Cafe in Dallas, savoring their anonymity thousands of miles from the crush of their new celebrity back home.

They barely knew each other. But that June afternoon, sitting together and picking at sizzling chicken fajitas, the two men understood better than anyone the whirlwind they had each faced the previous six months.

It was a lunch date between Bill de Blasio and Martin J. Walsh, the newly minted mayors of New York City and Boston. They had traveled to Dallas for a conference but broke away for 45 minutes of solitude at a no-frills cantina.

"We talked about learning the job, how it's been," Walsh recalled in an interview. "We talked about snowstorms. He's a former [city] councilor, I'm a former [state] rep. We talked about how this job is different."

De Blasio and Walsh both campaigned on a message of economic populism, vowing to tackle income inequality and dramatically expand early education. They shared an advertising firm, an education adviser, and staunch support from organized labor. And each represented a generational shift, replacing longtime mayors whose personalities defined City Hall.

Both men have endured criticism for being slow to fill top positions. (De Blasio proceeded much faster.) Both mayors faced early tests from stubborn snowstorms. (Walsh earned significantly higher marks.) And both mayors boycotted St. Patrick's Day parades because of the exclusion of openly gay marchers, settled major labor contracts, and grappled with the deaths of firefighters.

Boston Globe articles (7/26/2014—11/15/2014) 18

But their approaches to the job have been radically different. De Blasio has made an impression (for better or worse) on his constituents. For Bostonians, Walsh is like a new pair of shoes they like but haven't worn enough to know if they are really comfortable.

De Blasio was a veteran of city politics and came out swinging with a sense of urgency, pushing big ideas. He has notched significant victories -- funding for universal preschool, mandatory paid sick leave for employees -- but he has also taken his lumps. (See his political scars from a fight with charter school advocates and defenders of horse-drawn carriages in Central Park.)

Walsh, a longtime state legislator, was new to municipal government and launched his administration with a vow to listen. That meant a blur of coffee hours and community meetings. He has sought to solve problems by committee, launching an affordable housing task force (27 members), a late-night task force (24 members), and a universal prekindergarten task force (30 members.)

"Marty Walsh is much more content to swing for singles rather than home runs," said Jeffrey M. Berry, political science professor at Tufts University. "There are some mayors who can get people to follow their grand visions. I don't think Marty Walsh is a visionary."

Berry suggested, however, that "de Blasio has more to learn from Walsh than Walsh does from de Blasio."

"He can learn from Marty Walsh how to build victories from the bottom up rather than the top down," Berry said. Walsh has taken cautious but concrete steps, Berry said, to build consensus and the potential for real accomplishments in schools, housing, and transportation.

But Walsh could also learn from de Blasio's willingness to take risks and spend political capital on a thorny issue, said Ray La Raja, a University of Massachusetts Amherst political science professor.

"It would be nice for Walsh to take a big, tough stand every once in a while," La Raja said.

Walsh acknowledged that de Blasio has taken a much different tack.

"He hit the ground running a little quicker in some ways with deeper proposals and ideas already kind of vetted," Walsh said. "I'm taking the approach of going through things . . . [but] I could have gone in and made changes without understanding what is happening."

Take the push for universal preschool for 4-year-olds. As candidates, Walsh and de Blasio both made it a central campaign promise and promoted creative ways to cover the cost. (Walsh suggested selling City Hall; de Blasio pushed a tax increase on the wealthy.)

Boston Globe articles (7/26/2014—11/15/2014) 18

In office, de Blasio lost the tax fight but won \$300 million in funding this year to immediately expand universal preschool. Walsh's pre-K task force has a goal of 2018.

Last month at a budget hearing in a midtown skyscraper, de Blasio carried a gravitas unique to a mayor. He immediately became the focal point of the room.

Stark differences between the two mayors became apparent when de Blasio testified on behalf of his budget. He is a polished and concise orator, making deliberate eye contact with his audience. The rhetoric is loftier, with a tone that suggests de Blasio seeks to be more than a mayor.

De Blasio reminded the audience that he was "elected with a particular vision of what the New York City government had to achieve for our people." He referenced Franklin D. Roosevelt, whom he described as "a true example of all the good that New York City and New York State have done for the world," before quoting the late president.

"Too often in recent history liberal governments have been wrecked on the rocks of loose fiscal policy," de Blasio said. "President Roosevelt summarized better than I could the notion that if we want to pursue important ideals -- if we want to reach so many people in need and create a more just society -- we can only do that if we are fiscally sound."

Walsh does not share de Blasio's rhetorical flair or refined delivery. The Boston mayor stiffens when he reads prepared remarks. His impromptu comments often meander as he repeats comfortable phrases, such as "City of Boston."

But when Walsh faces a scrum of reporters, he is jocular and he shakes the hand of each individual journalist, greeting television personalities and newspaper scribes by name. Walsh's one-on-one charm was his strongest selling point on the campaign trail. People like him because he is a nice guy.

Last month, de Blasio took a different approach with reporters. Aides limited topics for discussion. De Blasio folded his hands at his waist and remained cordial, but he seemed standoffish with a forced smile.

In fact, de Blasio has struggled with the press. His tardiness has angered reporters, he was skewered for eating pizza with a fork, and drew the ire of "Today" show weatherman Al Roker over a decision to keep schools open during a snowstorm.

"He screwed up on image early on, but that's a matter of learning the job," said Maurice Carroll, assistant director of the Quinnipiac University Poll. "He seems to be doing OK as far as I can tell."

Some New Yorkers remain skeptical. Take Sue Z. Smith, a legal secretary from Queens who sat on a bench last month in Central Park and nibbled on almonds and apple slices.

Boston Globe articles (7/26/2014—11/15/2014) 18

"I'm on the fence. He seems very patrician," Smith said. "He tries to be very in touch [with common New Yorkers], but he isn't. I'm still waiting to find out what he's really about."

In Brooklyn, Natasha C. Grimes was still proud she voted for de Blasio.

"As a parent, I feel he's doing very well," said Grimes, a 43-year-old from east New York. "He's a people person. He's really for families."

In Boston, Walsh has been buffeted by external forces. Think about the prolonged battle over casinos or heft of the Boston **Marathon bombing** anniversary. Walsh lost two prominent staffers -- a communications director and education adviser -- but he has avoided controversy.

"There's been some bumps, some early resignations, but I think he's steered a pretty good path so far," said Maurice Cunningham, a University of Massachusetts Boston political science professor.

Sitting on a bench on Boston Common, Sheldon Gilmore of Hyde Park said he did not have much of an impression of Walsh. "He's still the new guy," said Gilmore, 23.

A similar assessment came from Melissa Prince, a 28-year-old from Jamaica Plain, as she tossed a stick to her dog, Charlie.

"I don't know if people have that strong of opinions yet," Prince said as Charlie returned with the stick. "To be fair, he hasn't had much time to set in the public consciousness."

Andrew Ryan can be reached at acryan@globe.com Follow him on Twitter @globeandrewryan.

Illustration

Caption: Before they were inaugurated, Bill de Blasio and Martin Walsh joined other newly elected mayors at the White House last December. Expanding prekindergarten programs is important to both mayors. Top, Mayor Walsh at the Patrick J. Kennedy School. Above, Mayor de Blasio at the A to Z Center. Mayor de Blasio sang "I Love L.A." on "Jimmy Kimmel Live" to settle a Stanley Cup wager. Mayor Walsh at the East Boston Golden Age Club's Mother's Day celebration. GLOBE STAFF ILLUSTRATION Jason Reed/Reuters John Tlumacki/Globe Staff File Frank Franklin II/Associated Press/Pool/File Heidi Gutman/ABC via Associated Press/File David L. Ryan/Globe Staff File

Miles logged

Keflezighi makes rounds after Boston win

Boston Globe - Boston, Mass.

Subjects: Marathons; Presidents; Cross country running; Athletes; First ladies

Author: Matson, Barbara

Date: Aug 17, 2014

Start Page: C.1

Section: Sports

FALMOUTH -- The call came while Boston Marathon champion Meb Keflezighi was crisscrossing the country, giving speeches, lending his presence to road races big and small, running in a few, and at others simply standing at the finish line to shake hands with everyday runners.

Keflezighi and his wife, Yordanos Asgedom, received an invitation to a state dinner at the White House following the US-Africa Leaders Summit Aug. 5. That's when the scrambling began. As his travels continued, Keflezighi bought a suit in Columbus, his wife a dress in Chicago, and his brother came from Maine, where the family had been for the Beach to Beacon 10K, to take charge of the three little Keflezighi girls, shepherding them home to San Diego.

"President Obama called to congratulate me after I won Boston," said Keflezighi, who is here for Sunday's Falmouth Road Race. "And at the end he said, 'I'll be in touch.' It was beyond my dreams."

At the dinner, Keflezighi said he was nervous when the guests were ushered into the White House receiving room, until President Obama looked up and recognized him and announced, "Here comes the fast guy."

The Keflezighis were seated at a table with the president and first lady, as well as former president Jimmy Carter, with whom Keflezighi shared a conversation about their cross-country running experiences. Keflezighi said the Obamas were personable and down to earth, and he could not help thinking about the distance he had traveled to reach that dinner table at the White House.

Keflezighi's family left behind a war in Eritrea to emigrate to the United States in 1987, arriving in San Diego with nothing. Meb became an American citizen in 1998, was a collegiate star at UCLA, and has had a 20-year career in running that also includes an Olympic silver medal and a victory in the New York City Marathon.

"It was pretty incredible," Keflezighi said. "I've been to the White House before as an Olympian, for a handshake, and then you go bow, and I got to meet President Obama and

Boston Globe articles (7/26/2014—11/15/2014) 19

President Clinton . . . but to have a dinner though, I mean that's amazing, for somebody with my background where I came from. You say it's the land of opportunity, that I can make it there to be somebody, even though there was a language barrier, a cultural barrier, a financial barrier, so many obstacles.

"We had to pinch ourselves, is this actually happening?"

At one point during the dinner, Carter told Keflezighi that he was the most popular guy in the room.

"For a president to say that," Keflezighi said, "it tickles your heart a little bit, just because of how big the victory in the Boston Marathon was."

Inspiration to others

Since the moment he broke the tape at the Boston finish line, arms stretched wide and beaming an expression of joy and defiance, Keflezighi has been ambassador, spokesman, hero, and role model for the city, for the United States, and for runners everywhere. The first American man to win Boston in 31 years, Keflezighi brought unexpected happiness to Boylston Street, scene of such horror in 2013 when **bombings** killed three and injured more than 260. The depth of the tragedy meant the 2014 Marathon was burdened with importance, which Keflezighi shouldered when he spent every day of the year thinking about what he could do to bring home an American victory.

It took 2 hours 8 minutes 37 seconds to run the race (a personal best for the 39-year-old); it has taken considerably longer to sift through his emotions about the accomplishment.

Everywhere he goes people approach, not to congratulate him but to say thank you.

They tell him stories of where they were when he won the race. "One man was going in to have surgery but there were 10 minutes left in the race," Keflezighi said, "and he told them to wait."

One of the directors of the board of the Falmouth race said he was inspired to return to running after a 15-year hiatus after watching Keflezighi win Boston.

"People, men and women, told me they were watching in their living room and crying," said Keflezighi.

Keflezighi set three goals when he came to Boston: to win, to reach the podium, to run a personal best.

"But on race day, I changed everything," he said. "I said 'You know what, I'm going to inspire people. I'm going to run my heart out and if somebody beats me, I'm OK with it.' "

No one could beat him.

Runner rejuvenated

Keflezighi will tackle Falmouth's 7-mile seaside summer tradition for the fourth time. He finished second in 2007 and 2008, and fifth in 2009, the top American each time.

Keflezighi's peripatetic schedule has run roughshod over his training routine, a prescribed series of workouts, 12 a week, that he now will return to in earnest in preparation for the New York City Marathon in November. Sunday he will be the official starter for Falmouth, then jump in and run with the pack.

"It'll be fun to run with the people," said Keflezighi, who this summer has joined races from Atlanta to Green Bay and from Iowa to Maine, determined to spread the strength and spirit of his Boston victory to as many corners of the running world as he can.

At the Peachtree 10K in Atlanta, he started at the back of the field of 60,000, and passed as many runners as he could as a fund-raiser for the Atlanta club's youth program (he got by 22,780). He paced a corral of runners in the Rock 'n' Roll Half-Marathon (the hour-and-a-halfers) in his hometown of San Diego.

He shakes every hand that is extended and smiles for every picture.

"It's been wonderful," Keflezighi said of his victory tour. "I enjoyed it and hopefully I touched peoples' lives who are able to say, 'I was part of an experience with Meb,' whether it was running or at an expo."

A career that might have been fading is instead rejuvenated.

Now New York is on his schedule.

And he has eyes on the trials for the 2016 Olympic Games in Rio de Janeiro, when he will be 41.

He said that after winning Boston, his career is 100 percent fulfilled -- "If I didn't run another step, I'm OK with it." -- but his time at Boston, after all, was a personal best. He's faster than ever, so he's still running.

Credit: By Barbara Matson Globe Correspondent

Illustration

Caption: Meb Keflezighi has his eyes on making the US Olympic team for Rio in 2016.
jared wickerham/getty images

Fewer feet at starting line: Boston Marathon planning for 30,000 runners next April:
Organizers cite strain of expanded field after '13 bombings

Boston Globe - Boston, Mass.

Subjects: Marathons; Bombings; Athletes

Author: MacDonald, Mary

Date: Aug 17, 2014

Start Page: Z.1

Section: Regional

Document Text

Organizers of the Boston Marathon told Hopkinton officials last week that they expect a field of 30,000 runners next April, which would be 6,000 fewer than allowed in this spring's race but 3,000 more than last year.

The Marathon swelled in size this spring to accommodate more interest, including participants who were stopped before they could complete the 2013 race after **two bombs** exploded at the finish line, killing three people and injuring some 260.

The Boston Athletic Association received preliminary approval Tuesday for its requested field size from the Board of Selectmen. The town hosts the starting line of the 26.2-mile course, which winds through Ashland, Framingham, Natick, Wellesley, Newton, and Brookline before reaching the finish line in Boston.

Although BAA officials said this year's Marathon successfully accommodated the larger field, they did not want to maintain the event at 36,000 runners, according to Thomas Grilk, the association's executive director.

"We don't want to do something just because it can be done," he said.

Grilk said the expanded field, which shot up by 9,000 people over 2013, was not going to be maintained because it put a strain on the organization and its partners, including the host communities.

"It was quite a strain on everybody," he said. "It was achievable. And it was achieved, but not without strain."

The field size approved by local officials is for planning purposes, and is not the actual number of runners who participate. For example, in April, 32,530 people took part, although the field size was set at 36,000. But setting the number allows the BAA to move its plans ahead, including seeking parade permits from the communities on the course.

Boston Globe articles (7/26/2014—11/15/2014) 20

Security for the event increased substantially after last year's bombings. In Hopkinton, visible measures included security checkpoints, hand-held metal detectors, and police dogs.

The 119th Boston Marathon will take place on April 20, which is Patriots Day and a state holiday in Massachusetts.

Registration for the Marathon will begin Sept. 8 at 10 a.m., the organization previously announced. The fastest runners by age groups will be allowed to register first, on a rolling basis. Registration will close on Sept. 13 for entrants with age-group and gender qualifying times. If space remains available, registration will reopen for qualifiers on Sept. 15, and remain open through Sept. 17, with priority again going to runners with the fastest times.

On Sept. 22, if space remains after the initial two rounds, registration will be reopened for all qualifiers on a first-come, first-served basis until the maximum field size is reached, according to the BAA's website, www.baa.org.

The qualifying times will remain the same as this year.

According to Grilk, more than 80 percent of the runners in the Marathon have met the finishing times for their category by participating in a qualifying race. About 20 percent of the participants will be raising funds for charity, and do not have to meet qualifying times.

Grilk said that the Boston Athletic Association is not hosting the event at its own facility, and wants to be respectful of the communities along the route.

Each year, the association contributes funds to the host communities to help cover the cost of providing public safety personnel and other services. The Marathon is capable of accepting more entrants, as shown by last year's event, but for next year the organizers wanted to "do so in a way that was a fairly moderate increase," he said.

Hopkinton, because it is the start of the race, and Boston have the greatest impacts from the Marathon, and because of its size, Hopkinton feels the pressure of the entrants more keenly.

The BAA recognizes that and tries to maintain close communications with the town about its plans for the race.

"We are extremely concerned about being as forthcoming as we can," Grilk said.

For Hopkinton, the anticipated size of 30,000 runners should be accommodated without concern, according to officials. In 2012 and 2013, the race had a field of 27,000 participants.

Boston Globe articles (7/26/2014—11/15/2014) 20

Police Chief Edward Lee said he had already had conversations about security with agencies including the Massachusetts State Police, which said it was committed to the same levels of security seen in this year's event.

"Obviously, we will assess the needs, look back at last year," Lee said, referring to this spring's race.

For Hopkinton, security is the most important consideration in the Marathon planning, said Selectman Benjamin Palleiko. The impact of the increase from 27,000 participants to 30,000 would be negligible, he said.

The largest field for the Boston Marathon was in 1996, its 100th anniversary, when it drew 38,708 entrants.

Mary MacDonald can be reached at [marymacdonald3@ aol.com](mailto:marymacdonald3@aol.com)

Credit: By Mary MacDonald Globe Correspondent

Illustration

Caption: Runners waited for the start of April's Boston Marathon in Hopkinton, part of a field of 36,000 authorized to compete. Michael Dwyer/Associated Press/file

Prayers for peace taking wing: Old South Church will send symbols of healing to Missouri congregation

Boston Globe - Boston, Mass.

Subjects: Bombings; Shootings; Prayer

Author: Fox, Jeremy C

Date: Aug 18, 2014

Start Page: B.1

Section: Metro

Document Text

Nearly 200 pairs of hands were raised inside Old South Church on Sunday as the clergy and congregation blessed 1,000 delicate origami cranes bound for a Missouri church working to heal a fractured community.

"O God, when we first laid eyes on these cranes, they were prayers for peace in this city crying out for peace," prayed the Rev. John M. Edgerton. "But you, you have transformed them. . . .

We have been audacious enough to pray both for justice and for peace for the people of Boston, and that is our prayer for the people of Ferguson, Missouri."

The folded paper birds, vividly colored in a wild array of patterns, came to Old South Church last year, after bombs exploded just yards away as runners crossed the Boston Marathon finish line. In the past three years, they have traveled more than 1,100 miles carrying prayers for peace to three communities shaken by violent killings.

A Wisconsin congregation created the cranes, symbolizing peace, for the 10th anniversary of the terror attacks of Sept. 11, 2001, then passed them on to a Chardon, Ohio, church after the February 2012 shootings at Chardon High School.

After the Sandy Hook Elementary School shootings in Newtown, Conn., that December, the cranes traveled to Newtown Congregational Church, which hand-delivered them to Boston following the **Marathon bombings**.

Old South Church chose to send the cranes to Christ the King United Church of Christ in Florissant, Mo., following the fatal shooting Aug. 9 in neighboring Ferguson, of Michael Brown, an unarmed black teenager, by a white police officer and ensuing demonstrations that have erupted in violent clashes between protesters and police.

Boston Globe articles (7/26/2014—11/15/2014) 21

Church leaders hope to have a representative fly with the cranes to Missouri and hand-deliver them to the congregation during next Sunday's worship service.

Edgerton, 32, said church members feel connected to residents of these St. Louis suburbs in part because, like Bostonians in the aftermath of the bombings, they have been the subject of national and international attention. And much as Boston experienced an outpouring of support following the attacks, he believes Bostonians have an obligation to offer their support.

"The care and the love that really came to Boston from around the country as the result of the Boston Marathon bombings, I think that that was amazing," he said, "and it puts on us as a city the responsibility to try to be healers in the country."

The Rev. Traci D. Blackmon, pastor of the Missouri church, said in a phone interview that the gift of the cranes was deeply meaningful for her and the congregation.

"It's absolutely phenomenal," Blackmon said. "It's a constant, tangible reminder that there are others that are praying with you and you're not alone."

In the days since Brown's death, Blackmon said, her church sponsored a community prayer vigil that included leaders from many faiths and denominations and has organized a community forum attended by Ferguson's mayor and chief of police, Governor Jay Nixon of Missouri, and other elected officials.

"It was a good opportunity for members of the community to be able to hear directly from them and ask questions about things that concerned them," she said.

As tensions continue to roil the community, she said, the church is gathering signatures on petitions to change local laws and to recall some elected officials. It is also helping to connect mental health counselors and prayer partners with residents who have experienced trauma amid the violence, she said.

"We have to care for the caretakers, because this is going to be a long battle," Blackmon said. "To be honest with you, if a policeman wants to come get prayer, that's fine too. . . .

There is no us-against-them. This is a right-against-wrong fight."

At Old South Church, Brookline resident Deb Washington said it was moving to her, as "an African-American person in this congregation . . .

that we can send a symbol of healing to a community that is in desperate need of some sort of statement that somebody cares."

Washington, 62, said violence in Ferguson brought back memories from her youth in Louisiana. "I grew up in the Jim Crow South, so my immediate reflection is, here comes the '60s again," she said. "Instead of using firehoses, now we're using tear gas. . . .

It's just repeated history with different kinds of weapons. But the issues remain the same."

Flo Charles, 45, said sending the cranes to Missouri was consistent with the theme of Sunday's sermon: inclusion of all people -- regardless of race, nationality, sexual orientation, or gender identity -- in the family of God.

"We should pray for the peace of the earth, of the whole world," said Charles, daughter of a British mother and a West African father. "These cranes are like a symbol of Christ, symbolizing Christ's message -- of love."

Jeremy C. Fox can be reached at jeremy.fox@globe.com. Follow him on Twitter @jeremycfox.

Credit: By Jeremy C. Fox Globe Correspondent

Illustration

Caption: Nearly 200 congregants raised hands to bless 1,000 origami cranes during a service at Old South Church in Boston on Sunday. Created in Wisconsin, the cranes have been sent to three communities shaken by violence. Rev. John M. Edgerton believes Bostonians have an obligation to offer support to those near St. Louis. Photos by Lane Turner/Globe Staff Lane Turner/Globe Staff

Bad policy, bad policing: Post-9/11 influx of military-grade weapons doesn't match public safety needs

Boston Globe - Boston, Mass.

Subjects: Public safety; National security

Author: Kayyem, Juliette

Date: Aug 20, 2014

Start Page: A.11

Section: EditorialOpinion

The fearsome response by the Ferguson, Mo., police department in the aftermath of the shooting of Michael Brown was not only shockingly ill-conceived, but in many ways inevitable. This kind of stand-off, with police using tear gas and rubber bullets, and perched atop armored transport vehicles with high-powered rifles, is what happens when local police departments are given access to equipment that has no other function than to kill or terrify.

But military-grade weapons are dangerous not simply because they represent a war-like response so prevalent in security efforts in the post-9/11 era. They also violate the cardinal rules of security in the homeland: flexibility and a capacity to pivot are key.

Here, history is instructive. Until World War II, the American homeland had been relatively safe from foreign attacks. After Pearl Harbor, first responders had to contend with a new type of danger, but how to do so was not entirely clear. New York City Mayor Fiorello LaGuardia wanted the federal government to adopt a war mentality in US cities, with sirens, neighborhood militias, and concrete bunkers. Community-engagement efforts, he once wrote, were "sissy stuff."

It wasn't until President Richard Nixon that the obsession with national security threats finally started to change. That change came because Hurricane Camille in 1969 and several other natural disasters exposed an inadequate and ineffective federal response. In reaction, Nixon authorized an important shift in policy: Domestic security funds could be used for any kind of threat. The new approach was called "dual use" and applied to planning, equipment, and training.

Dual-use has the benefit of being both efficient and effective. The firefighter who shows up at a burning building does not wonder, at that moment, whether an arsonist or a careless cigarette smoker is to blame. She just wants to put the fire out. **The medics at the Boston Marathon finish line had no idea whether the carnage came from a terrorist attack or a gas explosion.** They just implemented their well-honed plans for treating a sudden surge in injuries.

Dual-use planning was consistent with reforms occurring in many urban police departments, which were increasingly embracing community policing models.

And then 9/11 happened. And then we forgot. Once again, we started thinking that community-engagement strategies were "sissy stuff." Enter Ferguson.

In 2007, when I was the state's homeland security adviser, the Bush administration -- which was facing an insurgency in Iraq -- told the states that 25 percent of our federal security funding had to be spent on responses to IED explosives. The states pushed back, pointing out that that percentage was arbitrary and didn't equate to the risks we faced. Boston, after all, is not Baghdad. Citing the need to support first responders regardless of the specific threat they faced, we echoed the dual-use mantra. The Department of Homeland Security relented in that instance, but it still has a long way to go.

It's not that military equipment is absolutely unimaginable in a domestic setting, particularly when police are at risk. But two significant reforms should be made as we right-size our post-9/11 state.

First, don't give a municipal police department single-use weaponry unless that department has a dedicated team trained for such weapons. Otherwise, the federal government should only provide those weapons to state agencies such as the National Guard or the state police. In most cases, that reform would mean that military weapons would ultimately be controlled by a governor, who presumably has better judgment than a small-town police chief.

Second, federal funding schemes should be altered to support well-established policing policies and response efforts. Currently, it's all but impossible to use federal funding to hire new state or local employees. The thinking is that because policing is a local effort, jurisdictions should pay for their own personnel. But that sets up a strange system under which the purchase of "gizmos" is allowable, but the hiring of community-relations experts, bilingual police officers, and more diverse workforces isn't. That needs to change.

These reforms are not "sissy stuff." By refocusing on dual-use planning and limiting military weapons in domestic settings, we can learn from the past and build a safer future.

Juliette Kayyem served in homeland security for Governor Deval Patrick and President Obama. A former candidate for governor, she was a 2013 Pulitzer Prize finalist for her columns in the *Globe*.

Credit: By Juliette Kayyem

Illustration

Caption: Law enforcement officers watch a protest in Ferguson, Mo., Monday.
AFP/Getty Images

Not a beacon for empathy

Boston Globe - Boston, Mass.

Subjects: Legislation; Handicapped accessibility

Author: Farragher, Thomas

Date: Aug 20, 2014

Start Page: B.1

Section: Metro

Document Text

As we toured Beacon Hill the other day, Christine Griffin's narration from her wheelchair made it clear that when it comes to obstacles for the disabled, my vision is impaired.

Buckling bricks. Cracked pavement. Sloppily constructed curb cuts. A lamp post, just feet from the back wall of the State House, plopped down in the middle of the sidewalk.

No problem for me. No problem for most of us. But Chris shook her head as she squeezed by. "Clearly illegal," she said. And she should know. She's the executive director of the Disability Law Center, whose offices are in the neighborhood.

When we got to the intersection of Mount Vernon and Walnut streets, she threw up her hands. "Well, I've got nowhere to go here," she said.

She was right. No curb cut. No ramp. No access.

If the swells on Beacon Hill succeed in their clueless courtroom challenge, people like Chris Griffin will have to wait a long time to cross this street.

Then a strange thing happened right there on the south slope of Beacon Hill. Chris, a tough and funny lawyer, began to shed tears. "Some of the anger and vitriol from them being forced to comply with federal law in their little haven up here is just remarkable," she said.

Remarkable. Yes. The Beacon Hill Civic Association has gone to court. They are up in arms because Mayor Martin J. Walsh is sending the jackhammers into their tony enclave and, you see, it's impairing the area's "unique and irreplaceable historic nature."

Picture Thurston Howell III, peering from his third-floor solarium window, tut-tutting to his wife: "Lovey, that concrete is clashing with the curtains!"

That may be funny if it wasn't so sad.

Boston Globe articles (7/26/2014—11/15/2014) 23

Keeta Gilmore, board chairwoman of the civic group, insists that the neighborhood really, really wants to make Beacon Hill accessible. But the materials "are inappropriate." Too much concrete. Not enough brick. "We would prefer that they hadn't started construction," she said.

Oh, really? Tell that to people like Patrick Downes and Jessica Kensky, the courageous couple who each lost their left leg below the knee in the **Boston Marathon bombing**.

Like everybody, Jess and Patrick appreciate efforts to preserve Boston's architectural integrity and beauty. Beacon Hill under a blanket of freshly fallen snow is a beautiful thing worthy of a Currier & Ives engraving.

But what's happening now is more like Edvard Munch's "The Scream."

"I feel like a community can be judged on how it treats its injured and its less fortunate, and do they really want to be a community that values curb cuts over the dignity of people," Jess told me. "Because that's the message they're sending."

"It's embarrassing," Patrick added. "They make this argument about maintaining the Colonial-era beauty. I'd like to think that Sam Adams would be more welcoming and say we've got to make a change here to make sure people can access the beauty of Beacon Hill."

Here are the four truest words of Marty Walsh's young mayoralty: "This is just ridiculous." He said that to me over the phone.

Can you imagine the meeting where a group of smart, educated, supposedly cultured people sat around a conference table and decided it would be a great idea to take the city to court in the name of blocking progress for the disabled?

So let's sketch out their recovery in three easy parts. One, drop the lawsuit. Two, say goodbye to your public relations consultants. Three, take the money you were paying those handlers and make a contribution to Chris Griffin's nonprofit or to the One Fund.

I'll even add a fourth: Buy some balloons and party hats and gather around the next jack-hammer crew to cheer as they cut into the curbs.

If you're too busy with your brie-and-white-wine garden parties to personally inscribe an invitation for Chris and Patrick and Jess, have your calligraphers do it for you.

But if you're determined to march into court, sorry, you've lost your way.

Thomas Farragher is a Globe columnist. He can be reached at thomas.farragher@globe.com.

Credit: By Thomas Farragher Globe Columnist

Sports Log: Ohio State star quarterback Braxton Miller out for the season

Boston Globe - Boston, Mass.

Subjects: Professional baseball; College football; Domestic violence; Surgery; Athletes; Coaches & managers

Date: Aug 20, 2014

Start Page: C.2

Section: Sports

Document Text

COLLEGE FOOTBALL

Ohio State's Miller out for the season

Ohio State star quarterback Braxton Miller will miss the 2014 season, dealing a severe blow to the fifth-ranked Buckeyes' national title hopes. Ohio State confirmed Tuesday that Miller reinjured his throwing shoulder and will need surgery. The two-time Big Ten player of the year and Heisman Trophy candidate left practice in pain Monday after making a short throw. Miller partially tore the labrum in his right shoulder in a loss to Clemson at the Orange Bowl. He had surgery, did not face contact in spring practice, and was held out of several practices this month because of soreness. Redshirt freshman J.T. Barrett is Miller's top backup and will likely be the starter in the Aug. 30 opener against Navy. Miller said he was on schedule to graduate with a degree in Communications in December and he wanted to attend graduate school, "and then return to lead the Buckeyes next season." . . . Kansas's top two running backs will each miss their senior season after Brandon Bourbon tore his ACL and Taylor Cox tore his Achilles' tendon in separate incidents.

BASEBALL

McLouth to undergo shoulder surgery

Nationals outfielder Nate McLouth will have surgery Thursday for a torn right labrum and is out for the season. He is expected to be ready for spring training . . . The hit that tied the Yankees' Derek Jeter with Honus Wagner for sixth place on the all-time list came a day later than originally thought. MLB made an official scoring change that removed an infield single from Jeter on Aug. 8 and charged Indians first baseman Carlos Santana with an error. Originally, that hit pulled Jeter even with Wagner at 3,430. Instead, a single the next day against the Indians moved Jeter up the chart. His double on Aug. 11 in Baltimore pushed him ahead of Wagner . . . The Indians signed reliever Scott Atchison to a contract for next season, with a team option for 2016. Atchison, 38, who pitched for the Red Sox between 2010-12, is 6-0 with a 2.95 ERA in 53 appearances.

NHL

Islanders en route to new ownership

The Islanders are selling a minority stake of the team, with former Capitals co-owner Jon Ledecky and London-based investor Scott Malkin to become full owners in two years. Under the agreement, current owner Charles Wang will continue as majority stockholder for two years before transfer to the Ledecky-Malkin group. The sale must be approved by the NHL's board of governors . . . The Senators signed forward Clarke MacArthur to a \$23.25-million, five-year extension through the end of the 2019-20 season . . . A settlement was reached in Steve Moore's lawsuit against Todd Bertuzzi, more than 10 years after the bloody, on-ice attack ended Moore's career. Geoff Adair, a lawyer for Bertuzzi, confirmed the case was "settled in its totality" but said the terms are confidential.

BASKETBALL

Drew joins Cavaliers' coaching staff

First-year Cavaliers coach David Blatt hired former Bucks coach Larry Drew as one of his assistants. Blatt will have Drew, Jim Boylan, Bret Brielmaier, and James Posey on the bench along with associate head coach Tyrone Lue . . . Referee Dick Bavetta is retiring after a 39-year NBA career in which he never missed an assignment. Bavetta, 74, officiated a record 2,635 consecutive regular-season games after starting his career on Dec. 2, 1975 . . . Joel Bell, the agent for forward Dante Cunningham, says his client plans to file a civil lawsuit against the woman who accused him of domestic assault. After a four-month investigation, authorities dismissed a charge of felony domestic assault against Cunningham on Tuesday. Cunningham, who played the last two seasons with the Timberwolves, was charged in April after he was accused of choking his then-girlfriend at their suburban Minneapolis home. He became a free agent on July 1, but had to put his search for a new contract on hold while the investigation was conducted . . . The University of Tulsa is being sued by a woman who alleges she was raped by Patrick Swilling Jr. in January. Swilling, son of the former NFL All-Pro linebacker, was suspended for the remainder of the basketball season, but prosecutors declined to charge him and the university cleared him of any violations of the student code of conduct. He is not a part of the lawsuit.

MISCELLANY

Top seed Halep ousted in New Haven

Defending champion and top-seeded Simona Halep was upset in her opening match at the Connecticut Open in New Haven, falling, 6-2, 4-6, 6-3, to Slovakian Magdalena Rybarikova. Rybarikova, ranked 68th, broke the serve of the world's second-ranked player six times. The final break put her ahead, 4-2, in the third set and from there she served out the second-round win in the WTA's final tuneup for the US Open. Earlier,

Boston Globe articles (7/26/2014—11/15/2014) 24

American Alison Riske upset sixth-seeded Italian Flavia Pennetta, 6-1, 7-6 (7-3) . . . Top-seeded John Isner beat fellow American Bradley Klahn, 7-6 (7-5), 6-2, in the second round of the Winston-Salem (N.C.) Open, the final men's tuneup for the US Open . . . Rich Berberian of Windham CC fired a 71 for a 4-under-par two-round total of 140 and a one-stroke lead over Shawn Warren (Falmouth CC) heading into the final round of the NEPGA Championship at Portsmouth CC in Greenland, N.H. Jeffrey Martin (Norton CC) and Jeff Seavey (Samoset Resort) are tied for third, two strokes back . . . The Centennial Farms partnership in Beverly, which owns Wicked Strong, announced that 5 percent of the colt's earnings for the rest of the year will be donated to the **One Fund**. Previously, the partnership donated a percentage of earnings from the colt's Triple Crown races. Wicked Strong will run in the Travers Stakes at Saratoga Saturday.

Credit: From staff and wire reports

Friend of Tsarnaev expected to plead guilty to obstruction

Boston Globe - Boston, Mass.

Subjects: Criminal pleas; Trials; Obstruction of justice; Attorneys; Public prosecutors

Author: Wen, Patricia

Date: Aug 21, 2014

Start Page: B.3

Section: Metro

Document Text

A young man from Kazakhstan who was a close friend of surviving Boston Marathon bombing suspect Dzhokhar Tsarnaev is expected to plead guilty to obstruction of justice charges on Thursday, about a month after his roommate was convicted of similar charges.

The attorney for Dias Kadyrbayev, a former University of Massachusetts Dartmouth student, said Wednesday his client will plead guilty but did not say whether the plea is part of a sentence-reducing deal with prosecutors or whether Kadyrbayev will plead without having such an agreement, with hope that the judge will show leniency.

He had previously pleaded not guilty to accusations that he had removed evidence from Tsarnaev's dorm room, and he was scheduled to go to trial Sept. 8.

In a telephone interview, Robert Stahl, who practices law out of Westfield, N.J., said the details of the guilty plea will be made clear Thursday afternoon in the Boston courtroom of US District Court Judge Douglas Woodlock. As recently as Tuesday, there had been a flurry of pretrial activity, such as the filing of proposed jury instructions.

The US attorney's office did not return phone calls Wednesday seeking comment on Kadyrbayev's expected guilty plea.

Kadyrbayev's change of plea is not surprising to some veteran defense attorneys who followed the trial of his friend and off-campus roommate, 20-year-old Azamat Tazhayakov, also from Kazakhstan. Last month, Tazhayakov was convicted of conspiracy to obstruct justice and obstruction of justice despite being widely portrayed by FBI agents as the less culpable of the two men, the follower, not the leader. Tazhayakov faces a maximum of 25 years in prison at sentencing on Oct. 16.

Martin Weinberg, a veteran criminal defense attorney in Boston, said Kadyrbayev and his attorney must have been crushed to see Tazhayakov convicted and likely believed their only option was to plead guilty and hope the judge reduces Kadyrbayev's sentence in return for the admission and sparing the government from a full-blown trial.

"There were grave risks in continuing down the path of a trial," Weinberg said.

Federal prosecutors recommend sentences based on a number of factors, including at least one working in favor of the two men, a lack of a previous criminal record. In Kadyrbayev's case, his guilty plea will likely count as another factor toward reducing his sentence.

"Acceptance of responsibility gives you some benefits in the calculation of sentences," said Kathy Weinman, a seasoned criminal defense attorney and former president of the Boston Bar Association.

Prosecutors said the two Kazakhstan men, along with a third student, entered Tsarnaev's dorm room on April 18, 2013, hours after the FBI released photos of the two bombing suspects. Before entering the room, Kadyrbayev exchanged text messages with Tsarnaev, including one in which Tsarnaev wrote, "If yu want yu can go to my room and take what's there."

Subsequently, prosecutors said, Kadyrbayev and Tazhayakov allegedly removed a number of items, including Tsarnaev's backpack, containing fireworks and a laptop, while suspecting their friend was a fugitive. Kadyrbayev is accused of later discarding the backpack in a Dumpster behind their New Bedford apartment, while the laptop was left on a table. Both items were recovered by federal investigators.

Robel Phillipos, who grew up with Tsarnaev in Cambridge, is accused of being with Kadyrbayev and Tazhayakov that night but is only charged with lying to investigators about his whereabouts and not with the removal of any evidence. His trial is scheduled for Sept. 29th.

The three young men had frequently socialized with Tsarnaev, who is accused with his older brother, Tamerlan, of planting two bombs that exploded near the Marathon finish line on April 15, 2013, killing three and injuring more than 260. Tamerlan died in a violent confrontation with police in Watertown in the early morning hours of April 19, just a few days after the bombing. Tsarnaev fled the scene, and was later found in a docked boat in the backyard of a Watertown home.

His trial is scheduled for November.

Milton J. Valencia and John R. Ellement of the Globe staff contributed to this report. Patricia Wen can be reached at wen@globe.com.

Credit: By Patricia Wen Globe Staff

Tsarnaev college friend pleads guilty: Judge hears of plea deal in obstruction of justice case

Boston Globe - Boston, Mass.

Subjects: Criminal pleas; Marathons; Fraud; Obstruction of justice

Author: Wen, Patricia

Date: Aug 22, 2014

Start Page: B.1

Section: Metro

Document Text

Federal prosecutors have agreed to ask for no more than a seven-year prison term for a close friend of Boston Marathon bombing suspect Dzhokhar Tsarnaev after the friend pleaded guilty to obstruction of justice Thursday, about two weeks before he was scheduled to go to trial.

Dias Kadyrbayev, one of four former classmates of Tsarnaev to face federal charges related to the bombing case, appeared calm as he listened to a prosecutor read a 17-point chronological statement about how Kadyrbayev removed a backpack containing manipulated fireworks and a laptop from Tsarnaev's dormitory room on April 18, 2013, a few days after the bombing.

"Is that all true?" US District Judge Douglas Woodlock asked Kadyrbayev, a native of Kazakhstan, after the statement was read.

"Yes," replied Kadyrbayev, with his father seated several rows behind him in court.

The 20-year-old former University of Massachusetts Dartmouth student then formally pleaded guilty to obstruction of justice and conspiracy to obstruct justice, which would expose him to a maximum 25-year prison term if not for the plea deal. The judge said he wants to review the Probation Department's presentencing report before accepting the deal, which would limit the judge's ability to go beyond a seven-year prison term.

The judge said he reserves the right to reject the deal's terms. If he does so, Kadyrbayev is free to withdraw his guilty plea. The judge set sentencing for Nov. 18.

Kadyrbayev was taken away in handcuffs and returned to the Essex County jail in Middleton, where he has spent most of the past 16 months.

Boston Globe articles (7/26/2014—11/15/2014) 26

Kadyrbayev's attorney, Robert Stahl of Westfield, N.J., later released a written statement saying that his client was "a young man, just 19 years old at the time, who made a terrible error in judgment for which he has paid dearly."

Outside the courthouse, Stahl emphasized that Kadyrbayev was totally unaware that Tsarnaev was planning to bomb the Boston Marathon.

"He hopes that by accepting responsibility, people here in Boston and across the world will eventually understand that he did not [obstruct justice] out of malice or in any way condone what the Tsarnaevs have allegedly done," Stahl said.

Kadyrbayev's plea comes as federal prosecutors are busy preparing cases against two other friends of Tsarnaev and Tsarnaev himself. The 21-year-old former UMass Dartmouth student is accused, along with his older brother, Tamerlan, of planting two bombs that exploded near the Marathon finish line on April 15, 2013, killing three and injuring more than 260. On April 18, after the FBI released photos of the two suspected bombers, the brothers went on the run and allegedly killed MIT police Officer Sean Collier in what authorities say was an unsuccessful effort to get his service weapon.

Hours later, on April 19, Tamerlan Tsarnaev died in a violent confrontation with police in Watertown. Dzhokhar Tsarnaev fled and was found later that day in a boat stored in the backyard of a Watertown home.

It was during the manhunt for the suspects that three of Tsarnaev's closest friends from UMass Dartmouth -- Kadyrbayev, Azamat Tazhayakov, and Robel Phillipos -- allegedly began interfering with the federal investigation.

Tazhayakov, another native of Kazakhstan who lived in an off-campus New Bedford apartment with Kadyrbayev, was found guilty by a jury last month of being a coconspirator with Kadyrbayev in the removal of evidence from Tsarnaev's dorm room, including throwing the backpack in a dumpster. He is scheduled to be sentenced in October.

Phillipos, 20, is charged with lying to investigators about being with the two Kazakhstan students on the night they entered Tsarnaev's dorm room. His attorney, Susan Church of Cambridge, said she cannot comment on any potential plea negotiations in his case.

She said, however, that the charge that her client faces "is very different." The trial of Phillipos, who has been free on bail since May 2013, is scheduled for late September.

Meanwhile, a fourth close friend of Tsarnaev, Stephen Silva, 21, who attended Cambridge Rindge and Latin with Tsarnaev and worked as a part-time Harvard lifeguard with him, was arrested last month on federal drug and gun charges.

Silva's lawyer said he was told by investigators that the gun charge relates to an allegation that Silva provided a defaced pistol to Tsarnaev months before the Marathon,

Boston Globe articles (7/26/2014—11/15/2014) 26

and that pistol was used in the killing of Collier. That gun was later recovered at the scene of the Watertown shootout.

Silva's lawyer, Jonathan Shapiro, has said that his client had nothing to do with the bombing or the violence that erupted during the manhunt. Silva is being held without bail.

Patricia Wen can be reached at wen@globe.com.

Credit: By Patricia Wen Globe staff

Tsarnaev lawyers push for indictment to be thrown out: Grand jury selection process is faulty, they say

Boston Globe - Boston, Mass.

Subjects: Fatalities; Grand juries; Court decisions; Attorneys; Indictments

Author: Andersen, Travis

Date: Aug 23, 2014

Start Page: B.3

Section: Metro

Document Text

Lawyers for accused Boston Marathon bomber Dzhokhar Tsarnaev want a federal judge to dismiss the sweeping indictment against him, citing concerns about the selection of grand juries in federal court in Boston, where their client faces a possible death sentence, if convicted.

In a motion filed Friday, defense attorneys identified several concerns about the manner in which grand juries were selected between 2011 and 2013, including in his case. Among the issues was the fact that qualified jurors over 70 years old were automatically excused upon request.

More than 96 percent of prospective jurors older than 70 chose not to serve in the three-year period, and a nearly identical percentage opted out when Tsarnaev's grand jury was selected, said the defense motion.

"Being over age 70 -- like race, sex, and national origin -- is an immutable characteristic - one cannot get younger -- and exclusion on the basis of such a characteristic gives rise to the appearance of unfairness," Tsarnaev's attorneys wrote.

They also argued that African-Americans have been underrepresented in the selection process.

"This underrepresentation, [Tsarnaev] submits, is constitutionally significant," the lawyers wrote, adding that "under representation in municipal resident lists is attributable to some form of official action or inaction in the jury selection process and is, therefore systemic exclusion."

In addition, about 5 percent of the 400 summonses used to create the grand jury pool in Tsarnaev's case were returned as undeliverable by the US Postal Service, and there were no draws from a supplemental group to fill the gap, defense attorneys say.

Boston Globe articles (7/26/2014—11/15/2014) 27

They are asking US District Court Judge George A. O'Toole Jr. to "dismiss the indictment returned in this case and stay further proceedings" pending changes to the selection process, according to the filing.

Prosecutors did not immediately file a response Friday, and a spokeswoman for US Attorney Carmen M. Ortiz declined to comment.

O'Toole has yet to rule on a defense motion to move Tsarnaev's highly anticipated trial to Washington, D.C., on the grounds that there is an "overwhelming presumption" of guilt in Massachusetts, among other factors.

Tsarnaev, 21, faces charges that could bring the death penalty for his alleged role in the April 15, 2013, bombings, which killed three people, including an 8-year-old boy, and wounded more than 260. He has pleaded not guilty.

Tsarnaev and his older brother and alleged accomplice, Tamerlan, are also accused of fatally shooting an MIT police officer. Tamerlan Tsarnaev died in a violent confrontation with police in Watertown days after the blasts.

Martin Finucane of the Globe staff contributed to this report. Travis Andersen can be reached at travis.andersen@globe.com.

Credit: By Travis Andersen Globe staff

Lowell officer charged in fatal crash

Boston Globe - Boston, Mass.

Subjects: Arrests; Fatalities; Traffic accidents & safety; Drunk driving

Author: McNeill, Claire

Date: Aug 24, 2014

Start Page: B.1

Section: Metro

Document Text

A Lowell police officer was charged with motor vehicle homicide and drunken driving after a crash early Saturday morning in Methuen left a young Lawrence man dead and his sister injured.

Methuen police say Officer Eric Wayne, 41, from Lowell, was driving a 2013 Land Rover westbound on Riverside Drive when he crossed the double yellow line and struck a 1998 Mercury Mountaineer at approximately 12:30 a.m. Saturday.

Firefighters used the Jaws of Life to extricate the driver of the Mountaineer, 26-year-old Briant Paula, from the car. He was pronounced dead at Lawrence General Hospital after suffering massive trauma, police say.

His sister, Lois Paula, 24, who was in the passenger seat, was also taken to that hospital. She was expected to survive.

Wayne refused medical treatment at the scene at 868 Riverside Drive, according to police.

He was arrested and taken to the Methuen police station, where he was charged with driving under the influence of liquor, having an open container of alcohol in the car, negligence, and marked lanes violation, in addition to vehicular homicide.

He is being held on \$500,000 cash bail awaiting a Monday arraignment in Lawrence District Court, according to Essex District Attorney spokeswoman Carrie Kimball Monahan.

Wayne had been arrested in July 2013 in Lowell on charges of operating under the influence of alcohol, according to a report in the Lowell Sun.

After the 2013 case, Wayne was placed on paid administrative leave, then reinstated in June, Lowell Police Superintendent William Taylor told the Sun on Saturday.

Because that charge and Saturday's are still pending, Wayne has not been formally disciplined, Taylor told the Sun.

Neighbors in Briant Paula's Lawrence apartment complex remembered him Saturday as an easygoing, cheerful friend.

"He was a happy, lovable person and always looked out for everybody around here," said neighbor Freddy DeJesus, 21. "He was always even-keeled and happy. You never saw him sad, ever."

DeJesus' grandmother Ana Belen, 63, said Paula was a good son and a hard worker. She and a neighbor used to joke around with Paula, calling him their husband.

"I treated him like my son," she said. "I can't even speak because I loved him so much and he was such a nice guy."

Paula shared an apartment with his mother and sister, DeJesus said, and had an "awesome" relationship with them, as well as other building tenants.

"It was always a welcoming, mutual kind of friendship," DeJesus said.

Paula said those in the apartment will have to help each other move past the shocking loss.

"The best thing I can say is, he will forever be missed," he said. "He was the biggest piece in keeping everybody together and happy as a whole in this community."

Wayne has an open case in Lawrence following his 2013 arrest on charges of operating under the influence, Kimball Monahan said.

The Lowell Sun reported that he was arrested and charged by Lowell police on July 4, 2013, with driving under the influence of alcohol.

Police found an open bottle of beer in his car, and Wayne failed a field sobriety test that day, the Sun reported.

The Lowell Police Department referred all questions Saturday to the Essex district attorney's office.

In a May profile, the Globe dubbed the officer Lowell's "vegan mayor" for his love of vegan food.

The Lowell organic restaurant Life Alive, where Wayne was a regular, named a dish for him: "the 5-0."

"I feel like I haven't aged in seven years," he said then, touting the benefits of healthy eating.

The chief operating officer of Life Alive, Steve Anderson, said the company's thoughts are first and foremost with the Paula family.

"Our hearts and prayers go out to the family," Anderson said. "It's such a tragic thing to lose such a young person."

Wayne, the son of a decorated Lowell police detective who died in 2009, ran the Boston Marathon this year after meeting Kevin Corcoran, whose wife, Celeste, lost her legs in the **bombings**.

Wayne's run benefited MyTeam Triumph, a nonprofit that pairs able-bodied runners with the disabled.

According to a post on the Internet Movie Database, Wayne had a small role as a Lowell police officer in the 2010 movie "The Fighter."

Claire McNeill can be reached at claire.mcneill@globe.com. Follow her on Twitter @[clairemneill](https://twitter.com/clairemneill)

Credit: By Claire McNeill Globe Correspondent

Illustration

Caption: Police Officer Eric Wayne

Unvarnished truth in Foley's life, video of gruesome death

Boston Globe - Boston, Mass.

Subjects: Murders & murder attempts; Newspapers; Social networks

Author: Jacoby, Jeff

Date: Aug 24, 2014

Start Page: K.9

Section: EditorialOpinion

Document Text

Scarcely had ISIS posted its video showing the grisly beheading of American journalist James Foley than the rush to stifle it began.

"Don't watch the video. Don't share it. That's not how life should be," entreated Foley's sister Kelly in a message on Twitter that was heavily retweeted. Thousands of social media users, some of them journalists, called for an #ISISMediaBlackout -- the hashtag quickly went viral -- and Twitter CEO Dick Costolo announced that the company was "actively suspending accounts as we discover them related to this graphic imagery." YouTube removed versions of the video posted on its site, invoking its policy on "gratuitous violence, hate speech, and incitement to commit violent acts."

Most mainstream news organizations chose not to show or link to the sickening videos, or to publish still photos showing Foley being beheaded. One exception was the New York Post, which ran a front-page picture showing the journalist just as the knife was put to his throat, with the one-word headline: "SAVAGES." For doing so, the paper was vehemently criticized. BuzzFeed editor Adam Serwer echoed the widespread view that to publicize the gruesome image was to give the terrorists more of the notoriety they crave. "Pretty sure ISIS could not be happier with the New York Post's front page today," he tweeted.

Would that have been Foley's reaction? Would he have clamored for self-censorship and a media blackout? Or would he have wanted decent people everywhere to know -- and, yes, to see -- the crimes being committed by the ruthlessly indecent killers calling themselves the Islamic State?

The intrepid and compassionate reporter from New Hampshire didn't travel to Syria to sanitize and downplay the horror occurring there. He went to document and expose it. The 4-minute, 40-second video that records the last moments of Foley's life may be slick jihadist propaganda designed to intimidate ISIS's enemies and recruit more zealots to its cause. But it is also a key piece of the news story that Foley risked everything to pursue.

That story cost him his life. The least we can do is bear witness to the courage and dignity with which he met his awful end.

Anyone with a heart understands why Foley's anguished loved ones would want his murderers' gloating depravity to be suppressed. When The Wall Street Journal's Daniel Pearl was beheaded by Al Qaeda in 2002, his family issued a similar plea. "We should remove all terrorist-produced murder scenes from our Web sites and agree to suppress such scenes in the future," urged Daniel's father, the scientist Judea Pearl, in a published essay.

But we will never prevail over an enemy as barbaric and totalitarian as the Islamic State if we avert our gaze from what it does to those it vanquishes. There are times when it is necessary to see the evil, not just to read or hear about it. Images, especially of man's inhumanity to man, can often convey truths and illuminate reality with an urgency that the best-chosen words cannot match. It would have been unthinkable for the media to suppress the photos and video of the **carnage at the Boston Marathon last year**, or of the mutilated bodies of US soldiers being dragged through Mogadishu in 1993, or of Senator Robert Kennedy's assassination at the Ambassador Hotel in Los Angeles in 1968. Jurors in the Whitey Bulger trial weren't just told what the gangster did to his victims. They were shown the ghastly crime-scene photos.

Granted, social networks like Twitter and Facebook are under no obligation to provide a platform for the unmediated ravings of terrorists and psychopaths. As private companies, they have every right to enforce standards of taste, safety, and the public interest. So, of course, do news organizations, which have wrestled with such dilemmas for many years. There is no universal litmus test that can always distinguish what is vital and newsworthy from what is mere gratuitous sensationalism.

But this isn't a close call. What was true of the video of Daniel Pearl's beheading is true of James Foley's. It is true of the other videos of mass-murder and beheadings that ISIS terrorists have been disseminating as their so-called caliphate metastasizes through Syria and Iraq. They clarify beyond all denial the utter monstrousness of an enemy we must destroy, or be destroyed by.

James Foley didn't hide from that unvarnished truth. The rest of us shouldn't either.

Jeff Jacoby can be reached at jacoby@globe.com. Follow him on Twitter @jeff_jacoby.

Credit: By Jeff Jacoby Globe Columnist

Illustration

Caption: James Foley pauses while covering the civil war in Aleppo, Syria, in November 2012. freejamesfoley.org/Associatedpress

Up close from far away

Boston Globe - Boston, Mass.

Subjects: Social networks; Police brutality

Author: Michael Andor Brodeur

Date: Aug 24, 2014

Start Page: N.20

Section: Arts

Document Text

A horror grows worse when it grows familiar - when the term "horror" can no longer contain it and it ruptures into "how things are."

Much of what we've watched unfold and unravel over the past weeks in Ferguson, Mo. -- where the shooting of an unarmed black teenager by a white police officer flung a community into chaos, and an aggressive police response stoked further anger, violence, and distrust -- has been a manifestation of this struggle against the outrageous becoming the norm.

And despite cable news immersing its shaky lenses in the tumult, the nuances of the conflict were lost in the noise, as anchors looped facile narration of the nightmare amid attacks from police and protesters alike. The broadcasts of the most violent parts of the protest felt like a push-and-pull between familiar prime-time shock-and-awe warfare footage (night-vision video of tanks shrouded in plumes of tear gas . . .) and uniquely appalling atrocity (. . . on a suburban American street).

But if you were watching #Ferguson erupt in real time online, you may have experienced another familiar dimension to the crisis -- especially if you live 1,200 miles northeast of Ferguson.

Last year, just a few seconds after the two bombs went off at the Boston Marathon, I spotted a tweet from a friend on Boylston Street who suspected a gas main had just burst outside his apartment. From that moment, my feed was overwhelmed with a wave of panic and speculation, which eventually resolved into a stream of eyewitness accounts and amateur detective work. Meanwhile, a flock of hashtags spread out and attempted to lasso the information into some kind of order.

As the day wore on and the search for the suspects intensified, I and others searched Twitter for immediate updates from police, journalists, and observers; we crowded onto Livestream to listen to live scanner feeds; we even checked the freshly launched Vine service for brief glimpses of the outside world as we sheltered in place.

Boston Globe articles (7/26/2014—11/15/2014) 30

Every laptop in town was 30 minutes ahead of the cable news teleprompters. Without the mediation of the media -- no editors, anchors, or advertisers -- our connection to the crisis was direct, throwing the circling commentary, cycling footage, and eagerly imposed narratives of cable news into irritatingly harsh relief.

So it goes in Ferguson -- or, under #Ferguson, that is. For one thing, were it not for the spike of interest across social media on Aug. 13 -- when more than 4,400 tweets per minute mentioned #Ferguson -- it may have been tuned out altogether in the national media. But #Ferguson hasn't just clocked a chronology of the conflict, it's opened up a space to document the many dimensions of the problem -- views that can't be seen from "The Situation Room."

Some of the most gripping documents of the Ferguson uprising have come from St. Louis alderman Antonio French, who has been posting video (an example below) of the protests to Vine since they first broke out. You can witness a police line incrementally advance and remove him from his car; you can hear him gasp as clouds of tear gas blow through; and, most noticeably, you can hear each protester's voice, distinct from the din of protest. Somehow, these tiny clips have a way of highlighting their message rather than truncating it.

Elsewhere online, Reddit hosted a massive live feed that corralled hundreds of tweets and police reports and delivered thousands of viewers to Ustream webcasts of St. Louis County Police scanners. Dozens of journalists flooded Twitter with updates from the ground. And on Vine (below), rapper Tef Poe advised fellow protesters to carry spray bottles of diluted Maalox to help endure gas attacks.

But though our connection to Ferguson through #Ferguson feels unfettered, it isn't necessarily unfiltered.

Our Twitter feeds may not pass through the cumbersome algorithms that smooth out and filter what content we encounter on our Facebook News Feeds (accounting for the noted absence of Ferguson posts on Facebook when the conflict first flared up), but they are dictated by who and what we follow -- our own choices, the very model of curated attunement that authors of algorithms aspire to. We tend to be our own finest filters, and if you don't believe me, just open your personal browser history and survey the not-so-wide world of your Web.

Our consumption of online news is driven by a hunger for immediacy, relevance, quantity, and convenience (not to mention an expectation that it should be free). It's a now-now-more-more approach to news that is especially perilous when paired with our inclination to "like" what we like, and hide what we don't.

Some have rightly identified #Ferguson as a wake-up call about issues of net neutrality - that allowing corporate forces to mediate or moderate our access to the Internet would be a forfeiture of its fundamentally open exchange of information.

But in having it all we must also exercise caution: Confronted by the ceaseless deluge of data, clashing perspectives, and viral polemics that our feeds deliver, we run the risk of becoming our own overworked, underpaid editors. As our culture rushes past us as content, we risk delegating the course of our discourse to trends, and mistaking exhaustion and overload as the rewards for engagement. We risk making our horrors too easy to hide.

Michael Andor Brodeur can be reached at mbrodeur@globe.com. Follow him on Twitter @MBrodeur.

Credit: By Michael Andor Brodeur Globe Staff

Illustration

Caption: scott bakal for the boston globe

Prosecutors hit Tsarnaev defense findings: Data 'flawed' in bid to move trial

Boston Globe - Boston, Mass.

Subjects: Marathons; Trials; Newspapers; Capital punishment; Public prosecutors

Author: Andersen, Travis

Date: Aug 26, 2014

Start Page: B.5

Section: Metro

Document Text

Federal prosecutors on Monday criticized the findings of a defense specialist in the case against accused Boston Marathon bomber Dzhokhar Tsarnaev, arguing that the analyst used "flawed and misleading" data to support a defense request to move the trial out of Massachusetts.

In a legal filing in federal court in Boston, prosecutors took aim at a sworn affidavit submitted earlier this month by Edward J. Bronson, a professor emeritus at California State University Chico, who studied coverage of the case in The Boston Globe and determined the newspaper's coverage was highly inflammatory.

The reporting was one of the factors that Bronson, who conducted his research for Tsarnaev's lawyers, cited in support of their pending motion to move the trial from Boston to Washington, D.C.

But on Monday prosecutors questioned his analysis of the coverage.

They wrote that Bronson cited more than 2,400 Globe articles published between April 2013 and July 2014 that he said referred to the bombings.

However, prosecutors wrote, among those articles were any that contained the phrases "Boston Marathon" or "Boylston Street."

The government said that of the first 50 articles that appear in the Globe archives during the relevant time period that contain either of those terms, 30 have little or nothing to do with the case.

"Mr. Bronson's time [and the Court's money] would have been better spent on a more thorough vetting of the news articles themselves than on the drafting of his lengthy affidavit," the filing said.

Bronson had said in his affidavit that many of the cited articles were not about the bombings but only referred to them, adding that "a passing reference . . .

does show the pervasive impact of the case."

Tsarnaev, 21, has pleaded not guilty to several charges that could bring the death penalty for his alleged role in the April 15, 2013, bombings, which killed three people and wounded more than 260.

In Monday's filing, prosecutors raised several other issues in questioning the validity of Bronson's research, including his public opposition to the death penalty. They also said his polling data showing an overwhelming presumption of Tsarnaev's guilt among Boston residents is unreliable.

But even if the poll results are taken at face value, they do "not mean the jurors cannot set aside their beliefs and apply the presumption of innocence," prosecutors wrote.

Travis Andersen can be reached at travis.andersen@globe.com.

Credit: By Travis Andersen Globe Staff

Marathon bombing survivor, nurse get dream wedding

Boston Globe - Boston, Mass.

Subjects: Weddings

Author: Radsken, Jill

Date: Aug 27, 2014

Start Page: B.14

Section: Lifestyle

The pain of the Boston Marathon bombings has led to a beautiful new beginning for one survivor. Last Saturday, James Costello married Krista D'Agostino, one of the nurses at Spaulding Rehabilitation Hospital where he rehabbed after multiple surgeries for burns and shrapnel.

The bride and groom were treated to a top-notch affair at the Hyatt Regency in Boston Saturday. Wedding planner Rachael Gross, owner of Lolagrace Events, helped the couple plan a "nautical wedding, but without the literal nautical elements." (Instead of ropes and anchors, there were white and blue hydrangeas, and silver-rimmed tableware.)

"It was such a true representation of their character, their style, and their love," said Gross. "Everyone was soaring, soaring."

Gross and the Hyatt donated their services as did all of the other vendors affiliated with the wedding including Bella Sera Bridal boutique in Danvers, Blooms of Hope in Belmont, Prudente Photography, Goosefish Press, and Italian crooner Antonio Cassisi. I Do Films flew from Chicago on their own dime to videotape the wedding day.

The couple, now en route to their honeymoon in Hawaii, danced to John Legend's "All of Me" -- first as a dance mix with the crowd of 160, then alone as a couple to the slow ballad version.

In lieu of favors, Costello and D'Agostino announced they would make a donation to the Semper Fi Foundation to help provide a military couple with the means to have a wedding.

"They just want to give someone a special moment like we've given them," said Gross.

Credit: By Jill Radsken Globe Correspondent

Illustration

Caption: Prudente Photography

Candidates spar over Tsarnaev, Remy cases: Ryan, Sullivan face off in fractious debate as race for DA in Middlesex intensifies

Boston Globe - Boston, Mass.

Subjects: Marathons; District attorneys; Murders & murder attempts

Author: Andersen, Travis

Date: Aug 28, 2014

Start Page: B.1

Section: Metro

Document Text

FRAMINGHAM -- Middlesex District Attorney Marian T. Ryan and the man vying to unseat her, Michael A. Sullivan, clashed Wednesday night on the investigation into a Waltham triple murder in 2011 linked to accused Boston Marathon bomber Tamerlan Tsarnaev, as well as the handling of the Jared Remy case.

Speaking during a feisty debate in front of about 70 people at the Framingham Public Library, Sullivan, the current clerk of the Middlesex courts, said that if county investigators had initially "followed the phone records" in the Waltham slayings, then "Tsarnaev would have been identified" as a possible suspect.

Tsarnaev died in a confrontation with police in Watertown. Police accused him and his brother, Dzhokhar, of setting off the bombs at the Boston Marathon on April 15, 2013, killing three people and wounding more than 260.

Ryan, who was appointed district attorney in April 2013 after her predecessor stepped down, is leading the investigation into the Waltham case, which she said remains "very active."

Sullivan stressed on Wednesday that he was not suggesting a more aggressive investigation in Waltham may have prevented the Marathon bombings.

Despite that qualification, Ryan bristled.

"To suggest that . . .

shows an incredible lack of understanding, based on pure speculation," Ryan said. "We certainly don't run with [speculation]. And we don't in any way demean the real tragedies."

Sullivan shot back, telling Ryan that one of the people killed in the bombings, Krystle Campbell, was a family friend, and that he would never diminish her family's suffering.

The debate, which was co-sponsored by the Framingham Democratic Town Committee and the MetroWest Daily News, featured several more sharp exchanges between the candidates.

The hopefuls locked horns on the Remy case, with Sullivan chiding Ryan for initially withholding portions of a highly anticipated review of her office's handling of the matter.

"I think there were things to hide," Sullivan said. "The district attorney did that, and then she got caught."

An assistant district attorney chose not to ask a judge to hold Remy during his August 2013 arraignment on charges of assaulting his girlfriend, Jennifer Martel. He walked free and killed her the following night.

Ryan recently conceded that she initially withheld a summary of interviews with employees as part of the report, because she had told them to speak candidly. She stood by that decision on Wednesday and said that rather than subject her subordinates to media scrutiny, she took full responsibility for the Remy case.

She also pressed Sullivan on what she described as his recent pledge that the tragic case would not be repeated on his watch. She noted that as a bail commissioner, he has collected thousands of dollars from suspects whom he released on bail, which is the manner in which commissioners are paid.

Sullivan said he could not guarantee that prosecutors would avoid another Remy-type scenario if he was elected, but his odds of preventing such a tragedy are "significantly higher."

Regarding bail commissioners, he said he is part of a group reviewing possible changes to the way they are compensated.

Ryan repeatedly raised the issue of Sullivan's payment for work that he performed outside of his duties as clerk.

She criticized him for collecting a \$1.2 million referral fee as a private lawyer in a civil case, arguing that his percentage of the final award was far higher than is customary. And she also blasted consulting work he did, while serving as court clerk, for a real estate project that could have wound up in the courts in his jurisdiction.

"What's the developer paying for? They're paying you for access," Ryan said.

Sullivan defended the referral fee and said that he would not apologize for supporting his family.

He said he would have recused himself if the real estate project ever became the subject of legal proceedings in Middlesex County.

The candidates were also asked about the high turnover rate of Middlesex prosecutors, a challenge that has historically faced district attorneys across the state.

Ryan said she would continue to lobby for higher salaries for prosecutors, to bring the rates up to "livable" levels for her staff.

Sullivan said that in addition to a good salary, employees must feel valued. He pointed to a recent Globe report indicating that some of Ryan's former employees have accused her of creating a hostile work environment.

Ryan declined to address the allegations, saying that "it's pretty easy to look at these things" and consider the "promises that might have been made."

She also said that Sullivan's employees have donated some \$30,000 to his campaign, which she suggested may be the result of "bullying or pay-to-play."

Sullivan said the workers are protected by unions and would reap "no benefit" for their contributions.

Travis Andersen can be reached at travis.andersen@globe.com.

Credit: By Travis Andersen Globe Staff

Tsarnaev sister arrested in threat

Boston Globe - Boston, Mass.

Subjects: Marathons; Criminal investigations

Author: Valencia, Milton J

Date: Aug 28, 2014

Start Page: B.3

Section: Metro

Document Text

A sister of the Boston Marathon bombing suspects was arrested in New York on Wednesday after allegedly threatening a woman in a domestic harassment case, saying, "I have people that can go over there and put a bomb on you."

Ailina Tsarnaev of North Bergen, N.J., was arrested at a police station in New York City Wednesday afternoon, charged with one count of aggravated harassment. She was released with a summons to return to a criminal court in Manhattan on Sept. 3, said police Lieutenant John Grimpel.

Grimpel said the victim of Ailina Tsarnaev's alleged threat has a child with the father of one of Tsarnaev's children. Grimpel did not elaborate on the nature of the dispute.

Tsarnaev told police she is 21, though she is believed to be three years older.

Her brother Dzhokhar Tsarnaev, 21, is awaiting trial in federal court, accused, along with his older brother, Tamerlan, of setting off the April 15, 2013, bombs at the Boston Marathon that killed three people and injured more than 260.

Dzhokhar and Tamerlan Tsarnaev are also accused of shooting and killing MIT police officer Sean Collier days after the bombing. Tamerlan Tsarnaev was killed during a violent confrontation with police.

Ailina and another sister, Bella Tsarnaev, have visited their brother at the federal prison in Fort Devens in Ayer, where he is being held. Defense lawyers have sought to have private conversations with Dzhokhar Tsarnaev and his sisters as they seek to learn more about their family. They expect to argue that Dzhokhar Tsarnaev was pressured to participate in the bombings by his brother.

Ailina Tsarnaev has been arrested before. She was charged with impeding a 2010 investigation into counterfeiting, and later failed to appear in court. The investigation was based on the passing of a counterfeit bill at an Applebee's restaurant in Dorchester. She is

Boston Globe articles (7/26/2014—11/15/2014) 34

not accused of passing the fake currency, but police say she knew members of the group that did.

The two Tsarnaev sisters are believed to be staying together in New Jersey, and New York media outlets recently reported that Tamerlan Tsarnaev's widow, Katherine Russell, who had a child with him, recently moved in with them.

Milton J. Valencia can be reached at mvalencia@globe.com. Follow him on Twitter @miltonvalencia.

Credit: By Milton J. Valencia Globe Staff

A ballot fight over the ballot

Boston Globe - Boston, Mass.

Subjects: Political appointments; Governors; Presidents; Inaugurations; Books;
Primaries & caucuses

Date: Aug 29, 2014

Start Page: D.5

Section: Metro

Document Text

A ballot fight over the ballot

It's a battle among the political bantam-weights. A candidate for lieutenant governor is in a snit over a rival's job description on the ballot. And he is making demands that, if acceded to by state election officials, would tear up the already printed Sept. 9 Democratic primary ballot and force the state to reschedule the election.

Michael Lake is angry that Secretary of State William F. Galvin is allowing Steve Kerrigan to include information following his name on the ballot that describes him as "Former member, Presidential Inaugural Committee." Lake wanted to include a description of his own job in the Clinton White House -- "White House Operations, Special Assistant" -- but Galvin denied his request.

Galvin's election division legal counsel, Rebecca Murray, says the law is clear: It allows a candidate to use a public office -- defined as a position established by statute to administer the law -- as a description on the ballot. But a position defined as a public employee does not meet the requirement. She says Kerrigan, who was appointed by President Obama to chair the commission coordinating his 2009 inaugural events, was able to prove the job met the requirements of being considered a public office. Lake's White House position does not, the counsel said.

A lawyer for Lake, Steven R. Schlesinger, filed a letter of complaint: "To allow one candidate to describe himself as the curator of presidential 'parties and parades' and deny the other a rightful description as having held a responsible position by appointment of the president of United States is manifestly unfair," he wrote.

He demanded Kerrigan's description be removed from the already printed ballot and threatened to "take such measures as necessary to ensure that the citizens of Massachusetts are provided a fair and equal election."

Murray said Lake had an opportunity to produce documentation before the ballot was printed, but never did. Kerrigan did. The law is on Kerrigan's side, the secretary insists -- end of argument.

Frank Phillips

Menino, the book

Publisher's Weekly described the book as a "straightforward account" that is "plainly written" but the author's "zeal to serve the average citizen . . . shines through and lifts the book's prose."

US Senator Elizabeth Warren lauded the author in a dust-jacket blurb. Former president Bill Clinton extolled the tome as a "fascinating look" at "getting stuff done."

The book is "Mayor for a New America," the autobiography by former mayor Thomas M. Menino. The 256-page work, scheduled to be released Oct. 14, was co-written by Jack Beatty, author of "The Rascal King," a biography of Boston mayor James Michael Curley.

The succinct write-up in Publisher's Weekly represented the first review. The book begins with the Boston Marathon bombings, when Menino checked himself out of the hospital with a broken leg and a host of other maladies. According to the review, the work offers a sketch of Menino's family, chronicles his time in office, and notes his nickname "Mumbles" and his penchant for verbal gaffes.

Menino is expecting to kick off his book tour in October. Will the first stop be Trident Booksellers on Newbury Street? Or maybe the public library in his home neighborhood of Hyde Park?

No, Boston's longest-serving mayor is expected to kick off his book tour in New York City.

Andrew Ryan

Baker, momentarily stumped

Gubernatorial hopeful Charlie Baker is a polished pol.

At a debate at the Globe on Monday, he talked cogently about complicated health care policies. He carefully parried attacks from his primary rival, Mark Fisher, on the tinderkeg issue of abortion rights. And he thoughtfully laid out his vision for what a Massachusetts under Governor Baker would look like.

But asked to name a current politician who serves as a role model for him, Baker appeared utterly stumped.

Fisher quickly chose Wisconsin Governor Scott Walker, a darling of conservative groups across the nation.

But Baker first wanted to clarify some things.

Current politician? Yeah.

Currently serving in office? More or less; in the arena.

Ronald Reagan? The Gipper doesn't count because he's dead, Baker was told.

The audience laughed.

Then there were some ums.

Then: "You know, you're kind of stumping me here, um. . ." Baker said, brain presumably whirring through the possible political repercussions of thousands of picks.

Finally, 31 long seconds after the question had been posed to him, Baker offered: "How about Jeb Bush?"

The former Florida governor, seen as a moderate Republican, seemed as acceptable an answer as any.

Joshua Miller

A respite from politics

Dropkick Murphys bassist and vocalist Ken Casey has had it with politics.

After heavy involvement in last year's mayoral campaign -- the strongly pro-labor band backed eventual victory Martin J. Walsh -- Casey sounds anything but tempted to dive once more into the political moshpit.

"I don't care if JFK came back from the grave, we wouldn't be on the campaign trail right now," said Casey.

If Casey were to involve himself in this year's gubernatorial campaign, though, it's fairly evident who would win his support.

"I've known Charlie a long time before any political aspirations, and I respect the man completely," Casey said of his friend Charlie Baker, the GOP candidate for governor. The band has consistently lined up on the Democratic side of issues, but, Casey said, "The long and the short of it for me is I'll put a good guy ahead of what their party is any day."

The band performed at Baker's 50th birthday, Casey said, and has collaborated with Baker on charity events for years.

Baker, who memorably launched his 2010 campaign with an exuberant air-guitar display at Faneuil Hall, can also be spotted on the Dropkicks' "Live on Lansdowne" DVD, Casey said.

"He's actually in the crowd, rocking out pretty hard," said Casey. "The tie was off and the shirt was unbuttoned, that's for sure."

Jim O'Sullivan

Frank . . . on Frank

At Harvard this school year, students will have the benefit of a professor who has lived his subject matter.

Former congressman Barney Frank is teaching two classes: a fall course on the history of the fight for legal equality for LGBT people in the United States, and a spring course called "Congress: The Role of Legislating in Democracy."

Harvard's online course catalog describes the gay rights history course, in part, like this: "Much of it will reflect the personal experiences of the instructor who filed gay rights legislation in Massachusetts in 1972, and who was a Member of the U.S. House of Representatives for every debate but one that has occurred on this subject in our history."

Felice Belman

Illustration

Caption: Dropkick Murphys vocalist Ken Casey (center) is taking a break from politics. Michael Dwyer/Associated Press/File 2012

Living life louder: Always the life of the party, 'Eddie from Malden' went blind, then shrugged it off

Boston Globe - Boston, Mass.

Subjects: Athletes; Baseball; Blindness

Author: Baker, Billy

Date: Aug 31, 2014

Start Page: B.1

Section: Metro

Document Text

The first thing Eddie Tribble did when he realized he had gone blind -- that morning two years ago when he got out of the shower and went to shave and the fog would not wipe away from the bathroom mirror, no matter how hard he tried -- was to go to a morning business meeting and behave as if he had not just gone blind.

He has stuck with this approach.

Shortly after that, he got on a plane to Hilton Head to play golf, because he has a group of buddies who have a little tournament each year, and Eddie Tribble does not miss an opportunity to act up with the boys. He had someone rattle the flagstick so he would know where the hole was.

After that, he went to New Hampshire, where he was supposed to play in the Pond Hockey Classic on Lake Winnepesaukee. He didn't play -- though he thought about it -- and instead dressed up as an old Soviet coach and barked orders from the bench. He missed the team's second game because he was hanging with the Labatt girls in the beer tent.

Everyone handles going blind in their own way -- by climbing Everest, for instance, or painting acclaimed art. When it hit Tribble, nearly three years ago at age 32, he handled it in a very Eddie Tribble way. He has long been the life of the party, the guy who organized the bus trips to Montreal, the guy who was known as a "legend" to people who don't throw that term around lightly. So when blindness came for him, he did what did not seem possible for him: He simply turned the fun up a notch.

Tribble grew up in Malden, the son of a fireman and a nurse, was a solid hockey and baseball player as a kid and later at Buckingham Browne & Nichols School in Cambridge, then went on to play college baseball at Brandeis.

Boston Globe articles (7/26/2014—11/15/2014) 36

He moved to Pittsburgh, became a vice president for several large asset management companies, and got married. Then divorced. "I took a Mulligan," as he likes to say.

Around Thanksgiving in 2011, just as he was in the process of moving back to Boston, he noticed that the vision in his right eye was strange. "If I looked at something, it just disappeared, like into the corn field in 'Field of Dreams,' " he says.

He was diagnosed with Leber's Hereditary Optic Neuropathy, a rare genetic disease that robs people of their central vision. He shrugged it off, still had one good eye, and went about his life. Then came that morning, a few months later, when everything changed, even if he did not. "I kept wiping and wiping until finally I realized it wasn't the mirror."

It had spread to his other eye, leaving him with just the edges of his peripheral vision.

But as is his way, he shrugged that off in epic fashion. During "Blindo Year 1" and "Blindo Year 2," as Tribble defines them, he has been on a tear that has amazed his family and friends.

He put on a fancy suit and flew to the Kentucky Derby, where he spent a good chunk of the day lost and listening to the Bruins game on his phone. He went to the NHL's "Winter Classic" outdoor game during a New Year's Day blizzard in Chicago and lost his friends in the crowd after the game when he stopped to help a man who had slipped on the ice. As his buddies panicked trying to find him, Tribble simply got in a cab and went to Harry Caray's bar.

He has been to a Red Sox game in Anaheim and spring training in Florida. He joined the Marsh Post in Cambridge "because it's the only bar where you can sit outside and drink along the Charles River." He has been to the horse races at Saratoga, been to New York City several times "just to have fun," and took a cruise to Key West and the Bahamas, where there is a now infamous video of him in the ship's piano bar, wearing sunglasses and serenading the crowd to Stevie Wonder's "Isn't She Lovely."

He has been to a Patriots game in Miami, a birthday party on Catalina, and a bachelor party in Nashville, where they went to a shooting range. Tribble only bothered to inform the staff that he was legally blind after firing an AR-15 (his buddies made sure he didn't kill himself, or them).

Because he still has peripheral vision, he refuses to use a cane or an assistance dog, so it's easy to miss the fact that the guy with the rifle cannot see the target. When it comes up -- "What do you mean you're blind?" is something he hears constantly -- the only proof he has is a "Blind Access" CharlieCard from the MBTA, which he is constantly having to pull from his wallet.

Granted, a lot of this disbelief comes from the fact that he is constantly putting himself in situations where you would not necessarily expect to find a blind guy, such as standing on a pitcher's mound throwing batting practice to a high school baseball team. Since

Boston Globe articles (7/26/2014—11/15/2014) 36

going blind, he has become an assistant coach at his alma mater, Buckingham Browne & Nichols, and "BP from Blindo" is a real thing. The only help he needs to throw strikes is for each batter to tell him if he is a righty or a lefty.

The team loves it and the "Blindo energy" he brings. Before a game this spring, as he was telling the team about how he had recently missed a commuter train in Connecticut because he couldn't find the train door, one of the kids said, "Hashtag: Blind people problems." Tribble thought this was hilarious; he loves a good blind joke.

He is not making fun of going blind, he says, but having fun with it. On Facebook, he chronicles his Mr. Magoo-esque adventures under the guise that he is on a TV show called "Blind On!" -- a nod to the old E! travel show "Wild On!"

He's a huge sports fan -- "Eddie from Malden" is a regular caller to the "Felger and Mazz" show on 98.5 The Sports Hub -- and loves going to big games (he can sort of see the action using special high-powered "Blindo binoculars"). He was in the seats at the TD Garden when his beloved Bruins gave up a late goal to the Chicago Blackhawks and lost the Stanley Cup.

If he's not there live, he'll usually head to a bar or a party. If there's no gathering happening, he'll instigate it. When the US team played Belgium in the knockout round of the World Cup, he hosted a "watch party" -- classic Tribble -- at Hennessy's in Faneuil Hall, where he was a bartender in college.

"It's like this experiment: We're going to take away your most important sense and see how you deal with it," said his buddy John McLaughlin, who is from Newton and lives in Los Angeles. "Ninety-nine percent of people would be panicked to the core. I'd probably be at home sitting on the couch sucking my thumb."

His family marvels at the fact that he has never once had a breakdown. They also worry about that. "We all get nervous because he hasn't sulked, hasn't felt sorry for himself, and he doesn't really talk too much about it," said his sister, Alicia Warner, who is a nurse. "But then you realize this is how he's dealing with it -- the travel, going out more than anyone I know. That's his therapy. He's doing his thing, and that includes still telling me I'm a terrible driver, even though it's like, 'How do you even know what I'm doing?'"

His professional life is still strong, and he has spent much of the past two years building up sales clients all over upstate New York and Pennsylvania, which are not easy to get to using public transportation, so his father drove him. "It feels like the old hockey road trips we used to take together when I was a kid," he would tell clients who asked how he managed to get to them.

He's about to start a new job at John Hancock, where he started his career years ago. He has also been dating a woman he met at a fund-raiser. When he brought her to the World Cup watch party, he exclaimed, "Bonus," when his friends informed him that she was very attractive.

For a while, he was jogging 8 to 16 miles a day, very slowly, "constantly shifting my vision so I wouldn't kill myself." He was half thinking of hopping in the Boston Marathon as a bandit -- this was the year before the **bombings** -- but McLaughlin came in from L.A. and wanted to go day-drinking downtown, so he did that instead. Ultimately, he gave up jogging after a few near-death experiences and took on a new athletic challenge: CrossFit.

A couple nights a week, he goes to a gym in Woburn called CrossFit Lando, which is owned by Aaron Landes, one of his old teammates on the Brandeis baseball team.

At a party for the gym's anniversary, Landes gave out some awards to the regulars, the people who commit to the famously grueling exercise regimen.

Tribble was given a surprise award. It was labeled "Most Likely to Make You Realize You Have No Excuse."

Billy Baker can be reached at billybaker@globe.com. Follow him on Twitter @billy_baker.

Credit: By Billy Baker Globe Staff

Illustration

Caption: Assistant coach Eddie Tribble spoke to Zack Horwitz at Buckingham Browne & Nichols. Eddie Tribble, assistant coach, pitched in the batting cage at Buckingham Browne & Nichols in Cambridge. He has maintained an active lifestyle since going blind. Tribble shared a drink with Erin McGrath at the Yardhouse in Boston. His vision changed around Thanksgiving 2011. Aram Boghosian for The Boston Globe Aram Boghosian for The Boston Globe Jessica Rinaldi/Globe Staff

Audio game may help soften tinnitus's din

Boston Globe - Boston, Mass.

Subjects: Sound; Games; Medical research; Studies; Ears & hearing

Author: Lazar, Kay

Date: Sep 3, 2014

Start Page: A.1

Section: Metro

Document Text

Relentless ringing. Or hissing. Or a chirping sound that is often magnified at night when everything else quiets down.

This cacophony of invasive noises, a hearing impairment known as tinnitus, is the unwelcome soundtrack of everyday life for millions of Americans with ear injuries, notably many of the more than 260 people wounded in last year's **Marathon bombings**.

Yet there is no cure for tinnitus, the result of sound-processing nerve cells being thrown out of whack and fostering the illusion of sound when none exists.

Now, Boston researchers have developed a novel computer game they hope might help tinnitus sufferers rewire their brains by taming misbehaving nerve cells and helping turn down the volume on the incessant noises.

With financial support from One Fund Boston, which has collected more than \$80 million to help Marathon survivors, the researchers hope to start enrolling survivors this month in a first-of-its-kind study to test the effectiveness of their audio game.

Much is riding on the study.

As many as 12 million Americans grapple with chronic tinnitus, according to the American Tinnitus Association, and while the exact cause is not known, ear damage from loud noises is believed to be a culprit.

But for many, getting an appointment with a tinnitus specialist can be daunting -- some Boston specialists have a two-year waiting list -- so researchers hope their audio game can one day help fill the treatment void.

The concept of the audio game is similar to an approach that uses video games to treat "lazy eye" in children and adults.

Boston Globe articles (7/26/2014—11/15/2014) 37

"Tinnitus is far more common than [lazy eye] yet nobody really seems to be taking advantage of this wealth of information that exists about neuroscience-inspired sensory training games," said Daniel Polley, a Harvard Medical School assistant professor and researcher at Massachusetts Eye and Ear, who is leading the audio game study. Among the legions who have grappled with tinnitus are actor William Shatner, comedian Jerry Stiller, and Coldplay singer Chris Martin.

The game, played on a touch screen tablet, challenges patients to assemble a digital jigsaw puzzle even though they cannot at first see the pieces. Rather, players must follow audio cues to find each piece.

As players move a finger along the screen, they listen for a sound that alerts them that they have reached the outline of the unseen puzzle piece. They then keep moving their finger, hunting for the sound that tells them they are on the right path, until they have etched the full shape of that piece. It is repeated over and over. No two patients will hear the same sounds as they play the game. Instead, researchers will tailor sounds to the characteristics of each patient's tinnitus. The objective is to bring the activity patterns of the out-of-control nerve cells back into balance.

The game, which grows more challenging as patients progress, is designed with few visuals, to force players to rely on their hearing.

Otherwise, "people will use all the visual cheats they can," said Jonathon Whitton, an audiologist and Massachusetts Institute of Technology graduate student who helped design the game and is one of the researchers on the project.

The study will include about 80 participants, split into two groups. Half will play the audio game for about eight weeks, while the others engage in another tinnitus treatment that has shown potential.

In that segment, participants listen to music that is tailored to each individual's tinnitus, also with the aim of quieting the misfiring nerve cells.

Then the two groups switch activities, while scientists track progress and compare outcomes.

Among those keen on signing up for the study is Eric Whalley, a 66-year-old retired biotech researcher who lost sight in his right eye and nearly lost his right leg in the April 2013 blasts.

"I was stunned to learn that there is not one FDA-approved drug on the market" for tinnitus, said Whalley, a former professor who spent years teaching students about the uses and effects of medications.

Both Whalley and his wife, Ann, who was also severely injured, suffer from tinnitus. Whalley is plagued by a constant high-pitched buzz that he likens to the drone of an

aircraft engine. So far, no treatment he has tried, including surgery and music therapy, has worked.

Dr. Daniel Lee, an ear specialist at Mass Eye and Ear who is treating Marathon survivors, said tinnitus in these patients varies greatly. While scientists have determined that sound is detected by the ear and processed by the brain, they are still stymied in pinpointing where and how in the process nerve cells misfire in tinnitus patients.

"For some, it's mild and intermittent," Lee said, "while for others it's quite debilitating just getting through the day."

Lee is a medical adviser for the newly formed One Fund Center, housed at Massachusetts General Hospital, and created with \$1.5 million from the One Fund to help survivors battling what has been called the bombings' invisible injuries -- tinnitus, other hearing problems, traumatic brain injuries, and post-traumatic stress and other mental health issues.

"There is so much stigma about seeking psychological care," said Dr. Rebecca Brendel, a Mass. General psychiatrist and medical director of the One Fund Center.

"There is this perception that [these invisible wounds] are not real."

->To hear demonstrations of the sounds a tinnitus patient might experience, see this story on BostonGlobe.com.

Kay Lazar can be reached at Kay.Lazar@globe.com Follow her on Twitter @GlobeKayLazar.

Credit: By Kay Lazar Globe Staff

Illustration

Caption: Mylan Cannon/Globe Staff

One Fund plans to distribute final \$18.5 million to victims

Boston Globe - Boston, Mass.

Subjects: Estate planning; Donations; Charities

Author: Finucane, Martin; Andersen, Travis

Date: Sep 3, 2014

Start Page: A.11

Section: Metro

Document Text

The One Fund Boston, which was set up to aid Boston Marathon bombing survivors, said it will distribute \$18.5 million to more than 200 wounded survivors of the blasts and the families of those who lost loved ones.

The distributions bring to more than \$80 million the total of cash gifts, support programs, and services distributed by the One Fund, the organization said Tuesday.

"This effort was made possible by the unprecedented donations from more than 200,000 individuals, corporations, and charitable foundations across all 50 states and more than 60 countries," the organization said.

The organization also said it had donated \$1.5 million to establish the One Fund Center, located at Massachusetts General Hospital and operated in collaboration with Massachusetts Eye and Ear and Spaulding Rehabilitation Hospital, with a two-year mission to provide personalized care and support for those injured; evaluate and assess the limitations created by their injuries, both mental and physical; and "maximize their lifetime potential through proven programs and innovative treatments."

The center "is designed as a resource for survivors, their families, and the victims' families to connect them with exceptional care and each other," said Jim Gallagher, president of the board of One Fund Boston, the charity established by city leaders in the aftermath of the bombings.

Coping strategies -- including stress-management techniques -- and psychological counseling will be among the services offered.

The April 15, 2013, bombings at the Marathon killed three people and wounded more than 260 others, shocking the region and the nation. Several days later, Tamerlan and Dzhokhar Tsarnaev, the accused bombers, allegedly killed an MIT police officer. Tamerlan Tsarnaev was killed during a confrontation with police; Dzhokhar Tsarnaev is awaiting a federal trial that could bring him the death penalty.

The cash gifts are being distributed in four categories: first, to the families of those who lost loved ones; second, to people who lost limbs; third, to people who spent more than 12 days in the hospital; fourth, to people who spent less than 12 nights in the hospital; and fifth, to people who received outpatient treatment.

"The majority of the funds available will be disbursed to those survivors with the most severe physical injuries. Those suffering from extremity injuries that will require a lifetime of care and, in many instances, expensive prosthetics that may not be covered by insurance, were determined to need the most resources in this final distribution to individuals," the organization said.

Dot Joyce, a spokeswoman for the One Fund, said in a phone interview that any future revenues will be "given to programs and services."

"The One Fund, as it's been known, will transition out of giving cash gifts to individuals," Joyce said.

After the initial round of applications, three people were convicted in Massachusetts of defrauding or attempting to scheme the charity.

A fourth person was charged in New Jersey.

Joyce declined to comment when asked if the charity flagged any suspicious applications during the second round. She did say that the group works closely with law enforcement and performs independent audits of its programs and finances.

Kay Lazar of the Globe staff contributed to this story. Travis Andersen can be reached at travis.andersen@globe.com.

Credit: By Martin Finucane and Travis Andersen Globe Staff

Gubernatorial foes thrust, parry in debate: TV spotlight on three Democrats

Boston Globe - Boston, Mass.

Subjects: Attorneys general; Medicare; Medicaid; Candidates

Author: Miller, Joshua

Date: Sep 4, 2014

Start Page: A.1

Section: Metro

Document Text

Wednesday night, Don Berwick was a man with nothing to lose.

Trailing in the polls and with little time before Tuesday's Democratic gubernatorial primary, the former Medicare and Medicaid chief sharply criticized opponents Martha Coakley and Steve Grossman as stale agents of the status quo. The attack came at a high-stakes televised debate before potentially one of the largest audiences of the race.

"If you want independence in the governor's office," said Berwick at the Boston Media Consortium forum, "then choose someone who owes no one any favors. My opponents are both professional politicians, and they have a long history of connection to the very structures of influence that are troubling our Commonwealth."

Coakley, the attorney general, and Grossman, the treasurer, calmly parried the attacks.

Coakley portrayed herself as a defender of working people who will seek economic opportunity for residents from all walks of life. Grossman pitched himself as an experienced job creator who can help the state's economy blossom.

Topics at the debate ranged from the candidates' age (all are in their 60s but insisted they can connect with younger generations) to money in politics (all aspire to reduce its influence) to the death penalty for accused Boston Marathon bomber **Dzhokhar Tsarnaev** (all oppose it) to lighter fare. Only Coakley could name the Patriots' new backup quarterback, Jimmy Garoppolo.

Recent polling has found Coakley leading her rivals by wide margins among likely Democratic voters. In four recent surveys, Coakley led Grossman by margins ranging from 12 percentage points to 32 percentage points, with Berwick trailing both in every poll. In one survey, Coakley led Berwick by 43 percentage points.

Throughout the debate, each of Coakley's two opponents -- Berwick, sharply; Grossman, politely -- made the case for why voters should choose him over her.

Berwick, a former top Obama administration official who oversaw the country's massive Medicare and Medicaid programs, touted his leadership chops and opposition to casino gambling in the state. He took repeated aim at Coakley over the course of the hourlong debate, aired live on WCVB-TV (Channel 5) and WHDH-TV (Channel 7). He recalled her 2010 US Senate loss to Republican Scott Brown and insinuated that, should she be the Democratic nominee, she could well lose again.

"After a year on the trail, all I've heard from you, in general, is boilerplate, talking points," he said. "I want to ask what every single Democrat in Massachusetts is wondering: Why is it different this time?"

Coakley said she was putting together a more robust get-out-the-vote effort than she had time to do during the short runup to the 2010 special election, but she focused her response on what she has done as attorney general and what she would do as governor.

She cited her work fighting Wall Street to help people avoid foreclosure and stay in their homes and her office's battle against the Defense of Marriage Act, part of which was subsequently declared unconstitutional by the US Supreme Court in a ruling celebrated by gay rights advocates. Coakley said she had an economic plan that would move Massachusetts forward.

Grossman's most forceful attack -- although still relatively restrained and polite -- came during a discussion of a Coakley economic plan focused on boosting growth across the state, including regions outside the booming Boston metro area. He asked her to name three new specific examples of capital or infrastructure projects.

When she did not directly answer, he called her blueprint a "fake plan" and said it would not leave "a footprint on the beach."

Throughout the debate, Grossman, a longtime owner of his family's printing and marketing business, emphasized his job creation credentials in the private sector and as a statewide officeholder.

"I'm proud to have spent the bulk of my life running a fourth-generation family business," Grossman said. "Being the jobs creator in this race, taking that into the state treasurer's office."

He mentioned a treasury program that took some of the state's reserve deposits that were in foreign banks, brought them to Massachusetts banks, and encouraged them to be loaned to local small businesses.

Grossman and Berwick also criticized Coakley for giving the green light to Partners HealthCare System, the state's largest network of hospitals and doctors, to acquire South Shore Hospital and Hallmark Health System. Both Berwick and Grossman said the agreement, which still needs a judge's approval, would raise costs.

Boston Globe articles (7/26/2014—11/15/2014) 39

Coakley, again remaining cool, said she stood by the deal and argued it would level the playing field for competition and help reduce costs.

Coakley's settlement with a lobbying firm led by a former state legislator was an early point of contention. The firm, accused of collecting hundreds of thousands of dollars in improper fees from a hospital, did not admit any guilt but agreed to repay \$100,000.

Grossman said that the settlement showed "bad judgment" and that it represented "the worst of what Beacon Hill is all about." The attorney general stood by the agreement, implying it was the best settlement possible.

Wednesday's debate was held in Boston at the studios of WHDH-TV. The other members of the sponsoring consortium were WCVB-TV, WBUR, and Bloomberg Radio.

All three Democrats will have time to make another live TV pitch to voters: They are scheduled to meet again on Thursday from 6 to 7 p.m. on New England Cable News.

The winner of the Sept. 9 Democratic primary will face four other candidates in the Nov. 4 general election: either Republican Charlie Baker or Mark Fisher, and three independent candidates, former businessman Evan Falchuk, venture capital investor Jeff McCormick, and Christian pastor Scott Lively.

Joshua Miller can be reached at joshua.miller@globe.com.

Credit: By Joshua Miller Globe Staff

Here and there

Boston Globe - Boston, Mass.

Date: Sep 7, 2014

Start Page: B.14

Section: Arts

Document Text

WCVB anchor Randy Price (center) brought one of his nine prized pups, Bruin, to a benefit for the Animal Rescue League of Boston at the Seaport Hotel. The event, dubbed Canines & Cocktails, attracted 100 supporters, including Seaport GM Jim Carmody, ARL president Mary Nee, and state Representative Bruce Ayers. . . . Former Suffolk University tennis star Kaitlynn Cates, who was injured in the **Marathon bombings**, was back on the court at David Southworth's Willowbend Country Club the other day, teaching Mashpee High players in a clinic. . . . The crowd at an outdoor screening in Newport, R.I., of the new documentary "Mission Blue" was surprised when the film's star, ocean conservationist Sylvia Earle, was introduced and answered questions.

Nava feels like himself again: His bat clicking since June recall

Boston Globe - Boston, Mass.

Subjects: Professional baseball; Athletes

Author: Mullen, Maureen

Date: Sep 7, 2014

Start Page: C.10

Section: Sports

Document Text

For the most part, it seems Daniel Nava has been under the Red Sox radar this season. Which is at least better than April 22, when he had fallen off the radar and was sent back to Triple-A Pawtucket. Nava went from being the Opening Day leadoff hitter to batting .149 on his way back.

But since his June 2 recall -- his third big league stint this season -- Nava is batting .308, with a .378 on-base percentage entering Saturday's game against the Blue Jays, where Nava went 0 for 2 in Boston's 4-3 win at Fenway. Among American League batters with at least 200 plate appearances in that span, he is eighth in OBP and 10th in average.

His overall numbers this season, though -- .262/.338/.342 -- will not approach the career highs he posted last season of .303/.385/.445, thanks in part to his early struggles. But, at this point in the season, Nava is looking for a strong finish.

"I think if you ask any player, your individual season comes secondary to what you see in the standings and where we are," he said. "So that's obviously the frustrating part about where we are in teams of not going to the playoffs. But personally, it's been a different season, up and down. So I'm just trying to finish strong."

Nava attributes the improvements in his production to the work he did with Pawtucket batting coach Dave Joppie, who noticed that his batting stance had gotten much wider than it had been.

With just 18 extra-base hits, though, his slugging percentage is more than 100 points below last season's mark. He has just three home runs in 93 games this season, compared to 12 in 134 games last season. His three-run home run Tuesday night at Yankee Stadium was his first homer since April 15, a career-long span of 245 homerless at-bats.

"Since I'm not a big power hitter, my hands are a big [factor]," Nava said. "So I was limiting my ability to let my hands work by being wider. And that's what he said, so I was like, 'All right, thanks for telling me.' "

Nava, 31, is one of five outfielders on the active roster who are all looking for playing time. With the addition of Yoenis Cespedes and Allen Craig at the trade deadline and the emergence of Mookie Betts, playing time has become harder to find. Manager John Farrell said Friday Nava's play has earned the switch-hitter at-bats against righthanded pitchers.

"I knew coming in this year what my role was," Nava said. "And obviously with the moves and stuff that were made, I'm glad that I've gotten a chance to play as much as I have. What remains with the future as far as how much I play this year or next year, I'm not worried about that."

The player with the great back story -- former college team manager, plucked from independent baseball, who hit a grand slam on the first major league pitch he saw and hit the decisive three-run homer in the emotional first game after the **Marathon bombings** last season -- has become a fan favorite. But his name churned through the rumor mill at the trade deadline and into August. Now, he is one of nine outfielders on the 40-man roster.

He knows the Red Sox have a lot of decisions to make and questions to answer in the offseason. He doesn't know what that means for him.

"Well, we will see what happens," said Nava. "I think that's the best way I can look at it."

He's happy his numbers have improved over what they were earlier in the season. But there are still a few things he'd like to accomplish before the season ends.

"I'd like to hit a home run every game," he said with a laugh, before turning more serious. "I just want to finish strong."

Credit: By Maureen Mullen Globe Correspondent

Illustration

Caption: Daniel Nava follows through on his pivotal three-run home run against the Yankees on Tuesday. Kathy Willens/Associated Press

Walsh says ISIS threat calls for citizen vigilance: Mayor sees peril in loner extremists

Boston Globe - Boston, Mass.

Subjects: Cities; Mayors

Author: Russell, Jenna

Date: Sep 8, 2014

Start Page: B.3

Section: Metro

Document Text

Mayor Martin J. Walsh of Boston said in an appearance on CNN's "State of the Union" on Sunday morning that the threat posed by Islamic State and other terrorist groups requires constant vigilance in the nation's cities -- but that urban leaders and citizens alike must also be on guard against violent extremists who may be working alone, as Dzhokhar and Tamerlan **Tsarnaev** are alleged to have done in the bombing at the 2013 Boston Marathon.

"I need to make sure people stay engaged and keep an eye on the community," Walsh said during a live round table discussion with Mayor Michael Nutter of Philadelphia, Mayor Kevin Faulconer of San Diego, and CNN host Candy Crowley. "I think the city is safer [than before 9/11], but that doesn't mean we can't change something every day . . . There has to be constant communication, constant diligence, and we're going to continue to do that."

Vigilance can't be limited to groups currently in the spotlight, he said.

"Police don't have the luxury of looking at one group," Walsh said. "An attack could come from any area."

The three mayors agreed that their cities are safer than in 2001, with Nutter citing "a new norm in America." Walsh pointed to the Boston Regional Anti-Terrorism Center, an antiterrorism unit, and the city's Office of Emergency Management as examples of local agencies monitoring tips and sharing information.

In addition, he said, "people in the neighborhoods are a little more engaged" since 9/11 and, more recently, the Marathon bombing. "We can never put our guard down," said Walsh.

Two-thirds of respondents in a new Pew Research Center poll regard ISIS as a major threat, said Crowley.

Asked by the CNN host what keeps him up at night, Boston's mayor said another attack on the city tops the list.

"Certainly a terrorist attack is one of those calls I hope I never receive," he said.

Jenna Russell can be reached at jrussell@globe.com.

Credit: By Jenna Russell Globe Staff

Illustration

Caption: Wendy Maeda/Globe Staff

Cambridge mosque denies terror-suspect visits

Boston Globe - Boston, Mass.

Subjects: Terrorism; Muslims; Criminal sentences; Criminal investigations

Author: Valencia, Milton J; Jacobs, Sally

Date: Sep 10, 2014

Start Page: B.12

Section: Metro

Document Text

The Islamic Society of Boston forcefully sought to distance itself Tuesday from any connection to high-profile terrorism suspects who have reportedly prayed at its Cambridge mosque.

Nicole Mossalam, a spokeswoman for the society's Cultural Center, said the mosque has no record of Aafia Siddiqui, Tarek Mehanna, or Ahmad Abousamra attending services there, contrary to recently published reports.

"No one remembers them participating," Mossalam said.

"We always have and will continue to fight against such extremism," Mossalam said in a later statement. ". . . We have a very cooperative relationship with our local law enforcement authorities and are committed to keeping our community safe."

The Cambridge mosque was the subject of news media reports over the last week that alleged that roughly 10 people connected to terrorism investigations had at one point prayed there, including Siddiqui, who attended the Massachusetts Institute of Technology, located nearby.

Authorities alleged that Siddiqui was an Al Qaeda contact in the United States in the 1990s and into the early 2000s, before returning to Pakistan. She was arrested in Afghanistan in 2008 and is serving a lengthy prison sentence for grabbing a firearm and shooting at US soldiers and FBI agents during an interrogation.

Siddiqui, 42, was in the news again recently when the Islamic State sought her release in exchange for the release of US journalist James Foley, who was ultimately beheaded by Islamic State militants.

The worldwide focus on the Islamic State has also put a spotlight on Abousamra, 33, who grew up in Stoughton and attended colleges in Boston before fleeing charges that he

Boston Globe articles (7/26/2014—11/15/2014) 43

conspired to support Al Qaeda. Authorities believe that he is now living in Syria -- he has Syrian as well as US citizenship -- and have offered a \$50,000 reward for his capture.

ABC News reported last week that Abousamra could be supporting the Islamic State's public relations campaign.

Abousamra's codefendant was Mehanna, 31, who was living in Sudbury and earned a doctorate from the Massachusetts College of Pharmacy and Health Sciences. He was convicted of supporting terrorists and was sentenced in 2012 to 171/2 years in prison.

Mossalam, the mosque spokeswoman, said the Islamic Society of Boston denounces terrorist groups, specifically the Islamic State. and that the mosque "is not under investigation."

Mossalam said the only law enforcement agency that has contacted the mosque is the Cambridge Police Department, which called when the news stories appeared. "The police department called to see if we were OK," she said.

The mosque has acknowledged previously that other suspected terrorists, including alleged Boston Marathon bomber Tamerlan **Tsarnaev**, attended prayer services there. Tsarnaev was asked to leave after seeking to promote radical views.

The Globe has reported that Mehanna and Abousamra frequented other mosques in Sharon, Wayland, and Lowell.

Shelley Murphy of the Globe staff contributed to this report. Milton Valencia can be reached at Milton.Valencia@Globe.com. Sally Jacobs can be reached at Sally.Jacobs@Globe.com.

Credit: By Milton J. Valencia and Sally Jacobs Globe Staff

Witness in Tsarnaev friend's case paid: Government cost for cooperation exceeds \$66,000

Boston Globe - Boston, Mass.

Subjects: Witnesses; Task forces; Heroin; Firearms; Automobile safety

Author: Valencia, Milton J

Date: Sep 11, 2014

Start Page: B.3

Section: Metro

Document Text

A cooperating witness in a federal case that might involve the gun used by the suspected Boston Marathon bombers was paid more than \$66,000 for his assistance, according to court records filed Wednesday.

The witness, whom authorities would not identify to protect his safety, is cooperating in the case of Stephen Silva, a close friend of accused bomber Dzhokhar Tsarnaev. Silva was arraigned last month in federal court in Boston on seven counts of heroin distribution and conspiracy to distribute heroin and one count of possession of a firearm with an obliterated serial number.

Prosecutors say Silva possessed a Ruger P95 9mm pistol, with a largely defaced serial number, in February 2013.

A gun of that description was recovered in a Watertown neighborhood on the early morning of April 19, 2013, after police exchanged gunfire with Dzhokhar Tsarnaev and Tamerlan Tsarnaev, his older brother, who was the other suspected bomber. Police later determined that the gun found in Watertown was the one allegedly used by the Tsarnaevs to shoot and kill MIT police Officer Sean Collier hours earlier, on the night of April 18.

Silva's lawyer, Jonathan Shapiro, has told the Globe that federal authorities have said that Silva's gun charge is related to the Collier shooting.

Shapiro said he could not comment on the court filing.

Silva, 21, of Cambridge, has been held without bail. He has not talked to authorities about his case. He was called before "a federal grand jury over a year ago in connection with another matter and invoked his Fifth Amendment rights," according to the court filing Wednesday.

The US attorney's office has not said how they have linked Silva to the pistol.

Silva has not been charged with anything related to the Boston Marathon bombings, which killed three people and injured more than 260 on April 15, 2013. He has been described by MBTA police as a "street-level" drug dealer, the lowest rung of any drug-dealing enterprise.

The documents that were filed Wednesday were presented to Shapiro as a preliminary overview of evidence, and they included a history of the confidential witness, who was cooperating in the drug investigation against Silva.

The witness allegedly bought drugs from Silva, and his other work with the FBI is described.

* The witness was in a violent street gang, and a relative faced drug and gun charges at the time the witness began cooperating. The relative, who has also cooperated, has pleaded guilty and authorities have agreed to note that cooperation to the sentencing judge.

* The witness has received approximately \$66,000 from the government for the witness's involvement in the Silva case and other investigations. The total includes payments for services, expenses, relocation costs, as well as vehicle fines.

* At one point, when the witness began cooperating, he was pulled over for speeding in New Hampshire with a suspended driver's license. A trooper assigned to an FBI task force informed the New Hampshire officer of the witness's cooperation. New Hampshire authorities towed the witness's car, but did not cite him. The FBI task force subsequently helped the witness obtain a license allowing him to drive at certain times.

* During the time the witness was cooperating with the FBI, he was arrested for failing to pay a civil fine for child support. A Bureau of Alcohol, Tobacco, and Firearms agent called a state Department of Revenue attorney asking for the witness's release, but the department refused.

* The government has also helped the witness and his family relocate and will provide further assistance to ensure the safety of the witness and his family. The government has refused to identify the witness out of fear that it would "put [the witness's] safety and the safety of its family in jeopardy."

Credit: By Milton J. Valencia Globe staff

Events to recall victims of 9/11

Boston Globe - Boston, Mass.

Subjects: Marathons; Parks & recreation areas; Airlines

Author: Blessing, Kiera

Date: Sep 11, 2014

Start Page: B.5

Section: Metro

Document Text

Boston will join cities and towns across the country Thursday in commemorating the 13th anniversary of the Sept. 11, 2001, terrorist attacks.

Two of the planes hijacked by the terrorists in the attacks departed from Logan International Airport. The ceremonies could carry added meaning amid the growing crisis over Islamic State extremists in Syria and Iraq and as the region continues to feel the aftereffects of the Boston **Marathon bombings**, said Eric Lowrey, president of the Massachusetts 9/11 Fund.

"There are articles that are linking ISIS with the same type of terror cells involved with 9/11," Lowrey said. "Just last year, the Boston Marathon bombings were a huge emotional time also for Sept. 11 families, because once again in their backyard . . . [there was] another attack on US soil."

A wreath will be placed by Boston's mayor at the Public Garden memorial, and the names of the Massachusetts victims will be read on the steps of the State House.

Below is a list of some ceremonies being held in the area Thursday.

Boston

* Mayor Martin J. Walsh will lay a wreath at the Public Garden memorial at 7:30 a.m.

* A moment of silence will be followed by a reading of the names of the victims on the State House steps at 8:30 a.m.

*The Madeline Amy Sweeney Award for Civilian Bravery, named for an American Airlines flight attendant killed in the attacks, will be presented in the House Chamber at 9 a.m.

Boston Globe articles (7/26/2014—11/15/2014) 45

* Volunteers with the Massachusetts Military Heroes Fund will prepare 1,000 care packages for service members and the New England Center for Homeless Veterans in Boston on the Rose Fitzgerald Kennedy Greenway across from the New England Aquarium from 11 a.m. to 2 p.m.

* Governor Deval Patrick is expected to attend a ceremony honoring firefighters lost in the line of duty and marking the seventh anniversary of the Massachusetts Fallen Firefighters Memorial at the State House. The ceremony will be held in Ashburton Park at 6 p.m.

* Wreaths will be placed on the Sept. 11 memorial at Logan Airport. The Transportation Security Administration will have moments of silence at 8:46 a.m., when Flight 11 crashed into the World Trade Center, and at 1 p.m. American and United airlines will hold private ceremonies at their gates.

* The USS Constitution will hold a two-hour ceremony in Charlestown beginning at about 8:30 a.m. The ceremony will include one-gun salutes marking significant times, such as 8:46 a.m. when the first plane collided with the North Tower.

Natick

* A Sept. 11 memorial will be unveiled at the police and fire complex at 6 p.m.

Framingham

* A ceremony honoring those killed in the attacks, including 17 people with ties to Framingham, will be held at the Sept. 11 Living Memorial at Cushing Memorial Park, Dudley Road, at 5:30 p.m.

Andover

* A ceremony honoring victims will be held at town offices on Bartlet Street at 8:30 a.m.

Kiera Blessing can be reached at kiera.blessing@globe.com.

Credit: By Kiera Blessing Globe correspondent

Illustration

Caption: Boston police officers honored first responders during a pregame ceremony at Fenway Park on Wednesday. Jared Wickerham/Getty Images

Businesses can't claim Marathon loss: Coverage calls for US terrorism designation

Boston Globe - Boston, Mass.

Subjects: Insurance coverage; Terrorism Risk Insurance Act 2002-US; Marathons; Property & casualty insurance; Insurance industry

Author: Fernandes, Deirdre

Date: Sep 12, 2014

Start Page: B.7

Section: Business

Document Text

The Boston Marathon bombing forced businesses to shut down for weeks and suffer thousands of dollars of losses, but nearly a year and half later, it appears that the federal government is unlikely to label the explosions as an act of terrorism for insurance claims.

To qualify for a terrorism designation under the federal law adopted after the 9/11 attacks, an event has to cause losses of \$5 million or more. As of April 2014, Marathon bombing claims for property and business interruption and amounted to \$1.9 million, according to a state report.

"After review of the events in Boston, the secretary has not determined that there has been an "act of terrorism" under the Terrorism Risk Insurance Act," a spokeswoman for the Department of the Treasury said in a statement on Thursday.

The Treasury Department has maintained this position for more than a year. Some local news reports Thursday inaccurately suggested that the department had made a new determination.

Terrorism insurance coverage is still new, and only 13.5 percent of the commercial property and business interruption claims filed after the bombing had separate terrorism coverage, according to the Massachusetts Division of Insurance.

Some Boston-area businesses continue to struggle to collect reimbursements for damages and lost business following the bombing, still wrangling with insurance companies over what constitutes a terrorist event.

Sir Speedy, a Boylston Street print shop, has sued its insurer claiming that it should be paid under its terrorism protection policy for losses and other costs it incurred while the business was closed for 14 days after the bombing. The insurer, New York-based Public Service Mutual Insurance, has asserted that without a terrorism designation by the federal government, the provisions of the policies are not applicable.

The secretary of the Treasury, secretary of state, and the attorney general have the authority to designate an event as terrorism. They haven't.

But Jim Rudolph, a lawyer representing Sir Speedy, noted that the Boston Marathon bombing has been called an act of terrorism by President Obama and prosecutors trying one of the suspects, Dzhokhar Tsarnaev. He said his client wasn't made aware when he bought the policy that the definition for insurance purposes was so narrow.

"It's a ridiculous policy and shouldn't have been sold in the first place," Rudolph said. "If you read the fine print, it's hard to collect."

Based on the federal \$5 million loss threshold, Frank O'Brien, a spokesman for the Property Casualty Insurers Association of America, a trade group, said he doesn't expect that the Boston Marathon bombing will meet the terrorism standard for insurance.

But he defends the coverage. As with any ancillary insurance coverage, businesses need to assess their risk before making a purchase, he said.

"In this day and age, unfortunately, what we're seeing, especially today, the risk of terrorism can be quite substantial," O'Brien said.

Deirdre Fernandes can be reached at deirdre.fernandes@globe.com. Follow her on Twitter @fernandesglobe.

Credit: By Deirdre Fernandes Globe Staff

Project Smile gets names for date auction

Boston Globe - Boston, Mass.

Date: Sep 12, 2014

Start Page: B.14

Section: Lifestyle

Document Text

Bachelors and bachelorettes who will hop onstage for the eighth annual Project Smile Charity Date Auction on Sept. 19 include local actress Kadian Clarke; Lynn firefighter Matt Patterson, who helped the Richard family during the Boston **Marathon bombings**; and lawyer Ben Urbelis, who's a part owner at Julep Bar. The auction, which benefits Project Smile's mission to get toys and games to kids who've been through trauma, will be held at Venu and hosted by Winter Michael and Melissa from Hot 96.9 FM.

Anti-terror software can help -- but requires public support

Boston Globe - Boston, Mass.

Subjects: Cities; Surveillance; Racial profiling; Privacy

Date: Sep 13, 2014

Start Page: A.8

Section: EditorialOpinion

Document Text

The testing of cutting-edge technology that could protect against possible terror attacks is as much a part of the 21st-century landscape in Boston as a multiday music festival at City Hall Plaza. But law enforcement agencies should level with the public about what they're doing. At last year's Boston Calling festival, concertgoers were unwitting subjects of a video surveillance pilot program conducted by officials during the prior Menino administration. Secrecy is not the way to resolve the tensions between privacy and security at large public gatherings.

New York, London, Chicago, and many other cities vulnerable to terror attacks are adopting "situational awareness" software systems that capture and process camera feeds in real time. Boston has more than sufficient cause to adopt the new technology in light of last year's **bombings** at the Boston Marathon. Such programs are designed to detect potentially suspicious or dangerous anomalies, such as individuals who walk away after placing a backpack on the ground at a crowded venue. Sophisticated systems are also capable of capturing and analyzing facial images for quick comparison against a list of subjects on watch lists. Which of these technologies are used, and when, is a legitimate subject of public debate.

Situational awareness software that is employed exclusively in public places -- where the expectation of privacy is low -- should not raise undue concerns over civil liberties. Indeed, some enterprising software solutions might even eliminate potential bias resulting from human surveillance. Properly calibrated software, for example, isn't prone to racial profiling.

The Walsh administration appears to recognize the deep responsibilities that attend the use of such technology. It declined to purchase the IBM software used during last year's pilot project in part because the city lacked a policy guiding its use. That's a good instinct. But the administration is also sending mixed messages. City officials, for example, are analyzing broad proposals from additional companies that develop situational awareness technology while simultaneously signaling that the administration has no intention of disclosing every future test or demonstration.

Boston Globe articles (7/26/2014—11/15/2014) 48

The use of these software security systems has become routine in major cities. Their existence is not a secret. If the Walsh administration expects people to put aside their privacy concerns to make the city more secure, it should lay out a clear rationale for the use of situational awareness software and an acknowledgment that public testing will be part of the price for greater security.

Russia rebukes Tsarnaev lawyers: Tells US they falsely claimed to be with FBI

Boston Globe - Boston, Mass.

Subjects: Trials; Juries; Attorneys; Interviews

Author: Andersen, Travis; Valencia, Milton J

Date: Sep 13, 2014

Start Page: B.1

Section: Metro

Document Text

Russian authorities have notified the US government that three members of accused Boston Marathon bomber Dzhokhar Tsarnaev's defense team falsely identified themselves as FBI employees when they traveled to that country to investigate the case, prosecutors said Friday.

The allegation was made in a legal filing in US District Court in Boston, where Tsarnaev, 21, faces a possible death penalty for his alleged role in the April 15, 2013, bombings, which killed three people and wounded more than 260.

"While conducting interviews in Russia, the members of the defense team reportedly refused to produce documents confirming their legal status and identified themselves as employees of the FBI," prosecutors wrote. "As a result, the Russian government . . .

expelled them."

Miriam Conrad, one of Tsarnaev's lawyers, declined to address the allegations in detail during a brief phone interview on Friday. "We don't agree with the government's characterization of what happened," she said. "And we'll be responding further at an appropriate time, in writing or in court."

Russian authorities also said that Tsarnaev's defense team members told officials that the purpose of their recent visit was tourism.

The filing did not identify the members of the defense team or when the visit to Russia occurred, and an FBI spokesman referred questions to the office of US Attorney Carmen M. Ortiz. A spokeswoman for Ortiz had no comment.

No one answered the phone at the Russian Embassy in Washington, D.C., on Friday evening.

Boston Globe articles (7/26/2014—11/15/2014) 49

Prosecutors mentioned the trip to Russia in a filing in which they opposed a pending defense request to delay the start of Tsarnaev's trial to Sept. 1, 2015, at the earliest. The trial is currently slated to begin in November of this year.

Prosecutors and defense lawyers are scheduled to return to court for a status conference on the case on Thursday.

The parents of Dzhokhar and Tamerlan Tsarnaev live in Russia, and Tamerlan, the elder brother, spent six months in the country in 2012. Russian intelligence had alerted US authorities to Tamerlan's alleged attempts to contact Islamic militants there.

Tamerlan, who was also suspected of being involved in the Marathon bombings, was killed in a confrontation just days after the Marathon attack.

Separately on Friday, lawyers and prosecutors agreed on plans for the jury selection process in the trial.

Both sides have agreed that the court should seat 12 jurors and six alternates, and that 2,000 potential jurors should be summoned beginning six weeks in advance of the trial.

In court papers, the lawyers also agreed:

PAAt one point before the trial, both sides will agree on a questionnaire that the jurors would have to fill out so their backgrounds can be screened. If both sides cannot agree, the judge will finalize the questionnaire.

PAAt least three business days before jury selection begins, the court will furnish the names of potential jurors for both sides.

PBoth sides will begin reviewing questionnaires as soon as they are completed.

After the parties have had a week to review the questionnaires, they will submit a list of jurors who they jointly agree should be eliminated from the list. Then the court can begin interviewing individual jurors.

PThe interview process will continue until 70 jurors have been qualified to serve, meaning they have no bias or hardships. Both sides will have at least 20 chances to dismiss jurors for strategic reasons.

Gerard T. Leone Jr., a former state and federal prosecutor who helped secure a guilty plea for Richard Reid, the so-called shoe bomber, said the legal teams will have to contend with "complicated human dynamics" in seating a jury for the Tsarnaev trial.

"One of the hardest things to do is to ferret out when somebody wants too badly to be on a jury," said Leone, now a law partner at Nixon Peabody. "You do need to consider [potential jurors who] want to serve for the wrong reasons."

Boston Globe articles (7/26/2014—11/15/2014) 49

Leone added that prospective jurors should know that because Tsarnaev faces a federal trial, the proceedings will not be televised.

David Filipov of the Globe staff contributed to this report. Travis Andersen can be reached at travis.andersen@globe.com. Milton J. Valencia can be reached at MValencia@globe.com.

Credit: By Travis Andersen and Milton J. Valencia Globe staff

Costly 'Luke' arm may be out of reach of those who need it most

Boston Globe - Boston, Mass.

Subjects: Engineers; Medicare; Amputation; Prostheses; Military personnel

Author: Kirsner, Scott

Date: Sep 14, 2014

Start Page: G.1

Section: Business

Document Text

For the past eight years, in an old mill building in Manchester, N.H., a team of engineers has been developing what you might call the Tesla of artificial limbs. The DEKA Arm System, about the same size and weight of an adult's arm, can pick up an egg from a carton or a credit card from a desk.

And when three dozen military veterans participating in a clinical trial used the arm -- also known as the "Luke" arm, after the "Star Wars" character -- 90 percent were able to do things they couldn't do with a less-sophisticated artificial limb, like using a key, putting food in their mouths, or zipping up a pair of pants.

You may have seen the arm on "60 Minutes," a recent Katie Couric segment for Yahoo, or a TED Talk by DEKA founder Dean Kamen in 2007, the year I got an in-person demo of an early prototype. It won the approval of the Food and Drug Administration in May.

But it just may be too sophisticated to reach the people it can help the most. Medicare and most private insurers are not yet persuaded of the merits of paying for the most advanced prosthetic you can get.

"We're looking at all this new technology," says Rose Bissonette, founder of the New England Amputee Association, "but it's hard for a lot of people just to get a basic prosthetic covered. It's a struggle."

Kamen, also the inventor of the Segway and iBot, a robotic wheelchair, says he was challenged by the Defense Department (which gave the project \$40 million) to design a prosthetic arm that would restore as much of the natural limb's capabilities -- from opening doors to tying shoes -- as possible.

The movements of "Luke" are controlled in two different ways. One is by attaching sensors to remaining muscles on the wearer's body. When the sensors detect electrical activity in the muscles, they send that signal to the arm, which can do things like change its grip or open or close the hand.

The other relies on wireless sensors affixed to the outside of each shoe. Those sensors, explains DEKA engineer Tom Doyon, "detect tilt, much like your smartphone does when you rotate it, basically allowing your foot to act like a joystick," telling the arm to move up, down, left, or right. The arm and attached hand have 800 components.

There is an immense difference in the interpersonal interaction with someone wearing the Luke arm compared to, say, someone using a metal hook. You want to reach out and shake hands with the five-fingered hand that DEKA has designed (it even has plastic fingernails). When someone is wearing a hook, you are not sure what to do.

When I spoke with Kamen late last month, he told me it wasn't yet clear how the Luke arm will reach the market.

"The military wants them, and they want them now," for injured soldiers, "and we've been looking for manufacturing partners. But you can't get people to agree to make stuff unless someone agrees to buy it."

Kamen says he hopes to get a purchase commitment from the Pentagon or Veterans Administration "that I can wave in front of these big guys, and we'll be off and running." By "big guys," he means large companies that already make medical devices or prosthetics. If he's unable to cajole another company to do that, "yes, we'll make them," he says. "It's my least favorite outcome."

As for the price of the arm, Kamen says it depends on volume: "If you want one, it's \$10 million, but two is \$5 million, and 100 would be much less." William Hanson, president of Liberating Technologies, a prosthetics maker in Holliston, estimates the price of a Luke arm at "well north of \$100,000."

Hanson observes that if amputees are active duty members of the military, or were injured at work, they've got the best chances of getting a high-end artificial limb paid for. But Medicare and private insurers can be reluctant in most other cases.

"Our prosthetics are a fraction of the price of these new systems," Hanson says, "and we still have trouble getting reimbursed."

Other companies are running into the same issues. More than 2 million people have seen the video of **Adrienne Haslet-Davis**, a survivor of the Boston Marathon bombings, dancing on stage while wearing a prosthetic device from BiOM, a Bedford company founded in 2006 by an MIT professor. The company's \$40,000 "powered" ankle (it has microchips, a motor, and battery inside) helps amputees walk with a more normal gait and less effort.

About 1,000 patients use the ankle, says chief executive Charles Carignan. But it is not routinely covered by government or private insurers.

The Catch-22 is that to bring the price down, BiOM needs to make more ankles -- which would require more people getting covered by insurance.

When someone has lost a limb, Medicare and private insurers would prefer to buy the Kia, not the Tesla, an electric car that sells for \$70,000 and up.

But Carignan contends that advanced prosthetics can keep people more mobile, healthier, and able to lead more productive lives.

"Unfortunately," he says, "the technology to do that is more expensive, just like new drugs that can extend your life are more expensive."

Will the market support continued innovation in prosthetics, and enable these companies to keep investing in new products? For now, that's a question without an answer.

Scott Kirsner can be reached at kirsner@pobox.com. Follow him on Twitter @ScottKirsner and on betaboston.com.

Credit: By Scott Kirsner Globe Correspondent

Illustration

Caption: Dean Kamen and the DEKA bionic arm, which works like the real limb. DEKA Integrated Solutions Corp.

Run Bimma

Boston Globe - Boston, Mass.

Subjects: Running

Author: Raczka, Rachel

Date: Sep 14, 2014

Start Page: N.14

Section: Arts

Document Text

Run Bimma (@runbimma) moved to Boston from Louisiana to take a job with Saucony Originals to oversee social media. Since heading up north, the 27-year-old Cambridge resident (given name Brandon Williams) has yet to lose momentum, extending his expertise to a project called Journey Claimer, which has its own social media account (@journeyclaimer), and is aimed at inspiring others through stories told on Instagram.

Q. Tell me about #JourneyClaimer.

A. I was still finishing up school and still living at home. I was working at this job I hated, and it just wasn't one of the best places for me to be at that time in my life. I needed to change something, so I started running and started a blog to kind of just keep up with it. It was through that process that it really kind of set the foundation for what I do with Journey Claimer, which is basically sharing stories of different people who have come to happiness or success, whether it be in their work or just in different aspects of life. I want to kind of inspire other people that there are going to be different things and obstacles that get in their way.

Q. How does Boston compare to Louisiana?

A. Well, Boston, it's a lot bigger for sure. [Laughs] And it's a lot colder. I grew up for 26 years right in Baton Rouge, maybe five minutes from Louisiana State. LSU is a big NCAA school, so big for football, and it's really what draws a lot of the energy in Baton Rouge. It's really, really hot in Louisiana and humid for the majority of the year, and I don't believe we necessarily get all of the seasons. Last year was my first winter and from what I understand, it was very long.

Q. It was pretty bad. You obviously went through a big wardrobe change then.

A. Oh, absolutely, it was my first time having winter boots, first time having a winter coat.

Boston Globe articles (7/26/2014—11/15/2014) 51

Q. Running culture is huge here in Boston and Cambridge. Did you find that you immediately found people who were kindred spirits?

A. Louisiana has an incredible running culture, and a growing active culture. But out here it just feels that much bigger. There's constantly people actively doing things. It just feels like a continual thing.

Q. How would you describe it?

A. It's very passionate. You know, when I interviewed [for my current job], it was the week before the **marathon bombings** and we were able to witness firsthand how strong the community came back together. This past year I was down on the lines. I was down at the race, cheering people on. I was there all week and it was just incredible to see how strong the community was. It bounced back better than ever.

Q. You did a TEDxFENWAY talk. Were you nervous?

A. I was very nervous about it, but my passion for what I wanted to share overshadowed being nervous and I was lucky enough to be able to get through my speech without, to my surprise, having a moment that I was tripping over my words. It was really inspiring to me to be able to be up there and be in a field with so many amazing people sharing different stories.

my instagram

Interview was edited and condensed. Rachel Raczka can be reached at rachel.raczka@globe.com.

Credit: By Rachel Raczka Globe Correspondent

Surveillance and privacy: Snowden case reveals a program with few checks and little accountability

Boston Globe - Boston, Mass.

Subjects: Classified information; Privacy; National security; Surveillance

Author: Dershowitz, Alan M

Date: Sep 15, 2014

Start Page: A.11

Section: EditorialOpinion

Document Text

Second of five parts

The recent disclosure by Edward Snowden of the US government's wide net of surveillance has stimulated an emotional debate about security, privacy, and secrecy. We have learned from Snowden that the National Security Agency engages in virtually unchecked monitoring of all sorts of communications that were thought to be private but that we now know are maintained in secret government databases.

Three fundamental issues are raised by these disclosures: Was it proper for the government to conduct such massive surveillance and to maintain such extensive files? Was it proper for the government to keep its surveillance program secret from the public? If not, did this governmental impropriety justify the unlawful disclosure of so much classified information by Snowden?

There are no simple or perfect answers to these questions. All governments, even those that respect the right to privacy, must engage in some surveillance. The nature and extent of permissible intrusion on privacy will always depend on the nature and extent of the threats posed and the value of the information sought in preventing these threats from materializing. A delicate balance must be always struck between security and privacy.

Consider, for example, video surveillance of public areas. Such surveillance helped authorities identify the alleged perpetrators of the **Boston Marathon bombings** and probably also helps to deter street crime, store thefts, and other threats to the public. And it does so with some, but fairly minimal, intrusions on our privacy, since surveillance cameras capture only our external movements in public places, and not our words or deeds in the privacy of our homes. It is not surprising therefore that few citizens object to this limited sort of public monitoring of our movements.

Contrast such benign intrusions with the far more massive ones revealed by Snowden. We don't know precisely what sorts of information the NSA has gathered and from

whom. (This lack of knowledge in itself is part of the problem.) But we know enough to be concerned that our phone calls, emails, and even oral conversations may be subject to governmental monitoring and collecting. The government denies that it is listening to or reading the content of private communications between ordinary citizens, claiming that the NSA collects only the "metadata," specifically the identifying features of the persons who are communicating; the times, durations, and locations of such communications; and other "externalities." The massiveness of such a collection process tells the government a great deal about the substance of terrorist plans. But it also tells the government a great deal about the substance of our private lives. That is why there is so much controversy about a program that gathers so much with so few checks and so little accountability.

The real question in a democracy is not whether a balance must be struck -- of course it must -- but who should get to strike that balance. Which brings up the secrecy issue. If the governmental programs of gathering information are kept secret from the public and from most of its elected officials, then the balance will be struck, if it is struck at all, by intelligence officials who have a far greater interest in security than in privacy. *do five articles, A11.*

There is an inherent relationship therefore between governmental intrusion and governmental secrecy.

Of course there are "necessary secrets," like the names of spies, the movement of troops, the contents of codes, the location of satellites, and the nature of secret weapons. But there are also unnecessary secrets, like old information that remains classified by bureaucratic inertia or current information that is kept secret to avoid embarrassing government officials. The most controversial genre are secrets whose disclosure would, in the reasonable views of the government, endanger national security, but whose disclosure, in the equally reasonable view of the press, might ultimately serve the national interest. The surveillance program conducted by the NSA falls into this category.

Surely the government is entitled to keep secret the technical aspects of our surveillance programs that give us a competitive advantage over our adversaries, and whose disclosure might provide terrorists with information useful to circumvent our legitimate efforts to keep track of their nefarious plans. But no democratic government should be empowered to conduct the kind of massive surveillance disclosed by Snowden without some check and balance against excesses, or misuses. And checks and balances cannot be effective without some disclosure.

The other difficult issue is not whether, but when to publish secrets. In a democracy, there should be no permanent secrets, since history and accountability are paramount. The public must ultimately know everything its government has done in its name. But it is sometimes necessary to postpone publication until an immediate danger has passed, since in the modern world, there is no way of disclosing secrets to friends without also disclosing them to foes.

In the end, there will always be some cases of real and intractable conflict between security and secrecy. Our Constitution purports to resolve doubts in favor of the right to know, but there are cases where even that presumption will not resolve the problem: where the authentic claims of national security will seem to outweigh the powerful presumption in favor of contemporaneous disclosure and accountability.

That is why Congress made it a crime for Snowden to take it upon himself to decide which secrets to reveal to our adversaries, including terrorists who are seeking to do us harm. Just as the intelligence community should not alone be empowered to strike the balance among security, privacy and secrecy, so too -- in a democracy -- no individual whistleblower should be allowed to decide by himself what to disclose.

Our Constitution, with its unique system of checks and balances, grants this power and responsibility to a combination of executive, legislative, and judicial authority -- monitored by a free and independent press. It is an imperfect solution, but like democracy itself, it is better than its alternatives.

Tomorrow: Detained without a trial

Alan M. Dershowitz is a professor emeritus at Harvard Law School. His newest e-book, "Terror Tunnels: The Case For Israel's Just War Against Hamas," has just been published.

Credit: By Alan M. Dershowitz

Illustration

Caption: edel rodriguez for the boston globe

Tsarnaev team denies posing as FBI: Lawyers say claim is 'preposterous'

Boston Globe - Boston, Mass.

Subjects: Federal court decisions; Trials; Attorneys; Capital punishment; Criminal investigations

Author: Ellement, John R; Finucane, Martin

Date: Sep 16, 2014

Start Page: B.2

Section: Metro

Document Text

Defense lawyers for accused Boston Marathon bomber Dzhokhar Tsarnaev rejected allegations Monday that they had posed as FBI employees while investigating their client's background in Russia.

"Let us be clear: At no time have members of the defense team misrepresented themselves or lied about their work," Tsarnaev's lawyers wrote in papers filed Monday in US District Court.

The allegation was made by prosecutors in a legal filing last week in US District Court in Boston, where Tsarnaev, 21, faces a possible death penalty for his alleged role in the April 15, 2013, bombings, which killed three people and wounded more than 260.

The defense attorneys called the claim of misrepresentation "false and facially preposterous." They said the prosecutors were making "reckless allegations" and had disseminated an "absurd charge."

"Leaving aside that such conduct is a federal crime punishable by up to three years' imprisonment, the defense has no motive to lie or impersonate FBI agents and every reason not to," the defense said.

The defense attorneys said that in countries where "truly independent appointed defense counsel is an unfamiliar concept," defense attorneys and investigators have to work hard to convince witnesses that the defense team is actually working to help the defendant, rather than assisting the government in executing him.

The filing included a plea by the defense to push back the trial, which is currently slated to begin Nov. 3, saying the defense team needs more time to prepare.

"We have done our best to complete the work required of us in the 81/2 months allotted by the court when it set the November 3, 2014, trial date," the defense team said.

Boston Globe articles (7/26/2014—11/15/2014) 53

"We must now report that the job has proven too large and the time too short," the lawyers said. "An extraordinarily aggressive pace of preparation work will still be required, and this case still will be tried much more quickly than the average federal capital case, even with the additional 10 months we have requested. And this case is far from average.

"More time is needed to ensure basic fairness to the accused," the defense said. "It is also needed to serve society's interest in the fullest possible accounting of what happened in Boston during the week of April 15, 2013, and why it happened."

John R. Ellement can be reached at ellement@globe.com. Follow him on Twitter @JREbosglobe.

Credit: By John R. Ellement and Martin Finucane Globe staff

Lawyer in death case faces penalties

Boston Globe - Boston, Mass.

Subjects: Mental health; Attorneys; Sanctions; Trials; Criminal sentences; Capital punishment; Court hearings & proceedings; Mental disorders

Author: Valencia, Milton J

Date: Sep 18, 2014

Start Page: B.5

Section: Metro

Document Text

A federal judge made an extra ordinary request Wednesday for US Attorney Carmen M. Ortiz and the top Massachusetts public defender, Miriam Conrad, to attend a hastily scheduled hearing to determine whether a lawyer representing serial killer Gary Lee Sampson should face sanctions.

US Senior District Judge Mark L. Wolf said in a two-page order that Conrad and Ortiz, "unless a request to be excused is allowed, . . . shall attend the hearing." It is scheduled for Tuesday.

Ortiz is chief prosecutor and makes decisions about charges, but her courtroom appearances are mostly symbolic. Conrad handles cases, but also oversees the public defender program, which is representing Sampson. They are rarely summoned to court.

Wolf ordered Sampson defense lawyer Danalyn Recer to explain why she should not face sanctions for violating a previous court order in the high-profile case, which involves the possibility of the death penalty.

Prosecutors called for sanctions, specifically for Recer to be fined, after she contacted Sampson's Bureau of Prisons medical examiner and advised him on how to conduct a mental health evaluation, in violation of Wolf's order. Wolf said a possible punishment includes her removal from the case.

"The government had no idea that Sampson's learned counsel had been engaged in extensive ex-parte communication with the examiner regarding the scope and content of the examination of Sampson," prosecutors said. "The government can only imagine how Sampson (and this court) would have reacted had the government . . . decided which competency tests the examiner was allowed to perform."

While Sampson has several court-appointed lawyers, Recer is the death penalty specialist assigned to the case. She must respond to the government's allegations by Thursday.

The calls for sanctions are the latest dramatic turn in a case that has been going on for more than a decade.

The 54-year-old Sampson pleaded guilty in 2003 to the carjacking murders of Philip McCloskey and Jonathan Rizzo in 2001. He also admitted killing Robert "Eli" Whitney in New Hampshire. He was sentenced to death in 2004.

Sampson appealed, and Wolf overturned the sentence in 2011 after finding that a juror who voted on punishment had lied about her experiences with law enforcement. The judge said he would have excluded the juror if he had known more of her past. Sampson was granted a new sentencing trial, set for February.

Since then, defense lawyers and prosecutors have wrangled over the legal process, with the number of court filings far outpacing those in other cases in federal court in Boston, including the trial of alleged Boston Marathon bomber Dzhokhar **Tsarnaev**.

On June 30, the judge barred defense lawyers and prosecutors from having any contact with a Bureau of Prisons medical examiner who was conducting a mental health evaluation of Sampson to determine whether he is fit to stand trial. The judge has raised concerns that Sampson suffers from a mental health disorder, and the order was meant to prevent both sides from influencing the evaluation.

Recer disclosed she communicated with the examiner and raised concerns his evaluation went beyond the narrow focus Wolf requested. Wolf said he could consider sanctions, such as revoking Recer's right to practice in Massachusetts and removing her from the case.

Milton J. Valencia can be reached at [mvalencia@ globe.com](mailto:mvalencia@globe.com).

Credit: By Milton J. Valencia Globe staff

Daily guide

Boston Globe - Boston, Mass.

Subjects: Health care policy; Television programs; Public radio

Date: Sep 18, 2014

Start Page: G.23

Section: Arts

Document Text

On WGBH

Greater Boston 7 p.m. WGBH 2 A review of the new film series "The Disappearance of Eleanor Rigby."

ON CHRONICLE

Spirits of New England 7:30 p.m. WCVB-TV (Channel 5) In search of locally made gin, bourbon, and rum.

RADIO HIGHLIGHTS

Morning Edition With Bob Seay 6 a.m. WGBH-FM (89.7) Jared Bowen on what to see and what to skip from this week's Boston arts scene.

Boston Public Radio noon WGBH-FM (89.7) MIT's Jonathan Gruber on health care reform; Jonathan Alsop of the Boston Wine School.

All Things Considered With Deb Daigle 4 p.m. WGBH-FM (89.7)

Classical Music With Laura Carlo 5 a.m. With Alan McLellan 10 a.m. WCRB (99.5)

Classical Music With Lynnsay Maynard 3 p.m. WCRB (99.5)

WBUR's Morning Edition With Bob Oakes 5 a.m. WBUR-FM (90.9) Suicide spike in Massachusetts National Guard.

On Point With Tom Ashbrook 10 a.m. WBUR-FM (90.9) The end of liberal Zionism?

Here & Now noon WBUR-FM (90.9)

Radio Boston 3 p.m. WBUR-FM (90.9) "Apples Of Uncommon Character."

All Things Considered With Sacha Pfeiffer 4 p.m. WBUR-FM (90.9) An update on the Tsarnaev trial.

NightSide With Dan Rea 8 p.m. WBZ-AM (1030) Eric Schultz -- Harvard Pilgrim and Eastern healing.

NEWS & TALK SHOWS

Morning

CBS This Morning at 7 a.m. on Chs. 4 and 12.

Good Morning America at 7 a.m. on Chs. 5, 6, and 9.

Today at 7 a.m. on Chs. 7 and 10; 10 a.m. on Ch. 7.

Live With Kelly and Michael at 9 a.m. on Chs. 5 and 9; 10 a.m. on Ch. 10. Liam Neeson; Tea Leoni.

The Queen Latifah Show at 9 a.m. on Ch. 4; 4 p.m. on Ch. 6; 2 a.m. on BET. Kristen Bell.

Steve Harvey at 10 a.m. on Chs. 5 and 9; 3 p.m. on Ch. 64.

The View at 11 a.m. on Chs. 5, 6, and 9.

Afternoon

The Talk at 2 p.m. on Chs. 4 and 12.

The Meredith Vieira Show at 3 p.m. on Chs. 5, 6, and 9. Neil Patrick Harris; Kevin Kline.

The Ellen DeGeneres Show at 4 p.m. on Chs. 5, 9, and 10.

Evening

Conan at 11 p.m. and 12:30 a.m. on TBS. Tegan and Sara perform.

The Daily Show With Jon Stewart at 11 p.m. and 1:01 a.m. on COM.

Colbert Report at 11:31 p.m. and 1:35 a.m. on COM.

The Tonight Show Starring Jimmy Fallon at 11:34 p.m. on Chs. 7 and 10.

Jimmy Kimmel Live at 11:35 p.m. on Chs. 5, 6, and 9.

Boston Globe articles (7/26/2014—11/15/2014) 55

Late Show With David Letterman at 11:35 p.m. on Ch. 12; 11:50 p.m. on Ch. 4. Mike Myers; John Fullbright performs.

Charlie Rose at midnight on Ch. 2.

Tavis Smiley at midnight on Ch. 44; 12:30 a.m. on Ch. 11; 1:30 a.m. on Chs. 2 and 11. Mikhail Baryshnikov.

Late Night With Seth Meyers at 12:36 a.m. on Chs. 7 and 10. Julianna Margulies; Viggo Mortensen.

Nightline at 12:37 a.m. on Chs. 5, 6, and 9.

The Late Late Show With Craig Ferguson at 12:37 a.m. on Ch. 12; 12:52 a.m. on Ch. 4.

Last Call With Carson Daly at 1:37 a.m. on Chs. 7 and 10.

MOVIES

Big Parade of Comedy 6:30 p.m. (TCM) Highlights from 1925-1947 comedies. Marx Brothers. NR (1964)

Friends With Benefits 7:30 p.m. (FX) A headhunter (Mila Kunis) and her latest client attempt to have a strictly physical relationship. R (2011)

The Best Man Holiday 8 p.m. (HBO) College friends reunite after 15 years. R (2013)

Radio Rebel 8 p.m. (DISN) A shy high-schooler hosts a nightly podcast. NR (2012)

Sixteen Candles 8 p.m. (AMC) A girl's birthday is forgotten by her family. PG (1983)

The Social Network 8 p.m., 10:30 p.m. (FXM) Mark Zuckerberg (Jesse Eisenberg) creates Facebook, but soon faces lawsuits. PG-13 (2010)

The Lake House 8:45 p.m., 10:50 p.m. (OXY) A doctor and an architect exchange love letters across time. PG (2006)

Master and Commander: The Far Side of the World 9 p.m. (STARZ) A British ship captain and his crew battle a French vessel. PG-13 (2003)

Blue-Eyed Butcher 10 p.m. (LMN) A Houston housewife is accused of murder. NR (2012)

Shaft midnight (TCM) Supercool PI is hired by a Harlem mobster to find his kidnapped daughter. R (1971)

Prosecutors want Tsarnaev at jury selection: Say alleged bomber should air concerns before trial starts

Boston Globe - Boston, Mass.

Subjects: Trials; Attorneys; Court hearings & proceedings

Author: Valencia, Milton J

Date: Sep 19, 2014

Start Page: B.2

Section: Metro

Document Text

Federal prosecutors asked lawyers for Dzhokhar Tsarnaev to have the accused Boston Marathon bomber attend his next court hearing and sit through jury selection for his upcoming trial, a proposal that was welcomed by one of the bombing victims.

"I'd like for him to see us, to see what he did to us," said Marc Fucarile, who lost a leg and suffered other injuries in the bombing, speaking outside the federal courthouse in Boston after a brief hearing Thursday.

"He walked away," Fucarile said. "If he was a real man, he could have stood there."

Fucarile's comments came after lawyers grappled over evidence and other motions during an hourlong hearing as they prepare for a trial that could begin in November.

Tsarnaev, now 21, faces the death penalty if found guilty of setting off the bombs that killed three people and injured more than 260 on April 15, 2013.

He and his older brother, Tamerlan Tsarnaev, also allegedly shot and killed an MIT police officer before attempting to flee the area. Tamerlan Tsarnaev was later killed in a violent confrontation with police.

Tsarnaev has not attended any court hearing nor made any public appearances since his arraignment on July 10, 2013. He is being held at the federal prison at Fort Devens.

Assistant US Attorney William Weinreb told US District Court Judge George A. O'Toole Jr. that Tsarnaev should have an opportunity to bring up any concerns he may have with his case or lawyers now, rather than after the trial.

Weinreb also said Tsarnaev should be involved in the jury selection process or should tell the court in person that he is waiving the right to be involved, an issue he could bring up in an appeal.

Defense lawyer David Bruck said he would raise the issue with Tsarnaev, though he noted the alleged bomber has the right to skip pretrial hearings. Weinreb said Tsarnaev should make that declaration to the court.

Bruck and Weinreb sparred for much of the hearing over the sharing and preparation of evidence in the case, an ongoing issue that Bruck says stems from the defense team's contention that it will not be ready for the Nov. 3 trial date.

Bruck again asked O'Toole to postpone the trial.

"I don't think it will help anyone if this case went to trial before both sides are ready," Bruck said.

Weinreb argued that the defense team has failed to meet deadlines set by the court because it has been focusing on irrelevant issues, such as Tsarnaev's relationship with his older brother. He said Dzhokhar Tsarnaev is the only person named in the indictment.

"Tamerlan Tsarnaev is not on trial," Weinreb said.

The judge said he would consider the request. He is also reviewing a separate plea to move the trial to a court in another city, distant from the bombing site.

Fucarile has attended recent hearings, knowing Tsarnaev would not be there. But he said he wanted to be a presence in the courtroom Thursday, as O'Toole considers whether to move the trial to a different city.

"I came up to make sure that the people who are working on the case, and the judge, know that victims do care if it's moved," he said. "We want to be here. We're going to be a part of it."

Milton J. Valencia can be reached at mvalencia@globe.com. Follow him on Twitter @miltonvalencia.

Credit: By Milton J. Valencia Globe staff

Purse maker blends security and fashion: Bags accepted under NFL stadium rules

Boston Globe - Boston, Mass.

Subjects: Stadiums; Handbags & purses; Professional football

Author: Borchers, Callum

Date: Sep 20, 2014

Start Page: B.5

Section: Business

Document Text

Tammy Blakeslee has a vivid memory of her trip to a Patriots game last season, but what stands out is not a play itself but the inconvenience of not being allowed to bring her purse into Gillette Stadium.

So the Sutton entrepreneur invented a solution for fans to comply with the NFL's tight security restrictions on bags inside stadiums: a full-size purse made from durable, clear plastic that enables quick searching by security guards.

Blakeslee's startup, Secure on Style, has launched a line of purses featuring colored liners that shield credit cards, keys, and personal items from view during everyday toting; at games, concerts, and other events, however, the liners can be unsnapped and collapsed to make the purses see-through. Once a woman gets through a security line, she can resnap the liner and carry her purse as usual.

"I value security because I know there are people who want to do harm, but we don't have to give up our privacy for security," Blakeslee said. "We also don't have to carry an ugly freezer bag. Why not have a nice handbag?"

Blakeslee designed her purse to meet NFL guidelines after the league tightened its bag policy in the wake of last year's **bombings** at the Boston Marathon, where explosives were concealed in backpacks. Anything larger than a small clutch must be clear and is limited to 12 inches by 12 inches.

The league sells branded bags -- none in the style of a purse -- for \$10 to \$20, though it's not uncommon to see fans at Gillette carrying their personal items in one-gallon freezer bags. Secure on Style purses go for \$25.

Blakeslee said she has sold only a couple dozen on her company's website, though Secure on Style gained exposure last month when its purses were included in the celebrity swag given to nominees at the Emmy Awards.

She's hoping Sunday will be a record sales day. Blakeslee will be hawking her purses across from Gillette Stadium, in the parking lot of America's Best Value Inn on Route 1, soliciting fashionable fans on the way to the Patriots' home opener against the Oakland Raiders.

Callum Borchers can be reached at callum.borchers@globe.com. Follow him on Twitter @callumborchers.

Credit: By Callum Borchers Globe Staff

Illustration

Caption: The purse's liner collapses to make its contents visible.

Diagnosis music: Quartet plays at intersection of medicine and sound

Boston Globe - Boston, Mass.

Subjects: Illnesses; Musicians & conductors; Neurosciences; Patients; Family medical history; Music; Musical performances; Mental disorders

Author: Johnson, Carolyn Y

Date: Sep 21, 2014

Start Page: B.1

Section: Metro

Document Text

BELMONT -- Two psychiatrists, a psychologist, and a neuroscientist prepared to present the key facts about their patient, who had tried to commit suicide after experiencing bouts of depression, hallucinations, and insomnia.

But first, the quartet raised their instruments, set bows on strings, and filled a cafeteria at McLean Hospital with music that conveyed melancholy and angst.

The "patient" was 19th-century German composer Robert Schumann, and the stormy music was an exploration of the brilliant yet sometimes troubled mind that created it.

Formed two years ago, the quartet uses music to explore mental illness from a different angle, performing for patients as well as fellow medical professionals looking to learn more about the mysteries of the human mind.

"For us, as musicians and people interested in mental health, I think exploring this and then playing the music is really powerful," said Justin Chen, a violinist in the quartet and psychiatrist at Massachusetts General Hospital.

They've played for psychiatrists and neurologists. They were invited to play in the Mass. General chapel after the Boston **Marathon bombing**. They opened at the World Congress on Heart Disease. They play for nursing homes as well as perform in more usual venues, such as Shakespeare in the Park. And on a recent Wednesday evening at McLean Hospital, they played for the Depression and Bipolar Support Alliance, a nonprofit organization of patients and supporters.

The quartet started with a more modest goal. Four musicians and mental health professionals thought it would be fun to bring music to the Ether Dome at Mass. General. The steep amphitheater is a legendary space in medicine, the spot where the first public surgery with ether as an anesthetic was performed in 1846.

As musicians, they wanted to fill that space with sound. As people interested in the ways the human brain can go awry, they thought the storied spot would make a good setting to present the plight of a composer who struggled with some of the toughest diseases to treat, then or now: mental illness.

"We thought -- literally, the person is alive in the room with you. His music is there," Chen said.

So the four got to work learning the third movement of Schumann's String Quartet No. 3 in A Major. They also began assembling a medical case presentation that would allow them to try to understand what afflicted the brilliant man who, after a suicide attempt, admitted himself to an asylum in 1854 where he died in 1856. They scoured diaries, biographies, and even listened closely to the composer's music to patch together his medical history.

From that first performance -- a presentation of the "patient" and his music to the psychiatry department at Mass. General -- the quartet began to get more gigs. Although diagnosing a historical figure with a disease is speculative, they have tried to focus on composers who might have struggled with mental illness -- Ludwig van Beethoven and Franz Schubert, for example.

The quartet's membership has shifted slightly since its inception; a psychiatrist who initially played second violin dropped out and a neuroscientist took the spot. Today, three of the musicians see patients and say that playing the music with like-minded colleagues has given them a new way to think and feel about the music -- and made them think harder about the intersections and rifts between creativity and mental illness.

Psyche Loui, a violinist and assistant professor of psychology, neuroscience, and behavior at Wesleyan University, has found herself directly studying questions that emerge from a musical life. Her current question revolves around chills -- the ineffable, spine-tingling feeling of connection that can happen when a person feels moved by music. (The piece that gives her the sensation most consistently, she said, is the second movement of Rachmaninoff's Piano Concerto No. 2.)

After the performance at McLean, Loui presented some ideas from modern neuroscience that could help understand the connectivity patterns in Schumann's brain. Chen and Andrea Spencer, the violist and a child psychiatrist, detailed Schumann's symptoms and raised questions about how he would have been diagnosed today. Although such posthumous examinations could never draw definitive conclusions, the audience members were riveted and offered their own insights and questions about the connections between creativity and mental illness.

Loui said that unlike the last quartet she was in, where the group would focus on sections, asking how each "envelope" of the music should sound, Folie a Quatre members will often share how the music makes them feel.

"We talk about feeling scared, about feeling out of place," said Tai Katzenstein, the cellist and a psychologist at Mass. General. That provides a different way of connecting to the music and to the minds that created it.

It isn't easy to find the time to play between having personal lives, seeing patients, conducting research, and teaching.

But they can't imagine it any differently. And as an introspective, analytical bunch, they have engaged in a little self-diagnosis.

Some quartets, research has found, follow one person in order to stay together. Others are constantly making small changes to keep in time with each other, feeding off everyone.

"It was this magical mesh, musical and personality-wise," Chen said. "We adjust."

Carolyn Y. Johnson can be reached at cjohnson@globe.com. Follow her on Twitter @carolynjohnson.

Credit: By Carolyn Y. Johnson Globe Staff

Illustration

Caption: Folie A Quatre violinists Psyche Loui and Justin Chen and violist Andrea Spencer practice. Robert Schumann was the group's case presentation. Michele McDonald for The Boston Globe Culver Pictures

Hundreds honor officers who died in line of duty

Boston Globe - Boston, Mass.

Subjects: Awards & honors; State laws; Police; Law enforcement

Author: Fox, Jeremy C

Date: Sep 21, 2014

Start Page: B.3

Section: Metro

Document Text

Hundreds of police officers and their families from around the state gathered at the Massachusetts Law Enforcement Memorial on the State House grounds late Saturday afternoon to honor officers who gave their lives in the line of duty.

Among those honored at the solemn ceremony were MIT police Officer Sean Collier, killed last year following the Boston Marathon bombings, and Boston police Officer John Lynch, who died in 1944 of injuries from attempting to arrest a drunken former boxer in 1936. Lynch was only this year recognized as having died in the line of duty.

"It means a lot to the families and the officers tonight to say, we will remember you," Attorney General Martha Coakley, who is married to a retired Cambridge police officer, said in an interview before the ceremony. "We remember the sacrifice. We remember the risk they take every time they put on the uniform."

Richard "Dic" Donohue, a Transit Police officer who was friends with Collier and who was wounded in a shootout during the hunt for the alleged Marathon bombers, told the Globe the event was bittersweet for him. "It's something you never want to do. You never want to be a part of that, for somebody you work with or were friends with," said Donohue.

He said, though, that remembering the sacrifices by law enforcement officers was important, especially in light of attacks on police, including the recent ambush by a self-taught survivalist in Pennsylvania that killed one state trooper and wounded another. Police continue to search for the suspect.

"It's pretty important that we have things like this to recognize law enforcement officers that have passed, especially in the current climate," Donohue said.

Present at the ceremony were 230 police officers from across the state who had just completed the second annual Ride to Remember bicycle ride from Springfield to Boston,

which honors officers killed in the line of duty and raises money for the upkeep of the law enforcement memorial on the grounds of the State House.

In his remarks at the ceremony, House Speaker Robert DeLeo praised the "incredible acts of bravery and selflessness" of police, firefighters, and ordinary citizens.

"Police officers play the vital role in ensuring public safety," DeLeo said. "It is our duty to pay tribute to our fallen heroes, to remember them, and to give them a place of honor."

Jeremy C. Fox can be reached at jeremy.fox@globe.com. Follow him on Twitter @jeremycfox.

Credit: By Jeremy C. Fox Globe Correspondent

Boston was part of the equation all along

Boston Globe - Boston, Mass.

Subjects: Motion picture directors & producers; Actors

Author: Symkus, Ed

Date: Sep 21, 2014

Start Page: N.1

Section: Arts

Document Text

Director Antoine Fuqua wastes no time in establishing Boston as the setting for his adaptation of the '80s TV show "The Equalizer." The film's opening shot is of the Zakim Bridge (first seen on film in Spielberg's "War of the Worlds"), and the subsequent action - of which there's plenty - takes place all over the main and side streets of the city as well as in a few North Shore locales.

Sitting back in his hotel room at the recent Toronto International Film Festival, Fuqua said that even before he was onboard, the script had been written with Boston in mind.

"The studio said it didn't have to be there, but I told them I loved Boston," he said. "Boston is blue collar, and I'm from Pittsburgh, so I related to that. It's like that in these smaller, more concentrated places where there are more hard-working people. And the city still has a lot of the Old World feel -- the buildings and textures and history are there."

But Boston also carries bittersweet memories for Fuqua, who before arriving in April of last year to film "The Equalizer" (it opens on Friday) was last here in 2001 doing a press tour for his film "Training Day."

"It was on 9/11," he said, quietly. "When 9/11 was happening, I was in a plane. When we landed in Boston, it was chaos. [The airport] was locked down, people were crying; it was devastating for me to come to Boston that way.

"Same thing when I came back last year," he added. "As I was flying in, the Marathon **bombing** was happening. I was in the air while they were both happening. That freaked me out, and that's always going to be something for me."

But Fuqua soon settled down to work. He had to, quickly. He had taken on director duties just a couple of weeks earlier, shortly after getting a call from Denzel Washington, who co-produced and stars in the film. Washington plays the laid-back but mysterious Bob McCall, a retired CIA agent trying to live a normal life.

Boston Globe articles (7/26/2014—11/15/2014) 60

"He asked me if I'd heard of 'The Equalizer,' " said Fuqua, who had directed Washington in his Oscar-winning "Training Day" performance. "I said, 'Yeah, that TV show. And I heard there was a script in development.' He said, 'Well, I've got something you should read.' "

The show, set in New York, ran on CBS from 1985 to '89, and starred British actor Edward Woodward (who nabbed a best actor Golden Globe for the role) as Robert McCall, an embittered, retired, and dangerous CIA agent turned private detective who took out newspaper ads offering help for people with "odds against" them. Washington also plays a former CIA agent, but his McCall has no interest in helping others. He just wants to be left alone . . . until certain buttons are pushed.

Two weeks after saying yes to the script he received from Washington, Fuqua and the actor were in Boston having meetings, scouting locations, prepping the film. For Washington, the trip apparently brought back some unpleasant memories that stretched back 30 years to when his wife, Pauletta Pearson, was in Boston doing a show called "The All Night Strut!"

"The last real fight I had was in Boston," Washington told journalists at a recent TIFF press conference. "She was doing the show and I came up to visit her, and security tried to suggest I was a pimp and she was a prostitute and I couldn't stay in the [hotel] room. . . . That was the taste I had in my mouth about Boston. I came back there with those memories."

And yet, according to Fuqua, the "Equalizer" movie set was a place of liberal, free-flowing ideas.

"Things were happening," said Fuqua. "Like, Denzel would say, 'I'm thinking of being bald.' And then images starting popping in my head, like shooting some scenes in the rain."

There was also an openness in casting. For the part of a young prostitute whom McCall befriends and then tries to rescue, Fuqua had his eye on Haley Bennett ("Marley & Me"), who was 25 at the time.

"Then, off the cuff, [Sony Pictures cochairwoman] Amy Pascal asked me if I had met Chloe Moretz. I hadn't, but all I could picture was the little girl from 'Hugo,' " Fuqua recalled. "Amy said [Moretz] was 16 now, but I still thought that was kind of young to play a prostitute. Amy asked me if I would just meet her, and I said OK. So Chloe came in, we talked, and I thought, 'Done!' I called Denzel and asked if he knew Chloe Moretz. He said he hadn't met her. I said, 'Why don't you come in and maybe I'll have her read with you.' So he came in, she read with him . . . boom! There she is."

Moretz, also in Toronto, remembered her first meeting with Fuqua.

"I told him straight up, 'Look, I want to play this character because I love her and I think that I can play her,' " she said. "I know it's written for a 24-year-old, but even though I'm only 16, I can do this. I promise I can do this. These girls on the street are not 24, they're 16."

Moretz, who has previously been directed by Martin Scorsese ("Hugo") and Tim Burton ("Dark Shadows") was quick to give plaudits to Fuqua.

"He turned out to be very, very personal, very collaborative," she said. "He's really hands-on, and he talks to his actors very closely, very intimately. I really enjoyed that."

Along with his reputation for working well with actors, fans of Fuqua's earlier films -- "The Replacement Killers," "King Arthur," "Brooklyn's Finest," "Olympus Has Fallen," among them -- have come to expect a combination of quiet, insightful character moments and bursts of outrageous violence. "The Equalizer" spends plentiful time showing McCall in contemplative mode, leading a neat, orderly life. When the film turns to violence, half of it is played out on the screen, while the rest is off-camera.

Asked if that nuanced portrayal of violence was part of his plan from the start, Fuqua said, "I always look at stuff and wonder, 'Do I need to show that?' Because the audience is smart; they get it. You see Denzel picking up a sledgehammer, then later wiping it off, but no one wants to see Denzel beat the crap out of a guy with a sledgehammer. A lot of that happens in my own notes. I'll write, 'Don't need to see,' or in some cases, 'Show, don't tell.' "

Back when Fuqua came to Boston to promote "Training Day," he said that he hoped one day to make a film that might inspire another filmmaker to want to keep raising his or her own bar. All these years later, he seems happy with his progress.

"I like to think that I'm evolving and growing and getting better at the craft," he said. "I'm learning about the power of movies and what I really want to say. Whether it's a big action thriller or a small independent movie, it's what do I really want to say? Right now, what I want to say is: Do the right thing. In 'The Equalizer,' it's do the right thing; make the wrong things right. That was the goal."

Ed Symkus can be reached at esymkus@rcn.com.

Credit: By Ed Symkus Globe Correspondent

Illustration

Caption: Director Antoine Fuqua (left) and actor Denzel Washington, who teamed up for "The Equalizer." Hannibal/REUTERS Columbia Pictures

Celebrating its 30th year, Boston Film Festival goes 'Wild'

Boston Globe - Boston, Mass.

Subjects: Festivals; Documentary films; Athletes

Author: King, Loren

Date: Sep 21, 2014

Start Page: N.11

Section: Arts

Document Text

The stalwart Boston Film Festival celebrates its 30th year with a five-day event that mixes a star-powered East Coast premiere, a host of indie features, relevant documentaries, and appearances by filmmakers with strong local ties. Thirty-two features and shorts will screen in Theatre 1 at the Revere Hotel in Boston's Theater District.

The festival opens on Sept. 24 with an advance screening of "Wild," director Jean-Marc Vallee's poignant rendering of Cheryl Strayed's best-selling memoir about her thousand-mile trek along the Pacific Crest Trail, alone. The much-anticipated film stars Reese Witherspoon as Strayed and Laura Dern as her luminous mother whose death sends Strayed into a tailspin, but also ultimately fuels her journey toward redemption.

In the centerpiece spotlight is "Playing for the Mob" (Sept. 27). Narrated by Ray Liotta, it's a quintessential Boston documentary about sports, money, corruption, and wise guys. Co-directors Joe Lavine and Cayman Grant, who'll be attending the screening, chronicle the story of how gangster Henry Hill (played by Liotta in the 1990 Martin Scorsese classic "Goodfellas") orchestrated the fixing of Boston College basketball games in 1978 and '79, and how the scheme tied in with the infamous Lufthansa heist at John F. Kennedy International Airport that brought down elusive mobster Jimmy Burke. Burke was the inspiration for Jimmy "The Gent" Conway, played by Robert De Niro in "Goodfellas." The BC scandal is handled with clarity, allowing former players Jimmy Sweeney and Ernie Cobb to tell their sides of the story. A panel discussion will follow with the filmmakers, Sweeney, and Ed McDonald, who prosecuted the point-shaving case.

"Playing for the Mob" will screen with another Boston-rich movie, the short film "Our Tough Guy." Director Molly Schiot, who will attend, revisits a 1977 Boston Bruins game when John Wensink challenged the entire Minnesota team to fight, without success. Interviews with Wensink and his teammates Terry O'Reilly and Rick Middleton shed light on the mindset of NHL "enforcers."

Boston Globe articles (7/26/2014—11/15/2014) 61

"White Rabbit" (Sept. 25) features a powerful leading performance from Sam Trammel as Harlon, a young man in a rural town whose abusive father pressures him as a boy to hunt and kill. Those early experiences affect Harlon's mental and emotional health as he grows up and is bullied by his teenage peers. Trammel, producer Robert Yocum, and writer Anthony DiPietro will attend the screening.

The festival includes several films with local ties. Boston native Melissa Donovan spent 15 years working in the local film community before moving to New York. She'll return for the world premiere of "Zemene" (Sept. 28) about a 10-year-old Ethiopian girl faced with the life-threatening condition of kyphosis, a severe curvature of the spine. With no health care in her village, Zemene travels with her uncle to the city of Gondar, where they are told that there is no medical treatment that can save her. By chance they meet Dr. Rick Hodes, an internist whose dedication offers hope to not just Zemene but to an entire community.

"Seeing Zemene's courage in facing the many challenges in her life made me want to help her tell her story," says Donovan in an e-mail interview. "I couldn't imagine what else I could do that would be as meaningful as helping this brave, young girl share her story. The beautiful countryside and people of Ethiopia made a wonderful backdrop to explore Zemene's transformation through her relationship with Dr. Rick Hodes and the care and medical help he offers." Zemene, her Uncle Menor, and Dr. Hodes will travel from Ethiopia to Boston to participate with Donovan in a post-screening discussion.

Other films with area connections include "The Winding Stream," about June Carter and Johnny Cash, from director Beth Harrington, a Boston native who'll be in attendance; "Breaking Free: The Shale Rock Revolution," from director Robin Bossert, a Boston University alum who will also be on hand; and "26.2 Miles Closer to Home," a short documentary about the Boston Marathon **bombing** by director Lisa Copland of Uxbridge.

Several films focus on the environment. "Love Thy Nature" (Sept. 28), directed by Sylvie Rokab and narrated by Liam Neeson, is a visually stunning documentary that takes viewers on a cinematic journey into the beauty and intimacy of the human species' relationship with the natural world. Rokab and producer Elaine Souda, both environmental activists, will be at the screening.

"Slingshot" (Sept. 28) chronicles Segway inventor Dean Kamen's 15-year quest to use his medical devices to aid the world's safe-water crisis. Director Paul Lazarus, who will be at the screening, portrays New Hampshire resident Kamen (DEKA, his research and development company, is based in Manchester) as a passionate iconoclast and innovator determined to create a solution for the planet's biggest challenge, since 50 percent of all human illness is the result of waterborne pathogens.

For more information, go to www.bostonfilmfestival.org.

By Loren King Globe

correspondent

Loren King can be reached at loren.king@comcast.net.

Credit: By Loren King Globe Correspondent

Illustration

Caption: Above: Reese Witherspoon in a scene from "Wild." An advance screening of Jean-Marc Vallee's movie kicks off this year's Boston Film Festival. Fox Searchlight

Lexington event hopes to stop the silence on dating violence

Boston Globe - Boston, Mass.

Subjects: Professional baseball; Emotional abuse; Children & youth; Books; Childrens literature; Hospitals; Domestic violence

Author: Cantrell, Cindy

Date: Sep 21, 2014

Start Page: Z.3

Section: Regional

Document Text

PREVENTING DATING VIOLENCE: According to the American Psychological Association, about 1 in 3 teens and young adults reports being the victim of dating violence through physical, sexual, verbal, or emotional abuse.

One of the faces of this disturbing statistic belongs to 18-year-old Lauren Astley, who was killed July 3, 2011, by her ex-boyfriend, Nathaniel Fujita, just weeks after their graduation from Wayland High School.

Time has not eased for Malcolm Astley the loss of his only child, yet the Wayland resident remains committed to sparing others his anguish. "Lauren's loss has its horror and pain," Astley said, "but it's the three to four women killed each day in this country [due to dating violence] that she stands for."

Through support from the Lauren Dunne Astley Memorial Fund, a free program will further that mission. "Break the Silence: An Evening of Drama, Poetry, Dance, and Music" will be held on Saturday at 7:30 p.m. at Jonas Clarke Middle School, 17 Stedman Road, in Lexington.

Presented by Munroe Saturday Nights, the event features Lexington playwrights Don Cohen as director and Merrill Meadow as co-producer, writer Pauline Benninga of Lexington, slam poet and actor Regie O'Hare Gibson (inset, top) of Lexington, singer Thelonius Griffin (left) of Somerville, Dance Inn performers, and musicians from Lexington public schools.

An audience discussion will be guided by David Adams, co-executive director of Emerge; Jessica Teperow, director of prevention programs at Waltham-based REACH Beyond Domestic Violence; and Astley, a former Lexington elementary principal. Other sponsors include the Community Endowment of Lexington and the Munroe Center for the Arts.

Deborah Weiner, Munroe Saturday Nights coordinator, said the event is an opportunity to "help the community in important ways with a topic that is out there but no one wants to talk about."

The program is free, with reservations recommended at munroecenter.org.

RED SOX LEGACY: Although a native New Yorker, publisher Marie Brown (inset) had a passion for the Sox before moving to Wellesley in 1979. "It's probably not a healthy one," said Brown, who never misses a game on television. "I love the team and I love this city."

Overjoyed by the championship in 2004, Brown worked with author Melinda Boroson and illustrator Gary Phillips to produce a children's book, "86 Years: The Legend of the Boston Red Sox," while she was president of Wellesley-based Brown Publishing Network.

She didn't expect to initiate another book, but changed her mind in 2013 due to the Sox' role in reenergizing the traumatized city following the Boston **Marathon bombings**, and the team's inspired championship run after a last-place finish the previous season.

Brown, who founded Forever & Ever Books last February, reunited with Boroson and Phillips to memorialize those events in a second hardbound children's book. "This Is Our City: How the 2013 Red Sox Kept Boston Strong" was published this summer.

According to Brown, a portion of the proceeds from "86 Years" was donated to the Jimmy Fund. A percentage of sales from "This Is Our City" will be given to One Fund Boston.

Brown said she hopes the books contribute to a love of reading and preserve great moments in baseball for future generations. "The Red Sox are like family," she said. "You live their ups and downs, and you never give up on them."

For more information, visit foreverandeverbooks.com.

GIVING BACK: Numerous charity events have been held for 18-year-old Coleman "Coley" Candelario, who has undergone three open-heart surgeries and other corrective procedures for hypoplastic left heart syndrome.

A fund-raising website has been established at gofundme.com/6n6jac for the Milford teen, whose rare heart disease is complicated by painful swelling in his abdomen, legs, and feet resulting from protein-losing enteropathy.

To date, the fund has raised \$17,120 toward the \$25,000 goal for medical expenses for Coley, the second-oldest of six children. According to Kathy Vaughan Candelario, her son has traveled an average of twice a year for treatment at Children's Hospital of Philadelphia since October 2010.

However, it is Milford Regional Medical Center staff that Coley considers his second family. In addition to undergoing infusion therapy sessions every other week, director of volunteer services Elaine Willey said he has donated nearly 1,000 hours since June 2010. "If I'm not feeling good at home, I go there and they lift me up," he said. "They make me feel like a friend, not a patient."

Coley's past duties have included answering the telephone, escorting patients in wheelchairs, guiding visitors, delivering medical records, and other errands. His most important contribution, however, is his inherent sensitivity.

"I know that just because people look fine," he said, "doesn't mean they are fine."

MATH MILESTONE: In 1987, Anna Charny (inset) emigrated to the United States from Russia with her husband, 3-month-old daughter, and her in-laws, with each adult carrying only two suitcases and \$200.

What Charny also brought is a passion for education that benefits nearly 1,000 students in kindergarten through Grade 12 at Framingham's Russian School of Mathematics-MetroWest, which she cofounded 10 years ago.

The Sudbury resident and MIT graduate became the school's full-time managing director in January 2011, after holding the position part time for three years while working as a researcher for Cisco Systems. She also was a cofounder of the Advanced Math and Science Academy Charter School in Marlborough.

RSM-MetroWest supplements public school education after school and on weekends. Charny said she is encouraged by the rapid growth of the school, which opened its doors with 40 students, as well as increased overall awareness of science, technology, engineering, and mathematics initiatives.

"As an immigrant of the first generation, I'm grateful for the chance to share my love of mathematics with as many students as possible," she said. "Ultimately, I'm looking for our kids to be successful and happy, and I'm seeing every sign that is possible."

Send items to Cindy Cantrell at cindycantrell20@gmail.com.

Credit: By Cindy Cantrell Globe Correspondent

Judge threatens to remove lawyer: Death penalty attorney accused of disobedience

Boston Globe - Boston, Mass.

Subjects: Attorneys; Sanctions; Trials; Criminal sentences; Capital punishment; Court hearings & proceedings

Author: Valencia, Milton J

Date: Sep 24, 2014

Start Page: B.4

Section: Metro

Document Text

A federal judge threatened Tuesday to remove a lawyer from the high-profile capital case of Gary Lee Sampson and to sanction her, accusing her of ignoring his deadlines and violating a court order.

US Senior District Court Judge Mark L. Wolf said he might have removed attorney Danalynn Recer already, if the case did not involve the complex law and high stakes of the death penalty. Recer was appointed specifically to Sampson's case because she specializes in capital punishment.

"You've injured your credibility," Wolf told Recer in one of several arguments during a hearing that lasted more than four hours. "I'm dealing with someone who really doesn't think she has to do what the court says."

Recer was represented by Boston attorney Max Stern in case Wolf discussed the possibility of handing out criminal sanctions. Stern said Recer never meant to be "disobedient."

Recer was appointed for the second sentencing trial for Sampson, which is scheduled for February. The 54-year-old had pleaded guilty in 2003 to the carjacking murders of Philip McCloskey and Jonathan Rizzo in 2001, and he later admitted to killing Robert "Eli" Whitney in New Hampshire. He was sentenced to death in 2004.

Wolf, who handled the initial case, overturned the sentence in 2011 after finding that one of the jurors lied during a screening process. Prosecutors are again seeking the death penalty.

Since the sentence was overturned, defense lawyers and prosecutors effectively have been retrying the entire case, with the number of court filings rivaling the case of the suspected Boston **Marathon bomber**.

Wolf asked US Attorney Carmen M. Ortiz to consider appointing additional prosecutors to help keep up with the workload. A prosecutor later said that other attorneys have already been added to the case.

Wolf scheduled Tuesday's hearing to address his concerns with the lawyers. He lambasted Recer for missing court deadlines and for filing what he characterized as overzealous motions after hours and on weekends.

But the judge was specifically angered by her communications with a federal Bureau of Prisons mental health examiner who was reviewing Sampson's competency to stand trial.

Wolf had ordered both sides to avoid contact with the examiner without the court's permission. But Recer later challenged the way he was conducting the examination, and answered questions when the examiner called her.

Stern called the incident a misunderstanding, saying Recer thought the examiner had permission to contact her. "There was nothing willful or knowingly disobedient about it," he said.

Wolf argued that "willfulness can be inferred from the reckless disregard for professional duty," citing the standard he can follow for removing Recer from the case.

He ordered Miriam Conrad, the top federal public defender in Boston, who is ultimately in charge of Sampson's defense, to compile a list of lawyers specializing in the death penalty who can replace Recer if he decides to remove her from the case.

Milton J. Valencia can be reached at mvalencia@globe.com. Follow him on Twitter @miltonvalencia.

Credit: By Milton J. Valencia Globe staff

Illustration

Caption: Gary Lee Sampson faces second sentencing trial.

Bid for new venue is denied

Boston Globe - Boston, Mass.

Subjects: Federal court decisions

Author: Valencia, Milton J

Date: Sep 24, 2014

Start Page: B.5

Section: Metro

Document Text

US District Court Judge Douglas P. Woodlock rejected Tuesday a request to move the trial of Robel Phillipos, who is accused of lying to authorities investigating the Boston Marathon bombing.

Woodlock said he has already shown -- in the trial of Phillipos's college friend Azamat Tazhayakov -- that he can select an impartial jury.

Phillipos, 21, is accused of lying about a visit he made with Tazhayakov and another friend to Dzhokhar Tsarnaev's dormitory room at the University of Massachusetts Dartmouth after the April 15, 2013, bombings. His lawyers say that Phillipos could not remember details of the visit because he was high.

Tazhayakov was convicted in July of conspiracy to obstruct a terrorism investigation by removing a backpack containing fireworks from the room. Dias Kadyrbayev pleaded guilty last month to the same charge.

Woodlock said he will begin jury selection by summoning 175 potential jurors to the courthouse Monday. Opening statements could begin Oct. 6.

Tsarnaev, now 21, is slated to face trial in November.

Credit: By Milton J. Valencia Globe staff

Judge keeps Tsarnaev trial in Boston, delays the start

Boston Globe - Boston, Mass.

Subjects: Marathons; Trials; Supreme Court decisions; Bombings; Capital punishment

Author: Valencia, Milton J

Date: Sep 25, 2014

Start Page: A.1

Section: Metro

Document Text

A federal judge refused Wednesday to relocate the trial of suspected Boston Marathon bomber Dzhokhar Tsarnaev to another state, scheduling the case at the federal courthouse located only a few miles from where the bombs exploded on the day of a New England tradition.

US District Judge George A. O'Toole Jr. agreed, however, to postpone the trial to Jan. 5 of next year, two months later than the previously scheduled Nov. 3 date. That raises the prospect that the trial could be playing out during the two-year anniversary of the April 15, 2013, bombings.

O'Toole acknowledged in a 10-page decision that the case has attracted significant, ongoing attention from news media, but he said the defense team failed to show that coverage would prejudice a fair, impartial jury.

"The underlying events and the case itself have received national media attention," the judge said. "It is doubtful whether a jury could be selected anywhere in the country whose members were wholly unaware of the Marathon bombings.

"The Constitution does not obligate them to be," he added, citing a past US Supreme Court ruling that found "it is sufficient if the juror can lay aside his impression or opinion and render a verdict based on the evidence presented in court."

The rescheduling of Tsarnaev's trial to January means the state could be watching two death penalty cases in the courthouse at the same time, a rare occurrence in a state that does not have a death penalty. The sentencing trial for admitted serial killer Gary Lee Sampson is slated to start in February.

Prosecutors and defense attorneys declined to comment on the ruling Wednesday. The defense could still appeal the decision.

Boston Globe articles (7/26/2014—11/15/2014) 65

A spokesman for the family of Martin Richard, an 8-year-old Dorchester boy who was killed in the terrorist attack, with his parents and sister severely injured, also declined to comment.

Tsarnaev, now 21, could face the death penalty for his alleged role in the explosion of two bombs at the Marathon finish line that killed three people, injured more than 260, and cast a pall over an annual spring event that attracts runners and watchers from across the globe.

He and his older brother, Tamerlan, 26, are also accused of killing an MIT police officer before attempting to flee the area. Tamerlan died in a violent confrontation with police in Watertown shortly afterward.

Tsarnaev -- who suffered significant injuries, including gunshot wounds before his capture -- has been held at the federal prison in Devens.

His lawyers, preparing to argue against the death penalty, have sought in court records to portray his older brother as the persuasive, dominating leader in the bombing conspiracy. Dzhokhar Tsarnaev had been manipulated into taking part, according to the defense team's description.

A jury would have to decide in two phases of a trial whether Tsarnaev is guilty and if he should receive the death penalty.

In a separate issue Wednesday, O'Toole ordered Tsarnaev's defense team to disclose more about its trial strategy to the government. "A criminal trial is not a poker game in which players can enjoy an absolute right always to conceal their cards until played," he said.

The defense had sought to move the trial to Washington, D.C., citing their own polls that showed prospective jurors in that district were less likely to presume that Tsarnaev should be executed. The lawyers argued that the Boston media market has saturated the potential juror pool with sensational stories, prejudicing the jury.

O'Toole ruled, however, that "although the media coverage in this case has been extensive, at this stage the defendant has failed to show that it has so inflamed and pervasively prejudiced the pool that a fair and impartial jury cannot be empaneled in this district."

The judge cited a recent Supreme Court ruling that set a new, higher standard for relocating a trial to another district. In that case, the court refused to relocate a trial for former Enron Corp. executive Jeffrey Skilling.

Similar to the court's findings in the Enron case, O'Toole found that the jury pool of 5 million people in Eastern Massachusetts is large enough to select a jury; he found that the 18 months since the bombings have been long enough to lower the "decibel level of

Boston Globe articles (7/26/2014—11/15/2014) 65

media attention"; and he found that the court has proven in recent years that it can successfully pick juries in high-profile cases.

The judge noted as examples the recent trials of gangster James "Whitey" Bulger, former state probation commissioner John J. O'Brien, and former House speaker Salvatore F. DiMasi, and also the trial of Azamat Tazhayakov, one of Tsarnaev's friends. Tazhayakov was convicted in July of lying to authorities and obstructing the investigation.

"The defendant has not proven that this is one of the rare and extreme cases for which a presumption of prejudice is warranted," O'Toole said.

Separately, the judge agreed to postpone the trial date based on the amount of evidence defense lawyers must review, but he refused their request to stay the trial until Sept. 1, 2015.

Milton J. Valencia can be reached at MValencia@globe.com.

Credit: By Milton J. Valencia Globe Staff

Will Mueller shake up the NFL?

Boston Globe - Boston, Mass.

Subjects: Congressional committees; Attorneys; Professional football; Law firms

Author: Vennoch, Joan

Date: Sep 25, 2014

Start Page: A.15

Section: EditorialOpinion

Document Text

If Robert Mueller's past is prologue, the NFL has little to fear from his investigation into how it handled the Ray Rice domestic violence case.

Mueller's an old boy, now in charge of investigating his fellow old boys.

During a 12-year stint as head of the FBI, Mueller is credited with expanding the agency's anti-terrorist focus. But expanding the public's understanding of controversial FBI decisions was never his mission, as Boston well knows.

On Mueller's watch, notorious gangster James "Whitey" Bulger was finally captured and convicted of serial murder charges. But Mueller's FBI never confronted the details of the immunity Bulger contends he was granted by the agency at the same time Mueller was a prosecutor in the US Attorney's Office in Boston; nor did the agency ever address the true extent of FBI corruption that for years allowed Bulger to carry out his deadly killing spree.

Shortly after the **Boston Marathon attack** of April 15, 2013, Mueller acknowledged the FBI had interviewed and closed its file on Tamerlan Tsarnaev, one of two brothers accused of planting bombs at the finish line. But Mueller resisted efforts by some in Congress to learn more details, although he did finally tell a House committee that internal communication lapses were an issue.

Under Mueller, the FBI's "hallmark certainly wasn't open relations with the public, or even open relations with Congress," said US Representative William R. Keating, who was frustrated by Mueller's refusal to provide information about a matter "where the public had great concern in the aftermath of the bombing about what happened and what could be done."

Added Keating, who sits on the House Homeland Security Committee, "This is a case where he refused to go to hearings. He refused to be public in his response. That was our experience."

Boston Globe articles (7/26/2014—11/15/2014) 66

A football player punching a woman who is now his wife, of course, differs in scope and consequences from a terrorist attack. But Mueller's prior aversion to transparency raises questions about how much transparency he believes is necessary from the NFL.

And there's also his perceived conflict of interest problem.

According to NBCsports.com, Mueller's law firm, WilmerHale, helped the NFL negotiate a multi-billion-dollar television deal. ESPN and various news outlets have reported other ties that create appearance problems for Mueller: WilmerHale previously represented Washington Redskins owner Daniel Snyder; and Dick Cass, the president of the Baltimore Ravens, which is Rice's former team, previously worked as a law partner there.

When Goodell was asked about it during his recent press conference, the NFL commissioner shrugged off the question, saying: "A lot of law firms and maybe people have had some interaction with us in the past. Robert Mueller has not. The law firm may have. We are hiring Robert Mueller, his credentials, to do an independent investigation reporting to the owners and I'm confident that will be the case"

But as Keating sees it: "If the purpose of an investigation of the NFL is to show it's independent, wouldn't you get someone who's really independent? Wouldn't you get someone with no links to the NFL?"

Keating is running for reelection, so campaign zeal could be ramping up his response.

But Harvey Silverglate, a prominent criminal defense and civil liberties lawyer, isn't running for anything, and he, too, questions Mueller's willingness to take on the NFL.

Silverglate's opinion on that score was formed two decades ago when he and noted lawyer Alan Dershowitz went to see Mueller in the course of representing Dr. Jeffrey R. MacDonald, in the so-called Green Beret murder case. They wanted to present information showing that federal prosecutors, the FBI, and military investigators had suppressed evidence. But according to Silverglate, Mueller, then chief of the criminal division for the Department of Justice, began the session by telling them, "criticism of the bureau is a nonstarter."

Added Silverglate, who recently published an article reflecting on the MacDonald case: "He's not the kind of guy to shake up any established, entrenched agency, including a football league. He has undue faith in established authority. I doubt that anyone at the football league is quaking in their boots."

Maybe Mueller is the right man to shake up the NFL. But he will have to prove it.

Joan Vennoch can be reached at vennoch@globe.com. Follow her on Twitter @Joan_Vennoch.

Credit: By Joan Vennoch Globe Columnist

Getting what he's due

Boston Globe - Boston, Mass.

Subjects: Marathons; Military aircraft

Date: Sep 26, 2014

Start Page: B.1

Section: Metro

Document Text

Among his many other undesirable qualities, Dzhokhar Tsarnaev has a truly perverted notion of justice.

The surviving Boston Marathon bombing suspect -- charged in an attack that killed three people, wounded 260 others and briefly paralyzed a city -- didn't want to face a jury of his peers in Boston. He asked for a change of venue to Washington, D.C., where opinion polls cited by his defense team show that there is less support for putting him to death if convicted of the murders he is charged with. His request was denied this week by US District Judge George O'Toole Jr., who will preside at the trial.

Still it was rich, the idea of Tsarnaev questioning whether the people of Boston can treat him fairly. He was asking for a lot more compassion than the bombers showed the countless people near the finish line that day, many of whom still suffer with the physical and emotional aftermath of the attack that day in April 2013.

Tsarnaev and his attorneys recycled the tired argument that the jury pool is contaminated because intense media scrutiny has made it impossible to find a dozen jurors who don't have an opinion about his innocence.

It is true that setting off bombs at the Marathon finish line, as Tsarnaev and his brother Tamerlan are believed to have done, is the kind of activity that attracts a lot of media attention. Absolutely, dropping two bombs in a crowd on Boylston Street has incited an intense reaction. Isn't that what the bombers were after?

Frankly, I was disappointed that O'Toole approved the defense motion to move the trial back two months, to January 2015, even as he chided the defense for failing to disclose its strategy. He reminded the defense that a trial is not a poker game in which players get to conceal their cards. He's right, of course; transparency is essential to fair trials.

But, speaking of poker, Tsarnaev's lawyers don't have much of a hand to play. Their main strategy, as far as anyone can discern, has simply been one of delay. The court shouldn't help them do that. The victims of the bombing and their families have waited long enough for justice.

But, procedural issues aside, I'm most offended by the implication that Tsarnaev can't expect justice here.

In fact, the Marathon attacks have, remarkably, brought out the best in the people of this region. Just take a look at the work of One Fund Boston or the continuing outpouring of support for the Richard family of Dorchester, whose selflessness in the face of devastation has inspired so many.

Yes, the Marathon attacks unleashed a perfectly legitimate sense of righteous anger.

But it also united the people of this city in a way that's hard to remember.

Despite what he seems to think, Dzhokhar Tsarnaev is not entitled to a jury of patsies who will buy his tales of having been controlled by his now-dead brother. Neither is he entitled to a jury of people who aren't emotionally invested in seeing Boston move beyond the Marathon tragedy.

What he is due, constitutionally and morally, is 12 people who will fairly weigh the evidence presented and decide on an appropriate punishment. I have no doubt at all that he will get that in his South Boston courtroom.

Many believe the request for a change of scenery was less about Tsarnaev's trial than his eventual sentencing. He is the rare Massachusetts defendant who could face the prospect of a federal death sentence.

As it happens, I'm an absolutist on capital punishment; like most Massachusetts residents, I'm against it.

I suspect that Tsarnaev, if convicted, could well be spared death. A jury might well decide that his ultimate punishment would be to spend the rest of his life living with himself.

Adrian Walker is a Globe columnist. He can be reached at walker@globe.com. Follow him on Twitter @Adrian_Walker.

Restorers set to open capsule in Old State House sculpture

Boston Globe - Boston, Mass.

Subjects: Time capsules

Author: Blessing, Kiera

Date: Sep 27, 2014

Start Page: B.3

Section: Metro

Document Text

The Bostonian Society is getting closer to discovering just what lies inside a time capsule found in the golden lion statue that perched atop Boston's Old State House for more than 100 years.

Robert Shure, the sculptor entrusted with restoring the lion and its unicorn counterpart, has decided the best course of action will be to remove the lion's crown, which is actually a separate piece of the statue.

"They're being pretty delicate about it because . . . they don't want to cause any damage" to the lion's mane, said Bostonian Society spokeswoman Heather Leet. Shure has said the mane would be the most difficult part of the statue to repair, if it is damaged.

The crown is soldered to the lion's mane. Leet said the hole created by removing the crown would be large enough for workers to cut the copper wires securing the capsule to the inside of the lion and pull it out, though she said Shure has said the process is "easier said than done."

The society will meet Tuesday with Shure to learn more about the removal process and to determine a time and date for a small ceremony. Leet said the ceremony to open the shoebox-sized capsule will probably take place during the first full week of October.

Before the lion's crown is replaced and the statue is restored, Leet said, a new time capsule will be placed inside with memorabilia from the 21st century. This will not happen at the same time as the removal ceremony, though, because "we're still gathering items for the new one . . . and deciding logistics on how to put the new one in" the lion.

So far, Leet said, just one item has been chosen to go in the new time capsule: a **medal from the 2013 Boston Marathon**.

The public can send the Bostonian Society suggestions for capsule items by e-mail, Twitter, or Facebook using the hashtag #LionAndUnicorn.

Kiera Blessing can be reached at kiera.blessing@globe.com.

Credit: By Kiera Blessing Globe Correspondent

Illustration

Caption: A golden lion sculpture has been perched atop the Old Statehouse in downtown Boston for more than 100 years. Dina Rudick/Globe Staff

State's Democrats ever reluctant to back military action

Boston Globe - Boston, Mass.

Subjects: Presidents; Bills

Author: Vennochi, Joan

Date: Sep 28, 2014

Start Page: K.6

Section: EditorialOpinion

Document Text

A FELLOW DEMOCRAT sits in the Oval Office. Homegrown **terrorists planted bombs** at the finish line of an iconic Boston sporting event, causing death and destruction, just 18 months ago.

Even so, only two members of Massachusetts' all-Democratic congressional delegation -- US Representatives Stephen Lynch and Richard Neal -- voted to give President Obama authority to train and arm Syrian rebels in the fight against the terrorist group known as the Islamic State or ISIS.

Given the extent of the Islamic State threat, as outlined by Obama, and still-fresh memories from the Marathon bombings, it does make a person wonder: What would it take for Bay State Democrats to back military action?

For Lynch, who also backed the 2002 Iraq war resolution, "It's not a difficult calculus in terms of good versus evil." But a "yes" from Neal, who opposed the Iraq war, was more unexpected.

"The sheer brutality of what we're witnessing compels us to respond," Neal said. The Islamic State "really has no address" and threatens the world, he said. Noting the left's general resistance to military action -- as demonstrated by the rest of the delegation -- Neal added: "The Democratic Party from time to time shies away from international threats. I think that President Obama's about-face on this issue [demonstrates] how serious it is."

Fellow Massachusetts representatives Michael Capuano, Katherine Clark, William Keating, Joe Kennedy, James McGovern, John Tierney, and Niki Tsongas all voted against the amendment, which was inserted into a government funding bill. Also voting "no" were Senators Ed Markey and Elizabeth Warren.

Supporting the commander-in-chief, no matter what, was clearly not their priority. Neither did they fear making Obama or the nation look weak, since they knew the needed

votes were there from others. Their statements after the vote projected the belief that the Islamic State is a real threat. But they worried about a "slippery slope" or feared the money and arms would get into the wrong hands.

The decision was "a tough one," Kennedy said. He suggested that the measure put forward was a first step, one that created a training program to arm moderate Syrian rebels. But Congress should debate the overall strategy, he argued. If the Obama administration's ultimate mission includes a prolonged military engagement, Kennedy said, "Congress should understand the plan, authorize it, and make sure the American people understand the details."

The late Senator Ted Kennedy -- Joe Kennedy's great-uncle -- once said his proudest vote was the one cast against the Iraq War. With this latest response, the delegation again reflects the Bay State's strong antiwar tradition. But in Washington, principle does not exist in a vacuum. History and politics also factor in. In this case, post-Iraq war political trauma is part of the equation. Warren, for one, would have to consider her national ambitions and standing with the left, in any war vote she casts.

"If you're a Democrat in Massachusetts, the politically safe vote is always to vote against military action," said Marty T. Meehan, a former US representative who is now chancellor of the University of Massachusetts Lowell.

In 2002, Meehan, Markey, and Lynch supported the resolution that led to the invasion of Iraq under President Bush. Twelve years later Meehan still clarifies that stance: "I voted to disarm Saddam Hussein . . . I don't call it a war vote."

John Kerry, then the state's junior senator, also supported the 2002 Iraq resolution. The vote haunted him during his 2004 presidential run. First Kerry had to explain to Democrats why he backed the Republican administration, and then, when he ran against Bush, he had to explain why he changed his mind. Hillary Clinton faced a similar problem in 2008, when her then rival, Barack Obama, ran as an antiwar candidate.

The Obama administration's measure passed with bipartisan support -- in the House with a vote of 273 to 156 and in the Senate 78 to 22. In a piece for Slate, David Weigel analyzed the "aye" votes in the House. They boiled down, Weigel wrote, to incumbents in competitive races plus the three top House Democrats -- Nancy Pelosi, Steny Hoyer, and Jim Clyburn -- and every Republican leader. Much of the "no" vote came from Democrats who also voted against the Iraq War in 2002.

Lynch said this vote is different than the one in 2002 because it narrowly defines the mission: funding and training of moderate Syrian opposition forces. There is a Dec. 11 cut-off date and "a clear prohibition against boots on the ground" -- which both he and Neal oppose.

In Massachusetts, support for war only goes so far.

Boston Globe articles (7/26/2014—11/15/2014) 69

Joan Vennoch can be reached at vennoch@globe.com. Follow her on Twitter @Joan_Vennoch.

Credit: By Joan Vennoch Globe Columnist

This time, Tom comes up short

Boston Globe - Boston, Mass.

Subjects: Race relations; Cities; Mayors; Neighborhoods

Author: Walker, Adrian

Date: Sep 29, 2014

Start Page: B.1

Section: Metro

Document Text

On an icy day in early 1993, Tom Menino was elected president of the Boston City Council, edging out Maura Hennigan by a single vote.

Later that day, as he looked out over City Hall Plaza from the window of his council office, Menino revealed just how much had been at stake for him in that election. If he lost, he was "gonna quit," he told me.

Quit to do what? "I was going to be a social worker," he said. "You can't be a district city councilor forever."

It was a revealing moment, with a kind of vulnerability he would later carefully avoid. He was not yet the man that two decades in power would mold him into: met by nearly everyone in town, but really known only to a select few, even as he became the city's longest-serving mayor.

That unguarded moment came to mind while reading the modestly titled "Mayor for a New America," Menino's newly published 232-page memoir, written with -- or perhaps by -- Jack Beatty, author of "The Rascal King," a much-admired biography of another legendary mayor, James Michael Curley.

"Mayor For a New America" sets a high standard for taking control of one's legacy. It is the Menino legend preserved in amber, in which even perceived shortcomings are simply strengths in disguise, and defeats, such as they are, represent mere detours on the road to victory.

Of course, Menino has much to be proud of, and not just his longevity. He presided over a transformed city. He buried the false dichotomy between being a champion of downtown or an advocate for the neighborhoods, proving an effective champion of both. He helped calm the city's tense, sometimes explosive, race relations. In a late burst of energy, he helped chart the course of the South Boston waterfront, a neighborhood that mostly consisted of parking lots when he took office.

Boston Globe articles (7/26/2014—11/15/2014) 70

He accomplished this as one of the city's most unlikely mayors, a man who struggled at the beginning to get through a routine speech, and who came from the Readville section of Hyde Park, a neighborhood-within-a-neighborhood that had never been anyone's idea of a power base. So his victory lap here is well deserved.

Chapter by chapter, he rattles off victories, from improving schools to bringing the Democratic National Convention to Boston, to prevailing over such foes as the firefighters union. Some of these claims are disputable. Many parents certainly would not share his rosy view of the Boston public schools. Many union members would chuckle at his persistent claim to have been a "pro-union" mayor; actually, in his last three terms, he often seemed to be at war with labor.

But I suppose a bit of burnishing is what happens when you write your own history.

Still, there's something important missing from Menino's tome: Menino. I mean the person himself. Instead of a memoir, he has produced what amounts to a book-length State of the City speech.

I wished for more of the complex person who could be by turns persuasive and maddening, broad-thinking and vindictive, inspiring and petulant.

I wanted more of the guy who gleefully overran opponents for 20 years, certain that his gut was an infallible guide to what was right for Boston.

Menino wisely opens and closes with his single finest moment. Three days after the **Marathon attack**, Menino, in a wheelchair and propped up by his son Thomas Jr., pulled himself up to a podium at the Cathedral of the Holy Cross to address the big interfaith service presumably headlined by President Obama.

He was truly remarkable, celebrating the spirit and resilience of Boston.

"Nothing can defeat the heart of this city," he declared. "Nothing will take us down because we take care of one another."

That love for the city propelled Menino every day of his remarkable reign. He was never better than when he wore his heart on his sleeve.

Adrian Walker is a Globe columnist. He can be reached at walker@globe.com. Follow him on Twitter @Adrian_Walker.

Credit: By Adrian Walker Globe Columnist

Menino pens a new chapter

Boston Globe - Boston, Mass.

Subjects: Marathons; Writers; Books; Autobiographies

Author: Levenson, Michael

Date: Sep 30, 2014

Start Page: B.1

Section: Metro

Document Text

In his new book, former mayor Thomas M. Menino offers a paean to pouring pavement.

"In the grand scheme of things, perhaps filling a pothole doesn't matter," he writes. "But to the citizen who nearly lost a tire in that pothole, it says, 'You matter.' "

The book, "Mayor for a New America," is an opportunity for Menino, who at 71 is battling cancer, to burnish his legacy and his guiding philosophy that "the human factor" is everything in politics. Like the man himself, the 250-page memoir is sentimental, earnest, and occasionally funny.

While exploring his efforts to improve schools and hold down crime, he drops some revealing, if not scandalous, nuggets about his two decades in power.

The former mayor discloses that he once took speaking lessons, but when an acting coach suggested he try wearing sneakers during a speech, he decided, "I can't take it anymore," and quit.

He defends his total control over development projects, declaring, "I never relaxed my grip."

And he writes that, after he won a record fifth term in 2009, he kept his political machine running in high gear in the hope that executives would whisper to themselves, "The mayor of Boston is an elected emperor. He can do whatever the hell he wants."

The book, written with Jack Beatty -- the biographer of another legendary Boston mayor, James Michael Curley -- is due out Oct. 14.

It will inevitably shine a new spotlight on Menino, who is now codirector of an urban policy institute at Boston University. Next month, he is scheduled to embark on a book tour with 11 stops in the Boston area and one stop each in New York and Washington.

Boston Globe articles (7/26/2014—11/15/2014) 71

The publisher, Houghton Mifflin Harcourt, is billing the memoir as a "behind-the-scenes look" at "one of the most popular politicians in modern history." The jacket includes blurbs by former president Clinton and Senator Elizabeth Warren.

Jim Milliot -- editorial director of Publisher's Weekly, which tracks the publishing business -- said Menino's story "may have regional appeal," but added, "I kind of doubt it will get much pickup outside of New England."

The book sketches Menino's rise from Hyde Park, on the fringes of the city, where he struggled in school, but could hit a baseball and was tough on the basketball court. "That won me some respect," he writes.

Delving into his infamous battles with the English language, he writes that, as a boy, he dreaded being called on in class. "My teeth and lips would not cooperate," he writes. "I talked out of the side of my mouth, mumbling decades before I was called 'Mumbles.' "

The book's most powerful scenes revolve around the Boston **Marathon bombings**, when Menino emerged from the hospital to help revive the spirits of the wounded city.

Although he did not express concern at the time, he writes that he disagreed with Governor Deval Patrick's request that residents "shelter in place" during the manhunt for the bombers.

"Shelter in place was an overreaction," Menino writes, pointing out that a homeowner in Watertown found Dzhokhar Tsarnaev soon after the governor called off the "shelter in place" plan.

With great pride, he revels in the praise he received from Governing Magazine, cherishes his landslide reelection victories, and takes credit for helping to elect Patrick in 2006 and Warren in 2012.

When Hillary Clinton was struggling in the 2008 presidential race, he says, he sent 100 of his "campaign pros" to New Hampshire, and "my people delivered for Hillary Clinton," and "put Hillary over the top" in the Democratic primary.

State lawmakers in Massachusetts drew a lesson from those victories, he writes: " 'Team Menino' could make you or break you."

He insists that the image of him as a thin-skinned titan was a caricature, but says it also helped him maintain power in his fifth and final term, when some were ready to dismiss him as a lame duck. "Fear is power," Menino writes. "I owed it to my city to keep fear alive."

But he was not, he said, driven by vengeance. Instead, he said, he relished his role as the "urban mechanic," saying it allowed him to accomplish larger goals, from hosting the 2004 Democratic National Convention to rebuilding the South Boston waterfront.

Boston Globe articles (7/26/2014—11/15/2014) 71

"Do the small stuff -- fix potholes, clean up parks, plow the streets quickly after snowstorms -- to win the public's trust that you'll deliver on the big stuff," he writes.

Michael Levenson can be reached at [mlevenson@ globe.com](mailto:mlevenson@globe.com).

Credit: By Michael Levenson Globe staff

Program aims to counter extremism

Boston Globe - Boston, Mass.

Subjects: Councils; Religion; Muslims; Islamism; Islam

Author: Murphy, Shelley

Date: Oct 4, 2014

Start Page: A.1

Section: Metro

Document Text

A new Justice Department initiative in Boston aimed at preventing people from joining extremist groups will focus not just on radicalized Muslims but on all forms of militants, including white supremacists, religious hate groups, and school shooters, US Attorney Carmen Ortiz said.

In an interview, Ortiz said the program is unprecedented in its scope, enlisting a broad spectrum of religious leaders, community leaders, and experts in health and education to identify people susceptible to radical ideology and intervene before they become a threat. It also draws on counterterrorism specialists, as well as federal, state, and local law enforcement, to assess risks and threats.

The program is launching as the Islamic State militant group that has occupied parts of Syria and Iraq has been aggressively recruiting members on social media, and a number of Americans have traveled overseas to join the Islamic State and other militants.

"This is to try to identify individuals who are likely to engage in violent extremism," Ortiz told the Globe. "At the end of the day our goal is to really promote public safety here and to have the community be a part of our national security."

The Islamic Council of New England, which was already in the process of creating a training program to steer youths away from extremist ideology, has agreed to participate in the project, along with leaders of other faiths.

Dr. Nabeel Khudairi, chairman of the interfaith committee of the Islamic Council of New England, said Muslim leaders have repeatedly condemned violent extremism and the council has been working to create a youth training program to stress that message.

"We see it as our responsibility as good Muslims to constantly remind young people they have a moral obligation to follow certain codes and behavior," said Khudairi, who is a member of one of two working groups Ortiz formed to counter violent extremism.

Boston Globe articles (7/26/2014—11/15/2014) 72

The Islamic Council is seeking advice from psychologists, sociologists, and computer experts on how to develop the training program -- with workshops, and possibly interactive educational apps for smartphones -- that would be implemented at mosques throughout New England and eventually nationwide.

The training sessions "would clearly steer them away from acts of revenge or extremist thinking," Khudairi said.

Yusufi Vali, executive director of the Islamic Society of Boston Cultural Center, said he was hopeful that mosques and the Muslim community would not be singled out under the initiative.

"Mosques are the best buffers against any form of extremism because it's a place where community happens," said Vali, citing studies that indicate many violent extremists are often loners who isolate themselves from the community and are radicalized online.

"As a country we've seen an increase in violent extremism, whether it be the school shootings, the recent attack on a synagogue in Kansas City or the Boston Marathon tragedy," said Vali, adding that authorities should focus on what is causing the spike in violence.

In explaining the program, Ortiz said Boston was not selected because of the **Marathon bombings**.

But rather, she said, the city was chosen because it has strong community-oriented policing that has been successful in targeting gangs and gun violence.

She said the initiative, which was announced last month and is also underway in Los Angeles and Minneapolis, is intended as a pilot for a program that could be expanded to a nationwide approach to countering violent extremism.

Kieran Ramsey, assistant special agent in charge of the FBI's Boston office, said the practice of enlisting community groups, nonprofit agencies, private businesses, and neighborhood residents will better prevent and predict future threats "from gangs, drugs, cyber-related crimes, and terrorism" than "merely reacting to ones as they appear."

Boston Police Commissioner William Evans, who is participating in the federal initiative, said he recently visited the Islamic Society of Boston Cultural Center for the first time and is doing more outreach to the Muslim and Somali communities in an effort to build trust and allay fears of religious profiling.

"If they see someone whose views are extremely radical, those are the people we want them to notify us of," Evans said. "We don't want to be snooping in on their religion."

He cited as an example of the outreach the police response to a rash of robberies committed by Somali youths on Boston Common. Evans said police resolved the cases

by going into the Somali community in Allston and Brighton and working with the parents of the youths.

"I think this is more of an education piece on both sides," Evans said. "Learn to trust each other and help each other."

The Rev. Jeffrey Brown, one of the founders of Boston's TenPoint Coalition, created in the early 1990s and hailed as a national model for reducing gang violence, said he signed on to the new federal initiative because of its emphasis on civil engagement.

"The community has to be looked upon as a partner and not to be used as a tool in a counter-terrorism effort," said Brown, who helped negotiate truces between warring gangs by hitting the streets and talking with youths involved in the feuds.

"Civil engagement puts the emphasis on relationships and the kind of mentoring TenPoint is noted for, which can really help young people who are thinking about going down the wrong path and help them on a different path," Brown said.

Kurt Schwartz, the state undersecretary for homeland security and emergency management, said law enforcement officials have foiled a number of plots by violent extremists since the 2001 attacks on the World Trade Center. The goal now, he said, is to create a "best practices" national model that will capture more "at-risk" people.

"We're not trying to build a society where every time someone looks at you cross-eyed you're calling the police, the FBI or a community watch group," Schwartz said. "We have to become even better and better at identifying those critical previolent indicators that are really signs of something troubling, as opposed to those other things that are just personality quirks."

Shelley Murphy can be reached at shmurphy@globe.com. Follow her on Twitter @shelleymurph.

Credit: By Shelley Murphy Globe Staff

Menino's best stories left out of his memoir

Boston Globe - Boston, Mass.

Subjects: Cities; Books; Autobiographies

Author: Harmon, Lawrence

Date: Oct 4, 2014

Start Page: A.11

Section: EditorialOpinion

Document Text

This was a taxing week for former Boston Mayor Thomas Menino. He was unprepared when advance copies of his upcoming autobiography -- "Mayor for a New America" -- landed in reporters' mailboxes. Globe columnist Adrian Walker quickly and accurately observed that Menino's memoir reads like "a book-length State of the City speech." The book project was meant to serve, in part, as a pleasant distraction for Menino while he dealt with the side effects of his treatment for advanced cancer. Suddenly it felt like another headache.

So, does Menino mope around at home? No. Does he curse the fact that advanced medicine -- the flower of the modern age -- has only so much hope to offer him. Nope. Instead, he hits the roof because one of his six grandchildren -- Olivia -- got cropped out of a family photo that appears in the memoir. Let's hope for everyone's sake that this problem gets straightened out by the publisher during any additional printing.

Menino, Boston's longest serving mayor at 20 years, did a good job of providing high quality city services while keeping a lid on residential property taxes. But that's not the main reason why he left office with a 74 percent approval rating. He is beloved in Boston because he's the kind of man who puts his granddaughter's feelings -- and the well-being of others, in general -- above his own needs. If the book tanks, Menino won't lose an ounce of popularity in Boston.

Writing a memoir, even with the help of author Jack Beatty, had to be a stretch for Menino. No one would describe the 71-year-old former mayor as self-revelatory. He's a lot better at doing things than describing why he does things. Surgeons have a saying: You can name it and cut it. Or just cut it. Menino is in the latter category.

Still, Menino worried during the writing stage that his "voice" was missing from the memoir -- not his signature mumbling, but the voice that pertains to a writer's distinctive way of looking at the world. It was a valid concern. The reader gets a good sense of the growth of the city under Menino as he reshaped the city's skyline, revitalized outlying neighborhoods, invested in successful crime fighting tactics, and gathered in political

exiles, including new immigrants. Missing is a sense of Menino's personal passage from an inconspicuous political aide to a great urban mayor.

Menino comes closest to finding his voice in the sections on the April 2013 terrorist **bombings** at the Boston Marathon. Though exhausted and hoarse from a succession of illnesses, Menino struggled out of his wheelchair and offered stirring words to a crowd of 2,000 gathered at an interfaith service to honor the three people killed and scores wounded near the finish line.

"We are one Boston," he said. "No adversity, no challenge, nothing can tear down the resilience in the heart of this city and its people."

Literarily, Menino loses his voice in an overlong chapter on his efforts to overhaul Boston's school system. There is too much about mayorally-appointed school boards and superintendent searches and too little about the lives and challenges of Boston's schoolchildren. Like so many of them, he struggled in school and received painful messages at an early age that he wasn't destined for success. Menino has maintained contact with many Boston students over the years. It would have been nice to get to know some of them in his autobiography.

Menino reveals a lot about the values of his father, a member of the Machinists Union, and his mother, who ran an unofficial settlement house for new immigrants. In a brief but poignant passage, Menino describes how his mother passed away while holding his 6-year-old-brother, David, in her arms. But other than a brief reference to this "challenged" younger brother, readers don't get any sense of the sibling relationship, or whether it had any impact on Menino's later efforts to shape city policies for people with special needs.

In a section on his successful efforts to block the New England Patriots from building a new stadium in South Boston, Menino calls forth images of out-of-control fans "filling the bars" and "peeing in the streets." Menino didn't touch alcohol during his time in office. Had he seen the ravages of alcoholism in his own extended family? The reader has no clue.

"People know who I am," said Menino during a telephone interview this week. "I never hid behind my desk at City Hall."

That's true. But some of the best stories of his two decades in office -- and his own deepest impressions -- remain hidden from view.

Lawrence Harmon can be reached at harmon@globe.com

Credit: By Lawrence Harmon Globe Columnist

Tsarnaev friend was 'intoxicated': Lawyer contends he remembers nothing

Boston Globe - Boston, Mass.

Subjects: Obstruction of justice; Criminal sentences; Attorneys

Author: Wen, Patricia

Date: Oct 7, 2014

Start Page: B.1

Section: Metro

Document Text

A childhood friend of Boston Marathon bombing suspect Dzhokhar Tsarnaev was "high out of his mind" on marijuana one night and recalls nothing about going with two friends into Tsarnaev's dorm room and seeing one of them remove incriminating evidence, his defense attorney told jurors Monday.

In opening statements, the lawyer for Robel Phillipos said that even though his client signed a confession days later admitting that he was in Tsarnaev's dormitory room the night of April 18, 2013, he did so only under intense emotional pressure by the FBI, not because he remembered much about that night after allegedly smoking marijuana a half-dozen times that day.

"He was highly intoxicated," his lawyer, Derege Demissie, said in a courtroom where some two dozen relatives and friends of Phillipos came to support him.

Phillipos, 20, of Cambridge, is charged with two counts of lying to investigators about his whereabouts and observations the night of April 18, 2013; prosecutors say that deprived them of critical information as their investigation into the bombing was in full force.

On April 18, the FBI broadcast photos of the two bombing suspects, and prosecutors say that Phillipos and two friends recognized Tsarnaev, then went to Tsarnaev's dorm room, and at least two of them removed a backpack containing manipulated fireworks to try to protect their friend.

Assistant US Attorney John Capin said Phillipos, who went to Cambridge Rindge and Latin High School and the University of Massachusetts Dartmouth with Tsarnaev, "created a fiction" about not remembering that anything was taken from Tsarnaev's room that night.

Capin said that when two of the friends -- Azamat Tazhayakov and Dias Kadyrbayev, both former UMass Dartmouth students from Kazakhstan -- became frantic over

possessing Tsarnaev's incriminating backpack, Phillipos allegedly told them, "Do what you got to do."

The backpack and fireworks were discarded in a dumpster behind Tazhayakov's and Kadyrbayev's New Bedford apartment and were later found by FBI agents in a landfill.

Tazhayakov was found guilty by jurors of obstruction of justice in July, while Kadyrbayev pleaded guilty to the same charges in August in return for a promise that prosecutors would ask for no more than a seven-year prison term. Both are scheduled to be sentenced this fall.

In a new development, Tazhayakov, who faces a maximum 25-year prison term, has agreed to testify as early as Tuesday as a government witness against Phillipos, setting the stage for the first time that a member of Tsarnaev's tightknit group of friends testifies against another.

Prosecutor Stephanie Siegmann declined to reveal the terms of the arrangement, but typically defense lawyers would not allow a client to testify without an offer by prosecutors to reduce their sentence recommendation. Tazhayakov's sentencing is scheduled for Oct. 16.

Tazhayakov's testimony could hurt Phillipos if he contradicts the defense lawyer's portrait of Phillipos as profoundly stoned and memory-impaired on April 18. The two were together much of that after noon and night.

Lawyers for Phillipos have declined to say whether he will take the stand.

Though Phillipos spoke to federal agents a half-dozen times after April 18, 2013, he was charged with two counts of lying. Prosecutors say his assertion that he cannot remember much about April 18 is undermined by his apparent strong memory of other details, including taking a bus to campus from his Cambridge home in the late morning and the names of friends -- some of whom will be defense witnesses -- with whom he got high that day. Phillipos was not living on campus because he had taken a leave in December 2012.

His lawyer, Demissie, said Phillipos had developed an excessive, troubling attachment to marijuana. On April 18, he used a vaporizer for two hours, and joined others "fishbowling," which refers to smoking marijuana inside a car with the windows closed to enhance the high, his lawyer said.

"Keep an open mind . . . and you'll be able to unpack this case," said Demissie, looking at the jurors. "It's about him not remembering."

A fourth friend of Tsarnaev has also been charged in connection with the explosions at the Boston Marathon finish line on April 15, 2013. Stephen Silva, 21, of Cambridge, is

Boston Globe articles (7/26/2014—11/15/2014) 74

charged with providing a gun that was later used by Tsarnaev and his older brother, Tamerlan, to kill an MIT police officer the night of April 18, 2013.

None of Tsarnaev's friends are accused of playing a role in the bombing. Tsarnaev's trial is scheduled to begin in early January, and he could face the death penalty if convicted.

Patricia Wen can be reached at patricia.wen@globe.com.

Credit: By Patricia Wen Globe Staff

Head of the Charles Regatta preparations include heightened security

Boston Globe - Boston, Mass.

Subjects: Marathons; Law enforcement

Author: Thadani, Trisha

Date: Oct 7, 2014

Start Page: B.12

Section: Metro

Local law enforcement agencies are stepping up security for this year's Head of the Charles Regatta, which begins in little more than a week, the regatta director said Monday.

Fred Schoch said that "no stone will be left unturned" in preparing for this year's regatta, to be held Oct. 18-19.

Schoch declined to provide specifics about the security plan, saying "the less that is made public, the better."

The Head of the Charles Regatta has brought the world's best crew teams to the banks of the Charles River for the rowing competition since 1965. It attracts over 11,000 athletes and 400,000 spectators annually, according to its website.

"It goes without saying" that security for such events has been heightened since the April 2013 Boston **Marathon bombing**, Schoch said. "We have been working with the state and local officials to put together a very concrete security plan for the event."

Schoch said regatta officials have been collaborating with state and local agencies, including the State Police, the Department of Conservation and Recreation, and the police and fire departments of Cambridge and Boston.

He said security would be tighter in areas that are more densely populated, including near the finish line.

David Procopio, State Police spokesman, said there would be no substantial variation from last year's security plan.

He said the measures are "not because of intelligence suggesting there will be any problems, but it's just standard procedure" since the Marathon bombing.

Trisha Thadani can be reached at trisha.thadani@globe.com. Follow her on Twitter @TrishaThadani. Credit: By Trisha Thadani Globe correspondent

'Newsroom' plot involves Marathon bomber

Boston Globe - Boston, Mass.

Date: Oct 7, 2014

Start Page: B.14

Section: Lifestyle

Document Text

"The Newsroom," HBO's occasionally enlightening, often didactic series about a fictional TV news team anchored by Jeff Daniels -- actually, a character played by Jeff Daniels -- kicks off its third and final season Nov. 9. The trailer for the new season has been posted and one of the ripped-from-the-headlines story lines apparently involves the hunt for accused Boston Marathon bomber Dzhokhar Tsarnaev. "Two times in 24 hours, law enforcement had to publicly disclose information, because either a paper or website put someone's life in danger," hollers Will McAvoy, played by Daniels. "He's hiding in a boat in someone's backyard? I'd like confirmation on that before I say it on TV!"

Former classmate now a US witness: Testimony seen against Phillipos

Boston Globe - Boston, Mass.

Subjects: Trials; Obstruction of justice; Attorneys; Investigations

Author: Wen, Patricia

Date: Oct 8, 2014

Start Page: B.1

Section: Metro

Document Text

Azamat Tazhayakov partied often with his former University of Massachusetts Dartmouth classmate Robel Phillipos, even once in Manhattan's Times Square. By the fall of their sophomore year, the two men saw each other several times a week, often with a mutual friend they knew as Jahar before the world knew him as a Boston Marathon bombing suspect.

But on Tuesday, in a federal courtroom, the 20-year-old native of Kazakhstan was a convicted felon wearing a stiff smile, taking the stand as a government witness against Phillipos, who is charged with lying to federal investigators during the bombing investigation. In July, jurors found Tazhayakov guilty of obstruction of justice for being part of a group of friends who entered Dzhokhar Tsarnaev's dorm room after the bombings and took incriminating items to protect him.

Tazhayakov is scheduled to be sentenced next week and faces the possibility of 25 years behind bars. Speaking before jurors Tuesday during Phillipos's trial, the inmate at the Essex County jail testified about the deal offered to him by prosecutors.

"As long as I tell the truth, it might help me with my sentence," said Tazhayakov who was allowed to wear a blue suit for his court appearance.

Tazhayakov's entrance into the courtroom on Tuesday was one of the more dramatic moments so far in the trial of Phillipos, a longtime Cambridge resident accused of lying to investigators about his whereabouts and observations the night of April 18, 2013. Prosecutors say Phillipos accompanied Tazhayakov and another friend from Kazakhstan, Dias Kadyrbayev, into Tsarnaev's dorm room on the night the backpack, containing manipulated fireworks, was removed. However, Phillipos, 20, currently denies remembering being in the room that night.

Tazhayakov testified for only 15 minutes Tuesday before court adjourned. The most critical part of his testimony, such as where Phillipos was the night of April 18, and his state of mind, is expected Wednesday.

Boston Globe articles (7/26/2014—11/15/2014) 77

Phillipos's defense attorneys contend that their client, who had taken the spring 2013 school term off, had developed an intense marijuana smoking habit and was "high out of his mind" the night of April 18. His attorney has said that one reason Phillipos was on campus that day was to attend a program related to marijuana violations from the previous school term, yet he smoked a half-dozen times that day.

Even though prosecutors secured a confession from Phillipos on April 26 that he was in Tsarnaev's dorm room with his two Kazakh friends when they removed the backpack, Phillipos's attorney now says that the confession was coerced and that Phillipos has no memory of being there.

On Tuesday, defense attorney Derege Demissie drew the full attention of jurors as he vigorously questioned FBI agent Michael Delapena about his interrogation of Phillipos, which led to the alleged confession. He portrayed the agent as a manipulative interrogator who kept a vulnerable, frightened teenager in a windowless small room for three hours.

The agent agreed that he elicited information about Phillipos' parents, including that he was raised in Cambridge by a single mother, a college-educated Ethiopian immigrant and domestic violence specialist, and that he had no relationship with his father. He acknowledged that he told Phillipos, "Your father would be proud if you did the right thing." He also urged Phillipos to be on "Team America."

Delapena also acknowledged that Phillipos showed a great fear of being arrested that day and that agents waiting outside the room were once referred to in their talk as "wolves." Delapena said he locked the door to the room at least once, saying it was a gesture to make Phillipos feel safer.

But prosecutors assert that there was nothing coercive about the exchange and that Phillipos knew that he was free to get a lawyer or to leave anytime. They say the statement reflects the truth that spilled out of a tearful Phillipos, including that he saw "seven red tubular fireworks, approximately 6 to 8 inches in length" inside the backpack taken that day.

Prosecutor John Capin told jurors that Phillipos's description came before widespread publicity about the recovery of Tsarnaev's backpack in a landfill, and reflects a strong memory.

In his opening statement, Capin told jurors that Phillipos's description of the length of the tubes turned out to be as accurate as "if he had used a ruler."

Globe staff writer Laura Crimaldi contributed to this report. Patricia Wen can be reached at wen@globe.com.

Credit: By Patricia Wen Globe staff

Officials declare MIT building safe after chemical spill

Boston Globe - Boston, Mass.

Subjects: Evacuations & rescues; Chemical spills; Automation

Author: Ellement, John R

Date: Oct 8, 2014

Start Page: B.2

Section: Metro

Document Text

CAMBRIDGE -- The campuswide security alert went out via text, e-mail, and automated phone message to the MIT community around 1:45 p.m. Tuesday: The university was investigating a report of a "serious emergency on campus. Stay alert."

The incident was quickly declared to be relatively minor: a small chemical spill in a chemistry laboratory, which caused the building to be briefly evacuated. No injuries were reported.

But the wording of the initial alert rattled the campus, and prompted concern about what some felt was its unnecessarily alarmist tone.

MIT police, who had tweeted the initial university alert, responded to the concerns: "The @MITPolice rebroadcast MIT Alerts via Twitter as they are received. We do not write the alerts and apologize for the confusion."

Campus spokeswoman Kimberly Allen said: "As with any case of emergency communication, MIT emergency personnel will do an after-action review and take steps to ensure the process is optimal."

Taylor Tracy, an administrative assistant at the Massachusetts Institute of Technology, questioned what she called the vague message, which she received via text, e-mail, and automated call. She said others texted and called her wondering what was going on and fearful that the alert meant something more serious.

"Tensions are still high after the Marathon bombing and the shooting [of MIT police **Officer Sean Collier**], so it was worrisome to a lot of people," she said. "We live in a panic era, so people are just really quick to think the worst."

She said she stayed in her office fielding calls and texts until receiving the next alerts clarifying that it was a chemical spill.

Boston Globe articles (7/26/2014—11/15/2014) 78

The school has faced criticism over the use of the alert system before. In Feb. 2013, MIT came under fire for failing to notify students of reports of a gunman on campus for more than an hour. The report was later determined to be a hoax.

Assistant Chief Gerard Mahoney of the Cambridge Fire Department said Tuesday's incident was sparked by the spill of about a gallon of hexane on the third floor of Building 18, also known as the Dreyfus Building. He said hexane is a flammable solvent.

Mahoney said firefighters ventilated the building, tested air quality, then deemed the area safe.

"The situation was under control rather quickly," Mahoney said. People were allowed back inside the building about a half-hour after the evacuation.

Evan Allen of the Globe staff contributed to this report.

Credit: By John R. Ellement Globe staff

Affleck strong

Boston Globe - Boston, Mass.

Date: Oct 8, 2014

Start Page: B.16

Section: Lifestyle

Document Text

At this rate, Casey Affleck may never leave. Ben Affleck's kid brother, who's in town shooting "The Finest Hours," has just signed on to star in (and produce) another movie with local ties, this one based on a forthcoming book about the Boston Marathon bombings. Called "Boston Strong," the book by Casey Sherman and former Boston Herald reporter Dave Wedge comes out in February. But, according to Variety, there's already a script for the movie, written by Eric Johnson and Paul Tamasy, whose credits include "The Fighter" and "The Finest Hours." No word on when production might start, but it's not likely to be any time soon.

A place for proportion

Boston Globe - Boston, Mass.

Subjects: Criminal investigations

Author: Abraham, Yvonne

Date: Oct 9, 2014

Start Page: B.1

Section: Metro

Document Text

This could be my kid. Or yours.

That thought was hard to avoid in Courtroom 1 at the Moakley Courthouse where Robel Phillipos sat Wednesday morning.

Swept up in the investigation of the Boston Marathon bombings, the former UMass Dartmouth student and friend of accused bomber Dzhokhar **Tsarnaev** is on trial for lying about where he was and what he saw the night another Tsarnaev friend, Dias Kadyrbayev, took a backpack containing fireworks from Tsarnaev's dorm room and threw it in a dumpster.

After initially lying, Kadyrbayev and another friend, Azamat Tazhayakov, came clean about the dumped backpack the night Tsarnaev was captured, April 19. Phillipos, 20, is not accused of involvement in the bombing or of dumping the bag. Federal prosecutors have charged him only with lying about what he saw.

His attorneys say Phillipos did not lie, that he was so stoned that night he could not remember what happened. They say FBI agents coerced his confession.

Either way, you have to wonder: Is it absolutely necessary to bring the full force and power of the federal government down on him? What exactly is the point?

Tim Groves, principal of the King Open K-8 school in Cambridge when Phillipos attended, is one of many supporters who have packed the courtroom each day. "I would be proud to be this boy's father," he said. "Other kids respected him. His mother is a remarkable woman, very devoted. She raised him with good values."

Phillipos made stupid mistakes even a good kid might make. He used so much marijuana his grades slid, his mother lost patience, and he took a semester off. He was back on campus April 18 to meet with officials about his problem. But he wasn't over it, smoking a lot of pot that day, the wrong time, in the wrong place.

Testifying for the prosecution yesterday, Tazhayakov did little to support the contention that Phillipos knew what his friends were up to. He could not recall whether Phillipos was awake or asleep when Kadyrbayev disposed of the backpack or whether crucial conversations about the bag took place in Russian (which Phillipos does not speak), or English. He could not recall Phillipos saying the most damning words in his now-recanted confession when his friends were talking about getting rid of the backpack: "Do what you have to do."

That sounds like a line out of a movie or an interrogator's script. But even if the government is right and Phillipos lied, it's hard not to feel sympathy. It is easy to imagine him reeling from the revelation that his friend had launched a terrorist attack. Drug-addled and sleep deprived, he agreed to speak to investigators repeatedly without a lawyer. An FBI agent admitted to using coercive techniques on him, going at him for hours, locking the door to the interrogation room, and promising to protect him from the "wolves," the bad cops outside.

Plenty of kids would lie in this situation or confess to things that aren't true.

It would be easier to give the FBI, which has not exactly covered itself in glory in these parts. The benefit of the doubt here if they had recorded those interrogations. But that isn't their way; it's why distrust follows so much of their work.

Maybe the jury will conclude Phillipos lied. In that case, he faces up to 16 years in prison. The desire to lock up anybody connected, even remotely, with a crime this heinous is understandable.

If that happens, the sentencing judge should provide some sense of proportion that is sorely lacking here. Not just for the aching mother of Robel Phillipos, but for other mothers, too. Our imperfect boys may make big, stupid mistakes, too.

Yvonne Abraham is a Globe columnist. She can be reached at abraham@globe.com.

Credit: By Yvonne Abraham Globe staff

Tsarnaev friend incriminates other: Convict testifies against fellow bombing case suspect to get deal

Boston Globe - Boston, Mass.

Subjects: Marathons; Trials; Criminal sentences; Convictions; Testimony

Author: Wen, Patricia

Date: Oct 9, 2014

Start Page: B.1

Section: Metro

Document Text

Ending a tense confrontation, Azamat Tazhayakov, who could get up to 25 years for obstructing the Boston Marathon bombing investigation, finished testifying Wednesday as a prosecution witness against his former close friend Robel Phillipos, an appearance that he hopes will shorten his future sentence.

The 20-year-old from Kazakhstan may reappear in federal court as a government witness against an even closer friend: Boston Marathon bombing suspect Dzhokhar Tsarnaev.

During a court recess Wednesday, Tazhayakov's lawyer, Matthew Myers, said he is in preliminary talks with the US attorney's office about Tazhayakov testifying against Tsarnaev, in yet another potential deal to lessen his prison time. If a deal is reached for Tazhayakov to testify, it is likely his sentencing would be postponed until after Tsarnaev's trial, set for early next year.

Myers declined to disclose the type of information that the former University of Massachusetts Dartmouth student might disclose, other than to say it was about comments made to him by Tsarnaev. Myers asserted that Tazhayakov, despite any deal, will testify honestly about his friendship with the bombing suspect, who faces the possibility of the death penalty if convicted of the bombings that killed three and injured more than 260.

"He's simply telling what he knows and what happened," Myers said.

On Wednesday, Tazhayakov underwent intense questioning by both sides in the trial of Phillipos, a Cambridge man who is accused of lying to federal investigators about his whereabouts and observations on the the night of April 18, 2013, when incriminating evidence was removed from Tsarnaev's dorm room. Defense attorneys have said Phillipos did not lie because he was "high out of his mind" and has little memory of what happened that night. They say that a statement he signed April 26, 2013, was coerced by an FBI agent and does not reflect what he remembers.

Tazhayakov's testimony sounded much like a public confession of the crimes he was convicted of in July. Tazhayakov, who never took the stand during his trial, admitted that he and Dias Kadyrbayev entered Tsarnaev's dorm room on April 18, 2013, after suspecting that newly released FBI photos showed Tsarnaev, their buddy with whom they hung out nearly every day.

Tazhayakov acknowledged they took some items, including a backpack containing emptied fireworks. Hours later, after seeing news reports of the manhunt for the bombing suspects, they dumped the backpack in a dumpster behind their New Bedford apartment.

Tazhayakov's testimony echoed what Kadyrbayev admitted to when he pleaded guilty in August, a month after Tazhayakov's conviction, in return for the government's recommendation of a maximum seven-year prison term.

In important testimony for the prosecution, Tazhayakov placed Phillipos squarely inside the dorm room when the backpack was taken and in the New Bedford apartment when discussions about dumping the backpack took place.

This testimony was reinforced by text messages released by prosecutors. In one set of messages allegedly sent just before the friends went to Tsarnaev's room, Phillipos asks Tazhayakov around 9:30 p.m. on April 18, 2013: "Where are you." Around 10 p.m., Kadyrbayev allegedly replied by text, "Come to Jahar's!!"

A text sent by Phillipos at about 10:15 p.m. to Tsarnaev, reads, "Where u at bird." However there was no response.

Meanwhile Tazhayakov did not offer conclusive evidence that Phillipos knew the backpack and fireworks were being removed from the room.

Tazhayakov testified that after going to the dorm room, the three friends went to the New Bedford apartment, and in the early morning hours of April 19, 2013, Kadyrbayev began to panic and said he "wanted to throw out the backpack."

Phillipos' lawyers have asserted that the pair from Kazakhstan spoke in Russian at this time, and Phillipos, while sleeping on a couch, was not aware of what was happening.

On Wednesday, Tazhayakov testified that he believed he and Kadyrbayev were speaking in English, as they typically do when around non-Russian speakers. When asked if Phillipos was asleep during the discussion of tossing the backpack, he replied, "I believe he was awake."

Tazhayakov testified that Phillipos left the apartment in the morning of April 19, after getting a ride from a friend.

In text messages to friends later, Phillipos characterized his interviews on April 19, 2013, with federal agents as light-hearted and full of talk about pot. In one text message he

Boston Globe articles (7/26/2014—11/15/2014) 81

writes, "They were nice guys. I had to list the amount of times I smoked once I stepped on the campus, and we all started laughing."

But seven days later, Phillipos found himself in a far more sober scene, the focus of an interrogation in a small room in an FBI office, signing a statement about his involvement in the backpack removal. His attorneys now say that was a coerced confession from a scared teen. In that statement, Phillipos is quoted as telling Tazhayakov and Kadyrbayev, both seeking to toss out the incriminating backpack, "Do what you have to do."

On Wednesday, Phillipos' defense attorney asked Tazhayakov if he remembered hearing Phillipos say the phrase.

"I don't remember," he replied.

Patricia Wen can be reached at wen@globe.com. Follow her on Twitter @globepatty.

Credit: By Patricia Wen Globe staff

Arts

Boston Globe - Boston, Mass.

Subjects: Artistic directors; Actors; Theater

Date: Oct 9, 2014

Start Page: G.5

Section: Arts

Document Text

THEATER

TRACES The scenario: The world may be coming to an end. The response: Seven limber young performers aim to leave their mark by performing acrobatic feats of agility, strength, balance, and control that push right up against the limits of possibility. It adds up to another enchanting production by the Montreal-based contemporary circus troupe Les 7 Doigts de la Main. Through Oct. 12. Production by Les 7 Doigts de la Main, presented by ArtsEmerson at Cutler Majestic Theatre, Boston. 617-824-8400, www.artsemerson.org

BENT Victor L. Shopov confirms his status as one of the most dynamic actors in Boston with his superb portrayal of a gay Berliner who learns what he is capable of as he fights to survive the barbaric cruelty of the Nazis in 1930s Germany. Martin Sherman's drama is insightfully directed by David J. Miller and bolstered by fine performances from Brooks Reeves and Mikey DiLoreto. Through Oct. 11.

Zeitgeist Stage Company, at Plaza Theatre, Boston Center for the Arts. 617-933-8600, www.zeitgeiststage.com

SWEENEY TODD: THE DEMON BARBER OF FLEET STREET Talk about the executioner's song: Christopher Chew makes for a fine, haunted Sweeney and Amelia Broome is a commanding Mrs. Lovett in Spiro Veloudos's darkly compelling production of Stephen Sondheim's masterwork about a wronged barber who takes his revenge on the world, one customer at a time. Phil Tayler, as innocent young Toby, is a standout among the able supporting cast. Through Oct. 11. Lyric Stage Company of Boston. 617-585-5678, www.lyricstage.com

THE LION KING The puppet-driven magic concocted all those years ago by Newton-bred director Julie Taymor is very much intact in this exhilarating production of the 1997 musical about a young lion's coming of age. So is Taymor's artistic vision. Jelani Remy radiates charisma as the grown Simba, and Nia Halloway matches him stride for stride as the grown Nala. Through Oct. 12. Production by Disney Theatrical Productions, presented by Broadway in Boston, at Boston Opera House.

866-870-2717, www.lionking.com DON AUCOIN

THE COMEDY OF ERRORS Actors' Shakespeare Project serves up the Bard's mistaken-identity farce about identical twins as the hapless rustics of "A Midsummer Night's Dream" might have staged it. That could have been a recipe for self-indulgent confusion, but director David R. Gammons and a very accomplished team of actors, led by Richard Snee and Sarah Newhouse as fake Siamese twins, render the play's complications crystal clear. This is one of the funniest, most imaginative Shakespeare productions you'll ever see -- and it's poignant, too. Through Oct. 19. Actors' Shakespeare Project at Brighton High School, Brighton. 866-811-4111, www.actorsshakespeareproject.org JEFFREY GANTZ

DANCE

Necessary steps

KYLE ABRAHAM / ABRAHAM.IN.MOTION MacArthur Foundation "genius grant" awardee Abraham and his company set their sights on the civil rights struggle with this program of three works. "When the Wolves Came In" (pictured) takes inspiration from the stirring 1960 protest album "We Insist! Freedom Now Suite," by drummer-composer Max Roach and writer-singer Oscar Brown Jr. Co-presented by World Music/CRASHarts and the Institute of Contemporary Art. Oct. 10-12, \$40-\$50. Institute of Contemporary Art. 617-876-4275, www.worldmusic.org KAREN CAMPBELL

JOSE MATEO BALLET THEATRE The company's season opener, "Far Reaches," features a welcome revisit of Mateo's "Presage," arguably the choreographer's most moving ballet, set to Gorecki's transcendent Symphony No. 3. Also on the program are the Cuba-inspired "Ayer Pasado," to music by Manuel Samuel, and "Back to Bach," set to J.S. Bach's Piano Concerto in G-Minor. Oct. 10-26, \$42. Sanctuary Theatre, Cambridge. 617-354-7467, www.ballettheatre.org

ARTICULATE ABILITY Dancers in this inspiring Indian troupe may be visually challenged, but it doesn't stop them from offering audiences a visual feast. Joined by their teachers, Mysore B Nagaraj and Suparna Venkatesh, the company tours internationally, offering a range of rhythmically complex Indian classical dance styles. Presented by the Association for India's Development. Oct. 11, 5 p.m., \$15-\$40. Regis College Fine Arts Center, Wellesley. 617-520-4666, www.aidevents.org

A THOUSAND REFLECTIONS Newport's Island Moving Co. promises everything from "sassy lightheartedness" to "complex grandeur" in this evening of choreography by artistic director Miki Ohlsen, associate artistic director Spencer Gavin Hering, Stephanie Martinez, Scott Putman, and Andrea Dawn Shelley. Oct. 10, \$5-\$15. Rhode Island College's Nazarian Center, Providence. 401-847-4470, www.islandmovingco.org KAREN CAMPBELL

GALLERIES

MIKE MANDEL & CHANTAL ZAKARI: SHELTER IN PLATES Blending domesticity with terror, conceptual artist Zakari and photographer Mandel, residents of Watertown, have printed images taken during the manhunt for Marathon bomber Dzhokhar **Tsarnaev** on ornately trimmed dinner plates. Through Nov. 4. Miller Yezerksi Gallery, 460 Harrison Ave. 617-262-0550, www.milleryezerskigallery.com

DAVID CURCIO: THE GLITTERING WORLD Curcio's embroideries inspired by mythic communities of women, such as the Amazonian island of Wonder Woman's origins and the female utopia in Charlotte Perkins Gilman's novel "Herland," explore vulnerability, autonomy, and objectification. Through Oct. 31. Hallway Gallery, 66a South St., Jamaica Plain. 617-818-5996, www.thehallwayjp.com

THE HIGHEST CLOSET Video, drawings, and performance art from this collective (Creighton Baxter, Sarah Hill, Hayley Morgenstern, and Jessica Borusky) touching on trauma, repetition, kinship, and life as queer artists rewriting old narratives in new voices. Through Oct. 18. 301 Gallery, Montserrat College of Art, 301 Cabot St., Beverly. 978-921-4242, www.montserrat.edu/galleries/301/ CATE McQUAID

MUSEUMS

FIBER: SCULPTURE 1960- PRESENT Featuring works by Sheila Hicks, Lenore Tawney, and Claire Zeisler, among others, this bold and colorful survey looks at developments in fiber art from the mid-20th century to the present. Through Jan. 4.

Institute of Contemporary Art. 617-478-3100, www.ica boston.org

MARK BRADFORD: SEA MONSTERS This exhibition of new paintings and sculptures by the widely admired artist and MacArthur Award winner includes a mural more than 100 feet in length, scaled to match the museum's glass-fronted Lois Foster wing. The new works reveal the influence of 16th- and 17th-century decorated maps of the sea. Through Dec. 21. Rose Art Museum, Waltham.

781-736-3434, www.brandeis.edu/rose

WHAT NERVE! ALTERNATIVE FIGURES IN AMERICAN ART, 1960 TO THE PRESENT A show that presents an alternative history of contemporary art by focusing on a series of artists associated with several influential groups in different cities: the Hairy Who in Chicago, Funk in San Francisco, Destroy All Monsters in Ann Arbor, Mich., and Forcefield in Providence. The artists include H. C. Westermann, Christina Ramberg, Gary Panter, and Elizabeth Murray. Through Jan. 4. RISD Museum, Providence. 401-454-6400, www.risdmuseum.org

MAKE IT NEW: ABSTRACT PAINTINGS FROM THE NATIONAL GALLERY OF ART, 1950-1975 A selection of prestigious, mostly large-scale works by Abstract Expressionist, Color Field, and other postwar artists such as Jackson Pollock, Lee Bontecou, Mark Rothko, Jasper Johns, Yayoi Kusama, and Cy Twombly, all from the

Gallery of Art in Washington. Through Oct. 13. Sterling and Francine Clark Art Institute, Williamstown.

413-458-2303. www.clarkart.edu SEBASTIAN SMEE

Convergence

FORECASTED: EIGHT ARTISTS EXPLORE THE NATURE OF CLIMATE CHANGE A formidable roster of artists contemplates the future. On that list: painters Joe Wardwell, Cristi Rinklin, and John Guthrie, and conceptual artist Andrew Mowbray. Resa Blatman curates. Through Dec. 7. Gallery 360, Northeastern University, 360 Huntington Ave. 617-373-5728, www.northeastern.edu/northeasterncreates/gallery360/
CATE McQUAID

Peek into 1901 capsule is fleeting

Boston Globe - Boston, Mass.

Subjects: Time capsules

Author: Blessing, Kiera

Date: Oct 10, 2014

Start Page: B.1

Section: Metro

Document Text

WOBURN -- Small puffs of dust rose from the old, copper box as sculptor Bob Shure carefully hammered and drilled his way inside. A few feet behind him, a historical archivist flinched.

Amid a gathering of some 30 or 40 reporters and a rapid click of camera shutters in Woburn on Thursday, the Bostonian Society removed a 113-year-old time capsule from the head of the Old State House lion statue.

The shoebox-sized, 10-pound copper box was opened during the ceremony to reveal a bright red, hard-cover book perched atop off-white papers that may have been newspapers.

"It's in remarkably good condition," said Elizabeth Roscio, the society's library and archives manager, of the box and its contents. "It's much cleaner than I was expecting."

But, to the disappointment of some, the book was the only revelation because the contents were not removed. Roscio worried they may be too fragile, given their age.

"It seems we might have to bring this back to our archives where we can move slowly and have a bit more space and have a bit more controlled environment to really delve into this," Roscio said.

Bostonian Society president Brian J. LeMay opened the ceremony by warning that the capsule's contents may not have withstood the test of time.

"We know from previous time capsules . . . that paper from this era was highly acidic, and that any kind of exposure to air or to variations in temperature can cause it to become very brittle," LeMay said. "So the condition of the materials in this time capsule was unexpected and surprising and very pleasing."

Boston Globe articles (7/26/2014—11/15/2014) 83

According to a 1901 Boston Globe article, the capsule contains "contributions from state and city officials, the Boston daily newspapers, the name of the maker of the lion and unicorn, and others." Roscio said the red book's discovery was a surprise.

Roscio said she hopes to have a complete inventory by the end of next week. The society plans to display the contents at the Old State House.

The capsule was discovered in late September. Shure, who was entrusted with restoring the lion and its unicorn counterpart, used a fiber optic camera inserted into the head of the lion to get the first glimpse of the box.

The society will replace the capsule with a new one of titanium before the lion is placed back on top of the Old State House. Shure said he expected the restoration to take only about four weeks, and the society plans to have completed the new capsule by then.

The society is taking suggestions for new items to go in the capsule. Only two items have been decided on so far: a photo of Mayor Martin J. Walsh and a **2013 Boston Marathon medal**.

Kiera Blessing can be reached at kiera.blessing@globe.com.

Credit: By Kiera Blessing Globe Correspondent

Legal analysts divided on marijuana defense: Tsarnaev friend denies lying, says he was too high

Boston Globe - Boston, Mass.

Subjects: Attorneys; Trials; Marijuana; Public prosecutors; Sports injuries; Manslaughter

Author: Allen, Evan

Date: Oct 11, 2014

Start Page: A.1

Section: Metro

Document Text

Robel Phillipos says he didn't lie. He just cannot remember because he was "high out of his mind."

Federal prosecutors say that on April 18, 2013, Phillipos, then 19, accompanied two friends to the dorm room of the accused Boston Marathon bomber and watched one of them take evidence, then lied to investigators about his actions that day.

Phillipos's lawyers say he smoked marijuana about a half-dozen times that day, and was simply unable to reconstruct his actions during a series of high-pressure interviews with federal agents.

While a marijuana defense is not unheard of, legal analysts are divided on whether it is a winnable strategy in the case against Phillipos.

"While, on its face, it may not sound like a strong defense, saying 'I forget because of marijuana,' the combination of his age, together with the fact that [investigators] failed to record the interviews could rise to the level of reasonable doubt," said James Budreau, a veteran defense lawyer who is not involved in the Phillipos case.

But other legal analysts say the defense might not sit well with jurors, who could view marijuana use as an excuse.

"I don't think people see marijuana like they see heroin and cocaine and seriously mind-altering substances," said former state and federal prosecutor Gerard T. Leone Jr., who is a partner at Nixon Peabody. "If you offer the excuse defense and the excuse doesn't fly, [jurors] can get judgmental and they can be less forgiving."

Court history is rife with defendants who invoke intoxication as a mitigating factor for their crimes.

In March, the lawyer for a New Mexico woman charged with first-degree murder for running her fiance over with her truck argued successfully that she was too drunk to deliberately kill, and the woman was convicted of involuntary manslaughter and drunken driving, according to media reports.

A Wayland man, Nathaniel Fujita, who was convicted last year of murdering his ex-girlfriend, argued unsuccessfully during his trial that marijuana use -- in addition to mental illness and sports injuries -- contributed to a "brief psychotic episode" he said he entered during the killing.

Phillipos, of Cambridge, is not charged with removing evidence from accused bomber Dzhokhar Tsarnaev's UMass Dartmouth dorm room but faces two counts of lying to federal investigators about whether he went to the room, and about what he saw there.

The interviews were not recorded.

Each lying charge carries a maximum sentence of eight years. Prosecutors allege Phillipos accompanied his friends Azamat Tazhayakov and Dias Kadyrbayev to Tsarnaev's room on April 18, 2013, where a backpack containing fireworks was removed and later thrown into a dumpster. Prosecutors say Phillipos knew of the backpack and its disposal.

Initially, authorities say, Phillipos told investigators he did not remember going to the dorm room, then said he went to the door but found it locked. Days later, he signed a confession admitting he was inside.

Prosecutors say his alleged lies deprived them of critical information.

Tazhayakov was found guilty of obstruction of justice in July and Kadyrbayev pleaded guilty to the same charges in August.

During opening statements during Phillipos's trial Monday, his lawyer, Derege Demissie, said his client was profoundly impaired on the night in question.

Martin G. Weinberg, a prominent criminal defense lawyer in Boston, said there are three possible defenses for a lying charge: It is not a lie; it's ambiguous whether it is a lie; or the lie was not deliberate. The marijuana assertion, he said, cuts across multiple defenses.

"It sounds like they're saying he was equivalent to a sleepwalker," Weinberg said. "Smoking marijuana is not a defense to most crimes. But if you're unconscious, it is a defense. And this defense seems closer to the latter."

Not everyone thinks the defense will be effective.

"It's a novel approach, but I don't think it really holds a lot of weight," said Philip A. Tracy Jr., a local lawyer with 40 years experience who has prosecuted cases at the state

level and defended at the federal level. "When you're talking about the effects of marijuana causing a complete lack of knowledge of events that occurred not far in the past, I just don't see it."

If the intoxicant were alcohol, Tracy said, Phillipos might have argued that he blacked out. But being too high to remember?

"The jury is just going to think he lied out of panic, and now they're coming up with this," he said.

Still, others say the memory-sapping effects of marijuana are well known.

"You know the typical cliché about people who smoke marijuana -- stoners, they can't remember, they don't recall," said Stephen J. Weymouth, a Boston defense lawyer. "Well, he was in fact smoking marijuana. I think there may be something there."

Lisa Tuite and Patricia Wen of the Globe Staff contributed to this report. Evan Allen can be reached at evan.allen@globe.com. Follow her on Twitter @evanmallen.

Credit: By Evan Allen Globe Staff

Illustration

Caption: Michael Dwyer/Associated Press

Tsarnaev allegedly knew of 3 killings

Boston Globe - Boston, Mass.

Subjects: Witnesses; Murders & murder attempts; Public prosecutors; Evidence

Author: Anderson, Derek J

Date: Oct 12, 2014

Start Page: B.1

Section: Metro

Document Text

A prosecution witness could testify that Boston Marathon bombing suspect Dzhokhar Tsarnaev knew his older brother was involved in a triple homicide in Waltham in 2011, according to a defense motion filed in federal court Friday.

Prosecutors made the revelation of the existence of the witness in a letter in August, according to Friday's filing, which asked for a variety of information from prosecutors, including legible copies of documents from the Russian government and information and evidence related to the Waltham killings. The case remains open, even after a friend of Tamerlan Tsarnaev reportedly confessed and implicated Tamerlan in the killings.

Defense lawyers for Tsarnaev asked that federal prosecutors be compelled to release evidence they called "critical to the defense case in mitigation." Tsarnaev could face the death penalty if convicted for his alleged role in the bombings in April 2013 that killed three people and injured more than 260, and the killing of an MIT police officer days later.

"Such evidence would tend to corroborate Tamerlan's dominant role in the charged offenses and would place the brothers' respective personal characteristics and relative culpability into stark relief," Tsarnaev's defense attorneys wrote in the filing.

Brendan Mess, 25, of Waltham; Erik Weissman, 31, of Cambridge; and Raphael Teken, 37, of Cambridge, were discovered dead in Mess's apartment in a two-family house on Sept. 12, 2011. Their throats had been slashed and marijuana was sprinkled on the bodies.

Presumed to be a drug-related crime, the case went cold.

After the Marathon bombing, Tamerlan Tsarnaev emerged as a suspect in the killings, though the Middlesex district attorney's office has remained tight-lipped about the case.

A spokesman for the office confirmed Saturday night that the investigation into the Waltham killings remains active and declined to comment for that reason.

Mayor Jeannette A. McCarthy of Waltham said Saturday she had yet to be briefed on any information related to the three-year old slayings.

"I have received no update," she said in a phone interview Saturday night. McCarthy noted that typically, the chief of police provides her with information on crimes, she said.

It was unclear from the defense's filing whether the prosecution witness has direct knowledge of the Waltham killings or would testify only to what Tsarnaev might have known about the crime.

A month after the Marathon bombing, Ibragim Todashev, 27, was fatally shot by an FBI agent in Florida after he allegedly confessed on tape to helping Tamerlan Tsarnaev kill the three men in Waltham. Tamerlan died in a confrontation with police four days after the bombings.

Friday's filing was not the first time Tsarnaev's defense sought evidence in the Waltham case.

In June, Tsarnaev's attorneys asked the government for Todashev's statements writing that the manner in which Tamerlan Tsarnaev "induced Todashev to participate in [the Waltham triple slaying] may shed light on the process by which he allegedly drew [Dzhokhar Tsarnaev] into violence some 19 months later" at the Marathon.

Prosecutors argued at the time that there was no relevant connection between the killings and the Marathon case and that revealing information to the defense could harm the homicide investigation.

"The Middlesex district attorney's office is engaged in an active, ongoing investigation into the Waltham triple homicide," prosecutors said at the time. "Disclosure of the details of that investigation could jeopardize it."

In Friday's filing, Tsarnaev's defense team made the argument that the government had previously stated that any evidence related to the Waltham killings would only be relevant if Dzhokhar Tsarnaev was aware of his brother's alleged involvement. The revelation by the prosecutors of the new witness would prove just that, the defense said.

"By letter dated August 15, 2014, the government disclosed that an identified witness would be prepared to testify that Dzhokhar had such awareness," said the filing. "Thus, Tamerlan's alleged role in the Waltham murders is now relevant even on the government's crabbed reasoning."

Brad Bailey, a Boston criminal defense lawyer, said the judge could rule that the evidence Tsarnaev's attorneys are seeking is exculpatory, meaning that the defense is entitled to the information immediately, even if the Waltham investigation is not closed.

"It would suggest that Dzhokhar was afraid of his older brother or that his will was overborne out of fear of his older brother," said Bailey. "They may be looking at terms in relevance for that."

Lawyers representing Tsarnaev could not be reached for comment. The office of US Attorney Carmen M. Ortiz, and a spokesman for the Boston division of the FBI declined to comment on the filing.

The evidence linked to the Waltham killings was not the only information the defense requested. In the motion, Tsarnaev's attorneys asked for documents and materials provided by the Russian government that were "cut off," blank, or redacted, containing evidence of Tamerlan Tsarnaev's radicalization as well as "his pre-existing intention to engage in violent jihad when he traveled to Russia in 2012."

Requests were also made for transcripts and translations of phone calls Dzhokhar Tsarnaev made to his parents, reports of an examination performed on his computer, a list of digital devices the government plans on introducing into evidence, along with e-mails from Tsarnaev's mother, Zubeidat Tsarnaeva.

Tsarnaev's trial is scheduled to begin with jury selection on Jan. 5, 2015.

Derek J. Anderson can be reached at derek.anderson@globe.com.

Credit: By Derek J. Anderson Globe Correspondent

Me TV: Live broadcasters find their audience online

Boston Globe - Boston, Mass.

Subjects: Software packages; Internet

Author: Michael Andor Brodeur

Date: Oct 12, 2014

Start Page: N.20

Section: Arts

Document Text

Like most writers, I work best alone; so it's a little odd having 24 people watching me type this.

I'm hanging out on YouNow, one of a growing field of live video broadcasting sites, and I've managed to score 30 "likes" just by showing up (i.e. clicking to activate my webcam). For honesty's sake, I've stationed myself in the channel labeled #bored, and within a few minutes of going on air, I've attracted an audience, climbing the charts from #30 to #21 in short order. I must be doing something right. Specifically: sitting here. Being bored. (Wasn't I supposed to be writing something?)

Some of my viewers want details about my mustache -- how long it took me to grow, how I groom it. Others want to know what that song is that I'm listening to. A user from Saudi Arabia with no profile picture and a screen name I cannot read claims to have fallen in love with me. Another person found my Instagram and informed me I look like a "bozo." Only one of my viewers is bothering to ask the question I keep repeating: Why do you come here?

"It's a ramily," he types into the chat box adjacent to the video player. I think he meant "family."

Compared to the vitriolic exchanges and flame wars common to the Internet's comment threads, the easy-going hangouts observable on YouNow are indeed quite friendly (and quite young), and their participants are close enough to have inside jokes and running conversations. And you can quickly sense in YouNow's #singing, #gaming, #girls, #guys, and #lgbt channels (among many others), that small virtual social scenes have formed and stuck. This generally chill vibe may, in part, be a result of the service disabling a feature that once allowed users to downvote others off the site (which one user told me worked only to foster bullying), but it has more to do with the platform itself.

There's a unique type of intimacy that comes with lifecasting - a term made popular by Justin Kan, who, in 2007, launched the now-defunct but once formative live broadcasting

site Justin.tv, which has since morphed into the wildly popular live gaming platform Twitch. On YouNow, aspiring singers belt away in their bedrooms, stoned teen rappers stumble through dicey freestyles and collapse into giggling fits, and LGBT teens in scattered suburbs gossip and cruise Instagram the way my friends and I would stalk the mall back in high school. It's the kind of natural community building that ought to be the Internet's specialty.

But personal broadcasting also satisfies another of our most tenacious Internet tendencies: voyeurism. My 31 viewers weren't promised much out of the experience of watching me type, but that didn't stop them from showing up (or falling in love, apparently). Some YouNowers stoke their viewership by energetically bopping through each session like a rolling Q&A, with each answer giving rise to more questions. Others, like the two young men in Kuwait I watched primp in the front seat of a car before heading out for the night, are simply letting the world come along for the ride.

I've found that no matter what people are doing - even if it's next to nothing - there's a little thrill built into watching, one that rivals being watched.

As our devices and processors grow more accommodating to live video, the online landscape is expanding and taking many forms. Twitch has dominated the gaming angle, allowing players to broadcast or watch live gameplay while chatting. It has the fourth highest traffic overall online, and was bought by Amazon in September for \$970 million. Google's Hangouts on Air has leaned more social, recently introducing an "Applause" function that allows viewers to give real-time feedback on active broadcasts (call it quality control). And services like Livestream and Ustream have made an impact as impromptu channels for breaking news, proving indispensable throughout the Ferguson protests, and even during the aftermath of the **Marathon bombings**, when users pointed their webcams to broadcast their police scanners.

Smaller live video chat services like Tinchat host themed channels where multiple users can join in via video or text, or simply lurk and listen. (Tinchat seems especially useful if you happen to have a bevy of weed-related topics you'd like to hash out.) Still others like Omegle take a cue from the controversial (but still spinning) Chat Roulette, which automatically pairs random users for unpredictable (prediction: You'll see a penis) video chats.

And while YouTube has primarily made its name hosting recorded video content, its YouTube Live service (for broadcasting large live events) and its intergration with Google's Hangouts on Air are attempts to seize some of the swelling live broadcasting market.

On paper, the notion that more people are flocking to a form of chat primarily fueled by one's image would seem like further verification of online narcissism, the product of an all-about-me culture that routinely mistakes the quotidian for content. But it could just as easily be taken as evidence that the full connective potential of the Internet is close to

realization, and that live broadcasting is more uncharted territory that we're cultivating into a comfort zone.

But let's not get too comfortable. One of my favorite singers on YouNow was a cherubic middle-age crooner, who stuck out not only for his age and his off-key bellow, but for his repertoire, which was heavy on the Manilow. As a few friends and I took in his not-so-dulcet tones, we got to Googling his screen name, which led us straight to his OKCupid page. Within his photos there we discovered a JPEG advertisement for his wedding singing business, and at the bottom of that we found his real name.

It was when we cycled that back to Google that we found his sex offender registry info, his rape and child pornography possession charges, his divorce records, a satellite view of his house, and pretty much anything else we'd want to know if we could bear to continue looking. Some weeks later, he posted to Twitter that he'd been banned from YouNow. "For what I do not know." Suffice it to say that Barry Manilow is now ruined for me.

It was a good (or, let's say "effective") reminder that, for better or worse, there's only so much that a web cam can show us. Online and on camera, even if we're just sitting there #bored, we're putting on a show.

Michael Andor Brodeur can be reached at mbrodeur@globe.com. Follow him on Twitter @MBrodeur.

Credit: By Michael Andor Brodeur Globe Staff

Illustration

Caption: istock

Catching Up With: Suzanne Jones Walmsley, Notre Dame-Hingham/Harvard track

Boston Globe - Boston, Mass.

Subjects: Marathons; Athletes

Author: Johnson, John R

Date: Oct 12, 2014

Start Page: Z.5

Section: Regional

Document Text

Suzanne Jones Walmsley's entire life has revolved around running.

A 1987 graduate of Notre Dame Academy in Hingham, Walmsley was part of a cross-country dynasty that captured four consecutive state titles. She went on to become a five-time All-American at Harvard and the college's first three-season All-American (cross country, indoor, and outdoor track).

In 1989, she finished second in the country at the NCAA Division I championships in the 10,000 meters and ran to a fifth-place finish at the Junior World Championships in Germany. She was inducted into the Harvard Hall of Fame in 2006.

Today, the 45-year-old Franklin resident works for the Boston Athletic Association in the newly created role of community engagement coordinator. Walmsley has been with the BAA for 14 years.

Her husband, Brian Walmsley, is the men's basketball coach at Wheaton College. The couple has two children, Hayley, 13, and Declan, 11.

Her introduction to the Boston Athletic Association was at a clinic she attended while in high school. It was sponsored by the BAA and John Hancock, at Boston College High School.

"[Three-time Boston Marathon champion] Rosa Mota was the speaker," recalled Walmsley, who lived in Holbrook and Milton when she was growing up. "George Rose [then the Notre Dame coach] brought the team to the clinic and Bill Squires gave us running tips. I was hooked after that. I never imagined then that I'd be working for the BAA. I love being able to give back now and engage and inspire young athletes."

Despite all of her running success, Walmsley has never run the Boston Marathon.

Boston Globe articles (7/26/2014—11/15/2014) 87

She ran her first marathon last year, finishing the Baystate in Lowell in 3 hours, 26 minutes. Her time qualified her for Boston in 2015.

"Early in my career I wasn't doing marathon distances, and then I started working for the BAA. The last 14 years I've managed the BAA running club on Marathon Day. I'm not committed either way [to running in 2015]. If it works out, that's great. But if not, I'm happy that I met the qualifying standard. That was my goal."

Walmsley said she ran Baystate because of all of the people who chased qualifiers to demonstrate their support for the BAA and all those affected by the **bombings** on Marathon Monday in 2013. "They inspired me," she said.

John Johnson

John R. Johnson can be reached at jjohnson49@comcast.net.

Credit: By John R. Johnson Globe Correspondent

The Ticket - Television picks

Boston Globe - Boston, Mass.

Subjects: Television programs

Author: Rodman, Sarah

Date: Oct 12, 2014

Start Page: N.2

Section: Arts

Document Text

SUNDAY

THE WALKING DEAD 9 p.m., AMC

It turns out that the light at the end of the tunnel really was a train for our intrepid heroes, and this train is likely not bound for glory. All signs point to the idea that this already grim show is about to get darker and scarier in its fifth season, so consider yourself warned.

MONDAY

INDEPENDENT LENS: BULLY 10 p.m., Channel 2

A hot-button topic is tackled in this documentary from Lee Hirsch. Following five kids who have been victimized over the course of a year, it explores the different ways that adults and schools around them responded, and the movement to improve those responses.

TUESDAY

ABOUT A BOY 9:30 p.m., NBC

In the second-season opener, the question is: Will Will (Boston native David Walton) return from New York? Since the "Boy" of the title refers to his character as much as it does young Marcus (Benjamin Stockham), we're guessing the answer is yes.

WEDNESDAY

HOW WE GOT TO NOW WITH STEVEN JOHNSON 9 p.m., PBS

This new six-part series finds the scientist and author exploring big ideas and how they sometimes sprang from small problems or other surprising origins. It includes installments on refrigeration, light, sound, and time.

THURSDAY

SCANDAL 9 p.m. ABC

Although the reason is tragic, it's been a hoot watching Bellamy Young -- this show's ace in the hole -- embrace her inner sloth as first lady Mellie Grant tries to process her grief over the death of her son. Meanwhile, even as "Scandal" remains outlandish, Olivia Pope (Kerry Washington, above) settles back into crisis fixer mode.

FRIDAY

DANE COOK: TROUBLEMAKER 10 P.M., SHOWTIME

The Lexington-bred comedian tackles a variety of topics in his latest special, including "our hidden Internet" selves and "gender taboos." (Wonder if it's this gig in which Cook uses some of the material he was working up during the "**Boston Strong**" concert last spring but had blacked out from the event's webcast?)

SATURDAY

SATURDAY NIGHT LIVE 10 p.m., NBC

To celebrate its 40th anniversary, the venerable sketch show has been airing "classic" episodes in this earlier time slot. They have been a good reminder to those who maintain that the show was only worthwhile in its pioneering days: There were plenty of lumps of coal amid the diamonds back then, too. Sarah Rodman

Credit: By Sarah Rodman Globe Staff

Illustration

Caption: DANNY FELD/ABC Greg Nicotero/AMC

Desisa, Daska win BAA Half Marathon

Boston Globe - Boston, Mass.

Subjects: Marathons; Men; Competition

Author: Springer, Shira

Date: Oct 13, 2014

Start Page: C.1

Section: Sports

Document Text

Inside the Franklin Park Zoo, the Boston Athletic Association Half Marathon course briefly transitions from urban road race to cross-country meet. The runners' path narrows and winds its way past giraffe, zebra, and camel enclosures. For roughly three-quarters of a mile, more trees and shrubbery line the route than cheering crowds. It presents the perfect place for an elite runner to make a move and drop competitors.

Defending champion Lelisa Desisa did exactly that on Sunday morning in perfect racing conditions.

Approaching the 12-mile mark, Desisa rapidly increased his speed as he entered the zoo area -- so much so that a race official cycling alongside the lead pack became an obstacle and Desisa pushed him out of the way. While Kenyans Daniel Salel, Leonard Korir, and Stephen Sambu were close behind at the zoo turn, that was not the case after Desisa accelerated into the woods.

Desisa won in 1 hour, 1 minute, and 38 seconds, and successfully defended his BAA Half Marathon title, becoming the first repeat men's champion since the event started in 2001. With his latest victory, the 24-year-old Ethiopian added to an already impressive road-racing resume that includes the 2013 Boston Marathon title.

While the top men's finishers ran times considerably slower than the course record 1:00:34 Desisa set last year and the sub-60-minute performances they predicted this year, Desisa saw his win as good preparation for the New York City Marathon in November. It was also a big confidence builder after he failed to finish the 2014 Boston Marathon in April because of an ankle injury and took time off from training after that disappointment.

"I'm very happy," Desisa said. "I'm checking myself before New York. I'm feeling good. I wanted to run faster, but the time was slow . . . Now I am happy I win because I prepared myself. I did more endurance to prepare for this."

Boston Globe articles (7/26/2014—11/15/2014) 89

Salel finished second (1:01:48), followed by Korir (1:01:51), and Sambu (1:02:00). Although he finished fourth Sunday, Sambu's cumulative time over the three BAA Distance Medley races -- the 5K, 10K, and half marathon -- was fast enough to capture the medley championship for the second consecutive year.

"The problem was that we started slow," Sambu said. "I was hoping for a faster race, but no one was going. Inside the zoo, it's so tight that if someone goes in front you can't pass them. You can't do anything. I knew it was going to be tough to catch [Desisa] then."

In contrast to the men's race, in which competitors kept a relatively pedestrian pace for much of the half marathon (at Mile 5, the split was 4:55 for a lead pack of eight), the women started fast and stayed fast. The men went out in a comfortable 4:36 for Mile 1, while the women covered the same downhill stretch in a very fast 4:40.

But Mamitu Daska easily handled the speed and finished first in a course-record 1:08:20, bettering the old mark by 54 seconds. She also took home the BAA Distance Medley title for her combined times, including a course-record 31:04 in the BAA 10K in June.

The fast times for Daska produced a big payday. The 30-year-old Ethiopian earned a total of \$40,000 on Sunday -- \$10,000 for first place in the half marathon, \$10,000 for a course record bonus, and \$20,000 for winning two of three events in the distance series. After the race, Daska promised to donate \$5,000 of her winnings to The One Fund in honor of the Boston Marathon **bombing victims**.

"It is special to win the 10K and half marathon," said Daska, though a translator. "I am happy and I hope I win the marathon next time. In Ethiopia, the Boston Marathon is the biggest marathon in the world. Everybody wants to win it."

In a breakthrough performance, Kenya's Cynthia Limo took second with a personal-best 1:08:24. Limo stayed with Daska through a handful of surges, but fell behind over the final kilometer as the women approached the White Stadium finish.

American Molly Huddle, who lives in Providence and represented the United States at the 2012 London Olympics, crossed the line third in 1:09:23. Talking about her race day, Huddle raised the possibility of running a marathon next year, but noted that a fall 2016 marathon was more likely as she plans for shorter races, where her strength lies, and builds off her experience in Sunday's half marathon.

"I tried to hang with the surges," Huddle said. "There were two surges at five-minute pace within the first 6 miles. After that, I couldn't do it anymore. So, I kind of had to settle for whatever I could do alone at that point. I was hoping at least one or two girls would fall off by the end with the hills. I kept working and working. This course favored people building up for a marathon because you had to be so strong the last 5 miles with the hilly terrain."

Shira Springer can be reached at springer@globe.com. Follow her on Twitter @ShiraSpringer.

Credit: By Shira Springer Globe Staff

Illustration

Caption: Lelisa Desisa (left) and Mamitu Daska have to hand it to each other after winning the Half Marathon. Lelisa Desisa (front right) makes his move in the 11th mile of the Half Marathon. The 2013 Boston Marathon champion won in 1:01:38, over a minute off his course record. Jessica Rinaldi/Globe Staff Jessica Rinaldi/Globe Staff

Thile and Meyer show uncommon genius

Boston Globe - Boston, Mass.

Subjects: Musical performances; Musicians & conductors

Author: Weininger, David

Date: Oct 14, 2014

Start Page: G.8

Section: Arts

Document Text

CAMBRIDGE -- There was \$1.1 million worth of talent on stage on Sunday night. That's the approximate combined value of the MacArthur "Genius" Fellowships awarded to bassist Edgar Meyer (2002) and mandolinist Chris Thile (2012), who have been working together since 2003. Each has been lauded for taking inspiration from a wide array of musical traditions.

Listening to them perform at a sold-out Sanders Theatre, on a tour supporting their excellent new album, "Bass and Mandolin," you could pick out many of the styles from which each draws inspiration: the open harmonies of bluegrass, the instrumental virtuosity of classical music, the heartfelt melodicism of pop, the structured improvisation of jazz.

But none of that hits on what really makes them click as a duo: a remarkable musical fluidity and ease, both in their individual playing (they wear their virtuoso abilities lightly) and in the way they work together, each shifting effortlessly from foreground to background to make space for the other's voice. The way they read each other bespeaks more than a decade of work together.

Most of the material they played on Sunday was co-written by the pair, and took full advantage of this rapport. The opener, "Why Only One?," boasted a slyly funky melody and Meyer's fluency in double and triple stops, providing a broad harmonic palette for Thile's soloing. "Farmer and the Duck" featured a rhythmic break so foursquare it was impossible not to laugh. A few Bach selections -- both have recorded his music -- showed exquisite phrasing and balancing of the voices. "I'll Remember for You," with Thile on guitar and Meyer on piano, was astonishingly delicate and introspective.

They're also fun, if slightly corny, entertainers. "Off to a strong start banter-wise, Edgar," Thile remarked when Meyer had a tongue-tied moment at the microphone; Meyer's deadpan reply: "Keep supporting the people you work with, Chris." In the second set they played an abstract new song, for which they're soliciting a new title from the audience at each show. Sunday's winner: "Wicked Pissah." **Boston Strong** indeed.

The concert's best moments were the songs that built organically to something explosive. There were daredevil runs and scorching solos from each player in "Fence Post in the Front Yard" and "Tarnation," all of which they made look like nothing special. The same was true of the sole encore, the first movement of Meyer's "Concert Duo for Violin and Double Bass," which may have been the most complete expression of what this remarkable duo can achieve.

David Weininger can be reached at globeclassicalnotes@gmail.com. Follow him on Twitter @davidgweininger.

Credit: By David Weininger Globe Correspondent

Illustration

Caption: Edgar Meyer (left) and Chris Thile performing at Sanders Theatre on Sunday.
Robert Torres

Menino treatment decent but not too deep

Boston Globe - Boston, Mass.

Subjects: Cities; Mayors

Author: Kennedy, Dan

Date: Oct 14, 2014

Start Page: G.3

Section: Arts

Document Text

Someday a book will be written that is worthy of Tom Menino's long and consequential tenure as mayor of Boston. And Jack Beatty may well be the person who writes it.

"Mayor for a New America" is not that book. The autobiography, which Menino wrote in collaboration with Beatty, offers a short, punchy look at the former mayor's life and career, focusing on his 20 years as Boston's top elected official. Together they offer an entertaining overview of the Menino era but not a comprehensive examination.

Menino and Beatty describe the mayor's challenges in attempting to remake the city's school system, reform the police and fire departments, and ride herd on development from the neighborhoods to the downtown. Their approach is long on anecdote and short on detailed analysis, leading us to wonder what, exactly, transformed an undistinguished political operator and city councilor into one of the more successful big-city mayors of his time and among the best in Boston's history.

The book is not without virtues, chief among them Beatty's success in capturing Menino's authentic voice -- no easy thing given that Menino himself pokes fun at his tongue-tied ways.

Despite his fractured syntax, Menino reminds us that he rarely had any trouble getting his point across. Take, for instance, his recollection of leaning hard on a state legislator in order to persuade him to support charter schools: "I put on my hot-under-the-collar act. Hanging up on one rep, I told my press secretary Dot Joyce, 'I'll bet I gave him brown pants!'"[226 128 138]"

Menino opens with the Boston **Marathon bombing** and its aftermath. He recalls thinking that he and his family might have been victims if he hadn't been in the hospital recovering from a broken leg. He worries about his son, Tommy, a police officer who was on duty. We see the mayor cutting through red tape by badgering Vice President Joe Biden to ease regulations on how the One Fund could be used. We feel the pain as he

struggles to his feet at the Cathedral of the Holy Cross, where he, President Obama, and other officials spoke several days after the attack.

If an overall message of how to run a city emerges from the pages of "Mayor for a New America," it is through the accumulation of details. In Menino's case, they add up to a philosophy that political power should be wielded forcefully and unapologetically on behalf of the public and that the ballot box confers a legitimacy upon elected officials that appointed bureaucrats can't match.

We see this philosophy at work in his answer to critics who said an appointed school committee wasn't democratic: "I trusted the people to hold the mayor accountable for the schools. What was undemocratic about that?" He freely admits to controlling the Boston Redevelopment Authority with an iron hand, not because he was afraid its director might run against him, but because "I thought city planning was too important to be left to the city planners." And he says he waited until the last minute before announcing he would not run for a sixth term because "[f]ear is power. I owed it to my city to keep fear alive."

It's no secret that Menino has a thin skin, and in "Mayor for a New America" he gets even with (among others) Secretary of State John Kerry, former mayor Ray Flynn, former governor Bill Weld, current mayor Marty Walsh (mildly, though the two men are not known to be close), and the police, firefighter, and teachers unions.

What comes through repeatedly, though, is Menino's fundamental decency and the lessons he drew from difficulties in his own life. His miserable experience in school, he writes, provided the inspiration for him to hand out School Spirit Awards to kids who were not top achievers. A teacher who mocked his Italian heritage led to his view that he would "never tolerate people being discriminated against." He criticizes politicians who demagogue against crime and says some of the money President Clinton allocated for new police officers could have been better spent on youth programs. And he writes with passion about his support for the rights of lesbians and gay men, and of his decision not to march in South Boston's St. Patrick's Day Parade.

Beatty, who had to endure seemingly bottomless venality in researching his well-regarded biography of James Michael Curley, "The Rascal King," must have felt ennobled to work with someone whose heart is as large as Menino's.

Menino suffered from ill health during his final years in office and is now being treated for advanced cancer. "Mayor for a New America" amounts to a well-deserved victory lap that should tide us over until a more substantive assessment of the Menino era comes along.

Dan Kennedy is an associate professor of journalism at Northeastern University and a panelist on WGBH-TV's "Beat the Press." His blog, Media Nation, is online at www.dankennedy.net.

Credit: By Dan Kennedy Globe Correspondent

Illustration

Caption: Mayor Tom Menino at a Marathon bombing memorial service in 2013. Below (from left): Mayor Ray Flynn, his successor, Menino, and their predecessor Kevin White in the 1980s. CHARLES KRUPA/AP/file jim barry

Stress after bombings detailed: Witness tells of defendant's acts once Tsarnaev ID'd as suspect

Boston Globe - Boston, Mass.

Subjects: Marathons; College students; Obstruction of justice; Backpacks; Marijuana

Author: Valencia, Milton J

Date: Oct 15, 2014

Start Page: B.4

Section: Metro

Document Text

A close friend of Robel Phillipos told a federal jury Tuesday that Phillipos showed signs of stress the morning after their friend Dzhokhar Tsarnaev was identified as one of the Boston Marathon bombing suspects.

"He came to my room, woke us up and pointed out the suspect was [Dzhokhar]," said Quan Le Phan, who attended the University of Massachusetts Dartmouth with Phillipos and Tsarnaev and knew their circle of friends.

Phan said Phillipos later called him from a New Bedford apartment where he was staying with two other friends, Dias Kadyrbayev and Azamat Tazhayakov, saying he no longer wanted to be there.

"His tone of voice seemed to be in a rush, in a sense of urgency," Phan said.

Tazhayakov was convicted in July of obstruction of justice for removing a backpack filled with fireworks from Tsarnaev's Dartmouth dorm room hours after authorities released images of the bombing suspects. Kadyrbayev pleaded guilty to the same offense in August. They have not yet been sentenced.

Phillipos, 20, is accused of making false statements to authorities in a terrorism investigation. Police said he lied about being with Tazhayakov and Kadyrbayev when they took the backpack.

His lawyers argue that he had been high on marijuana at the time and that he could not remember details of the visit to the dorm room when interviewed by FBI agents. They say a confession he gave to the FBI was coerced.

Phan was not the only friend of Phillipos to testify at his trial, which began with opening statements on Oct. 6. Tazhayakov testified for the prosecution last week in hopes that his cooperation would reduce his sentence.

Tazhayakov told jurors that Phillipos was with him and Kadyrbayev when they took the backpack from the room, and that Phillipos was with them at their New Bedford apartment when they discussed throwing it in a dumpster.

FBI special agent Kenneth Benton testified separately Tuesday that he recovered the backpack from a New Bedford landfill.

Also Tuesday, FBI agent James Scripture presented a list of text messages that Phillipos had sent and received after Tsarnaev was identified as the bomber, in which Phillipos expresses shock and confusion. He then discusses his meetings with the FBI, describing them to friends first as "fun" and then later as intimidating.

"I was the last person with the terrorist," he says to one friend, explaining the FBI's interest in him.

Phan acknowledged under questioning by defense lawyers that Phillipos never discussed a backpack, fireworks, or a visit to Tsarnaev's dorm room during the nearly two days they were together.

He also told jurors that Phillipos was high on marijuana for most of the time they were together, beginning Thursday, April 18, 2013 - three days after the bombings. Phillipos, who had not stayed at the college campus that semester, had returned to Dartmouth for a disciplinary hearing for smoking marijuana.

The authorities began releasing photos of the suspected Marathon bombers that night, and Phan said he and others in their circle of friends, including Phillipos, began to suspect Tsarnaev was the person being identified.

"We talked about how the Boston Marathon suspect, one of them, looked like [Dzhokhar Tsarnaev]," Phan said.

Tsarnaev, now 21, faces the death penalty for his role in the bombings, which killed three people and injured more than 260. His older brother and alleged accomplice, Tamerlan, was killed during a confrontation with police in Watertown. They are both accused of also killing an MIT police officer. Tsarnaev is slated to go to trial July 5.

Phillipos's trial is slated to resume Wednesday.

Milton J. Valencia can be reached at MValencia@globe.com. Follow him on Twitter @MiltonValencia.

Credit: By Milton J. Valencia Globe Staff

Struggle and sparkle on the Menino book tour

Boston Globe - Boston, Mass.

Subjects: Wheelchairs; Cities; Mayors

Author: Ryan, Andrew

Date: Oct 16, 2014

Start Page: A.1

Section: Metro

Document Text

NEW YORK -- The newly published author sat in a wheelchair in an ornate townhouse once owned by Franklin D. Roosevelt. He looked out at a room of people eager to hear tales from his 20-year run as a big city mayor.

But first, Thomas M. Menino had to will himself to stand. It was almost as if he were reenacting a scene from his memoir, when he climbed out of a wheelchair to address a service at the Cathedral of the Holy Cross a few days after the Boston **Marathon bombings**.

Menino summoned a deep breath. He pushed with both hands on the arms of his wheelchair and rose to his feet. The 71-year-old former mayor leaned on his old baseball-bat cane and took a few shuffling steps to his seat for a discussion of his book, "Mayor for a New America."

The transition from mayor to author has been complicated. Menino has been weakened by cancer. And this week, just as he embarked on a book tour, laryngitis stole his voice.

But Tuesday night at Roosevelt House at Hunter College, as he sipped steaming lemon water and spoke in a gravelly whisper, Menino showed flashes of the mayoral gravitas that once permeated City Hall. When asked how Boston distributed aid money so quickly to victims of the Marathon bombings, he responded with a three-word quip that delighted the crowd of roughly 75.

"I'm the mayor," Menino said.

The five-term mayor has embarked on a whirlwind media tour, coaxing his voice to cooperate as he stops at MSNBC, Fox, and CNN.

At the radio studios of WNYC, Menino laid the blame for Boston's divisive school integration on politicians who kept "all the blacks in one area" and "forced" the judge to implement a faulty busing plan. Then a coughing fit interrupted Menino mid-sentence.

Menino plans to attend private book parties at Boston University and his publisher, Houghton Mifflin Harcourt, and is scheduled next week for a book signing and media appearances in Washington, if his health allows.

At the end of the month, there's a signing scheduled at Barnes & Noble at the Prudential Center and an appearance with his successor, Mayor Martin J. Walsh, at the Boston Book Festival. It is a far cry from the schedule he kept just 10 months ago as he moved out of his fifth-floor office at City Hall.

"It's quite different," Menino said. "Now I get to be the critic."

Having the kickoff at Roosevelt House somehow seemed appropriate, underscoring Menino's connection to the long arc of progressive politics in America. The Neo-Georgian townhouse, sitting blocks away from Central Park, was one of the places where Roosevelt found a renewed sense of purpose after being paralyzed by polio.

The house later served as the launching pad for the political career of America's longest-serving president. In the same upper room where Roosevelt laid the foundation of the New Deal, Menino sat near a floor-to-ceiling window overlooking East 65th Street.

"Putting your memoirs together is very difficult," Menino said over the din of cocktail chatter. "It wasn't ever about me. It was about the city of Boston."

Former New York mayor Michael R. Bloomberg greeted Menino with the warmth of an old friend. In introductory remarks at the book party, Bloomberg described Menino as "one of the most successful mayors to ever run a city in the United States." History, he said, will include Menino in the same breath as transcendent big city mayors the likes of New York's Fiorello LaGuardia and Chicago's Richard Daley.

"He really was the mayors' mayor," Bloomberg said of Menino. "When you get to heaven, my attitude is don't stop and ask, just walk right in. You have earned this."

Menino, wearing a dark suit and a light blue tie the same hue as Boston's city flag, recounted anecdotes and lessons from the book. He talked about the response to the Marathon bombings, the imperative to be a sound steward of city finances, and the deliberate effort to win over constituents a conversation at a time.

"Unless people trust you," Menino said, "you can't do what you want to do."

Laryngitis caused his voice to falter and crack. His wife, Angela, and his former press secretary, Dot Joyce, urged him on with gestures from the front row. They reminded him to sip his water and at one point, a throat lozenge was passed from wife to spokeswoman to mayor.

To distract from his rasp, Menino leaned on self-deprecating quips and his trademark grin that seemed to suggest, "I'm-the-mayor-what-are-you-going-to-do-about-it."

Boston Globe articles (7/26/2014—11/15/2014) 93

Angela Menino said her husband frequently catches laryngitis in October, which often coincided with debates during election years. The former mayor has not been using a wheelchair in Boston, she said, but there was a lot of walking in New York.

The first audience question veered off topic when a woman asked about what she described as lack of access at Boston museums for the hearing impaired. After a brief discussion, Menino offered a solution: "Talk to the new mayor."

The crowd included Menino's daughter, Susan Menino Fenton; former top aide, Michael Kineavy; City Councilor Stephen J. Murphy; publicist George Regan; and actor Kevin Chapman.

Chapman is in New York filming the Detective Lionel Fusco role in the television series "Person of Interest." He worked for Menino as neighborhood services coordinator in Dorchester for almost nine years and recalled rushing to overnight fires to help residents who lost their homes. "The biggest fear in the office was that at 3 a.m. the mayor would beat you to a call," Chapman said.

As a New Yorker, Dana Matlin never had a chance to vote for Menino. Just the same, the 59-old-old came to the book party, attracted by the mayor's reputation. "I just wanted to hear what he had to say," Matlin said. "I thought it was fascinating. I could see why he was so effective."

Andrew Ryan can be reached at andrew.ryan@globe.com.

Credit: By Andrew Ryan Globe Staff

Witness says Tsarnaev friend was 'extremely' high on pot

Boston Globe - Boston, Mass.

Subjects: Trials; Dormitories; Criminal investigations; Marijuana; Questioning

Author: Wen, Patricia

Date: Oct 16, 2014

Start Page: B.3

Section: Metro

A former University of Massachusetts Dartmouth student testified in federal court Wednesday that he and his good friend Robel Phillipos were stoned and "extremely out of it" one night shortly after the Boston Marathon bombing, and that marijuana smoking, in his experience, leads to "memory gaps."

Lino Rosas was the first defense witness in the trial of Phillipos, a 20-year-old Cambridge man accused of lying to federal agents about his whereabouts and observations the night of April 18, 2013. Prosecutors say that Phillipos and two friends -- all of whom were close friends of bombing suspect Dzhokhar Tsarnaev -- entered Tsarnaev's dorm room that night, and that Phillipos observed the two friends remove an incriminating backpack containing fireworks.

Prosecutors say that Phillipos, in an effort to conceal his involvement that night, lied repeatedly to investigators, and that he came clean only in a written confession on April 26, 2013, during an intense interrogation by a skilled FBI agent.

But defense attorneys say that Phillipos cannot be convicted of lying about events that he does not recall, and they have cited some half-dozen times that he smoked marijuana on April 18, 2013. The defense has not disputed testimony from others that Phillipos was present that night in the Tsarnaev's dorm room.

On the stand Wednesday, the fifth day of testimony in the trial, Rosas, 21, recalled being pleasantly surprised that day to see Phillipos, who had taken the 2013 spring term off from school. Rosas said that he and Phillipos, along with some other friends, began to smoke marijuana immediately after meeting that afternoon and eventually were "fishbowling," a term used to describe smoking marijuana in a car with the windows closed to enhance the high.

Rosas said that in the early evening Phillipos came by his dorm room, where they smoked more marijuana.

When asked by defense attorney Susan Church just how intoxicated Phillipos was -- on a scale of 1 to 10, Rosas replied, "A 10."

While Rosas, who is now a student at Ramapo College in Mahwah, N.J., recalled some aspects of that day with clarity, he said other parts of his memory were fuzzy because of his marijuana intoxication.

Under cross-examination by assistant US Attorney Stephanie Siegmann, Rosas acknowledged that he, too, was extremely high that day. When asked why his memory of Phillipos's state of mind could be considered reliable given his own state, Rosas replied that he did accurately recall Phillipos's condition.

The defense team is expected to put on additional witnesses this week, including other friends and a medical expert to testify about the effect of marijuana on memory. The defense has not said whether Phillipos will take the stand, but they said the decision would not be made until all the other witnesses testify.

The final prosecution witness was FBI agent Timothy Quinn, who testified about his interrogation of Phillipos and his friends as part of the bombing probe. Quinn said he told Phillipos that lying was a federal crime, yet Phillipos maintained during interview on April 25, 2013, that he did not recall entering Tsarnaev's dorm room, and did not overhear a conversation between two of his friends -- Dias Kadyrbayev and Azamat Tazhayakov -- about throwing Tsarnaev's backpack away in a dumpster. Those two friends -- both former UMass Dartmouth students from Kazakhstan -- are awaiting sentencing after being found guilty of or pleading guilty to obstruction of justice.

Under cross-examination Wednesday, Quinn acknowledged that Phillipos never seemed to avoid the FBI and was completely cooperative when asked on at least five occasions to meet or talk with investigators. Phillipos did not have a lawyer present during any of those interviews.

When Phillipos was asked to return for another FBI interrogation on April 26, 2013, Quinn said, Phillipos enthusiastically agreed. That is the day prosecutors say Phillipos issued a tearful confession after three hours with another FBI agent who urged him, among other things, to be part of Team America.

Quinn also testified that Phillipos left the meeting saying he wanted to "nail the [expletive]," allegedly referring to Tsarnaev, and offered to do anything to help the bombing victims.

But Phillipos's defense lawyers say a manipulative agent coerced an intimidated Phillipos to admit to observations that he did not recall and sign a statement that was untrue.

Within a week of that interview, Phillipos was arrested on two counts of lying to investigators. If convicted, he faces up to seven years in prison on each count.

Patricia Wen can be reached at wen@globe.com.

Credit: By Patricia Wen Globe Staff

Witness for the defense

Boston Globe - Boston, Mass.

Date: Oct 17, 2014

Start Page: A.1

Section: National

Document Text

Former governor Michael Dukakis is shown en route to federal court, where he testified Thursday on behalf of Robel Phillipos, a friend of Marathon bombing suspect Dzhokhar Tsarnaev. Dukakis described Phillipos as being confused and upset after hours of FBI questioning during the bombing investigation. B1.

Illustration

Caption: Stephan Savoia/Associated Press

Dukakis testifies in Phillipos's defense: Ex-governor, a longtime family friend, says he called student in 2013

Boston Globe - Boston, Mass.

Subjects: Governors; Trials

Author: Wen, Patricia; Valencia, Milton J

Date: Oct 17, 2014

Start Page: B.1

Section: Metro

Document Text

The morning break in Courtroom One was just about over, and lawyers, court officers, and spectators in the trial of Robel Phillipos, a friend of the Boston Marathon bombing suspect, began shuffling back to their seats.

Then down the spacious corridor overlooking Boston Harbor came the man who was the state's three-term governor, Michael Dukakis.

Heads turned, and there was the stunning realization on Thursday that the former Democratic presidential nominee was the fifth defense witness, testifying on behalf of Phillipos, who is accused of lying to FBI agents in the bombing probe. The 80-year-old senior statesman, his full head of white hair set against a dark suit, would follow four twentysomething college students who had testified about, among other things, their pot-smoking friendship with the defendant.

"I'm testifying for the defense," Dukakis said forcefully, as he entered the courtroom where jurors were soon to be re-seated.

It was the most shocking moment so far in the trial of Phillipos, who is accused of giving false statements to federal agents about where he was, and what he saw, on April 18, 2013, the day that the FBI released photos of the two alleged bombing suspects, Dzhokhar and Tamerlan Tsarnaev.

The former governor's testimony, which ultimately lasted about 15 minutes, did not provide any pivotal evidence in the case, but rather served as a powerful character witness who portrayed Phillipos as open and guileless in the midst of interrogations by the FBI.

Prosecutors assert that Phillipos repeatedly lied about being present when two University of Massachusetts Dartmouth friends took a backpack -- containing emptied firework

shells -- from the dorm room of their friend, Dzhokhar Tsarnaev, and later, that Phillipos lied about overhearing the pair talk about discarding the incriminating evidence.

The defense has not contested that Phillipos was present with the pair, but say he doesn't remember much about that night because his memory was so impaired by pot use.

They say he smoked a half-dozen times that day. They say his subsequent interviews with FBI agents do not reflect lies about that night, but the fuzzy memories of a young man who had been in the grip of a marijuana obsession.

Dukakis said his contact with Phillipos about this case came on April 20, 2013, when Dukakis reached out to call Phillipos.

He referred to Phillipos then as confused and upset.

The former governor, who is now a public policy professor at Northeastern University, said his family has known the Phillipos family for decades. He said his wife, Kitty, and Phillipos's mother, Genet Bekele, an Ethiopian immigrant from Cambridge, met each other as social workers helping refugees at the International Institute in Boston. He said they have known Phillipos since he was a young boy, and he even took Phillipos to the Democratic National Convention in 2004.

"We watched him grow up," said Dukakis, as Phillipos's mother listened on one of the nearby courtroom benches and wept.

On April 20, 2013, Dukakis testified, his wife received a phone call from Bekele, concerned that she hadn't heard from her son for the past two days. Dukakis said he agreed to give him a call, and after the first try, Phillipos answered.

Dukakis said he told Phillipos that "your mother's very concerned" and asked, "What's happening?" Among other things, Phillipos told him that "he was questioned for five hours by the FBI."

Defense attorney Derege Demissie asked, "Did you get the sense he was confused?" Dukakis replied, "Yes."

Dukakis also said, "He told me he was so confused he didn't know what he said."

While being questioned by Demissie, Dukakis also said that at no time did Phillipos ask for help securing a lawyer, or for any other intervention. He also said he believed Phillipos would feel comfortable asking for help from Dukakis if necessary.

During cross-examination, assistant US Attorney John Capin asked Dukakis if Phillipos's demeanor over the phone may have been related to having "lied to federal agents."

Dukakis said he could not say the source of Phillipos's mood, but "he was upset."

Boston Globe articles (7/26/2014—11/15/2014) 96

The prosecutor later asked Dukakis if he would have pushed Phillipos to "come clean" if Phillipos had admitted lying to federal investigators.

"If he told me that -- sure -- but he didn't," Dukakis said, appearing to bristle at the prosecutor's attempt to elicit testimony that might be seen as progovernment.

Dukakis's appearance came on the sixth day of testimony in the case. Defense attorneys Demissie and Susan Church said the next witness on Friday is a medical expert who will testify about the impact of marijuana on memory. They will decide then whether to put Phillipos on the stand. If they do not, then closing statements are likely to begin early next week.

Phillipos -- who turns 21 Saturday -- is charged with two counts of lying to federal investigators, and, if convicted, faces a maximum seven-year prison term for each count.

Phillipos is not charged with knowing anything about the April 15, 2013, bombing, which killed three and injured more than 260. His childhood friend from Cambridge, Tsarnaev, faces a possible death penalty in a trial set for early next year; Tsarnaev's older brother, Tamerlan, died during a shoot-out with police shortly after the FBI photos were released.

After court adjourned, Kitty Dukakis, reached by phone, said she hoped her husband's testimony was helpful to Phillipos. She said that even if Phillipos made some mistakes, putting him and his mother through a federal prosecution is a "tragedy."

Outside the courtroom, Phillipos's mother, Berkele, remained tearful as she remembered Dukakis testimony.

Dukakis said later outside court that he hopes Phillipos's future is not derailed by this experience.

"I'm very concerned, obviously," he said. "I think he's got a great future ahead of him. He's a thoughtful, intelligent guy, he's always been law abiding. I don't remember Robel ever getting in trouble."

Patricia Wen can be reached at wen@globe.com. Follow her on Twitter @globepatty.

Credit: By Patricia Wen and Milton J. Valencia Globe Staff

Specialist backs Phillipos's defense: Says marijuana use could have effect on memory

Boston Globe - Boston, Mass.

Subjects: Trials; Attorneys; Marijuana

Author: Wen, Patricia

Date: Oct 18, 2014

Start Page: B.2

Section: Metro

Document Text

A substance abuse specialist testified Friday that Robel Phillipos, a friend of the Boston Marathon bombing suspect, could have smoked enough marijuana in one day to affect his recollection of events.

Dr. Alan Wartenberg was the final defense witness in the trial of Phillipos, who is accused of lying to federal investigators about what he was doing the night of April 18, 2013, a few days after the Marathon bombings. Phillipos, who turns 21 on Saturday, did not take the stand, and jurors were told to return to court Tuesday for closing arguments.

Wartenberg's testimony was considered critical for defense lawyers, who are trying to show that Phillipos's use of marijuana on that April day was so extensive that it impaired his ability to recall what he did. Two friends who were with him that night have been convicted of obstruction of justice for throwing away a backpack containing fireworks that they had taken from Dzhokhar Tsarnaev's dorm room in an effort to protect him.

Defense lawyer Susan Church asked Wartenberg about the impact on a young man's brain if he smoked marijuana a half-dozen times over 12 hours, including using a vaporizer, which Phillipos is said to have done that day.

"It would impair memory, executive function, and judgment, as well as other potential cognitive functions," testified Wartenberg, who has worked in addiction recovery programs at Faulkner Hospital in Boston.

Wartenberg also testified that while marijuana smoking rarely causes blackouts, it can create "spotty" memories.

Under cross-examination by prosecutor Stephanie Siegmann, the physician acknowledged that he did not physically examine Phillipos on April 18, 2013, nor any time after that, to judge how marijuana affects Phillipos. She also probed the financial arrangement that brought him to the witness stand, eliciting testimony that he is paid

about \$200 an hour, and he estimates his total bill will be about \$4,000 for 20 hours of work.

When asked if he only testifies as a paid expert on behalf of the defense, Wartenberg replied that he is mostly hired by defense lawyers because they, not prosecutors, tend to seek him out.

On Thursday, former governor Michael S. Dukakis stunned the gathering by testifying for the defense, saying his wife and Phillipos's mother are longtime friends. He said he has seen Phillipos, whose character he praised, grow up. Dukakis testified about a cellphone conversation he had with Phillipos on April 20, 2013, during which the former UMass-Dartmouth student seemed "confused" after extensive questioning by the FBI.

For the most part, prosecution witnesses were federal agents who testified about Phillipos's alleged false statements over multiple interviews in a one-week span, allegedly to conceal his involvement in the scheme to dispose of the backpack.

Most of the defense witnesses have been Phillipos' college friends who smoked pot or texted with him on April 18, 2013. That day triggered disbelief and panic among many of Tsarnaev's friends who recognized Tsarnaev in the photos of the bombing suspects that had been newly released by the FBI. Shortly after the images appeared on television, the two Tsarnaev brothers went on the run, allegedly killing an MIT police officer as they fled. The older brother, Tamerlan, died hours later during a shootout with police in Watertown.

Tsarnaev, who was captured the next day in a boat stored in a backyard, is scheduled to go to trial early next year. He faces a potential death penalty if convicted of setting off two bombs that killed three and injured 260 others.

Patricia Wen can be reached at wen@globe.com.

Credit: By Patricia Wen Globe Staff

Judge rejects requests by Tsarnaev

Boston Globe - Boston, Mass.

Subjects: Federal court decisions; Trials; Search warrants

Author: Valencia, Milton J

Date: Oct 18, 2014

Start Page: B.2

Section: Metro

Document Text

A federal judge refused Friday to suppress evidence in the case of suspected Boston Marathon bomber Dzhokhar Tsarnaev that was uncovered when the FBI searched his computer, Dartmouth dorm room, and his family's Cambridge apartment in the days and months after the bombings.

US District Court Judge George A. O'Toole Jr. also rejected a defense request to dismiss the case, after Tsarnaev's lawyers said the secret grand jury that indicted Tsarnaev was improperly empaneled.

O'Toole refused to hold a hearing on the requests, finding that Tsarnaev's defense "has failed to prove a violation of the fair cross section requirements" of federal law.

The judge's rulings come as lawyers are scheduled to meet Monday for a status hearing in federal court in Boston, to go over evidence in the case.

Tsarnaev, now 21, is slated to stand trial in January on charges that he and his brother set off the bombs at the Marathon finish line on April 15, 2013, that killed three people and injured more than 260. The brothers also are accused of fatally shooting an MIT police officer.

Dzhokhar Tsarnaev faces the possibility of the death penalty if convicted.

Tsarnaev's older brother, Tamerlan, was killed days after the bombings in a confrontation with police.

In his rulings Friday, O'Toole found that Tsarnaev failed to show that his rights were violated by a flawed jury selection process. Tsarnaev's lawyers had argued that the selection system was flawed because not enough African-Americans were represented, because the court allowed people over 70 to excuse themselves, and because the court did not follow its own rules to replace jurors whose summons were returned as "undeliverable."

O'Toole also refused to suppress evidence gathered by federal investigators. Defense lawyers had argued items that were confiscated went beyond what was authorized by search warrants.

The judge ruled that investigators properly obtained the warrants for the searches, but O'Toole said defense lawyers could contest specific pieces of evidence that prosecutors want to introduce to jurors during the trial.

"The defendant has failed to present any specific facts to support a showing that general rummaging occurred," the judge said.

Milton J. Valencia can be reached at [MValencia@ globe.com](mailto:MValencia@globe.com). Follow him on Twitter @MiltonValencia

Credit: By Milton J. Valencia Globe Staff

Sculptor Echelman honored by Smithsonian

Boston Globe - Boston, Mass.

Subjects: Awards & honors; Magazines

Date: Oct 19, 2014

Start Page: B.14

Section: Arts

Document Text

Kudos to sculptor Janet Echelman, who received the Smithsonian American Ingenuity Award in Visual Arts at a ceremony the other night in D.C. The former Harvard professor who has a studio in Brookline was hailed as "a visionary in the field of public space" by Michael Caruso, Smithsonian magazine's editor in chief. Echelman's recent work includes a sculpture at the Bill & Melinda Gates Foundation's headquarters in Seattle and a 745-foot aerial sculpture that premiered at this year's TED Conference in Vancouver. Next up is a monumental aerial sculpture on Boston's Rose Kennedy Greenway Conservancy. To be unveiled next spring, the installation of knotted fiber will be suspended hundreds of feet over the central section of the Greenway. Others with local ties honored were Steve Ramirez and Xu Liu of MIT, who received the Natural Sciences Award for discoveries about how memories form, and Huge Herr, winner of the Technology Award for developing a highly functional bionic leg at MIT Media Lab for a dancer wounded in the Boston **Marathon bombings**.

Thomas Menino: Finally has time to read

Boston Globe - Boston, Mass.

Subjects: Libraries; Books; Reading

Date: Oct 19, 2014

Start Page: N.25

Section: Arts

Former mayor Thomas Menino hasn't wasted much time since he left office in January. His memoir "Mayor for a New America," written with Jack Beatty, is just out. Menino will be speaking at the 12:30 p.m. Saturday at Old South Sanctuary as part of the Boston Book Festival and 7 p.m. Monday, Oct. 27 at First Parish Church in Cambridge. Tickets for that event, which is sponsored by the Harvard Book Store, are \$5. He's also speaking at 7 p.m. on Friday Nov. 7 at Porter Square Books.

BOOKS: Did you have any time to read while you were mayor?

MENINO: No. It was difficult, and I love to read. You have to read your briefing sheets and that takes up your reading time.

BOOKS: What kind of books do you like?

MENINO: Different types. I like John Grisham books. I've read several of his books over the last years. I'm reading "The Racketeer." He's a great writer. I also like to read books about cities. There's a new book I picked up, "The Responsive City" by Stephen Goldsmith and Susan Crawford about art and technology and cities. I'm proud to say the first chapter is about Boston.

BOOKS: What are you reading currently?

MENINO: I just read a fun sports book this weekend, Yogi Berra's "When You Come to a Fork in the Road, Take It!," which he wrote with Dave Kaplan. Berra is a real character. I learned some of his personal life, like how dedicated he was to his family, how much time he spent with his grandkids. He was a guy who came from the neighborhood and never lost his neighborhood touch. I respect him more after reading the book. I just started Alan Dershowitz's memoir "Taking The Stand." I'm interested in the controversial issues he has taken on over the years and how he's been close to President Clinton. You can learn a lot from him. I've also been working on "Roosevelt's Second Act" by Richard Moe, who was Vice President Walter Mondale's chief of staff. I enjoy learning about the Roosevelt family, where you have so many different people with different political viewpoints.

BOOKS: What else have you read since you left office?

MENINO: "Long Mile Home" by Scott Hellman and Jenna Russell about the **Marathon bombing**. I wanted to see how factual it was. A lot of things have been written about the Marathon bombing that have not been factual. It was captured the right way in this book. The writers were respectful to the survivors.

BOOKS: Did you grow up going to the library?

MENINO: I spent a lot of time in the Hyde Park library growing up. I'd look through books and get ideas from them. I'd get to know people at the library who were knowledgeable and listen to how they spoke about issues. I learned from a lot of people when I went to the library.

BOOKS: Did any book mean a lot to you as a kid?

MENINO: Not really. I worked hard on my schoolwork. I should have read more. That was a mistake I made. You pick up from that.

BOOKS: Do you remember any of your English teachers?

MENINO: I had nuns, 12 years of nuns. They could beat you up with sticks.

BOOKS: What are you reading next?

MENINO: I think I'll finish the Roosevelt book.

BOOKS: Do you read a lot of biographies?

MENINO: Not a lot. I read David McCullough's "Truman" several years ago. Truman's my hero. He became president without going to college. He learned different languages by studying in the library.

BOOKS: Do you know David McCullough?

MENINO: He's one of my trustees of the Boston Public Library. He's a fabulous guy. I like to just listen to him speak. His words are like music. Dennis Lehane is on the board, too.

BOOKS: Have you read his books?

MENINO: Not really. Shh. I have two of his books at home. I haven't started them yet. Now that I'm not being a mayor I can read those books I missed over the years. I can play catch up.

AMY SUTHERLAND Follow us on Facebook or @GlobeBiblio on Twitter.

Snowden discusses Marathon bombing

Boston Globe - Boston, Mass.

Subjects: Law schools; Surveillance

Author: Keohane, Dennis

Date: Oct 21, 2014

Start Page: B.9

Section: Business

Document Text

Edward Snowden, the American intelligence contractor and NSA whistle-blower, said in a satellite interview at Harvard Law School on Monday that the Boston Marathon bombings can serve as an example of how potential dangers can be missed even by a system of massive surveillance.

"The reality is that we knew who these guys were and who they were associating with," Snowden said during an interview via Google Hangout with Harvard law professor Lawrence Lessig inside the law school's Ames Courtroom. "But we didn't follow up or watch these guys."

Snowden, who has been called a traitor by a number of senior government officials, leaked secret NSA documents in 2013 about the agency's global surveillance program to journalists from The Guardian and the Washington Post. He is now in Russia evading charges of theft of government property and of violating the Espionage Act.

The discussion, titled "Institutional corruption and the NSA," covered politics and policy, privacy, and the public's right to knowledge deemed secret by government agencies.

Snowden started by saying that there are many "difficult questions that don't really have proper answers" but that he would do his best to give clarity to the major issues revolving around his decision to become a government whistle-blower.

"I've been struck by the number of people who have no clear sense of who you are," Lessig said, "and what your values are as you came to work for the NSA, and the work you did by exposing the NSA."

Snowden said he comes from a government family, who believed that "fundamentally the government had noble aims and that it did good things."

"But what I was not aware of and have grown aware of, while the people in government largely are there for the right reasons, there is a culture that pervades the upper levels, the senior levels that has become less accountable to the public they serve," Snowden said.

This realization, Snowden said, led him to uncover that a massive amount of surveillance was being done on Americans, surveillance that he said should have never happened.

"They were happening beyond any possible statute for recording, based on the Constitution," he said.

He added that there were no reasons for much of the surveillance to exist and that very few people, including members of Congress and many of his co-workers, knew about the program.

Snowden said he believed whistle-blowers are people who are standing up for something, in this case democratic right of free speech and privacy. But he emphasized that they should not dictate how the information is dispersed to the public.

"It comes down to not dictating outcomes," he said, "but allowing the public a chance to participate in democratic processes."

One point Snowden emphasized was that he believed the United States has changed from focusing on the traditional way it did surveillance to mass surveillance but that it hasn't made the process any more effective. He argued that, in fact, spying is less successful.

"This is the real challenge between what happened before and what's happening now in surveillance," Snowden said. "It's not necessary to collect information on everyone, and it's never been necessary."

He said the approach of massive surveillance, of listening to phone networks and hacking into websites, is actually making the United States more vulnerable to attacks.

"Once you make a backdoor into something," Snowden said, "you can't control who walks in through it."

Dennis Keohane can be reached at dennis.keohane@globe.com. Follow him on Twitter @DBKeohane and on betaboston.com.

Credit: By Dennis Keohane Globe Staff

Illustration

Caption: Edward Snowden, NSA whistle-blower, was interviewed Monday via Google Hangout by Harvard Law School professor Lawrence Lessig (below).

Jury begins deliberations in bombing obstruction case: Final arguments made regarding friend of Tsarnaev

Boston Globe - Boston, Mass.

Subjects: Juries; Criminal investigations

Author: Wen, Patricia; Valencia, Milton J

Date: Oct 22, 2014

Start Page: B.4

Section: Metro

Document Text

A lawyer for Robel Phillipos, who is a friend of Boston Marathon bombing suspect Dzhokhar Tsarnaev and who is accused of lying to the FBI, urged jurors to acquit his client, saying the government failed to prove Phillipos "knowingly and intentionally" made false statements that were "material" or undermined the Marathon bombing probe.

Derege Demissie said in closing arguments in US District Court Tuesday that if Phillipos erred, it was in trying to answer investigators' questions about events he could not recall, because his memory was clouded from excessive marijuana smoking.

But Assistant US Attorney Stephanie Siegmann told jurors Phillipos knowingly tried to deceive FBI agents engaged in a terrorism probe and the deception hampered an investigation that was still full of unknowns and potential dangers.

"This case is about someone who lied, not about someone who didn't remember," Siegmann said.

She pointed out that the FBI interviewed Phillipos five times before he ultimately admitted, in a signed FBI statement on April 26, 2013, that he entered Tsarnaev's UMass-Dartmouth dorm room with Dias Kadyrbayev and Azamat Tazhayakov, on April 18, 2013, hours after officials released photos of the bombing suspects.

Kadyrbayev and Tazhayakov, both former UMass-Dartmouth students originally from Kazakhstan, have since been convicted of obstruction of justice for taking Tsarnaev's backpack, which contained emptied fireworks, and later discarding the items in a dumpster behind their off-campus apartment. Both are awaiting sentencing.

Phillipos, 21, is accused of repeatedly lying about his whereabouts that night and being with the friends when the backpack was taken.

Boston Globe articles (7/26/2014—11/15/2014) 102

Discussing the signed FBI statement, made on April 26 in an FBI office in Boston, the prosecutor said Phillipos was read his rights but chose to talk without a lawyer present. She said that, after several hours, he confessed to the agents about seeing his friends take the backpack, and described - fairly accurately - the size and number of fireworks inside.

But defense attorney Demissie said that confession was "manufactured" by a seasoned FBI agent who persuaded a frightened Phillipos to admit to observations that he never made. Demissie suggested that FBI agents, having already received descriptions of the fireworks days earlier from the two Kazakhstan students, simply inserted those details into Phillipos's statement.

Demissie said Phillipos was threatened with arrest during the lengthy closed-door interview on April 26 and was told to use unorthodox "visualization" techniques when he could not recall some events. Eventually, he said, Phillipos decided the only way out of the room was to "sign a statement."

Demissie also said Phillipos never once resisted answering questions by the FBI and came enthusiastically to meetings without a lawyer.

He also repeatedly told jurors that the government has wrongly portrayed Phillipos as a "criminal mastermind" who came up with complex lies.

He said that Phillipos has repeatedly shown through cell and text phone records an eagerness to cooperate with FBI agents, even referring to his interrogations in one text as enjoyable. Demissie said that once Phillipos actually called a federal agent who was tardy for their scheduled meeting.

"What criminal master-mind says [to the FBI]. . . 'You're late!' " Demissie said, eliciting chuckles from some jurors.

The 12-member jury was dismissed Tuesday after deliberating for about two hours. Jurors are scheduled to continue deliberations Wednesday.

The Cambridge Rindge and Latin High School graduate and former UMass-Dartmouth student is charged with two counts of lying, one related to an interrogation on April 20, 2013, and another related to an interview five days later. The jury must also review nine allegedly false statements made over those two days and decide whether Phillipos is guilty or not guilty of each one.

To be convicted of lying on either of those two days, Phillipos only needs to be found guilty of making a false statement at least once that day.

Lastly, if the jury finds an instance of lying, they also must decide whether that false statement "involved a terrorism investigation."

Boston Globe articles (7/26/2014—11/15/2014) 102

That final issue is designed to help the judge in sentencing. Each count of lying typically comes with a maximum five-year term, but if it involves terrorism, the maximum sentence increases to eight years.

Patricia Wen can be reached at patricia.wen@globe.com. Milton J. Valencia can be reached at milton.valencia@globe.com.

Credit: By Patricia Wen and Milton J. Valencia Globe Staff

'Top Chef' hosts Boston first responders

Boston Globe - Boston, Mass.

Subjects: Chefs; Television programs

Author: Page, Janice

Date: Oct 22, 2014

Start Page: B.16

Section: Lifestyle

Document Text

Paying tribute to Boston's finest should be an every week goal of "Top Chef" Season 12. But Episode 2 (Wednesday, 10 p.m. on Bravo) puts that goal front and center with appearances by police commissioner Bill Evans, then-interim fire commissioner John Hasson, and a slew of first responders. Filmed in part at Belmont's Il Casale restaurant, the episode includes a moving moment with police officer Shana Cottone, who recalls her role in rescuing two gravely injured victims of the 2013 **Marathon bombings**. Il Casale chef-owner Dante de Magistris takes part in the show, as does Todd English. The most unexpected cameo, however, is by Patrick Swayze: A "Top Chef" contestant reveals a giant arm tattoo of the late actor, praising his craftsmanship and "commitment to excellence." Sweet. But did that contestant see "Road House"?

Credit: By Janice Page Globe Staff

Illustration

Caption: David Moir/Bravo

Hoyts feted by Boston as symbols of strength

Boston Globe - Boston, Mass.

Subjects: Marathons; Cities; Cerebral palsy; Disabled people

Author: Thadani, Trisha

Date: Oct 23, 2014

Start Page: B.3

Section: Metro

Document Text

The sight of Dick Hoyt pushing his son, Rick, in a wheelchair across the finish line of 32 Boston Marathons has become a symbol of parental devotion, strength, and perseverance in the city and beyond.

Rick was diagnosed with cerebral palsy soon after he was born. But that did not stop him and his father from participating in more than 1,100 races over 37 years. The father-son duo's last race was the April 2014 Boston Marathon.

Boston City Councilor Matt O'Malley wanted to honor the pair for the inspiration they have brought the city.

"Dick and Rick Hoyt are personal heroes of mine, I have so many fond memories of cheering them on during the Marathon," O'Malley said. "They are an incredible team of athletes, and remarkably inspiring individuals who really exemplify '**Boston Strong.**' "

About 80 people gathered at City Hall Wednesday to join O'Malley and the City Council in honoring the Hoyts. O'Malley declared Oct. 22, 2014, as Team Hoyt Day in the city.

Team Hoyt is an organization sponsored by John Hancock that the Hoyts created to help people with physical disabilities become active members of the community. The organization then went on to form the Hoyt Foundation in 1989, a nonprofit for young and disabled Americans.

While Dick Hoyt will not run in the Boston Marathon next year, he said his son will still participate, with their close friend Bryan Lyons.

Hoyt said in a telephone interview that he and his son had received many awards for what they do. It was an honor to receive such a recognition from the city that both of them love, he said.

Boston Globe articles (7/26/2014—11/15/2014) 104

"[Rick] can't walk, use his arms, or legs, and for him to be recognized like this is really good because other people are seeing it and spreading the word," Hoyt said. "It sends the message that people who are physically challenged are able to get out there and just be like everyone else."

Rick was diagnosed as a spastic quadriplegic with cerebral palsy when he was born in 1962. Rick, now 52, and Dick, now 74, participated in their first race together in 1977, and completed their first Boston Marathon in 1981, according to Team Hoyt's website.

"Our message is that there's nothing you can't do when you make your mind up to it," Dick Hoyt said. "The word 'no' is not a word in the Hoyt vocabulary."

Trisha Thadani can be reached at trisha.thadani@globe.com. Follow her on Twitter @TrishaThadani.

Credit: By Trisha Thadani Globe Correspondent

.[226 128 138].[226 128 138]. and Keating finds a niche

Boston Globe - Boston, Mass.

Subjects: National debt; Law enforcement

Date: Oct 24, 2014

Start Page: A.12

Section: EditorialOpinion

Document Text

AFTER LAST year's **Marathon bombing**, Representative Bill Keating shouldered a thankless but vital responsibility. A second-term congressman from the South Shore and Cape Cod, Keating began investigating why law enforcement hadn't stopped alleged bombers Tamerlan and Dzhokhar Tsarnaev before the attack. Posing questions that could be interpreted as second-guessing law enforcement never earns much popular acclaim, but Keating's actions were crucial to learning from the incident. By pressing for explanations over many months, sometimes over the opposition of the FBI and members of his own party -- and by laying out plans to continue his inquiries -- Keating showed why he deserves reelection on Nov. 4.

Keating's efforts helped uncover details that Russian intelligence had passed to the United States about Tamerlan Tsarnaev. Those reports apparently never reached the local police after Tsarnaev returned, triggering inquiries into information-sharing among US law enforcement agencies. But too many other facts about the Marathon bombings remain unknown, and even more than a year after the attack, too few politicians have shown much passion for unearthing them. No definitive report on the shootout in Watertown has been released. If reelected, Keating says he wants to get to the bottom of why the FBI released the photos of the two suspects in the manner it did.

Residents of the Ninth District may wonder what good Keating's investigatory efforts do them. But there's also no evidence that Keating's efforts have come at the expense of his district's needs. On an issue of major concern on the South Shore, Keating helped raise concerns about the accuracy of new federal flood maps, winning a temporary implementation delay, and worked with communities in this district to take advantage of federal programs that would help them reduce insurance rates.

Meanwhile, Keating's Republican opponent, John C. Chapman, disqualifies himself with his irresponsible stance on the federal debt ceiling. The debt ceiling is a limit on how much the government can borrow to cover existing debts; it has nothing to do with future spending. But last year, the Tea Party wing of the Republican party brought the government to the brink of default by voting against raising the debt ceiling unless it got its way an unrelated budget negotiation. Trying to link the debt ceiling vote to budget cuts was a preposterous tactic, and now it's a clear litmus test of candidates who have no

business going to Washington. Congress needs fewer members who repeat partisan platitudes, and more who are willing to seek out hard truths.

Illustration

Caption: Bill Keating associated press

Tsarnaev lawyers seek delay on US access to witnesses

Boston Globe - Boston, Mass.

Subjects: Attorneys; Trials; Bombings; Public prosecutors; Court hearings & proceedings; Federal court decisions

Author: Finucane, Martin

Date: Oct 25, 2014

Start Page: B.3

Section: Metro

Document Text

Defense attorneys for accused Boston Marathon bomber Dzhokhar Tsarnaev are balking at providing federal prosecutors with a list of defense witnesses before Tsarnaev's trial, suggesting the government could seek to influence the witnesses and dissuade them from testifying.

In papers filed in US District Court in Boston on Friday, the defense stated that no law or rule requires them to provide the list of witnesses before trial. The defense attorneys said they were concerned that once the names of the witnesses are released, they could be contacted by the authorities and might change their minds about testifying.

"Given the virtual certainty that the FBI will descend on each of the nonexpert witnesses to interview them (and in most cases, to re-interview them), the defendant has a well-founded concern that in the very unusual context of this case, defense witnesses whose identities are disclosed to the government prior to trial will quickly cease to be defense witnesses," the filing stated.

The defense attorneys said the government had "virtually limitless investigative capacity, and the power to subject potential witnesses to enormous pressure, including arrest, imprisonment, and deportation."

The attorneys said they had already encountered "unusual and severe obstacles" in trying to get testimony from witnesses who knew Tsarnaev and his family because of the "aggressive, persistent, and pervasive law enforcement presence in the lives of many potential defense witnesses, and the atmosphere of fear and intimidation that has necessarily followed.

"Many if not most of the nonexpert defense witnesses in this case will be drawn from segments of the population that are especially vulnerable to this power," the attorneys stated.

Boston Globe articles (7/26/2014—11/15/2014) 106

Tsarnaev, along with his late older brother, Tamerlan, is accused of planting the bombs that exploded on April 15, 2013, near the Boston Marathon finish line, killing three people and wounding more than 260 others. Dzhokhar Tsarnaev faces a host of federal charges, and prosecutors are seeking the death penalty.

Tamerlan Tsarnaev was killed several days after the attack in a violent confrontation with police in Watertown. Dzhokhar Tsarnaev was captured later the same day, hiding in a boat stored in a nearby backyard. The two brothers also allegedly killed an MIT police officer in the hours before the confrontation.

US District Court Judge George A. O'Toole Jr. has ordered prosecutors to provide preliminary witness and exhibit lists by Dec. 15, and any supplemental lists by Dec. 29. The judge told the prosecution and defense to confer on when the defense must turn over its witness list.

"The parties have now met, conferred, and failed to reach agreement regarding the production of defense witness and exhibit lists," the defense filing Friday said.

The trial is slated to begin on Jan. 5. It will start with a potentially lengthy process of jury selection.

Defense attorneys said prosecutors had told them that they wanted to see the witness and exhibit lists at least seven days before the trial's opening, or the same day the prosecution must submit its own final lists.

The defense attorneys said they had told the government they would "agree to reciprocal notification of the names of all witnesses that each side intends to call the afternoon before they testify." The defense attorneys also said they would submit their exhibit list by Jan. 30, 2015.

In a second motion filed Friday, Tsarnaev's attorneys asked the judge to hold a hearing to stop leaks to the news media about the case, in the wake of a recent article about Tsarnaev in Newsweek magazine.

A US attorney's office spokeswoman had no comment on the defense filings late Friday afternoon, and prosecutors did not immediately file a response in court.

Martin Finucane can be reached at [martin.finucane@ globe.com](mailto:martin.finucane@globe.com).

Credit: By Martin Finucane Globe Staff

No verdict yet for bombing suspect's friend

Boston Globe - Boston, Mass.

Subjects: Trials; Juries; Criminal investigations; Attorneys; Backpacks

Author: Wen, Patricia

Date: Oct 28, 2014

Start Page: B.2

Section: Metro

Document Text

A federal jury deliberated for a fifth day Monday without reaching a verdict in the case of Robel Phillipos, a friend of the Boston Marathon bombing suspect who is accused of lying to law enforcement agents investigating the case.

The 12 jurors, who have deliberated for 34 hours, will resume Tuesday morning to try to reach a verdict in the trial that began three weeks ago.

At the conclusion of Monday's deliberations, defense attorney Derege Demissie asked US District Judge Douglas P. Woodlock if he would eventually ask for an update from the jury about the status of their discussions. Phillipos is accused of lying about his whereabouts and observations on April 18, 2013, when two University of Massachusetts Dartmouth friends took an incriminating backpack from Dzhokhar Tsarnaev's dorm room.

Woodlock said he was "disinclined" to initiate contact with the jury, and noted that he had seen juries take a week or more to reach a verdict. If jurors are deadlocked, he said, it will be up to them to inform him of their impasse.

"They're in charge," he said as Phillipos, 21, looked on, flanked by his two Cambridge attorneys.

If jurors say they are deadlocked, they are typically instructed by judges to try again; however if they are hopelessly divided, the case ends in a hung jury. In such cases, prosecutors have the option to retry the case.

Phillipos's defense attorneys and prosecutors have had little information from jurors from which to gauge their thinking. Since deliberations began, jurors have been bypassing the courtroom on their way to and from the jury room. They did not appear after asking the sole question they have posed, which came last Tuesday early on in the deliberations.

Boston Globe articles (7/26/2014—11/15/2014) 107

That question was about testimony from a deputy sheriff who interviewed Phillipos on the first of the two days during which he is accused of lying. The judge told them he could not give them access to the testimony, as they had requested, and that they had to rely on their "collective memory."

Phillipos attended Cambridge Rindge and Latin High School and UMass Dartmouth with Tsarnaev, and is one of three Tsarnaev friends charged with interfering with the terror bombing investigation.

The two other friends, Dias Kadyrbayev and Azamat Tazhayakov, both from Kazakhstan, have been convicted of obstruction of justice for taking a backpack, which contained emptied fireworks, from Tsarnaev's dorm room and later tossing it in a dumpster.

Phillipos is not charged with handling the incriminating backpack, but he is charged with lying about what he saw that night.

Prosecutors say he lied about being in Tsarnaev's dorm room and seeing the removal of the backpack. His attorneys, however, say he did not accurately recall that night because he was high on marijuana. The backpack was later recovered by FBI agents.

Phillipos faces two counts of making false statements during two interviews. If jurors convict him of lying, they also have to tell the judge if his false statements involved a terrorism investigation. If so, the maximum prison time for Phillipos on each count increases from five to eight years.

Tsarnaev's trial is scheduled to begin in January. He is accused of joining his older brother, Tamerlan, in setting off two homemade bombs at the Marathon finish line. His brother later died in a shoot-out with police.

Patricia Wen can be reached at wen@globe.com. Follow on Twitter @globepatty.

Credit: By Patricia Wen Globe Staff

US team refutes Tsarnaev defense

Boston Globe - Boston, Mass.

Subjects: Attorneys; Murders & murder attempts; Evidence; Witnesses; Public prosecutors; Questioning

Author: Valencia, Milton J

Date: Oct 28, 2014

Start Page: B.3

Section: Metro

Document Text

Federal prosecutors have refuted claims they have a witness who could testify that suspected Boston Marathon bomber Dzhokhar Tsarnaev knew his older brother participated in a triple homicide in Waltham in 2011, as they sought to downplay the brother's alleged role in the murders.

Lawyers for Tsarnaev cited the purported existence of the witness in court documents this month in arguing prosecutors are obligated to turn over evidence of Tamerlan Tsarnaev's role in the Waltham killings.

Defense lawyers have sought to portray Tamerlan Tsarnaev as the dominating, persuasive older brother, and Dzhokhar Tsarnaev might have felt compelled to participate in the Marathon bombings out of fear.

"Such evidence would tend to corroborate Tamerlan's dominant role in the charged offenses and would place the brothers' respective personal characteristics and relative culpability into relief," defense lawyers argued in the court documents.

But prosecutors argued in their own court filing Friday that the existence of such a witness was misstated in the defense team's court filings.

"In fact, the government disclosed only that a third party had informed the government that there was someone who might say such a thing," prosecutors wrote. "Whether that person would actually say it, let alone testify to it, is another matter entirely."

The prosecutors did not say whether federal investigators have interviewed the witness, and what he or she said.

Tamerlan Tsarnaev's alleged role in the Waltham killings has become a central theme in the defense of his younger brother. Brendan Mess, 25, of Waltham; Erik Weissman, 31, of Cambridge; and Raphael Teken, 37, of Cambridge, were discovered with their throats

Boston Globe articles (7/26/2014—11/15/2014) 108

slashed in Mess's apartment in a two-family house on Sept. 12, 2011. Marijuana was sprinkled on their bodies, and authorities presumed the killings to be drug-related. The murders were never solved.

The FBI disclosed that one of Tamerlan's associates, Ibragim Todashev, confessed during an interrogation in Florida in May 2013 that he helped Tamerlan Tsarnaev commit the killings. Todashev was shot and killed by an FBI agent during the interrogation after he allegedly attacked the agent.

Lawyers for Tsarnaev have asked for more about the investigation into the killings, arguing in past court filings that the manner in which Tamerlan "induced Todashev to participate in the [murders] may shed light on the process by which he allegedly drew [Dzhokhar] into violence some 19 months later" at the Marathon. In a filing this month, the defense added, "even the government has conceded that evidence concerning Tamerlan's participation in Waltham murders might be relevant if Dzhokhar Tsarnaev were aware of it."

But government prosecutors argued in their reply that they cannot turn over information about the Waltham murders because the killings remain under investigation by the Middlesex district attorney's office. Prosecutors say they have no evidence Tamerlan Tsarnaev was involved in the killings beyond Todashev's confession.

The prosecutors also argue information about the killings is immaterial if defense attorneys seek to show Dzhokhar Tsarnaev simply believed that his brother was involved.

"It makes no difference from a mitigation standpoint whether Tamerlan committed the murders or not, and the facts related to the murders would similarly be irrelevant," the prosecutors argued.

Reach Milton J. Valencia at mvalencia@globe.com. Follow him on Twitter @miltonvalencia.

Credit: By Milton J. Valencia Globe Staff

Tsarnaev friend convicted of lying

Boston Globe - Boston, Mass.

Date: Oct 29, 2014

Start Page: A.1

Section: National

Document Text

Robel Phillipos departed federal court Tuesday after being found guilty of two counts of lying to agents following the 2013 Boston Marathon bombings. Prosecutors said he concealed his knowledge of the removal of evidence tied to bombing suspect Dzhokhar Tsarnaev. Phillipos faces a maximum of eight years in prison on each count. B1.

Illustration

Caption: John Tlumacki/Globe Staff

Consider mitigating factors

Boston Globe - Boston, Mass.

Subjects: Federal court decisions; Criminal sentences

Date: Oct 29, 2014

Start Page: A.12

Section: EditorialOpinion

Document Text

FEDERAL JUDGES have wide latitude in sentencing, and the conviction of Robel Phillipos on Tuesday for lying to the FBI is a good reminder why. A jury determined that the 21-year-old Cambridge resident, a friend of accused Boston Marathon bomber Dzhokhar Tsarnaev, gave false statements during the bombing investigation. Phillipos had nothing to do with the attack itself but, in theory, he now faces up to 16 years in federal prison. It's possible to imagine some scenarios in which a sentence that long might be an appropriate punishment for obstructing a terrorism investigation. But considering the particular circumstances of the Phillipos case, a sentence anywhere near the maximum would be unjust.

The jury verdict, reached after five days of deliberations, found that Phillipos had lied to the FBI by claiming he had not seen his friends, Dias Kadyrbayev and Azamat Tazhayakov, remove Tsarnaev's backpack from a dorm room at the University of Massachusetts Dartmouth. Authorities said that his lie delayed finding the backpack, which contained manipulated fireworks and other incriminating evidence. Phillipos's defense rested on the curious argument that he had smoked so much marijuana he could not remember.

Phillipos's actions were wrong, and if the guilty verdicts are upheld on appeal, some punishment would be appropriate. Still, US District Court Judge Douglas P. Woodlock should take into account many mitigating factors that argue for a light sentence. Whether or not Phillipos's lies technically meet the legal bar of materiality, they did not seriously set back the bombing investigation. He has no prior criminal record, nor was there any evidence he had malicious intent in deceiving the FBI. He was, by all appearances, a scared teenager who made a very bad mistake -- giving false information to investigators in an apparent effort to minimize his friends' role and his own.

It was appropriate for the US attorney to pursue charges, sending the message that lying in a terrorism investigation will not go unpunished. And it was appropriate for the jury to reject the marijuana defense, which did not hold up under scrutiny. Nevertheless, a sentence ought to be proportionate to the severity of the crime; some offenders, including Phillipos, deserve punishments that are relatively modest. The final judgment call lies with Woodlock. Given the raw memories of the bombing, many Bostonians may not

consider Phillipos a sympathetic figure -- but nonetheless, he should not spend the next decade of his life behind bars.

Illustration

Caption: Robel Phillipos

US jury convicts Tsarnaev friend: Phillipos is guilty of lying to agents His mother makes a plea for leniency

Boston Globe - Boston, Mass.

Subjects: Trials; Juries

Author: Wen, Patricia; Ellement, John R; Crimaldi, Laura

Date: Oct 29, 2014

Start Page: B.1

Section: Metro

Document Text

A federal jury on Tuesday convicted Robel Phillipos, a friend of the Boston Marathon bombing suspect, of two counts of lying to federal agents, ending deliberations that lasted some 35 hours over six days.

Phillipos now becomes the third of Dzhokhar Tsarnaev's college friends convicted of crimes related to the removal of an incriminating backpack from Tsarnaev's dorm room days after the deadly explosions.

The three cases are a prelude to the long-awaited trial of Tsarnaev, which is scheduled to start in January. Tsarnaev, who faces the possibility of the death penalty if convicted, is accused, along with his older brother, of killing three and injuring 260 others by setting off two homemade bombs at the Marathon finish line on April 15, 2013.

Phillipos, 21, was stoic as the jury rendered the guilty verdict. The former University of Massachusetts Dartmouth student now faces a maximum of eight years on each count, though legal specialists say he is likely to receive much less. His lawyers say they plan to appeal the verdict.

At a news conference Tuesday, US Attorney Carmen Ortiz said the conviction sends an important message about a singular tragedy for the city.

"He lied to agents when he could have helped. He concealed when he could have assisted. It is a crime to lie to law enforcement agents, and that is why Robel Phillipos was charged and why the jury found him guilty today," Ortiz said.

In the cases against Phillipos and the two others, prosecutors revealed no evidence suggesting Tsarnaev's friends knew about the bombing. What emerged, however, was insight into the early stages of the FBI probe, and the mentality of Tsarnaev's tight circle of friends, whose rash decisions one night have had lifelong consequences for each of them.

Boston Globe articles (7/26/2014—11/15/2014) 111

Phillipos's mother, Genet Bekele, a domestic violence specialist for the state, said in an interview that her son was "extremely sad" about the verdict. Bekele said her son was caught in a bad situation and is a young man with a good heart.

"My son has nothing to do with this tragedy," Bekele said of her only child. "This can be anybody's son -- anybody's family."

Now, Bekele said, she hopes that the judge will show compassion. Phillipos is scheduled to be sentenced Jan. 29.

"My son is an extremely gentle and peaceful person," she said. "I hope the judge sees that."

The lengthy jury deliberations had led the defendant's supporters to wonder whether the jury was deadlocked.

During the trial that began three weeks ago, defense lawyers Derege Demissie and Susan Church had argued that Phillipos had smoked so much marijuana on April 18, 2013 that he had a foggy memory of going with Dias Kadyrbayev and Azamat Tazhayakov to Tsarnaev's dorm room that night. They went hours after the FBI released photos of the bombing suspects.

Kadyrbayev and Tazhayakov, both from Kazakhstan, have been convicted of taking the incriminating backpack, which contained emptied fireworks, and disposing of it at their off-campus apartment.

Phillipos was not charged with taking the items, but with lying to agents about being with the pair and observing what they did.

One juror, who asked to remain anonymous, said the jury was split at times, but ultimately rejected the idea that Phillipos was too high to remember his actions. She said the panel was also persuaded by a statement that Phillipos signed in front of an FBI agent on April 26, 2013, confessing that he had been in Tsarnaev's room and saw his friends take the backpack. At trial, the defense argued that the statement reflected a false confession coerced by a veteran agent.

The juror said the group passionately debated a range of subjects, including their own marijuana use and Phillipos's youthfulness.

"There was a lot of argument but finally at the end we all reached the same unanimous conclusion," the juror said. To convict, jurors had to review nine false statements that Phillipos allegedly made during two interviews in April 2013. Two of the statements were made on April 20, and seven on April 25.

If the panel found that Phillipos made at least one false statement on a given day, he was convicted of the count associated with that day.

Boston Globe articles (7/26/2014—11/15/2014) 111

Prosecutors Stephanie Siegmann and John Capin ultimately persuaded jurors that Phillipos was guilty of more than half of the alleged false statements in the indictment: two on April 20 related to denying being in Tsarnaev's room, and three out of seven on April 25 related to denying that he later knew that a backpack had been taken.

Based on their verdict, however, jurors appeared to believe that Phillipos may have been telling the truth when he said that he did not see the backpack being taken or know that Kadyrbayev and Tazhayakov were getting rid of it.

Phillipos's lawyers say among the issues they will argue on appeal is that the false statements were not "material" to the FBI probe. Church, the defense lawyer, said by April 20, the two Kazakhstan students had already told the FBI that they had thrown the backpack in a dumpster. Agents ultimately recovered the backpack.

The jury also found that the false statements "involved a terrorism investigation," a finding that affects Phillipos's sentence. Typically, someone guilty of one count of lying faces a maximum of five years, but the upper limit stretches to eight years if the statement relates to a terrorism probe.

Mark Pearlstein, a former federal prosecutor now with McDermott Will & Emery and not involved in this case, said he anticipates Phillipos will be given some prison time, though he predicts a sentence closer to the "two- or three-year" range.

Phillipos has been free on bail during the trial, which also suggests he is not viewed as a dangerous criminal who is a flight risk, Pearlstein said.

The juror who spoke with the Globe said the panel focused on the evidence, and the horrors of the bombing did not influence their deliberations. Referring to Phillipos and the bombing, she said, "He wasn't there. He wasn't part of it."

John R. Ellement and Martin Finucane of the Globe staff contributed to this report. Laura Crimaldi can be reached at laura.crimaldi@globe.com. Follow her on Twitter @lauracrimaldi. Patricia Wen can be reached at wen@globe.com. Follow her on Twitter @globepatty.

Credit: By Patricia Wen, John R. Ellement, and Laura Crimaldi Globe Staff

Sportswriter turned 'Top Chef' judge for a day

Boston Globe - Boston, Mass.

Subjects: Professional baseball; Television programs

Author: Shaughnessy, Dan

Date: Oct 29, 2014

Start Page: G.20

Section: Lifestyle

Document Text

The e-mail arrived in my in-box in the middle of May. A fellow named Chris wanted to know if I could join the "Top Chef" judges for a lunchtime taping at Fenway Park over the weekend. They already had booked Dennis Eckersley and they were looking for another person familiar with Boston baseball.

I can do that, I figured.

I know all about Fenway.

I know how to eat.

I checked with my 28-year-old daughter Kate, a high school English teacher who is something of a reality TV buff. A couple of weeks earlier, Kate had mentioned that "Top Chef" might be shooting its upcoming season in Boston. This seemed to be a very big deal to her. When I casually mentioned the invitation, my smart, mature daughter reacted as if I'd been asked to join the Rolling Stones on stage at their next concert.

"Are you kidding me?" asked Kate. "You have to do that! That's the coolest thing ever! Tell them 'yes' and then find out who is going to be there!"

OK. I called Chris and told him I could tape the show. I asked him who was going to be at the table with Eck and me and he started rattling off names. Padma. Tom. Hugh. Ming. Blais. The names meant nothing to me, but when I relayed them to Kate it had the effect of someone telling me they were going to sing with Mick, Keith, John, Paul, and Janis. Clearly, these "Top Chef" judges are the rock stars of food tasting.

On Sunday, May 25, Kate and her husband accompanied me to the show's taping at Fenway.

"Top Chef" is top secret. Show representatives repeatedly reminded us that we couldn't talk about anything until the episode aired (Oct. 29 at 10 p.m. on Bravo). There was to be

Boston Globe articles (7/26/2014—11/15/2014) 112

no tweeting, no Facebooking, and no casual conversation of this day. We had to sign a confidentiality agreement; any breach would put us at risk of paying a Dr. Evil-esque penalty of "ONE MILLION DOLLARS."

Eck and I had a good laugh about that one. We didn't know what the show was about, or who any of these people were, so it was going to be easy to keep quiet about the Lunch That Must Not Be Named.

It was all very Hollywood as we prepped on the EMC level at Fenway. "Top Chef" commandeered a row of luxury boxes on the third base side, and each of us had our names taped to the doors of our respective dressing room/corporate box. There was another room set aside for wardrobe and makeup. I'd been asked to bring three shirts. Blue. White. White with blue stripes. Eck was in his traditional Zorro black.

We met the big shot judges and they were all very nice. Tom is from New Jersey and knows a lot about sports. Hugh is a Montreal Canadiens fan and wanted to know where he could safely watch a Habs playoff game on TV in Boston. I recommended Post 390, because it has great food and it was near his hotel. Padma was tall and friendly. She had a lot of questions about sports and said she'd been asked on dates by a couple of the New York Yankees.

"Jeter? A-Rod?" I wondered.

She wouldn't say.

It didn't matter to me. Even if Padma dished about the famous Yankees, I couldn't write about it because of . . . ONE MILLION DOLLARS.

Just before noon, we started our taping in the third base dugout. We paraded up the steps and strode toward our elegant table on the warning track, directly in front of the Green Monster. We had assigned seats -- mine was across from Tom and next to Padma. Color me happy. A little nervous with the cameras rolling, I neglected to pull out Padma's chair when we seated ourselves.

Then came the parade of chefs from the visitors dugout. Three at a time. Carrying all forms of meatballs, peanut sauces, ribs, duck, and pork bellies. They all seemed pretty nervous.

Tom, Hugh, Ming, Blais, and Padma were pretty rough on the contestants.

Not me.

I couldn't bring myself to insult the anxious young chefs. Call me crazy, but ripping professional ballplayers comes easily compared with this. Who accepts a dinner invitation, then insults the host or hostess?

Boston Globe articles (7/26/2014—11/15/2014) 112

I got the hang of it after a while. We tasted and toasted for three hours. I told them all my Fenway stories. Eck, as always, was the most interesting and charming man in the house. When it was over, we took photos, and said our good-byes.

Metaphorically speaking, it was time to pack our knives . . . and go.

Related coverage:

- * A nod to **Marathon first responders** on 'Top Chef'
- * 'Top Chef: Boston' opener offers surprises
- * Plenty of local chefs, landmarks on 'Top Chef: Boston'
- * Boston chefs and 'cheftestants' kick off 'Top Chef'
- * Please, 'Top Chef,' don't resort to Boston cliches

Dan Shaughnessy can be reached at dan.shaughnessy@globe.com.

Credit: By Dan Shaughnessy Globe Staff

Thomas Menino, Boston's transformative mayor, dies

Boston Globe - Boston, Mass.

Subjects: Cities

Author: Marquard, Bryan; O'Sullivan, Jim

Date: Oct 31, 2014

Start Page: A.1

Section: Metro

Document Text

Thomas Michael Menino, who insisted a mayor doesn't need a grand vision to lead, then went on to shepherd Boston's economy and shape the skyline and the very identity of the city he loved through an unprecedented five consecutive terms in City Hall, died Thursday. He was 71 and was diagnosed with advanced cancer not long after leaving office at the beginning of this year.

"Visionaries don't get things done," he once said, crisply separating himself from politicians who gaze at distant horizons and imagine what might be. Leaving to others the lofty rhetoric of Boston as the Athens of America, he took a decidedly ground-level view of the city on a hill, earning himself a nickname for his intense focus on the nuts and bolts of everyday life: the urban mechanic.

An old-school politician whose smarts owed more to the streets than the college classroom, Mr. Menino nonetheless helped turn Boston into a hub of 21st-century innovation, recruiting high-tech companies to the sprawling South Boston waterfront one minute, then cutting the ribbon at a neighborhood burrito shop the next.

"No man possessed a greater love for our city, and his dedicated life in service to Boston and her people changed the face of the city," said his successor, Mayor Martin J. Walsh.

"With sheer determination and unmatched work ethic," Walsh said, Mr. Menino "put us on the world stage as a national leader in health care, education, innovation, and the nitty-gritty of executing basic city services."

"Because of his leadership," he added, "Boston is a better place today."

It was a few weeks into Mr. Menino's summer tenure as acting mayor in 1993, when some pundits fancied him a temporary caretaker, that he offered a seemingly modest ambition: "I want to help people, help one individual a day. Just to make their life a little bit better."

Boston Globe articles (7/26/2014—11/15/2014) 113

His landslide election that fall to a first full term inaugurated a 20-year run as mayor. Deftly managing the city's finances, Mr. Menino guided Boston's commercial growth through roller-coaster peaks and dips in the national economy, largely allowing the city to avoid the massive budget cuts that plagued other urban centers in the throes of the 2008-2009 downturn.

Throughout his years as mayor, development accelerated as the city added millions of square feet of new buildings. Wielding the power of his office, Mr. Menino could make development deals flourish -- or shatter them just as swiftly. Known for his micromanaging, which at times drew criticism, he once intervened to personally approve the design of a Back Bay tower's crown-like peak.

In a statement Thursday, President Obama said Mr. Menino was "bold, big-hearted, and Boston strong."

"Tom was the embodiment of the city he loved and led for more than two decades," Obama said. "As Boston's longest-serving mayor, Tom helped make his hometown the vibrant, welcoming, world-class place it is today. His legacy lives on in every neighborhood he helped revitalize, every school he helped turn around, and every community he helped make a safer, better place to live."

For constituents, Mr. Menino was the perennial mayor in their midst, a constant presence at local events. More than half of the Bostonians who responded to a 2008 Globe poll said they had met him personally. Anyone who watched the mayor stroll through neighborhoods from Bowdoin-Geneva to West Roxbury might think that figure far too low.

Mr. Menino's health had declined in recent years, and he was hospitalized with a broken leg three days before the bombings at the 2013 Boston Marathon. Checking himself out against his doctor's advice, he attended the first news conference and three days later pushed himself out of his wheelchair to stand at the pulpit and speak at an interfaith service. "We are one Boston," he said that day. "No adversity, no challenge, nothing can tear down the resilience in the heart of this city and its people."

A politician with a flashing temper, whose skin could be as thin as his victory margins were thick, Mr. Menino was Boston's first mayor of Italian descent. After that first landslide in 1993, his reelection margins never dropped below 15 percentage points and were as high as 49 points. His time in office also straddled a significant demographic shift, when the number of white residents in the city fell below 50 percent, and as Boston changed, he built a vaunted Democratic political machine. A protege of Joseph Timilty, a former city councilor and state senator, Mr. Menino landed his first government jobs with his mentor's assistance, and knew firsthand how to use patronage.

Reaching beyond his solid base, Mr. Menino also courted disparate constituencies that other candidates ignored or paid too little heed, such as African-Americans, gays and lesbians, and conservatives in East Boston.

Boston Globe articles (7/26/2014—11/15/2014) 113

"If, 100 years from now, they look back at my election, I hope what they see is the beginning of a century of inclusive politics," Mr. Menino said in January 1994 at Faneuil Hall as part of his first State of the City address. "Throughout my whole career I have tried to be an open door to people left out of the mainstream. As mayor, I intend to continue that."

Robert E. Travaglini, a former state Senate president who served with Mr. Menino on the City Council, said that "Tommy Menino always followed his instincts and did what his heart and his head told him to do. For years, people were overlooked and underserved. He focused on those portions of the population, and he championed their causes, and they responded."

Mr. Menino was stung as a boy by disparaging treatment from teachers dismissive of his Italian-American heritage, and in his first mayoral campaign he stressed that he would "not tolerate racism. I will never tolerate people being discriminated against." He opposed bias of any kind, and few gestures were as potent as his decision early on to march in the city's gay pride parade, while shunning South Boston's traditional St. Patrick's Day parade because it banned groups advocating for lesbian and gay rights. Years later, when the state began permitting same-sex marriages on May 17, 2004, Mr. Menino was waiting at City Hall to greet Julie and Hillary Goodridge, who were first in line. As lead plaintiffs, they had lent their name to the state Supreme Judicial Court case that legalized gay marriage six months earlier.

"It is hard to imagine that LGBT people and people living with HIV could have had a more devoted and rock-solid friend than Mayor Menino," the organization Gay & Lesbian Advocates & Defenders, known as GLAAD, said in a statement. "His policies and positions were all aimed at ensuring not only that LGBT people were welcome in Boston, but that they could participate fully and equally in the life of our city."

When President Bill Clinton appointed Mayor Raymond L. Flynn ambassador to the Vatican, Mr. Menino was the City Council president. "Go out and get some new suits; you're going to be acting mayor," he recalled Flynn telling him when the ambassador discussions were afoot. On July 19, 1993, Mr. Menino was sitting in his council office when an aide appeared at 4:20 p.m. to say Flynn had formally resigned. The council president automatically succeeds a mayor who departs in the middle of a term.

That night, Mr. Menino and his wife, Angela, danced at a Hyde Park block party to "My Way," a favorite tune that became a de facto theme song -- played again as the Meninos walked into Faneuil Hall on March 28, 2013, when he announced he would not seek a sixth term.

"For 20 years, Boston has been lucky to have Tom Menino in the mayor's office," the Globe's editorial board wrote the next day. "The city has improved in almost every respect. Menino wasn't personally responsible for every positive development -- many cities enjoyed the benefits of lower crime rates and a return to urban living -- but he guided the changes with impressive political skills and finesse."

Boston Globe articles (7/26/2014—11/15/2014) 113

Nearly two decades earlier, after Mr. Menino was elected Boston's 53d mayor on Nov. 2, 1993, Clinton called with congratulations. "Thank you, Mr. President, for making the mayor ambassador," Mr. Menino said.

Plain-spoken sentiments were a trademark of Mr. Menino, who often was famously tongue-tied and prone to malapropisms. His swallowed words may have inspired the painful "Mumbles" nickname he wished would fade, but voters didn't seem to mind, perhaps sensing in his labored language the wisdom of a common man who had done uncommonly well.

"Like people who give great speeches are great public officials? I mean, just look at the officials who give great speeches -- they haven't done a thing in their career, but they just look good or sound good," Mr. Menino told the Globe in July 1993. "I'd like to see what they've done in their careers. What's their record? Who have they helped?"

While serving as acting mayor, he noted that a neighborhood newspaper headline had called him "Action mayor Tom Menino," and said that if elected he would try to live up to the typo. Before facing voters that fall, he froze water rates, worked to bolster the city's community policing effort, earmarked \$1 million for housing for the elderly, and set aside \$500,000 to fund summer jobs for youth, that last item a policy initiative to which he returned year after year. "It was the beginning of something big," he later recalled.

He handily defeated state Representative James T. Brett in November, ending a run of Irish-American mayors that stretched back decades. Mr. Menino received 64.4 percent of the vote to Brett's 35.6 percent, one of Boston's largest mayoral victories in the latter part of the 20th century. Though hard fought, the campaign was largely amicable, and after it was over, the candidates preserved a strong relationship.

As he easily was reelected four times, Mr. Menino kept up a punishing pace, rising early to crisscross the city. Kevin H. White, the four-term mayor who preceded Flynn, pioneered little city halls in outer neighborhoods. At times, Mr. Menino seemed to embody them. White and Flynn both yearned for the national stature of higher offices. For Mr. Menino, being mayor was a calling of the highest order.

On that November 1993 morning after he was first elected, the difference from the day before was apparent. "When you're acting mayor, some people return your phone calls," Mr. Menino said. "When you're mayor, everyone returns your phone calls."

And everyone around him quickly learned that no cog in the vast machinery of city government was too small to escape his attention. En route to the office each day he called subordinates to report on what needed fixing or sprucing up: a pothole here, a broken street light there, an abandoned car that needed towing, a neighborhood park in need of mowing. Except for his ever-present finely tailored suits, Mr. Menino was more workhorse than showhorse, earning his "urban mechanic" nickname neighborhood by neighborhood, street by street.

Boston Globe articles (7/26/2014—11/15/2014) 113

"I didn't learn anything sitting in this room," Mr. Menino told the Globe in July 2013, in his fifth-floor City Hall office. "I'd rather be out there, talking to the people. This job, my legacy, is about the people."

For two decades, until his final December in office, Mr. Menino spent Christmas Eve touring the streets of the Bowdoin-Geneva neighborhood, initially on foot and later by SUV when his health declined. "I'll never say goodbye," he said last December as he met once more with people, pastors, and business owners in a neighborhood that has seen more than its share of violence, gangs, and drugs. "I'll be back here next year, the year after, and the year after. Not as mayor, but as a person who cares about what's going on in the neighborhood."

Cardinal Sean P. O'Malley said Thursday that it was "a blessing for me to have known Tom and Angela since the time I arrived in Boston and to share in their faith and their good works. They always held providing support and assistance for people in need as a priority."

Some criticized Mr. Menino's unstinting devotion to minutiae, saying it diverted him from larger issues. In 1996, for example, he said voters should "judge me harshly" if he failed to improve the education system. Graduation rates remained comparatively flat through much of his tenure, only rising in recent years, and city schools also experienced persistent racial achievement gaps. Still, he appointed two longstanding Boston public schools superintendents, providing much needed stability for a system that was shaken by the busing crisis and an extended period of short-term superintendents. Beginning in 1995, Thomas Payzant served nearly 11 years. Carol Johnson was in the job six years until retiring last year.

No stranger to the academic challenges children face, Mr. Menino was a C student at St. Thomas Aquinas High School in Jamaica Plain and resisted his father's insistence that he pursue higher education. "When I'd get after him to go to college, he'd say, 'Truman never went to college,'" Mr. Menino's father, Carl, who died in 1989, said in a 1983 WGBH-TV documentary, adding: "He told me that a thousand times."

Only after being elected to the City Council in 1983 did Mr. Menino take to heart a mentor's advice that he needed a college education if he wanted to advance. He graduated at 45, through a program that gave him a chunk of credits for serving as a city councilor. By that measure, when a bachelor's degree at last arrived, he essentially had majored in being Tom Menino.

Though not averse to being addressed as "mayor," he remained a man of his neighborhood, often leaving phone messages identifying himself simply as Tom or Tommy.

In his memoir "Mayor for a New America," written with Jack Beatty and released Oct. 14, he wrote about his beginnings in Hyde Park, the southernmost section of Boston that most politicians considered "the sticks."

Boston Globe articles (7/26/2014—11/15/2014) 113

Born Dec. 27, 1942, he was the oldest of three children. Mr. Menino's father was part of the machinists union and worked 35 years at a Westinghouse plant, where he helped the future mayor land a summer job during high school. "By then my dad was a foreman," Mr. Menino wrote. "I noticed how he heard the men out. It was his way of showing respect. That was my first lesson in politics."

Mr. Menino's mother, Susan, "was a Mother Teresa to new immigrants in Hyde Park," he wrote. The Meninos lived on the first floor of a two-family house on Hyde Park Avenue and his paternal grandparents, immigrants from a village in southern Italy, lived upstairs.

The family owned an apartment building next door, where new immigrants cycled through every few years until they saved enough for a place of their own. Fluent in Italian, Mr. Menino's mother helped them with bills, schools, and job applications, "every stage of their journey to America."

"I was 21 when she died with my 6-year-old brother, David, in her arms," he wrote, adding that his father's grief "was total, like his love." He wrote that his mother "was the strongest influence on my life," inspiring his compassion for Boston's newcomers and those struggling to succeed.

Mr. Menino noted in his memoir that he faced his own struggles at school, where "because my teeth and lips would not cooperate, I talked out of the side of my mouth, mumbling decades before I was called 'Mumbles.' "

Teachers tended to ignore those not at the top of the class. That indifference stayed with him, and once he was mayor, Mr. Menino insisted on handing out awards to more than just the students who fared best on tests, though he conceded that his early parochial school education had at least one advantage. "I had 12 years of nuns who used to use their sticks on me," he told the Globe in 1993. "If they did that today, you'd have more court cases, but it was good discipline."

In his memoir, Mr. Menino wrote that Harry Truman was his "political hero. I hung his portrait behind my desk at City Hall. A plain-spoken man of the people." Through David McCullough's biography, a favorite book of the mayor's, he learned that the former president "was also a scholar of Greek and Roman history. The public library was his college."

The public itself was Mr. Menino's university as he climbed from his Hyde Park neighborhood to City Hall through a series of jobs, meeting little success until he found a home, and key mentors, in politics. He cleaned furnaces in a factory, took hot dog orders at Simco's on the Bridge in Mattapan from 3 p.m. until 2 a.m., and then was hired as an insurance salesman for Metropolitan Life, a job for which, by his own account, he was supremely unsuited, except perhaps for the always presentable suits he wore.

Mr. Menino wrote that he took his sartorial cues from his father, who on Sundays "wore only the best, down to his silk shorts and cashmere socks." The mayor was a regular at

Boston Globe articles (7/26/2014—11/15/2014) 113

Filene's Basement, shopping there three or four times a week until the store closed. He once estimated that he owned about 400 ties, 75 to 80 shirts, numerous suits, and several blazers. "I need every piece," he said with a smile.

Working for Metropolitan Life, meanwhile, meant he had a respectable job when he met Angela Faletta as they played tennis on adjoining courts in Hyde Park one day and her errant shots kept angling his way. Their first date was that night. "She was pretty, bright, funny, and compassionate," he wrote. "A Roslindale girl, but you can't have everything. I've often been asked if becoming acting mayor of Boston wasn't the luckiest break of my life. No, I reply."

They married in 1966, a few years after that first meeting. Fiercely devoted to the man she called "my Tommy," Angela Menino kept working throughout their marriage, long after their two children, Susan and Thomas Jr., were grown and she could have set aside her accounting job at John Hancock Financial Services. "Work gives me my own identity," she told the Globe in 2004. "Angie is the real thing," Mr. Menino added in the same interview. "She doesn't have to work. She could have a driver, and somebody to clean the house. But she'll never give it up."

As his emissary of sorts, she served on several boards while advocating for children and the elderly, women, and the homeless, and she helped keep Mr. Menino grounded in who he was and where he was from. "She watches out to make sure Tom Menino stays Tom Menino," David A. Passafaro, the mayor's former chief of staff, told the Globe in 2005.

Not long before Angela met Mr. Menino, he found himself drawn to John F. Kennedy's presidential campaign. "In 1960 you couldn't live in Massachusetts and be Catholic and ignore politics," he wrote in his memoir. Mr. Menino skipped a night school class to attend Kennedy's election eve speech at Faneuil Hall, and he joined the adoring crowds chasing JFK's limousine along cobblestone streets, "waving my arms like a madman while running for all I was worth."

"Tom Menino was an extraordinary leader and a wonderful friend," said Victoria Reggie Kennedy, the widow of US Senator Edward M. Kennedy. "He and my husband Ted had a great relationship, built on mutual respect, trust, and love of the city of Boston."

In the early 1960s, Mr. Menino met Joseph Timilty, who wanted to be a city councilor. Mr. Menino worked to help elect Timilty, who repaid the favor when the future mayor lost his job at Metropolitan Life while trying to organize a union. "He got me 'on' at the Boston Redevelopment Authority," Mr. Menino wrote.

Meanwhile, Mr. Menino remained a key part of the campaign apparatus as Timilty moved from the City Council to the state Senate, and then took on Kevin White in the mayoral contests of 1971, '75, and '79, "I was Joe's 'body man,' " Mr. Menino recalled. "I saw him the first thing in the morning and the last thing at night."

Boston Globe articles (7/26/2014—11/15/2014) 113

The political training proved invaluable as Mr. Menino found he had a gift for sweating the behind-the-scenes details of planning and executing campaign events, which he put to use while helping run Pennsylvania field operations for Jimmy Carter's presidential campaigns in 1976 and '80. "I was paid peanuts for my work," he wrote of those early years. "I would have paid to do it." As a Timilty operative, Mr. Menino also learned about the perils of patronage when "Kevin White fired me from the BRA." Timilty intervened again. Using his influence as a state senator, he "got me a job on one of his committees," Mr. Menino wrote.

Years later, when Mr. Menino was mayor, Timilty was convicted of conspiracy to commit fraud and sentenced to four months in federal prison. "The contrast in our fortunes was painful to me," Mr. Menino wrote.

By becoming mayor, the protege achieved what his mentor could never accomplish in the White era. Mr. Menino's first step was the City Council, a goal that seemed implausible. "I was the shyest person in the neighborhood," he told the Globe in 1993, just after becoming acting mayor. "I was very, very shy. When I decided to run for office people in the neighborhood couldn't believe it." He won that first election after the City Council expanded from all at-large seats to a combination of at-large and district seats. Announcing his candidacy while standing in the backyard of his childhood home on Hyde Park Avenue, he ran in the district covering Hyde Park and slices of other neighborhoods. Angela at his side, he campaigned " 'the Menino way,' one door, one vote at a time," and won handily.

On the City Council, he sought the chairmanship of the newly formed Ways and Means Committee and established a reputation as a workhorse, intimate with the details and reach of the powerful panel that controlled the city's budget. Rarely did Mr. Menino consider stepping away from city politics. In 1986, he flirted with a run for Suffolk County sheriff, but decided against it, and in 1992, he announced a bid for the soon-to-be vacant 11th Congressional District seat, only to see it evaporate in redistricting.

During those years he also picked up a new, valuable mentor in Gerard Doherty, who had chaired the Democratic State Committee and was a longtime Kennedy campaign operative. It was Doherty who told Mr. Menino he needed a college degree if he wanted to be mayor, so he enrolled at the University of Massachusetts Boston at the same time his daughter, Susan, was at the Amherst campus.

Mr. Menino reached a key steppingstone to the mayor's office when he wove together a coalition of moderate and conservative councilors and was elected City Council president at the beginning of 1993, defeating Maura Hennigan in a 7-6 vote on the first ballot. That set the stage for his ascension to acting mayor when Flynn left to be ambassador to the Vatican. "I had to be mayor to be elected mayor," Mr. Menino wrote. "That was my strategy."

Once elected, he proceeded to shape the look and feel of Boston as perhaps no other mayor had in the past. His intimacy with the city ranged from obscure budget details to

Boston Globe articles (7/26/2014—11/15/2014) 113

the placement of fire hydrants, so developers knew the success of high-profile projects often hinged on pleasing Mr. Menino.

For example, when the late Edward Linde was chief executive of Boston Properties Inc., he wanted to construct a 36-story building next to the Prudential Tower. "Guys, flat roofs don't make it," Mr. Menino said as he looked at the architectural drawings. Linde and his architect tried again, bringing a set of miniature proposed roofs to City Hall and setting each one atop the model of their planned tower. Linde later recalled the mayor's reaction to one that looked like a crown: "He said, 'I think this one would be great.'" Today, 111 Huntington Ave. is among the most recognizable buildings in the city's skyline.

At different points, Mr. Menino found himself at odds with the city's public-sector unions, with contract negotiations sometimes becoming rancorous, deeply personal affairs. Noting that one Fire Department captain had published a letter to the editor in the *Globe* with the phrase "we die for you," an exasperated Mr. Menino wrote in his memoir: "Give me a break! Try negotiating with a union whose members die for you."

Revitalizing South Boston's seaport turned a faded industrial waterfront into a booming district with an art museum and high-end restaurants, a sprawling venture that took most of his tenure to realize. Mr. Menino also helped guide significant projects to outlying areas, including a \$500 million New Balance development in Brighton and a \$115 million municipal services building in Roxbury's Dudley Square.

Chief executives of major cities often want to leave behind a defining development. For Kevin White, it was Quincy Market. Mr. Menino envisioned a 1,000-foot skyscraper in the Financial District, which he said would be "a stunning statement of our belief in Boston's bright future." It was never built.

Other challenges also proved vexing. Race remained a measure for success, or lack thereof, in the city's schools. And while graduation rates increased incrementally, that was enough to draw praise. "This is a school system that has improved substantially," Samuel Tyler, president of the Boston Municipal Research Bureau, said in 2013. "That's not to say we solved all the problems by any means. There's still a lot to be done with the achievement gaps among racial groups."

Mr. Menino was more successful presiding over what became known as the Boston Miracle.

In his early years as mayor, police stepped up outreach to neighborhood groups and church leaders to try to quell gang violence. Homicides plummeted from 98 in 1993, when Mr. Menino became acting mayor, to 31 in 1999. Violent crime rose again, but not to the levels of the late 1980s and early 1990s, and by the end of his tenure the number of homicides dropped four consecutive years, to 40 in 2013. Several years ago, he also joined with then-Mayor Michael Bloomberg of New York to cochair Mayors Against Illegal Guns, a nonprofit coalition that pushed for more gun controls.

Boston Globe articles (7/26/2014—11/15/2014) 113

"Whether it was tackling illegal guns or reviving neighborhoods, Tom was never afraid to take on tough issues," Bloomberg said Thursday. "Tom was at his best when his city needed him most. In the aftermath of the Marathon bombing last year, he was steady as always, showing the same determined leadership that made his career in public service one of Boston's most important and most influential."

As years passed, Mr. Menino consolidated power, becoming a strong political boss not to be crossed during his second decade in office. Still, programs that spoke to core beliefs forged early in his leadership remained in place.

Finding summer work for youth -- the initiative that helped lift his first mayoral bid -- became an annual preoccupation as he tripled the number of participating private employers to 300. "He was obsessed with summer jobs with kids, because he saw that as a positive for the kids," said Kevin Phelan, a commercial real estate executive and an ally of the mayor. "He'd lean on anybody and everybody that he knew to hire a kid or two or five or 25 for the summer. Every time you go to a meeting or a public event from January to May, it's, 'Well we're up to 7,000 summer jobs. Last year we did 10,000. How're we going to get another 3,000?' "

Mr. Menino, who lived in Hyde Park all his life, for many years in the Readville section, leaves his wife, Angela; his daughter, Susan Menino Fenton of Dorchester; his son, Thomas Jr. of Hyde Park; his brother, David of Hyde Park; his sister, Carolyn Phipps of Quincy; and six grandchildren.

Beginning at 10 a.m. Sunday, the mayor will lie in state at Faneuil Hall. On Monday, a private funeral Mass will be said at noon in Most Precious Blood Church in Hyde Park, where Mr. Menino was baptized. More details about the service and the procession from Faneuil Hall to the church will be announced.

"Tom Menino and I shared more than the title of being mayor of Boston," said his predecessor, Raymond Flynn. "Yes, we sometime disagreed about issues, but we never had a difference of opinion about our respect for each other and our pride in making Boston a great city."

Flynn added that "the day I left City Hall to become US ambassador to the Vatican, I said, 'The city is in good hands.' Today, Tom Menino is in good hands."

Last year, Harvard University awarded Mr. Menino an honorary doctorate.

"I'm going to start wearing a bow tie pretty soon," he joked to The New York Times.

"He was a strong and true friend of education, and he knew how much the pursuit of education and research means not only to Boston but to the larger world," said Drew Faust, Harvard's president. "All of us can learn from his powerful and humane example."

Boston Globe articles (7/26/2014—11/15/2014) 113

In his memoir, Mr. Menino settled a few scores, and he also listed many of his best-known verbal gaffes, as if to defuse for the ages the running side narrative of his three decades in public office, reminding readers that he began his first mayoral speech in 1994 with the declaration: "I'm not a fancy talker."

More important to Mr. Menino were lists like the one detailing how he dealt with gender inequity at City Hall. Along with appointing the first women as the mayor's chief of staff and campaign manager, "I appointed Boston's first woman police commissioner, first woman corporation counsel, first woman director of the Boston Redevelopment Authority," he wrote.

City government gave its employees four hours off annually for cancer screening, and "when my public health commissioner told me how many African-American women suffered from breast cancer, we fitted out a van to conduct mammograms and parked it in front of beauty parlors in minority neighborhoods. Thousands of women gained years of life from preventative care."

His own health suffered sporadically through the years. "I'd had a bout with a rare cancer," he wrote in his memoir, adding a list of other maladies that included Crohn's disease, high blood pressure, an infected elbow, a torn tendon in his right knee, and a blood clot. Not even a broken leg could keep him in his wheelchair, however, when it was time to pay tribute at the interfaith service to those killed and injured in the Boston **Marathon bombings**.

"If you watched the service, you saw the struggle I had," he wrote about the effort it took to stand at the pulpit. His blunt description of his frailty was characteristically unsparing. Mr. Menino recalled tucking his elbows back as his son tipped the wheelchair forward. "Biting my lower lip against a twinge of pain, grabbing the lectern for balance, I stood up. The enclosed pulpit hid the line connecting my catheter to the bag on my wheelchair."

Once on his feet, in clear pain and in an international spotlight as he delivered the most closely watched speech of his career, Mr. Menino exhibited the resilience he praised in the city he loved.

"This is Boston," the mayor said, "a city with the courage, compassion, and strength that knows no bounds."

Michael Levenson of the Globe staff contributed to this obituary. Bryan Marquard can be reached at bmarquard@globe.com.

Credit: By Bryan Marquard and Jim O'Sullivan Globe Staff

Illustration

Caption: Predecessors yearned for the stature of higher offices, but for Thomas M. Menino, being mayor was a calling of the first order. He led the city for 20 years. During

Boston Globe articles (7/26/2014—11/15/2014) 113

his first run for mayor in 1993, Thomas M. Menino rode a trolley through Fields Corner to reach voters; in 2009, he joined the Roslindale Day Parade with his wife, Angela, at his side. Menino, the city's first mayor of Italian descent, took his turn during a bocce tournament for seniors at Langone Park in the North End in 2009. Revitalizing South Boston's seaport was a priority for Menino, who worked closely with developers to turn the faded industrial waterfront into a booming district. In 2008, more than half of the Bostonians who responded to a Globe poll said they had personally met the mayor, known for his frequent visits to the city's neighborhoods. In pain from a broken leg, Menino checked himself out of the hospital to attend the first news conference after the Boston **Marathon bombings**. Menino gave his final major address, to the Greater Boston Chamber of Commerce, in December 2013, concluding his run as the city's longest-serving mayor. Menino, still healing from a broken leg, got an enthusiastic welcome on a visit to the Shelburne Community Center in Roxbury in August 2013. Erik Jacobs for the Boston Globe Suzanne Kreiter/Globe Staff/File Pat Greenhouse/Globe Staff Wendy Maeda/Globe Staff David L. Ryan/Globe Staff/File 2007 John Blanding/Globe Staff/File 1997 Michele McDonald/Globe Staff/File 1993 Suzanne Kreiter/Globe Staff/file 2012 Bill Greene/Globe Staff/File 2013 Yoon S. Byun/Globe staff /File 2013 Suzanne Kreiter/Globe Staff/File

Obama praises ex-mayor as 'bold, big-hearted, and Boston strong'

Boston Globe - Boston, Mass.

Subjects: Presidents; Political conventions; Mayors

Author: Viser, Matt

Date: Oct 31, 2014

Start Page: A.14

Section: Metro

Document Text

WASHINGTON -- In 2004, the two men addressed the Democratic National Convention in Boston, but they couldn't have been more different.

One spoke eloquently, the other mumbled. One was on the political ascent, the other was in a job he never wanted to leave.

But over the years, those two men -- then-candidate for US Senate Barack Obama and then-Boston Mayor Thomas M. Menino -- shared the political gene of empathy.

Nine years later, when they appeared together at an interfaith service in the dark hours after the **Marathon bombings**, they spoke as one in extolling Boston's heroes and the city's virtues.

Menino arrived in a wheelchair and pulled himself up on his broken leg to address a crowd in mourning. "This is Boston," he said. "A city with courage, compassion, and strength that knows no bounds."

Menino was the emblem of a wounded city trying to heal, as President Obama reminded the nation on Thursday.

"Bold, big-hearted, and Boston strong, Tom was the embodiment of the city he loved and led for more than two decades," Obama said in a statement after learning that Menino had died. "As Boston's longest-serving mayor, Tom helped make his hometown the vibrant, welcoming, world-class place it is today. His legacy lives on in every neighborhood he helped revitalize, every school he helped turn around, and every community he helped make a safer, better place to live."

Obama revealed in the statement that he spoken on Wednesday with Menino's wife, Angela. A White House official said Obama was aware of Menino's declining health and wanted to convey his thoughts and prayers.

Boston Globe articles (7/26/2014—11/15/2014) 114

As a politician, Menino was vastly different from Obama, and they clashed at times. Menino endorsed Hillary Rodham Clinton in the 2008 Democratic presidential primary, and sent some campaign workers up to New Hampshire to help her win the state.

But a month after Obama's inauguration, Menino was at the White House with other mayors, bragging to the president about Boston. Menino later became more accepting of charter schools in part because of the Obama administration's education policies. Menino would also call upon Obama for help in his city.

After the 2013 Boston Marathon bombings, for example, Menino helped establish One Fund Boston to provide assistance to the victims of the attack. But organizers were having trouble with IRS lawyers about allowing donors to the fund to claim their contributions as a tax deduction.

Obama had offered to help following the bombings, so Menino asked him and Vice President Joe Biden for their assistance in dealing with the IRS. But in this case, Menino wrote in his memoir, "Mayor for a New America," the request came with a veiled threat.

"It would be a shame if someone leaked the news that IRS bureaucrats were blocking help to the victims of the deadliest terrorist bombing since 9/11," Menino recalled saying in his book. "The problem went away," he wrote.

Menino, who as mayor was always on the move, became increasingly frustrated with the political paralysis he saw in Washington, and the inability of national leaders to do basic tasks. To him, it may have been the national equivalent of a snowstorm without city plows getting on the streets.

In December 2012, as Congress tried to figure out several financial issues, Menino was in the hospital. He wrote a letter to Obama and House Speaker John Boehner. "In Washington, 'winning the 24-hour news cycle' is victory," he wrote on Dec. 1, 2012. "You know what victory is for patients down the hall from me? Walking."

"Outside of Washington, we don't spend all day on your potential 'Grand Bargain,'" he added. "Here, the term sounds like the frozen smoothie Brian offers me in exchange for another go at the stair machine. But if it means you'll come together for the American people, do that. We've had enough Democrat and Republican speak for a while."

When Obama made a visit to Boston in October 2013, on the same day the Red Sox were playing the St Louis Cardinals at Fenway Park in Game 6 of the World Series, Menino met Obama at the airport and presented him with a Sox cap (of the Red Sox variety, not the president's beloved White Sox).

A few months later, Menino was at the White House, celebrating the Red Sox championship. He stood in the Oval Office, leaning on a cane molded from a Louisville Slugger baseball bat, as he and his wife talked with the president. He ambled onto the

Boston Globe articles (7/26/2014—11/15/2014) 114

South Lawn with Biden, serenaded by a favorite Fenway song, "Sweet Caroline," and its tale of good times that "never seemed so good."

Matt Viser can be reached at matt.viser@globe.com.

Credit: By Matt Viser Globe Staff

When a universal background check passes, he will share the victory

Boston Globe - Boston, Mass.

Author: Bloomberg, Michael R

Date: Oct 31, 2014

Start Page: A.18

Section: EditorialOpinion

Document Text

In 2012, a few days before the Giants-Patriots Super Bowl, I called my friend Tom Menino to ask him if he'd join me in filming a Super Bowl ad asking the American public to support action against illegal guns. Even though it was a last-minute request that required him to rework his schedule, Tom didn't hesitate -- anything for the cause of gun violence.

That was the Tom Menino I knew: Anything for the cause. In 2006, we created Mayors Against Illegal Guns because those in Washington -- in both parties -- were refusing to do anything about the fact that criminals and the mentally ill could easily buy guns. Our elected representatives were afraid to touch the issue, because of the supposed power of the National Rifle Association. Tom wasn't afraid of the NRA -- or any other special interest group. He had been at the forefront of the fight against crime and had made Boston a dramatically safer place. But not safe enough.

Tom spoke passionately about the victims of gun violence -- and he felt, as I did, that a mayor's number one responsibility was protecting the public. When someone died at the hands of an illegal gun, government had failed. And failure was not a concept that either of us was willing to accept. Thanks to Tom, our coalition against illegal guns now includes more than 1,000 mayors from across the country and both political parties, and we've amassed more than 2.5 million supporters.

Tom was tough, but he had a great sense of humor. He was a regular guy -- someone who connected easily with people, even though he wasn't a natural glad-hander. Neither of us were born politicians, but both of us loved the job -- and that made for fun conversations, even if it was just about the habit we shared of reporting potholes. (I may have teased him that New York City created a 311 system before Boston did.)

Making sure potholes got fixed was just one small symbol of Tom's obsession with Boston's neighborhoods, which he loved. He devoted himself to revitalizing long-neglected areas, and the revival of the South Boston waterfront, now a hub for new jobs and entrepreneurship, helped reposition the city to succeed in the 21st century.

Boston Globe articles (7/26/2014—11/15/2014) 115

Tom was never afraid to think big, but he always put people -- and their safety -- first. When we spoke after the **Marathon bombing** in 2013 -- when Boston needed him most - - he was as steady and determined as ever.

When he left City Hall, Boston was an immeasurably stronger city than it was when he first became mayor. His legacy will be forever woven into the streets of Boston, and it will also be part of the ongoing work to tackle illegal guns in communities across America. Whenever we finally pass a universal background check bill through Congress - - and like Tom, I believe we will do it -- Tom will be part of the victory.

As a kid who was born in Boston, I never thought I'd become friends with the mayor. I was lucky to call Tom Menino a friend -- and I know people all over Boston, and across the country, feel the same way.

Michael R. Bloomberg is the former mayor of New York City.

Credit: By Michael R. Bloomberg

Great challenges, but a heart that was greater

Boston Globe - Boston, Mass.

Subjects: Political conventions; Mayors; Cancer

Author: Gitell, Seth

Date: Oct 31, 2014

Start Page: A.19

Section: EditorialOpinion

Document Text

THE WORLD witnessed Mayor Menino's unbreakable drive to serve Boston when he checked himself out of the hospital to attend the memorial service for the victims of the **Marathon bombing**. He stood and rallied the city.

Many who had the honor to work for him during his 20 years as mayor were not surprised. I caught a glimpse of that physical relentlessness after he was released from the hospital following a much less serious bout with cancer. The mayor wanted to go out and meet the public soon upon his discharge, starting with one of his frequent neighborhood tours of local businesses, this time in West Roxbury. While his ailment then, thankfully, was a slow-moving form of soft tissue cancer, it nonetheless required a deep incision that hadn't quite healed. Just getting in and out of the car seemed agonizing. But he made his way into Hanley's Bakery, bought a few of their signature brambles, and chatted with some customers.

As the visit went on, all seemed pretty straightforward fare for a mayor who had done this countless times before. It was only moments later, when he removed his jacket and returned to the car that I saw the area around the bandage had stained his white shirt pink with blood.

In 2004, I saw the force of his convictions. During a six-month span, Menino confronted a host of challenges, any one of them would have normally been the biggest thing a mayor had to face in a given year: the granting of the first same-sex marriage license in Boston; struggling with the city's labor unions; hosting the first national political convention after 9/11; rioting, and planning a "rolling rally" following the Red Sox's first World Series in 86 years.

As a precursor to the Democratic National Convention, the mayor had invited presidential candidate and then-Senator John Kerry to the US Conference of Mayors annual meeting in Boston. While Menino hosted a Boston Pops concert at Symphony Hall for the dignitaries, the Kerry campaign announced the candidate would not attend due to picketing by the Boston Police Patrolmen's Association. I learned the news at a

Boston Globe articles (7/26/2014—11/15/2014) 116

nearby hotel where a group of reporters and campaign staff were gathered and rushed to Symphony Hall to inform the mayor.

I'll never forget standing with the mayor in an alcove off the lobby as he called Kerry, whose side of the conversation I could not hear. The mayor held firm, explaining to Kerry that he could not accept an agreement the city could not afford. Ultimately an arbitrator settled the dispute, and Menino stood with Kerry at a rally sending the nominee off to campaign.

Menino will always remain an unstoppable and larger-than-life presence. When his friend and colleague in the administration, Albert "Junior" Lombardi, succumbed to cancer, the mayor delivered his eulogy in East Boston. This self-proclaimed non-orator relayed how Lombardi's family had decided to bury the deceased with his cellphone. When he heard this the first time, he remembered, he told Lombardi's wife, "just make sure there are batteries in it. That phone might ring." He finished his remarks: "Call me, Junior. I love you."

I know there are a lot of people in Boston who wish they could call the mayor right now and tell him they love him.

Seth Gittell is a former press secretary for Mayor Thomas M. Menino.

Credit: By Seth Gittell

Thomas M. Menino 1942-2014

Boston Globe - Boston, Mass.

Subjects: Renaissance period; Cities; Hospitals; Mayors

Date: Oct 31, 2014

Start Page: A.19

Section: EditorialOpinion

Document Text

IN THE PANTHEON of Boston mayors, Thomas M. Menino stood apart as a politician with a common touch and uncommon skill at overcoming obstacles. Menino was the city's first Italian-American mayor, its longest-serving mayor, and a skillful leader who simultaneously served the causes of downtown development and neighborhood revitalization. In a telling moment, Menino rose dramatically from a wheelchair last year to rally his city after the fatal Boston **Marathon bombing**. Menino died at 71 on Thursday. His ability to calm and soothe a once-fractious city may be his longest-lasting legacy for Boston.

For five terms, Menino's nuts-and-bolts approach to city policy -- combined with his be-everywhere, know-everyone work ethic -- offered Bostonians an opportunity to put age-old resentments aside, and to focus instead on shared concerns. Today, his loss feels all the more personal because of his remarkable ability to connect with Bostonians of all ages and backgrounds, and because he was never content to sit back and let others do the heavy lifting.

Menino's political gifts were unconventional, to put it mildly. Famously tongue-tied, he was underestimated from an early age. In his recently published autobiography, "Mayor for a New America," he describes the humiliation of hearing his first-grade teacher insult the intelligence of Italian-Americans. Such slights might have cultivated, in a lesser individual, an enduring sense of grievance. In Menino they instilled a strong sense of empathy with people who've been bullied, ignored, or counted out. Fittingly, he governed with an eye to distributive justice. Upon taking office in 1993 -- and despite a fall-off in state aid to cities -- he devised a plan to redeem blighted parts of Roxbury and Dorchester, home to a large segment of the city's black and Latino residents. His emphasis on economic development in run-down areas was a key step in pushing Boston beyond the violent and chaotic period that followed a 1974 federal order to desegregate the city's schools.

Menino had a knack for seeing around corners. He anticipated the growing economic and political clout of the city's gay community, whose loyalty he won by refusing to march in a St. Patrick's Day parade that excluded a gay group. He encouraged national preservationists -- whose work heretofore focused on small towns -- to revitalize urban

Boston Globe articles (7/26/2014—11/15/2014) 117

commercial districts in Boston. He oversaw the merger of the public Boston City Hospital and the private Boston University Medical Center, breathing life into both. He envisioned and built a stunning park in West Roxbury on the site of a former dump. And he laid the groundwork for an Innovation District for young workers in science-based industries on the underutilized waterfront in South Boston.

Time and again, Menino also got lucky. Often described as the accidental mayor, he was serving as president of the statutorily weak Boston City Council in 1993 when former Boston Mayor Raymond Flynn stepped down to become ambassador to the Vatican. Menino was in line to fill the post until a special election could be held. He parlayed his role as acting mayor into a platform to win the office in his own right. Over the next two decades, he faced no serious risk of losing his seat.

Menino had the good fortune to govern during a renaissance period for American cities. Buoyed by its world-renowned universities and medical facilities amid a vast expansion of spending on higher education and health care, Boston would probably have ranked high on the world's economic power index with or without Menino as mayor. But he made nearly all Bostonians understand they had some stake in it.

Although he offered no grand theories of government, Menino stayed on top by staying alert to the city's needs, large and small. He was faulted, at times, for a lack of vision; when he was first dubbed an "urban mechanic," for his emphasis on filling potholes and picking up trash, the term wasn't necessarily meant as a compliment. Cities, he argued years later in his memoir, are complex social systems that resist dramatic change. "Whether in the schools, public safety, housing, or neighborhood renewal, change is possible but in small pieces and in slow time," he wrote.

Menino's incrementalism yielded frustrating results on some issues. He never succeeded at overhauling the city's troubled school system, but he did make gradual progress at improving student test scores and reducing the dropout rate. During a memorable State of the City address in 1996, he urged voters to "judge me harshly" if he failed to make significant improvement in the schools. They didn't.

Nevertheless, the fruits of Menino's exertions are palpable in neighborhoods throughout Boston, in methodical, concrete improvements in the status quo over two decades' time. Bringing his own philosophy into the digital age, he created an Office of New Urban Mechanics, where software engineers design smartphone applications to improve the delivery of city services. In other words, a man who came of age amid discord and decline in Boston provided a bridge to a livelier, more experimental, and more optimistic era of urban living.

It would be a stretch to say that Menino lived an examined life. No one who knew him would describe him as self-revelatory. He played favorites in the development process. Like any hard-core politician, Menino rarely forgot a favor, and he harbored personal grudges. But he was absolutely committed when it came to evaluating and correcting the city's problems.

Boston Globe articles (7/26/2014—11/15/2014) 117

Menino was a family man to the core, and was deeply devoted to his wife, Angela, his two children, and his six grandchildren. But Boston was his extended family. He looked for good in all its residents. Even when he was physically debilitated by advancing cancer, Menino managed to energize the city. He led a transformation. And transformations take a lot of time. Boston voters came to see what they had in Menino and gave him all the time he needed.

Illustration

Caption: Aram Boghosian for The Boston Globe

Start to finish, he did it his way

Boston Globe - Boston, Mass.

Subjects: Cities; Neighborhoods

Author: Cullen, Kevin

Date: Oct 31, 2014

Start Page: B.1

Section: Metro

Document Text

Tom Menino liked to say he was a Boston guy.

Which he was, through and through.

But in Boston we are tribal and parochial and ridiculously territorial, and so among ourselves it gets down to neighborhoods and parishes and streets and which end of those streets.

So Tom Menino was from Hyde Park.

But within our neighborhoods there are smaller neighborhoods.

So Tom Menino was from Readville.

I walked around Hyde Park in the hours after news of Menino's death spread, and it would be great and amazing to tell you that everybody I talked to had met him. Many had. But it was nowhere near that amazing statistic, which his successor, Marty Walsh, noted on City Hall Plaza in paying tribute to Tom, that half of the people in the city had met him at some point during his 20-year tenure as mayor.

That stat was always misleading. It wasn't that Tom Menino had met half the people in the city. It's that he met almost everybody in the city who bothered to vote.

Most of the people I talked to in Hyde Park are immigrants. They aren't from Hyde Park. They are Hyde Park. They were exactly the people Tom Menino identified with, those who some might judge for the way they look or the way they talked. Tom Menino didn't dress like Tom Brady. He didn't talk like Tom Brokaw.

The people in Hyde Park talked about Menino like he was one of the few people in this world with real power who actually cared about them as much if not more than he cared about the suits downtown.

Boston Globe articles (7/26/2014—11/15/2014) 118

My favorite story in Hyde Park came from a 26-year-old waitress named Dawn Martin. Last fall, Tom Menino and his wife Angela walked into the Fairmount Grille on Fairmount Avenue on a quiet Sunday. They were the only customers.

The then still-mayor told Martin he'd like a burger. Angela ordered the pasta.

Dawn Martin turned to put the order in, but then she turned back.

"When I was in fifth grade," she told Tom Menino, "I sang a song for you with my class at the Blackstone School."

Tom Menino, already struggling with his health, sat up in his chair.

"You know," Martin continued, "you're the only mayor I've ever known. My whole life."

Tom Menino smiled and looked at his wife.

"How long have you been waitressing?" he asked Dawn Martin. "I just started," she replied. "Well," he said, "you're very good at it."

It was a small kindness. But it was something Dawn Martin, just a young woman working to get ahead, will never forget.

"I'm so sorry he died," Martin said. "I wished he got a chance to spend more time with his family. He deserved it."

There is the likelihood -- nay, a certainty -- that Tom Menino's death will unleash a communal grieving, which is absolutely appropriate, and severe bouts of hagiography, which are not.

Tom Menino was not a saint. He was a politician. And long before he was a politician, he was a human being. Sometimes he could be vindictive. His feud with the developer Don Chiofaro was positively juvenile. The first Boston mayor of Italian heritage, Tom Menino could sometimes act like a well-balanced Irishman, with chips on both shoulders.

But you should measure a politician against the people he cared about, and Tom Menino cared about those on the fringes, whether they were homeless or poor or living on Bowdoin Street or dying on Blue Hill Avenue.

Some people made fun of his malapropisms. He told me all that mocking didn't bother him, but I know it did. Of course, it says more about the bullies who would mock and laugh at him than it says about him.

Like all of us, insecurities drove Tom Menino in both directions, but it almost always drove him in the right direction.

Boston Globe articles (7/26/2014—11/15/2014) 118

He had enormous empathy for gay people who were ostracized by family or verbally and physically abused by strangers. He was a monitor at Hyde Park High during the desegregation of the city's public schools in the 1970s, and he detested racists and racism.

Tom Menino was human and he wasn't right all the time, but he was almost always on the right side. And that was almost always with those who were, like the physical location of Hyde Park, on the edge, on the fringe, as far removed from the center of power and the center of the city as Readville is from Beacon Hill.

We all have regrets in our life. One of mine will be that I was supposed to spend last Monday night on the stage at First Parish Church in Cambridge with Tom Menino, talking to him about the memoir he wrote with Jack Beatty.

It would have been a lot of fun. One of the things I wanted to ask Tom was whether he thought he could have been elected in Cambridge, which is separated from Boston by a river and a lot of stereotypes.

I'm guessing he would have said yes, that his values would have resonated, that he would have had as much credibility in Central Square and North Cambridge as he did in Cleary Square and the North End. People are people. Values are values.

We could have had a rap about the irony of sitting in the First Parish Church in Cambridge when it was the First Parish Church in Dorchester where Tom had his first debate as a mayoral candidate in 1993. Last year, in one of his final events as mayor, Tom went back to the First Parish on Meetinghouse Hill and recalled that debate.

I asked him what he most remembered about that debate. He said there were so many candidates, about a dozen, that it was too crowded.

He was sitting next to Rosaria Salerno, one of the candidates, and she moved her chair, nudging him. Being a Hyde Park guy, of course, his chair was on the edge of the stage

"I almost fell off," he told me. "I coulda died."

And now he has.

I got a call from somebody last week, saying that Tom's health was such that he couldn't do the book event. A day later, we found out that he had decided to stop treatment for his cancer.

It was classic Tom Menino. Like when, after the **Marathon bombs**, he got out of bed against a doctor's advice. He had stuff to do.

Tom wasn't the kind of guy to put off the inevitable. This wasn't the first time he told doctors, "Thanks, but no thanks," but it was the last.

Boston Globe articles (7/26/2014—11/15/2014) 118

He did things his way. He was like that his whole life. Why would he change at the end?

He loved the Frank Sinatra version of "My Way." The Paul Anka version, he could take or leave. Once, over dinner last year at Joe Greene's place West on Centre in West Roxbury, I encouraged the then still-mayor to listen to the Sid Vicious cover.

Tom put his fork down, turned his attention away from his veal, tilted his head, and gave me that look.

"Who the heck," he asked, "is Sid Vicious?"

I think Sid Vicious was the only guy who could vote that Tom Menino never met.

Kevin Cullen is a Globe columnist. He can be reached at cullen@globe.com

Credit: By Kevin Cullen Globe Staff

Death of Menino mutes campaigning: Races may be locked in place amid lull

Boston Globe - Boston, Mass.

Subjects: Presidential elections; Governors; Local elections

Author: O'Sullivan, Jim; Ebbert, Stephanie

Date: Oct 31, 2014

Start Page: B.1

Section: Metro

Document Text

Tom Menino, who delighted in hurling his substantial political girth into contests around the state and beyond, will hold sway over one more election.

Menino's death on Thursday, five days before voters pick a new governor along with candidates for a wide variety of offices, set the statewide campaign into a temporary freeze. Even before his passing, as news of the seriousness of his illness spread through political circles, campaign strategists were quietly calculating how the death of one of the state's best-known figures might factor into their hotly contested races.

Commemorating the 20-year former mayor will consume much of the political class's attention over the remainder of the campaign. That dynamic probably restricts the volatility of the race.

The TV airwaves were still awash Thursday in campaign ads, and will most likely stay that way through the election, but the space for aggressive last-minute pitches has shrunk.

The news could most affect Democratic Attorney General Martha Coakley, who is trailing Republican Charlie Baker in several gubernatorial campaign polls. A transcendent outside event like Menino's death may have eliminated her last chance to close the gap suggested in those polls.

Coverage of Menino's death on Thursday quickly overshadowed lingering questions over a story Baker told in Tuesday's debate about a fisherman he met -- an anecdote that his campaign has failed to substantiate.

Decorum in the wake of such events also discourages the kind of negative attacks that trailing candidates frequently use in the closing days of a race.

On Monday, when the campaigns would typically be throwing themselves into the frenzied final hours of election-eve campaigning, much of the state will be transfixed by

Menino's procession from Faneuil Hall and funeral Mass at Most Precious Blood Church in Hyde Park, where he was baptized.

Political strategists were reluctant to speak for the record about the electoral consequences of a city grieving its longtime leader, because discussing it publicly could be viewed as crass. But the broad agreement in both parties was that the race has now been largely locked in place.

"The mayor's passing, the reminiscences about his life, his legacy, his impact on our city may very well overwhelm the campaign here in the last several days," said Suffolk County District Attorney Daniel F. Conley, who said he was the first paid campaign worker on Menino's first City Council campaign in 1983.

"All Menino, all the time," Conley said. "I'd imagine that's exactly how the TV stations are going to handle it, you guys in the print media, so people are going to take their eye off the ball here."

Baker said he was suspending campaign events on Thursday and Friday. Coakley canceled events Thursday, saying she would probably resume campaign activities on Friday.

But on Thursday evening, she showed up at a prayer service at Morning Star Baptist Church in Mattapan honoring Menino. She spoke at the event, which was originally scheduled as a get-out-the-vote rally. Coakley said after the gathering that when she heard a memorial service was being held, she felt it was important to attend.

Governor Deval Patrick maintained his political schedule, rallying supporters for Democrats as a surrogate at three events on Thursday.

Although Menino and Coakley were not particularly close political allies, some Democrats said privately that there was the possibility of a rally-around-the-flag effect, a surge in voter turnout in Boston, a city Coakley is expected to carry.

Cold political analysis in the face of emotion-stirring events is nothing new on the cusp of elections. The Sept. 11 attacks disrupted the 2001 special election primary to pick a successor to the late US Representative Joe Moakley, who had died of cancer that year. Despite, or perhaps because of, the attacks, turnout exceeded expectations.

The 2008 presidential election was jolted by the financial crisis that boiled over in September of that year, throwing the campaign of Arizona Senator John McCain, the Republican nominee, off balance.

In 2012, Hurricane Sandy slammed the East Coast scarcely a week before the election. Many analysts felt President Obama's actions, and appearances with New Jersey Governor Chris Christie, firmed up his support over Mitt Romney.

Boston Globe articles (7/26/2014—11/15/2014) 119

Last year, candidates in the special election to succeed former Senator John F. Kerry, who had left to become secretary of state, suspended their campaigns after the **Marathon bombings** struck Boston just two weeks before the primary.

Scott Ferson was a consultant to US Representative Stephen F. Lynch's first campaign for Congress, when the primary fell on Sept. 11, 2001, and during last year's Senate campaign.

"You had to do advertising in a general election, but there was no good way to do it," Ferson said of the first race, in which Lynch ultimately beat state Senator Jo Ann Sprague. "Sept. 11 was so epic."

The tragic circumstances were no easier to grasp the second time around, but the politics of campaigning were.

"You knew you had to stop," said Ferson. "We know now the protocol is to stand down."

That can be difficult for campaigns to accept when they have a limited number of days to sway voters. But it's far harder for voters to accept a candidate who forges on with campaigning in a way that can be viewed as "unseemly," he said.

"This is kind of life trumping politics," Ferson said. "And people expect a healthy respect for politics halting while an important life event goes on."

Travis Andersen of the Globe Staff contributed to this report. Jim O'Sullivan can be reached at Jim.OSullivan@globe.com.

Stephanie Ebbert can be reached at Stephanie.Ebbert@globe.com.

Credit: By Jim O'Sullivan and Stephanie Ebbert Globe Staff

President Obama, Ray Flynn, and others recall Boston's longest-serving mayor

Boston Globe - Boston, Mass.

Subjects: Firearm laws & regulations; Cities; Mayors

Date: Oct 31, 2014

Start Page: B.4

Section: Metro

Document Text

Ray Flynn, ex-Boston mayor and US ambassador to the Vatican:

"The day I left City Hall to become US Ambassador to the Vatican, I said, 'The city is in good hands.' Today, Tom Menino is in good hands."

K.C. Coredini, executive director of MassEquality:

"Mayor Tom Menino was one of the original LGBTQ champions. He wanted his legacy to be inclusion, and he succeeded.

He always said, 'If you're an elected official, and you don't stand up for the rights of people, what good are you?' He lives on in the lives he's changed."

Nancy Robinson of Citizens for Safety/LIPSTICK:

"He was the first high-profile leader to ask, 'Where did the gun come from?' and embrace our work to hold the sources of crime guns accountable. He singlehandedly changed the gun violence debate to focus on illegal gun trafficking because he cared deeply about protecting Boston's children from gun violence."

Boston Mayor Martin J. Walsh:

"To any who had come to know him, it is no surprise that more than half of Boston had a direct interaction with Tom Menino. No man possessed a greater love for our city, and his dedicated life in service to Boston and her people and changed the face of the city.

"With sheer determination and unmatched work ethic, he took a city that is not as big in size as we are in stature and put us on the world stage as a national leader in health care, education, innovation and the nitty-gritty of executing basic city services."

Vice President Joseph Biden:

Boston Globe articles (7/26/2014—11/15/2014) 120

"In the days following the Boston **Marathon bombing** Tommy was heroic. Even as he should have been in bed, Tommy stood tall, marching through the streets of Boston with a Louisville Slugger for a walking stick. He was determined to protect the people of his city, whether from high-profile tragedies like the bombing or the everyday tragedies of gun violence as a leading member of Mayors Against Illegal Guns. Boston's first Italian-American mayor earned what my mother always said was the highest compliment we Irish can give: He was a good man."

Governor Deval Patrick:

"Boston has lost a political giant, and Diane and I have lost a friend. Our hearts and prayers go out to Angela and the whole Menino family. And we thank God for the service and the life of Tom Menino."

Cardinal Sean P. O'Malley, Roman Catholic archbishop of Boston:

"Mayor Menino placed family, faith and public service above all else. It was not uncommon for the mayor to attend several church services on a given day, at our Catholic parishes and the churches and worship sites of our ecumenical and interfaith brethren with whom he had very close and supportive relationships."

Gay & Lesbian Advocates & Defenders (GLAAD):

"It is hard to imagine that LGBT people and people living with HIV could have had a more devoted and rock-solid friend than Mayor Menino. He gave voice to our inclusion in the city, and was at the same time an inspiration to our community. And he did all these things at a time when there was less acceptance and it was much less popular than it is today to support the LGBT community."

Former president Bill Clinton and former secretary of state Hillary Rodham Clinton:

"He believed with all his heart that at the end of the day, if things weren't getting better in every corner of Boston, the job wasn't done.

"And nobody knew better than Tom how to get things done."

Harvard president Drew Faust:

"He was a strong and true friend of education, and he knew how much the pursuit of education and research means not only to Boston but to the larger world."

Paul G. Kirk Jr., former US senator:

"Of all the public officials entitled 'Honorable,' few have lived a life that gave it real meaning as did Tom Menino."

Boston Globe articles (7/26/2014—11/15/2014) 120

James E. Rooney, former chief of staff for Menino and now executive director of the Massachusetts Convention Authority:

"There is perhaps no better example of [Menino's] work than the growing, thriving South Boston Waterfront and Innovation District. It was his unwavering belief in the potential of this once underused, now beautiful district that has made it what it is today. Whenever I look out the windows of the Boston Convention & Exhibition Center, I will continue to think of this incredible man and celebrate his legacy."

John P. McDonough, interim superintendent, Boston Public Schools:

"Mayor Menino saw promise and potential in every child. He turned our city's school system into a model that other big cities have tried to re-create."

Secretary of State John F. Kerry:

"Tom Menino had the big bold beating heart of a street politician. People came up to the mayor and asked him to fix things, and he followed up and fixed them, whether it was streetlights or parks or getting the snow plowed so people could get to work on time. He felt the city and the neighborhoods in his bones. He combined good old fashioned common sense with modern, state-of-the-art vision, and he delivered for Boston block by block, neighborhood by neighborhood. "

Richard Paris, president of Boston Firefighters Local 718:

"His leadership shaped our great city and Bostonians everywhere are grateful for that. Although the relationship between Local 718 and Mayor Menino was strained at times, we always respected his tenacity for negotiating the best fire service for the city's residents and his firefighters."

House Speaker Robert A. DeLeo:

"Mayor Menino had the courage to do whatever it took to fight for the people of Boston. We are all beneficiaries of his generous spirit, particularly the children of Boston, for whom he advocated tirelessly so they would have bright futures."

Senate President Therese Murray:

"Tom Menino was truly one of the nation's greatest mayors. He cared not just about Boston, but about everybody. Even while he was very sick, his thoughts and concerns were always with the people of this city and their well-being. It's because of his fierce guidance and innovative vision that Boston has emerged as a vibrant urban landscape worthy of the title world-class city. His efforts in each neighborhood transformed the face of Boston. Life is too short, but he led a remarkable one."

Charlie Baker, Republican candidate for governor:

Boston Globe articles (7/26/2014—11/15/2014) 120

"If anyone deserved a long and satisfying retirement, it would be former Boston mayor Tom Menino. For two decades, he threw himself into the job of mayor of Boston with an enthusiasm and intensity that may never be duplicated."

Attorney General Martha Coakley, Democratic candidate for governor:

"What made Tom Menino so remarkable was his connection to the people he represented -- he understood their lives, their hopes, and their dreams. And he fought for them every day. He never forgot where he came from and stayed true to who he was to the very end."

US Senator Elizabeth Warren, Democrat of Massachusetts:

"Mayor Tom Menino used his big heart, his strong voice, and his fierce determination to shape every corner of the city. Our mayor is gone, but he lives on in every neighborhood in Boston."

Suffolk District Attorney Daniel F. Conley:

"Tom Menino will be remembered as one of America's greatest mayors. He was also a thoroughly good and decent man - a loving and beloved husband, father, grandfather, and brother.

For the city he loved so much, this is a death in the family."

A champion mayor: Menino played well, especially with Sox

Boston Globe - Boston, Mass.

Subjects: Professional baseball; Cities; Athletes; Mayors

Author: Shaughnessy, Dan

Date: Oct 31, 2014

Start Page: C.1

Section: Sports

Document Text

Mayor Menino loved sports. Especially baseball.

The last time I saw him was in the Houghton Mifflin box at Fenway Park at the end of September, and he told me he was certain the Red Sox were going to re-sign Jon Lester this offseason. I told him that -- with all due respect -- he was out of his mind. We bet dinner on it, and when the mayor signed his book over to me, he wrote, "I can't wait to have McDonald's after I win the bet. Keep their feet to the fire. Tom Menino."

The mayor had third base loge box seats but in his later years, he was a regular visitor to the third level of Fenway Park. On many game nights, he could be seen walking past the EMC bar behind home plate on his way to the Reebok box.

In his final season attending Fenway, he walked with the aide of a 29-inch Louisville Slugger baseball bat cane, presented to him by local philanthropists Gary and Lynne Smith. The bat features an inscription touting "Mayor Thomas Menino" and "World Series Champions, 2004, 2007, 2013."

"Those were the years I was mayor," Menino would say proudly, holding his baseball cane aloft.

Menino never got past the EMC bar walkway without being stopped by multiple Fenway patrons, all of them happy to be at the ballgame and delighted to bump into the mayor of Boston. I always made a point to get into his ear and ask how the Globe was treating him. He'd grimace and say, "Oh, the Globe is killing me."

Probably not. But the mayor was a sensitive guy. He demanded respect. He never forgave the Patriots when they tried to build a stadium in South Boston without his help back in the mid 1990s. He was not a fan of the Krafts and he wasn't particularly close to the Yawkey Trust folks who ran the Red Sox through the end of the 20th century.

Boston Globe articles (7/26/2014—11/15/2014) 121

All of that changed when John Henry and friends bought the Boston Red Sox in December of 2001. (Henry also purchased the Globe in 2013.) The new owners of the Red Sox made it a point to include Mr. Mayor in virtually all decisions, and that love was returned tenfold. You don't have to be Bob Woodward or Carl Bernstein to know that there was a mutual love-fest between the Red Sox and Boston City Hall over the last 13 years.

Henry's point person, Larry Lucchino, is a veteran of partnerships forged between cities and teams. A wily attorney, schooled at the foot of the great Edward Bennett Williams, Lucchino built Camden Yards in Baltimore and Petco Park in San Diego, and he understands the importance and delicacies of public/private partnerships.

Lucchino did not make the same mistakes that Bob and Jonathan Kraft made when they thought about building a stadium in South Boston. The Sox were intent on expanding and improving their ballpark, and the footprint around the park, and that required cooperation from the city.

So the "new" Red Sox consulted the mayor before doing anything. Anything. It sometimes felt as if Terry Francona was sending his lineups to City Hall before posting them on the clubhouse door at Fenway.

It made for a great relationship. The Sox took care of the mayor and he took care of them. Check out some of the Fenway footprint deals that were struck in the final days of the Menino administration.

It wasn't all about baseball with Mayor Menino. He was part of the parades with the Patriots, Celtics, and Bruins. He was proud to be the mayor of the city of champions. He won almost all of those corny "bets" with mayors of other cities who were competing against Boston teams in championship rounds.

Menino came up big in our city's moments of crisis after the Boston **Marathon bombings**. Mr. Mayor was at Brigham & Women's Hospital with a broken leg when the tragedy unfolded, but he vaulted out of bed and got in front of the effort to make our city safe again.

His local sports malaprops are legendary. Mr. Mayor had "Varitek splitting the uprights," and spoke of "Wes Wekler, Jim Lomborg, Donald Sterns, Vince Wilcock, Gonk, and KJ and Hondo (Kevin Garnett and Rajon Rondo)." He was always a good sport about it, even when ESPN featured him bollixing names of Hub sports heroes.

Details, details. It didn't matter. What mattered was the fact that he was the proud mayor of the City of Boston and he presided at a time when our town did something no town has ever done: win championships in all four major sports in a period of six years and four months.

The man was a Boston sports fan. Just like you. Rest in peace, Mr. Mayor.

Dan Shaughnessy can be reached at dshaughnessy@globe.com

Credit: By Dan Shaughnessy Globe Staff

Illustration

Caption: Mayor Menino conferred with Red Sox manager Kevin Kennedy (above) at spring training in 1996, and snacked at a Fenway Park concession stand with Larry Lucchino in 2010. frank o'Brien/globe staff david L Ryan/Globe Staff

Menino, a man on a mission until the end: Life after office was short, just 297 days, but defined by a sense of purpose

Boston Globe - Boston, Mass.

Subjects: Cities; Mayors

Author: Irons, Meghan E; Ryan, Andrew

Date: Nov 1, 2014

Start Page: A.1

Section: Metro

Document Text

It was his last day in office, Jan. 6. As aides and friends bade farewell, Thomas M. Menino was plotting a new start after City Hall.

"I'm going to see the future," Menino declared. "I've seen you all for the past 20 years. I want to see the future."

That future lasted just 297 days, ending Thursday with the death of Boston's longest-serving mayor.

During the nearly 10 months he spent outside of City Hall, the 71-year-old Menino maintained a hectic schedule, even after being diagnosed with cancer.

It was vintage Menino. If he was in pain, he rarely showed it.

Still, those close to the former mayor said Friday, the final months of his life were among the most difficult, defined by his treatment for cancer and his withdrawal from 18-hour days as mayor that had been like oxygen to him.

"It comes to that point that you just can't do what you were doing 10 or 20 years ago," said Kevin Phelan, a friend and real estate developer. "That's a painful, painful day of reflection. My gut is that he went through a lot of that."

"He kept the health issues very close to the vest," Phelan said. "He didn't want sympathy."

Instead, the mayor was on the move, attending family events, public speeches, and various causes.

Boston Globe articles (7/26/2014—11/15/2014) 122

"This was not retirement," said Katharine Lusk, president of the Initiative on Cities, which Menino founded at Boston University after leaving office. "He did not have a seven-day-a-week schedule. But he had a five-day-a-week schedule."

He bought a used Lexus SUV and took up driving again for the first time in a long time, and learned to use an iPhone, even downloading the popular game Candy Crush. He relied on his Louisville Slugger cane or a wheelchair to get around.

"He was in good spirits," said his biographer Jack Beatty, who wrote "Mayor for a New America." "He had a little monitoring device for the chemotherapy. But he was always joking . . . and accepting the good-natured ribbing from his friends, his staff, and his wife."

Menino seemed to thrive from the adulation of the public, including many who sought him out for counsel. BU students flocked to Menino for insight into what it is like to run a big city for two decades. Struggling mayors from other cities sought his help. Old acquaintances turned to him for life and career advice. He kept in constant contact with his old aides at City Hall; some were at his bedside when he died.

Usually, he would ask them: "What's going on?"

Menino mustered enough strength to travel to New York in mid-October for a book party. He was last seen at a public event Oct. 16, a book signing at BU. He looked tired, some in attendance said, but patiently signed his book for students, friends, and faculty waiting in line.

"He had something personal to say to everybody who was there. It was really extraordinary," said professor Anthony Janetos, who directs BU's Frederick S. Pardee Center for the Study of the Longer-Range Future, which worked with Menino's initiative.

Later that day, Menino was admitted to Brigham and Women's Hospital.

Friends and observers said Menino's last 297 days were lived with new purpose. After a family trip in January, he returned to Boston, recalibrating the adrenaline of public office. There were things to do, even as his body failed him.

At the annual Martin Luther King Jr. breakfast in January, Menino walked to the stage to accept an award for his dedication to public service. Governor Deval Patrick was among those who helped Menino up some stairs to the stage. He gingerly made it to the microphone. He was not deterred, speaking of Boston's turnaround as a diverse and understanding city.

About a month later, Menino joined the board at Blue Hills Bank in Hyde Park. Initially, he was not thrilled that the bank had changed its name from Hyde Park Savings Bank, but Menino came around. He attended monthly board meetings and even called prospective customers as the bank expanded, said Bill Parent, the bank's chief executive.

"He was a strong man," Parent said.

Indeed, Menino traveled to New York to speak before the Council on Foreign Relations after his cancer diagnosis, as well as at Saint Anselm College in New Hampshire. He visited Red Sox spring training in Florida.

He joined some 2,500 people at the Hynes Veterans Memorial Convention Center during the April 15 remembrance of the Boston **Marathon bombings**. A day later, Menino traveled to New Orleans to deliver the keynote speech at a preservation conference. Menino also visited with Mayor Mitchell Landrieu and his department heads.

Menino kept things light as well. He teamed with Eliot Tatelman, chief executive of Jordan's Furniture, on one of the chain's iconic commercials.

"I called him up and I knew he wasn't feeling well, and I said to him, 'Wouldn't it be great for you to let the public see you in a Red Sox uniform?' " Tatelman recalled.

Menino agreed and arrived at Fenway Park in a wheelchair. He then got up and moved around. One spot shows Menino and Tatelman conducting a conversation by exchanging baseball signs. Another seemingly shows Menino clubbing a homer with his cane. Menino refused payment for his cameos. Instead, Tatelman said he gave Boston's stylish mayor two dozen fancy ties.

Menino made time to return to Dorchester's Bowdoin-Geneva neighborhood in mid-May and was honored with his own bench outside the St. Peter Teen Center.

At BU, Menino worked on a survey of 70 mayors by his Initiative on Cities, which aims to pinpoint priorities and challenges in cities. Menino teamed with Lusk, the initiative's president; and assistant professors Katherine Levine Einstein and David Glick.

Glick said that at times he sensed the mayor's legendary impatience as he injected a sense of urgency into academia. Menino held meetings on Fridays, even in summer, when colleges campuses settle into a somnolent pace.

"He normally dressed like the mayor at work," Glick recalled. "One Friday afternoon in the summer, he was wearing sneakers and a polo shirt. He jokingly told me, because I often dress like that -- that he was now dressing like an academic."

Einstein said she was initially intimidated to meet with Menino and chose to wear a work dress instead of the normal summer casual fare.

Menino pushed the professors to include questions in the survey about the environment and sustainability. He urged them to ask mayors to differentiate between their policy priorities and issues on which they were willing to spend political capital. He never let on that his illness was wearing on him.

"You would have no idea, at least in my professional interaction with him," Glick said. "He was very engaged, working a pretty aggressive schedule."

On Oct. 4, Menino drove himself to visit his barber at Johnny & Gino's in the North End. He took the only seat by the massive store window, next to a picture taken 20 years ago of his first haircut there as mayor.

At the book signing two weeks ago, Menino looked tired, the cancer raging.

"It had been a long week, but he just . . ." said Lusk, breaking midsentence to weep. "Everyone whose book he signed felt so special."

Phelan said chemotherapy took its toll on the former mayor.

"He'd get beaten up by it and it would take him a few days to restart," he said.

Phelan said one of the highlights of Menino's time out of office came on a weeklong vacation he spent at Wentworth by the Sea, a New Hampshire seacoast inn. Menino, Phelan said, reveled in the time he spent with his wife, Angela, and his children and grandchildren. He regaled many people with the story of hotel security knocking on his door to warn his grandchildren, fully engaged in a pillow fight, to quiet down.

When Phelan saw the former mayor last Thursday, Menino was still making plans.

"He said we'd have dinner next week," Phelan recalled. "He even said we'd go to Saraceno's in the North End."

Meghan E. Irons can be reached at meghan.iron@globe.com.

Credit: By Meghan E. Irons and Andrew Ryan Globe Staff

Illustration

Caption: People waited in line to sign a condolence book at City Hall on Friday, a day after the death of Thomas M. Menino. Thomas M. Menino kept busy at his office at BU, where students flocked to him for insight. Menino waited in the wings at this year's Martin Luther King Jr. breakfast, where he received an award. John Tlumacki/Globe Staff
Wendy Maeda/Globe Staff
Dina Rudick/Globe Staff

At quiet memorials, tearful tributes to Menino

Boston Globe - Boston, Mass.

Subjects: Cities; Business improvement districts; Mayors

Author: Schworm, Peter

Date: Nov 1, 2014

Start Page: A.6

Section: Metro

Document Text

On most days, Downtown Crossing is a whirl of people in motion, striding toward their destination with workday purpose.

But on Friday, a day after the death of former mayor Thomas M. Menino, many gathered at the busy crossroads in collective mourning, taking pause at a makeshift memorial to pay their respects and remember a politician who felt like part of their extended family.

"I miss him so much," said Shirlyn Frederick of Dorchester, who laid a bouquet of flowers beneath a wreath of roses and carnations. As she set her eyes on a picture of Menino, she hung her head and shook it slowly. It was hard to believe he was gone, she said.

Frederick had met Menino several times over the years, most recently when her son was sworn in as a Boston police detective. He was always friendly and gracious, she recalled. A true gentleman.

"He did well for the city," she said. "He did so much good."

From across the city and beyond, mourners made their way to Downtown Crossing and City Hall, where people lined up to leave messages of condolence, in a vast display of sadness and sympathy. They cut across lines of race and class -- electric workers from South Boston, elderly women from Roxbury, and business workers heading to the Financial District.

All shared a sense of obligation to express what Menino meant to them, and how much he will be missed.

"I think he was a wonderful person and a good leader," said Mollie Casey, 88, who came from Roxbury to City Hall with her daughter to offer condolences.

Boston Globe articles (7/26/2014—11/15/2014) 123

Menino was always on the move, she recalled, zipping from event to event. But even in his haste, he made time to talk to people and enjoy their company, she said.

"Always there for everyone," she said.

Many took time from work, or made a special trip across the city, to leave a personal message in the condolence book. Most had met Menino at some point, and some had met him many times over the years, at meetings, community events, even weddings.

All felt they knew him, and felt he somehow knew them, too.

"I had to show my respects," said Shawannika Jones, 42. "I love the mayor. He was a great guy."

Jones, who lives in Roxbury, said her heart sank when she learned Menino had died Thursday morning. "Everything just fell," she said.

At Downtown Crossing, people gathered in a half-circle around the makeshift memorial near Macy's, hunching their shoulders against a brisk breeze. Some took pictures, others bowed their heads or made the sign of the cross. Many just lingered in silence.

Bonnie Benhayon left a flower at the memorial on her way to work. She lives in Brookline, but like many who live outside the city, always felt Menino was her mayor, too.

Meta Scheublin, of Cambridge, felt the same. Menino was mayor for so many years, and felt like he was everywhere at once, that he became a familiar, reassuring presence.

"He was a part of everyone's lives," she said. "His spirit, his enthusiasm, his courage during the **Marathon bombings**. He was always there."

Mark McHugh, 51, came upon the Downtown Crossing memorial by chance. But as soon as he did, he went to buy flowers to leave behind.

"I had to stop," he said.

McHugh, who lives in the South End, recalled Menino as a unifying force, who had "done so much for so many people."

"He saw no color, no barrier," he said. "It's just a sad day."

Andre Daunais, 53, of Quincy stood for more than a minute at the memorial, his eyes fixed on the ground. Menino's death was a great loss for a city he had served well, he said. But he took comfort that he was in a better place.

Boston Globe articles (7/26/2014—11/15/2014) 123

"The sadness is for Angela, his family, and all of us," he said. "There's no sadness for him. He's going home."

As he turned to leave, a young woman knelt at the memorial to leave a message. Tears in her eyes, she left quickly, disappearing down the train station stairs.

"Rest in peace," she wrote. "You loved Boston. Boston loved you."

Peter Schworm can be reached at schworm@globe.com. Follow him on Twitter @globepete.

Credit: By Peter Schworm Globe Staff

Illustration

Caption: James Maconochie left flowers Friday at a memorial to former mayor Thomas M. Menino in Downtown Crossing. John Tlumacki/Globe Staff

Amanda Palmer finally bows to pressure

Boston Globe - Boston, Mass.

Date: Nov 2, 2014

Start Page: B.14

Section: Arts

Document Text

It took a while, but singer Amanda Palmer finally has decided not to appear with Jian Ghomeshi at an upcoming book event in Toronto. Palmer had snared herself in the controversy swirling around the onetime Canadian Broadcasting Corporation radio host who's accused of assaulting several women. How? After Ghomeshi was fired amid allegations that he violently beat and choked more than a half-dozen women during sexual encounters, Palmer somewhat defiantly announced that Ghomeshi would still be her "chat guest" at the book event. (Palmer's book, "The Art of Asking, or How I Learned to Stop Worrying and Let People Help," is based on her TED Talk about her successful Kickstarter campaign to finance a record.) "HATE HAS NO PLACE HERE IN THIS COMMUNITY. it's just not what we do," she wrote on Facebook. "i believe deeply that you don't respond to hate with more hate. it doesn't make the world a more compassionate place: it drags us all down into the mud." Naturally, her response bewildered and upset some people, including Salon's Erin Keane, who wrote: "Jian Ghomeshi, who now stands accused of violently abusing eight different women, is not the kind of guy Amanda Palmer fans want to see at her show. This is a very basic fan-relations decision that anyone with half a lick of sense would have handled with quiet dignity and a brief announcement." Palmer eventually reconsidered, posting on Facebook: "Given everything i've learned, and especially given how upsetting it would be to so many, jian will not be coming to the show in toronto." The Lexington-bred singer is no stranger to controversy. Not long after the Boston **Marathon bombings**, she posted "Poem for Dzhokar," which many viewed as bizarre and self-serving.

Boston Globe articles (7/26/2014—11/15/2014) 125

A long, mournful line: Diverse thousands pay tribute as Menino lies in state at Faneuil Hall

Boston Globe - Boston, Mass.

Subjects: Cities; Mayors

Author: Ryan, Andrew; Irons, Meghan E

Date: Nov 3, 2014

Start Page: A.1

Section: Metro

Document Text

Mourners endured wind-driven snow and biting rain, forming a column of umbrellas and plastic ponchos that stretched over cobblestones and past deep puddles.

Thousands came to Faneuil Hall on Sunday for a last glimpse of the man many simply called "the mayor."

They dressed in dark suits and black dresses, soggy blue jeans and Patriots jerseys. Some leaned on canes. Others clutched American flags, carried bouquets of white lilies, and brought photographs of themselves with the former mayor, Thomas M. Menino, who died Thursday.

"I just wanted to say goodbye," said Marilyn Marion, who came from Roxbury with her 5-year-old godson because she wanted the boy to know the goodness of the mayor.

The crowd embodied the diversity of Boston: Vietnamese from Fields Corner, Italians from East Boston, African-Americans from Hyde Park. They were gay and straight; able-bodied and disabled; wealthy and poor.

As a string quartet performed somberly, the multitude climbed stairs into the Great Hall. Honor guards stood watch on a stage bursting with hydrangeas, white and pink roses, and calla lilies.

Menino lay in an open, mahogany-colored coffin embossed with the seal of the City of Boston. Black rosary beads were laced through his fingers. Next to the mayor rested his distinctive cane made from a baseball bat.

"He's gone," said Karen Gardner, who came from the Fenway and choked back tears.

Boston's new mayor, Martin J. Walsh, led a large contingent of elected officials in a procession across the street from City Hall. Walsh approached the coffin with his mother

Boston Globe articles (7/26/2014—11/15/2014) 125

and his longtime girlfriend, Lorrie Higgins. They made the sign of the cross and bowed their heads in silent prayer.

Governor Deval Patrick lingered for several moments at the casket. He cocked his head and looked at Menino, almost as if he were in conversation.

The mayor's wife of 48 years, Angela Menino, stood at the head of the receiving line. She grasped both hands of House Speaker Robert A. DeLeo. She walked Secretary of State John F. Kerry to the casket and stood with the former US senator from Massachusetts as he genuflected and made the sign of the cross. When former mayor Raymond L. Flynn approached, Angela Menino threw open her arms.

"Ray," she said, enveloping her husband's predecessor in a hug.

Kathryn White, the widow of former Boston mayor Kevin H. White, passed through the line in a wheelchair. She stood when she reached Angela Menino. They embraced.

In the long reach of Boston's history, few have lain in state at Faneuil Hall, a Colonial-era treasure nicknamed the "Cradle of Liberty." Other honorees have included the building's namesake, Peter Faneuil, and Boston Massacre victims Crispus Attucks and James Caldwell. The last to lie in state was the abolitionist and orator Wendell Phillips in 1884, according to the city.

Menino delivered his first inaugural address in the stately red-brick edifice. His City Hall office looked down upon it for the next 20 years.

On Sunday, Menino's coffin sat where he delivered his final State of the City address, in 2013. It was the exact spot where, a few months later, he announced he would not seek a sixth term, declaring to "the city I love that I will leave the job that I love."

Menino died of cancer 10 months after walking out of City Hall. In the last century, no Boston mayor passed so soon after leaving office. Menino's wake Sunday rivaled that of the irrepressible James Michael Curley, the former governor and four-term mayor who drew thousands to the State House when he lay in state in the Hall of Flags in 1958.

A private funeral Mass for Menino will be said Monday at Most Precious Blood Church, where he was baptized and served as an altar boy. A procession to the church will wind through the city, passing places of significance to Menino as he makes his final journey home to Hyde Park.

On Sunday, mourners began lining up before 8 a.m. They included lawyers, janitors, building inspectors, police officers, and devoted political volunteers such as Ross Levanto, who wore a green Mayor Menino campaign button.

They kept coming until about 8 p.m., when the viewing ended.

Boston Globe articles (7/26/2014—11/15/2014) 125

Among the last mourners to trickle out was Christine Ordija, who emerged alone, wiping tears from her eyes.

"I really did love the guy," she said.

Ordija moved to Boston in 1996 for school, she said, so Menino was mayor for her entire adult life. She spoke to him last year, she said, and he talked about his decision after the **Marathon bombings** to leave the hospital against doctors' orders.

"People kept asking him, 'What does it mean to be the leader?' And he kept saying, 'You've got to have heart,' " she said.

As they waited earlier in the day, people pulled out cellphones to display pictures with Menino. One held a sign that read, "Gracias Menino!" Others shared stories about their connections to Boston's longest-serving mayor.

"I really wanted to be here," said Syaer Webb, a 12-year-old from Hyde Park. "Mayor Menino was my hero."

Michele Davis, principal of the Warren Prescott K-8 School in Charlestown, stood with seven students passing out programs. Davis recounted a Mayor's Award ceremony for students at Faneuil Hall each year.

"I just remember the pride and joy on the mayor's face as students walked to the stage to get their trophies," Davis said.

Further back in line, Greg Stoddard wore a gray sweat shirt from Camp Harbor View, an island sanctuary founded by Menino where urban youth escape summertime violence. Stoddard is the director of operations there, and he said he last saw the former mayor in August at the end-of-season barbecue.

"It's one thing to care about people, but [another] to care about individuals. That was how he was," Stoddard said, snow collecting on his sweat shirt. "He would find people and fix their problems, care about their problems, and work on their problems."

From Dorchester's growing Vietnamese community, Karen Diep and her neighbors came to thank the Menino family for the man who was among their greatest allies.

Diep is the owner of Van Shabu & Bar and Savin Hill Specialties. She said Menino helped her parents and other Vietnamese business owners operate safely on Dorchester Avenue.

"There was fear," Diep said. "When he took office, he put more police patrols on the streets. He cared. Now, Dorchester Avenue is vibrant, and it is because of him."

Boston Globe articles (7/26/2014—11/15/2014) 125

Teacher Darren T. Wells took the subway from Forest Hills on Sunday. The former mayor may not have known Wells's name, but he knew he was an educator at the James P. Timilty Middle School in Roxbury.

"He would say, 'Teacher, how are you doing? Are you still doing great things?' " Wells recalled. "That was really powerful."

Wells came with his sister, Charity Murphy, who teaches science at the Curley K-8 School in Jamaica Plain. Menino always called Murphy by name. Once, Murphy asked the mayor how he always remembered her name. Menino told her she was "the only Charity I know."

"He was just a good man," Murphy said. "Not a perfect man, but a good man."

As the day darkened, the long line thinned but people kept coming. Snow fluttered in the air.

"I don't even live in Boston, but he had an impact on my life. He's forever Boston," said Nekita Lamour of Malden. The flurries were fitting.

"Menino can go in peace," she said, "with white, beautiful snow."

Evan Allen of the Globe staff contributed to this report. Andrew Ryan can be reached at andrew.ryan@globe.com.

Credit: By Andrew Ryan and Meghan E. Irons Globe Staff

Ex-staff members serve mayor one last time as honor guard

Boston Globe - Boston, Mass.

Subjects: World War II; Cities; Family owned businesses; Mayors; Memorial Day

Author: Arsenault, Mark

Date: Nov 3, 2014

Start Page: A.12

Section: Metro

Document Text

The former staff of Thomas M. Menino answered the call to serve him one last time on Sunday, as an honor guard to accompany the city's longest-serving mayor as he lay in state in Faneuil Hall, while city residents by the thousands filed through the historic hall to say their personal goodbyes.

Staff members representing the two-decade Menino administration -- from former low-level aides to one-time department heads and Cabinet chiefs -- took half-hour or one-hour shifts, sitting stoically at the foot of the casket to ensure that the body would never be alone.

"It was without a doubt one of the most amazing hours of my life," said former city councilor Michael Ross, after his stint in the honor guard. "You felt like you were in the presence of something -- in the glow of something profound, and all the while feeling the cold coming off the people as they came into the room.

"I just felt I really had no business being there and yet the mayor even in his death was reaching out to people that he had a connection to. I was just truly honored to be part of that."

Ross, a former Menino aide who ran for the mayor's office last year, took a shift as honor guard with four other former staffers who were later elected to the Boston City Council: Sal LaMattina, Bill Linehan, Timothy McCarthy, and Michelle Wu.

Menino, who did not run for reelection in 2013, died last Thursday at age 71 after a battle with cancer.

Thousands of the mayor's former constituents stood in line in cold rain that turned to sleet and then wind-whipped snow Sunday morning for the chance to pay their respects to the "urban mechanic" who reigned in Boston City Hall for 20 years.

Boston Globe articles (7/26/2014—11/15/2014) 126

Wu, a sitting councilor who started out as a policy fellow in the Menino administration, said she was deeply grateful to participate in the honor guard. She said she watched the citizens filing through the room and imagined that each of them had some story about Menino, some special recollection that had brought them out to pay their respects in the brutal wintry weather.

"I saw a Boy Scout troop; I saw people in City Year uniforms," Wu said, referring to the program helping at-risk students. "I saw folks come to sing a song as their last tribute to the mayor and give a salute. . . . There were parents bringing their very young kids to say goodbye. And seniors and people from all different age groups and backgrounds.

"It represented everything he had given his life to," she said.

Former Menino chiefs of staff took hourlong shifts in the honor guard Sunday morning, including Alyce Lee, Jim Rooney, Merita Hopkins, Judith Kurland, and David Passafaro, according to service organizers. They were on duty when Secretary of State John F. Kerry, the former US senator from Massachusetts, arrived to pay his respects. Kerry lingered for long greetings with the former chiefs of staff.

Former Boston police commissioner Paul Evans took a shift with three others who served as police commissioner under Menino: Al Goslin; William Evans; and Edward Davis, who was commissioner during perhaps the greatest crisis of Menino's long mayoral tenure, the 2013 Boston **Marathon bombing**.

"I watched the people," said Paul Evans, who was commissioner for nearly a decade, until 2003. "There were people holding 'gracias' signs from the Hispanic community. There were Asians, Vietnamese. It was the whole city coming together. It was everybody. He was a mayor for the entire city and that crowd [on Sunday] reflected the city.

"I just thought of how many lives he touched," Evans said, recalling his hour on the honor guard. "And how many lives he made better. And I think that was reflected in the makeup of the crowd. It was touching. It was hard not to feel proud of what this man accomplished and all the good he did for the city."

Evans said that seeing so many familiar faces from the administration reminded him of the "sense of purpose and teamwork that Tom Menino brought to us, the way we worked together."

Former Menino press secretary Carole Brennan took her shift on the honor guard Sunday afternoon, enjoying a time of quiet reflection about her one-time boss.

"It's such an incredibly special honor to be able to support my friend one more time," she said.

Boston Globe articles (7/26/2014—11/15/2014) 126

Members of Menino's Office of Neighborhood Services were scheduled to handle the overnight shift Sunday night, which was intended to be a symbolic nod to the office's after-hours work responding to emergencies and the needs of Boston neighborhoods.

Mark Arsenault can be reached at mark.arsenault@globe.com.

Credit: By Mark Arsenault Globe Staff

Cardinal celebrates tireless, humane mayor: 400 attend Mass in South End, offer thanks, seek solace

Boston Globe - Boston, Mass.

Subjects: Catholicism; Mayors

Author: McCabe, Kathy

Date: Nov 3, 2014

Start Page: A.13

Section: Metro

Document Text

Cardinal Sean P. O'Malley remembered former mayor Thomas M. Menino on Sunday as a man of deep religious faith, who regularly attended Mass and prayed daily to St. Joseph, a humble carpenter.

"St. Joseph is the patron saint of a happy death, having died in the arms of Jesus and Mary at his home in Nazareth," O'Malley said during a Mass of Remembrance for Menino at the Cathedral of the Holy Cross.

O'Malley drew a comparison to Menino's death, at age 71, last Thursday. "Tom died having received the sacraments of the church and surrounded by his beloved [wife] Angela and their close-knit family," he said.

The Mass fell on All Souls Day, a holy day when Catholics remember those who have died.

O'Malley asked the estimated 400 mourners from across Boston who filled the pews of Boston's grandest Catholic church to pray for Menino, their loved ones, and the lonely.

"On All Souls Day, we implore God's loving mercy for all the faithful departed . . . both those whom we loved and also for those who have no one to pray for them," O'Malley said.

For some, remembering Menino on All Souls Day was fitting for a man deeply devoted to helping others.

"It seems appropriate," said Marilyn Morrissey, 61, a public school nurse from Jamaica Plain who said the Mass was "an opportunity for me to give thanks to the mayor for his service."

Boston Globe articles (7/26/2014—11/15/2014) 127

Mayor Martin J. Walsh and Police Commissioner William B. Evans attended the 11:30 a.m. service in the South End as Menino's body lay in state across the city at historic Faneuil Hall.

James Brett, chief executive of the New England Council and whom Menino defeated to win his first full term as mayor in 1993, also attended.

In his homily, O'Malley noted Menino's deep love for his family and "his extended family, the people of Boston."

"He was very close to the people, especially in times of trouble or tragedy, like the **Marathon bombings**," the cardinal said as mourners listened in silence.

O'Malley recalled his encounters with Menino at groundbreaking for affordable housing, at homeless shelters, and in neighborhoods hit by violence.

"He cared deeply for people, especially the poor and disenfranchised," O'Malley said. "Mayor Menino cared deeply about Boston and its very diverse population and worked tirelessly to make this city the very best, safe place possible."

In brief remarks to reporters after the Mass, O'Malley recalled a moving visit with Menino to a homeless shelter one Thanksgiving Day.

"Just to see the kindness and the real concern he expressed for people," O'Malley said. "It wasn't a politician going through some kind of ritual. It was someone who recognized in the homeless a brother, a sister, and was truly concerned about them. He had that humanity that touched people."

Some mourners found solace in gathering to remember Menino in hymns and prayer.

"So many people are grieving for him," said Eleanor Glavin, 63, a Hyde Park resident who said she met Menino many times. "He was such a person of the people. He was always there."

"I wanted to show my gratitude for his life," said Kathie Mainzer, 55, of Roslindale. "I asked God to hold him in his hands."

Mainzer, owner of the Bella Luna Restaurant and Milky Way Lounge in Jamaica Plain, said she had worked with Menino on gun violence prevention. "He was a leader on that," she said. "He wanted to keep the city safe."

Armande Petit-Frere of Mattapan was one of the first to arrive at the cathedral.

"He helped us to . . . buy our first home," Petit-Frere, 58, said, describing a first-time home-buyer program run by Menino.

"I admired him. I am here to pay my respects to a wonderful human being," said Petit-Frere.

Tashana Watson, a South End resident, said the Mass was a chance to thank God for Menino's long service.

"He did so much," said Watson, 29, who brought her sons James, 4, and Ethan, 2. "He was the only mayor I've really ever known."

Kathy McCabe can be reached at katherine.mccabe@globe.com. Follow her on Twitter @GlobeKMcCabe.

Credit: By Kathy McCabe Globe Staff

Illustration

Caption: Pat Greenhouse/Globe Staff

Rock makes a Marathon bombings joke

Boston Globe - Boston, Mass.

Subjects: Marathons; Comedians

Date: Nov 3, 2014

Start Page: B.12

Section: Lifestyle

Document Text

Comedian and actor Chris Rock got some very uncomfortable laughs when he opened his "Saturday Night Live" monologue with a joke about the Boston Marathon bombings over the weekend. "That Boston Marathon was scary . . . because I love Boston. I love the people there," he said. "But that was probably the most frightening, sadistic terrorist attack ever. Just think about it. Twenty-six miles. Twenty-six miles is a long drive. . . . You've been training for a year, you finally get to the finish line, and somebody screams, 'Run!' " Of course, Rock is all about shock. He went on to joke about how he plans never to visit the Freedom Tower in New York. "There is no circumstance that will ever get me in that building," Rock said. "I got robbed on 48th and 8th a few years ago. I have not been back to 48th and 8th." The comedian, who was a cast member on "SNL" in the '90s, has spent a good deal of time in Boston. He filmed 2010's "Grown Ups" and its 2013 sequel around the Hub and the North Shore.

Phillipos jurors say acquittal never close: Panel weighed role in loss of evidence

Boston Globe - Boston, Mass.

Subjects: Trials; Juries; Evidence

Author: Wen, Patricia

Date: Nov 4, 2014

Start Page: B.1

Section: Metro

Document Text

Deep disagreements over evidence in the trial of Robel Phillipos profoundly lengthened jury deliberations, but the panel was never close to acquitting the friend of Boston Marathon bombing suspect Dzhokhar Tsarnaev of lying to investigators, according to extensive interviews with two jurors Monday.

These jurors said the 12-member panel maintained that Phillipos lied in important ways, but that he was a marginal character in a scheme to hide an incriminating backpack, containing manipulated fireworks, belonging to Tsarnaev. They described Phillipos as a good young man from a supportive family who was caught in a situation in which he profoundly miscalculated the legal implications.

"It was more of a one-time bad event," said a female juror from the North Shore in a phone interview. "He had poor choices of friends. And his friends made poor decisions and he was part of it."

These jurors, both of whom asked that their names not be used for fear of being pulled further into this case, were part of the group that deliberated 35 hours over six days and found the 21-year-old former University of Massachusetts Dartmouth student guilty on Oct. 28 of the two counts of lying that he faced.

The jurors' names were released Monday by US District Court Judge Douglas Woodlock in response to a Freedom of Information request from the Globe. Several jurors, who were reached by phone Monday, declined to comment; one cited, through his wife, an informal pact among them to keep their talks private.

Still, two jurors -- as well as another who spoke outside the courthouse briefly on the day the verdict was announced -- told the Globe about passion-filled debates over the conflicting evidence they heard during seven days of testimony.

Phillipos was accused by prosecutors of making false statements about his whereabouts and observations on the night of April 18, 2013, when two of his friends, Azamat

Boston Globe articles (7/26/2014—11/15/2014) 129

Tazhayakov and Dias Kadyrbayev, went into Tsarnaev's dorm room and removed the incriminating backpack, among other items.

Phillipos's defense lawyers argued that he did not recall much about that night and that his memory was severely impaired because he had smoked a lot of marijuana that day. They say that if he lied, it was not intentional or material. They reminded jurors that, shortly after April 18, the two friends from Kazakhstan had already confessed to FBI agents that they took Tsarnaev's backpack and disposed of it.

The juror from the North Shore suburb said that after the first full day of deliberations, the panel concluded that Phillipos was guilty of the first of two counts of lying for denying being in Tsarnaev's dorm room that night. She said nobody believed that Phillipos's marijuana use, however extensive, could block out that memory.

Two jurors said the panel agonized, however, over the alleged false statements contained in count two, including how much Phillipos actually witnessed or overheard about the handling of the backpack. They were divided about how accurately the FBI quoted Phillipos in an April 26 statement, when he allegedly confessed to lying.

In the end, they said, the panel concluded that Phillipos became aware that Tsarnaev's backpack was taken at some point that evening, but that he may not have -- as the FBI statement says -- seen his friends take the backpack and was not part of the discussions to toss it into a dumpster.

"He didn't seem to be part of the plan," said another juror, who works as a teacher.

The jurors said the panel found that Phillipos's lies "involved a terrorism investigation" -- another issue they were asked to decide -- but that most felt compassionate toward him and wished he would be spared a long prison term.

A high-profile defense witness during the trial was former governor Michael Dukakis, who testified about a lengthy friendship between his family and Phillipos's family and a brief conversation he had with Phillipos in which he seemed "confused" after his FBI interviews. Both jurors said the testimony from Dukakis helped confirm that Phillipos was from a good family but that this did not affect their view of the evidence.

Both jurors said they did not instantly recognize Dukakis as a former governor because they were too young to remember his tenure, which ended more than two decades ago.

At no time, according to these two jurors, did the panel seem close to being deadlocked. They said jurors listened openly to each other and came to a consensus slowly after methodically going through the evidence.

"We refused to be a hung jury," the teacher said. "It seemed it would be unfair to the system."

Prosecutors lash out at Gary Lee Sampson's lawyers. B2

Patricia Wen can be reached at wen@globe.com.

Credit: By Patricia Wen Globe Staff

Lawyers accused of time wasting: Sampson defense files new motions

Boston Globe - Boston, Mass.

Subjects: Federal court decisions; Trials; Capital punishment; Public prosecutors

Author: Valencia, Milton J

Date: Nov 4, 2014

Start Page: B.2

Section: Metro

Document Text

Federal prosecutors lashed out at lawyers for convicted killer Gary Lee Sampson Monday for filing what they said were frivolous motions, and they called on a federal judge to refuse to pay the lawyers for the "unnecessary and meritless motions and pleadings they have filed."

The request came just before lawyers for Sampson filed an additional 20 motions, some of them with lengthy affidavits and other records attached.

The lawyers had already filed 26 motions challenging the constitutionality of the death penalty, some based on arguments that have already been decided by higher courts, the prosecutors complained.

Lawyers in the case of accused Boston Marathon bomber Dzhokhar **Tsarnaev**, by contrast, have filed nine motions related to the constitutionality of the death penalty.

The prosecutors say Sampson's lawyers are wasting the court's time in an effort to delay the scheduled February sentencing trial, an effort the prosecutors called an insult to the families of Sampson's victims.

"This strategy and these tactics are inappropriate and especially unfair to the victims' families, who have already had to endure 13-plus years of delay [and] uncertainty," the prosecutors argued.

Lawyers for Sampson did not immediately respond to the motion.

Sampson, now 55, admitted to the carjacking murders of 19-year-old Jonathan Rizzo and 69-year-old Philip McCloskey during a rampage in Massachusetts in 2001. He then killed Robert "Eli" Whitney, 58, in New Hampshire.

Boston Globe articles (7/26/2014—11/15/2014) 130

A jury sentenced Sampson to death in 2003, but a federal judge overturned that sentence in 2011 after finding that one of the jurors lied about her background. Federal prosecutors have sought the death penalty again in a new trial.

In the last year, prosecutors have repeatedly sparred with Sampson's new lawyers, specifically Danalynn Recer, the court-appointed lawyer who specializes in the death penalty.

US District Court Judge Mark L. Wolf threatened in September to remove Recer from the case, accusing her of ignoring deadlines and filing overzealous motions after hours and on weekends.

Wolf said he was reluctant to remove her, however, because it would cause the trial to be delayed.

Prosecutors Monday called on Wolf to refuse to pay Sampson's court-appointed lawyers for time spent on the frivolous motions, noting that the lawyers submitted 26 motions, making up 850 separate docket entries and 25,358 pages, in August and September alone.

"Sampson has made no showing that any of his 26 constitutional motions are newly relevant," the prosecutors argued. "In fact, just the opposite is true -- he has recycled arguments previously rejected by the First Circuit in this case, and/or uniformly rejected by the Supreme Court or every other federal circuit to consider them."

The prosecutors noted that the appellate courts have set limits on payments so that "court-appointed counsel cannot bill the government for time that is unproductive or unnecessary."

"A lawyer, after all, has no duty, indeed no right, to pester a court with frivolous arguments," the prosecutors argued, citing past court decisions.

Milton J. Valencia can be reached at mvalencia@globe.com. Follow him on Twitter @miltonvalencia.

Credit: By Milton J. Valencia Globe Staff

Jeff Bauman marries Erin Hurley

Boston Globe - Boston, Mass.

Author: Goldstein, Meredith

Date: Nov 4, 2014

Start Page: B.14

Section: Lifestyle

Document Text

Boston Marathon bombingsurvivor Jeff Bauman confirmed on his official Facebook page that he got married over the weekend to his longtime partner, Erin Hurley.

"Congratulations to Mr. & Mrs. Bauman! Erin & Jeffrey were married yesterday!" the message said. Bauman, who wrote the book "Stronger" after losing his lower legs in the bombing, and Hurley had a daughter in July.

Credit: By Meredith Goldstein Globe Staff

Illustration

Caption: Facebook

Tsarnaev sister's plea averts jail time: Admits to lying in counterfeit case

Boston Globe - Boston, Mass.

Subjects: Marathons; Criminal pleas; Bombings; Criminal investigations; Restaurants

Author: Crimaldi, Laura

Date: Nov 5, 2014

Start Page: B.2

Section: Metro

Document Text

A sister of accused Boston Marathon bomber Dzhokhar Tsarnaev avoided jail time Tuesday after pleading guilty to a charge that she lied to a Boston police detective investigating the use of counterfeit money at an Applebee's restaurant in Dorchester in 2010.

The prosecution and defense said they agreed to let Ailina Tsarnaeva, 24, plead guilty to one count of witness intimidation and place that finding on file for 30 days in the South Boston division of the Boston Municipal Court.

"There will be no restraint of your liberty as a result of the case being placed on file," said Judge Michael C. Bolden. "If after 30 days there are no further difficulties, the matter will be over with respect to any supervision by this court."

The finding means that Tsarnaeva could face up to 2 1/2 years in jail if she commits another crime during the 30-day period, said Jake Wark, a spokesman for Suffolk District Attorney Daniel F. Conley. The guilty plea also means a conviction will appear on her criminal record, and she is prohibited from appealing the charge.

Dressed in what appeared to be a fur coat with her hair covered with a brown scarf, Tsarnaeva declined to speak with reporters as she entered and exited the courthouse. On her way out, Tsarnaeva was accompanied by an infant.

Defense attorney George F. Gormley declined to discuss the baby. At a hearing held in October 2013, Gormley said Tsarnaeva was pregnant with her second child. Court papers listed an address for her in Fairview, N.J.

Tsarnaeva was arraigned in January 2011 in the counterfeiting case, but missed a subsequent court appearance and faced a warrant for her arrest. She returned to court in October 2013, six months after her two brothers allegedly detonated two bombs at the Boston Marathon finish line April 15, killing three people and wounding more than 260 others.

Boston Globe articles (7/26/2014—11/15/2014) 132

Prosecutors said the two brothers killed MIT police Officer Sean Collier before Tamerlan Tsarnaev was killed in a shootout with police in Watertown.

Dzhokhar Tsarnaev is facing federal terrorism charges that could lead to the death penalty. He has pleaded not guilty and is being held without bail.

Gormley said he does not know whether Tsarnaeva has contact with her brother.

Gormley called the outcome in the counterfeiting case "appropriate." He acknowledged Tsarnaeva misled a police officer, but said she lied to protect a female friend and was not the target of the investigation.

The case against Tsarnaeva developed after a group left a counterfeit bill at an Applebee's on April 16, 2010, said Suffolk Assistant District Attorney William Champlin IV.

A restaurant hostess saw the group leave and took down the license number of the vehicle they left in, said a police report filed in court. That plate number came back to Tsarnaeva.

Gormley said Tsarnaeva was there to meet a friend, but was not aware of what happened in the restaurant.

When she was contacted by police, Tsarnaeva gave "false and inconsistent" information, Champlin said. He said prosecutors favored resolving the case given she accepted responsibility, no longer lives in Massachusetts, and four years have passed since she was charged.

In August, New York City authorities charged her with aggravated harassment after she allegedly threatened to "put a bomb" on a romantic rival. She is due in court there on Dec. 17, according to online records. Gormley called the charge an "unproven allegation."

John R. Ellement of the Globe staff contributed. Laura Crimaldi can be reached at laura.crimaldi@globe.com. Follow her on Twitter @lauracrimaldi.

Credit: By Laura Crimaldi Globe Staff

Court will cast wide net to impanel a jury for Marathon bombing trial

Boston Globe - Boston, Mass.

Subjects: Federal court decisions; Marathons; Federal courts; Capital punishment; Trials

Author: Valencia, Milton J

Date: Nov 6, 2014

Start Page: A.1

Section: Metro

Document Text

In a matter of weeks, the federal court in Boston will be looking for people over 18 to perform a civil service for about five months, with compensation of about \$40 a day. If you are 70 or older you can refuse, and active duty soldiers, police officers, or firefighters won't be asked to serve, either.

But if you can speak and read English, you could be enlisted, and unless you have an extreme hardship -- such as a young child to care for, or a terminally ill relative -- you have few chances of being excused.

Those who make the final list will become part of one of the most significant trials the country has seen in recent times, one that will become part of the history of the Boston Marathon bombings and their aftermath.

Jury selection in the case of accused Marathon bomber Dzhokhar Tsarnaev is slated to begin in January, and US District Court Judge George A. O'Toole Jr. plans to begin by calling at least 1,000 people to the court for what could be a long, complex process to impanel a jury of 12, with six alternates.

Most people from Eastern Massachusetts could qualify, as long as they assure lawyers and the judge that they are capable of handing out the death penalty, if the punishment is warranted.

"The unique part about this case is you need what's called a death-qualified jury," said Robert Sheketoff, a prominent Boston lawyer. "You have to find people who are willing to impose the death penalty."

Tsarnaev and admitted serial killer Gary Lee Sampson, who goes before a jury in February, both face the possibility of the death penalty. That is a rarity in Massachusetts, where there is no death penalty for state crimes.

Boston Globe articles (7/26/2014—11/15/2014) 133

A Boston Globe poll in July found that 62 percent of respondents supported US Attorney General Eric Holder's decision to seek the death penalty for Tsarnaev, while 29 percent opposed.

O'Toole in September rejected a defense request to relocate the trial, ensuring that a local jury will be seated at the courthouse in South Boston, only a few miles from the Boston Marathon finish line. That raises the possibility that potential jurors could also have a personal connection to the bombings because they were at the Marathon that day, know someone who was, or know someone involved in the extraordinary manhunt afterward.

"I bet you everybody you know is only three degrees of separation from someone who was there," said David Hoose, a Northampton-based attorney who specializes in death penalty cases. "If people are honest, and I think most people are, I think it's going to be very difficult to get most people to say, 'I'm not going to be influenced by the emotional reaction of what was going on.' "

With the trial slated to begin Jan. 5, legal analysts outlined for the Globe the possibilities of being picked and what the lawyers will be looking for in jurors.

"No one wants a juror improperly seated," said Sheketoff, who defended Sampson in a death penalty trial a decade ago.

Sampson's first jury sentenced him to death, but the decision was overturned in 2011 after lawyers learned that one of the jurors had lied during the impanelment process.

O'Toole said at a recent court hearing that he will summon at least 1,000 potential jurors to court during the first full week in January for Tsarnaev's trial, and he will call more if needed. The summons will be sent at least six weeks in advance, meaning they could arrive within weeks.

James McAlear, the jury administrator for the federal court system in Massachusetts, said the recipients of a summons would include anyone over 18 who has lived in the same judicial district for at least a year. Jurors will come from the Eastern Division of the District of Massachusetts, meaning they would live in the counties of Essex, Middlesex, Suffolk, Norfolk, Bristol, Plymouth, and Barnstable, as well as Martha's Vineyard, Nantucket, Chappaquiddick Island, and the Elizabeth Islands.

The names of potential jurors will be picked at random from a list of potential jurors provided by the Massachusetts jury commissioner. That list will include the names of 35,000 qualified jurors from the Eastern Division, and each county within the division shall be represented in proportion to the number of potential jurors from that county.

Potential jurors could ask to be dismissed if they are over 70 or have served at least five days of state jury service or any federal jury service within the last three years. Anyone who has been convicted in a state or federal court of a crime punishable by a year or more in prison could also be dismissed.

Boston Globe articles (7/26/2014—11/15/2014) 133

And anyone with a demonstrable hardship, such as a young child to care for or a sick relative, could ask to be excluded. But the court is reluctant to grant a hardship for economic reasons, so it encourages employers to continue to pay jurors while they are out of work.

Jurors would be paid \$40 a day for their service, but federal court officials tell employers, "Paying the difference between your employee's salary and the juror attendance fee is strongly encouraged, if possible."

Anyone who refuses to comply with a court summons can be fined \$1,000 and/or imprisoned for up to three days and/or required to perform community service.

Hoose said if he were on the Tsarnaev case, he would look to dismiss any potential jurors who seemed too willing to serve, however.

"I just think they'd have an ulterior motive," he said.

While the judge will use a lengthy questionnaire to screen jurors' backgrounds, he and lawyers on each side will then interview each potential juror who has not been excluded, a process that could take weeks.

"I think you're going to find that the bulk of the questions focus on the death penalty," said Hoose, who represented Kristen Gilbert, the Veterans Affairs nurse who was convicted in 2001 of killing her patients in the first federal capital punishment case in Massachusetts in modern history.

A jury spared her of the death penalty, however, and Hoose said Tsarnaev's lawyers will want to impanel similar jurors -- those who say they can choose the death penalty if warranted, but who can also agree on a sentence of life in prison.

"All you need is one juror who will hold [out] for life," Hoose said. "You're looking for jurors who will have the courage to vote for life in an unpopular case."

Milton J. Valencia can be reached at mvalencia@globe.com. Follow him on Twitter @miltonvalencia.

Credit: By Milton J. Valencia Globe Staff

Judge delays sentencing in Tsarnaev friends' cases: Court ruling may pose a challenge

Boston Globe - Boston, Mass.

Subjects: Acquittals & mistrials; Indictments; Obstruction of justice; Evidence; Criminal sentences; Public prosecutors; Federal court decisions; Backpacks

Author: Valencia, Milton J

Date: Nov 7, 2014

Start Page: B.3

Section: Metro

Document Text

A federal judge has put off the sentencing of two friends of accused Boston Marathon bomber Dzhokhar Tsarnaev, saying Thursday that their cases could be affected by a legal question pending before the country's highest court.

The US Supreme Court heard oral arguments Wednesday in a case that could define what can be considered "tangible" evidence in an obstruction of justice case, and that definition could influence the cases of Tsarnaev's two friends, Azamat Tazhayakov and Dias Kadyrbayev.

Tazhayakov was found guilty in July and Kadyrbayev later pleaded guilty to obstruction of justice charges for removing Tsarnaev's backpack from his dorm room and throwing it in a dumpster after Tsarnaev was identified as one of the suspected bombers.

At issue is whether discarding the backpack fits the type of obstruction of justice laws that prosecutors applied in their indictments of Tazhayakov and Kadyrbayev.

US District Judge Douglas P. Woodlock said in a two-page decision Thursday that "it is conceivable" that the Supreme Court's definition of what can be considered "tangible" evidence could challenge the indictments of Tazhayakov and Kadyrbayev.

The judge said in a two-page decision issued Thursday that it would be wise to postpone the sentencing -- which had been scheduled for next week -- "at least until the Supreme Court has resolved [the case] and the parties have had an adequate opportunity to consider the implications of that resolution."

The case before the Supreme Court -- known as the Yates case -- involves a Florida fisherman who was charged with a certain provision of obstruction of justice laws for throwing undersize fish back into the Gulf of Mexico after he had been cited by a wildlife officer.

The officer had told the fisherman, John Yates, to set the fish aside and return them to port.

Federal prosecutors applied a certain provision of obstruction of justice laws, under the Sarbanes-Oxley Act of 2002, that called for a punishment of up to 20 years in prison for the destruction of "any record, document or tangible object" to obstruct an investigation.

Yates was ultimately sentenced to 30 days in prison, though prosecutors had asked that he serve 3 years.

The Supreme Court was asked to decide whether prosecutors should have used the provision of the Sarbanes-Oxley Act in charging Yates, when other charges -- with less severe punishment -- were at their disposal.

The Sarbanes-Oxley provisions stemmed from the Enron bankruptcy scandal and criminalized the destruction of paper documents, computer records, or other "tangible" records.

Yates' attorneys argued that there are no paper documents or similar "tangible" documents related to his case. And lawyers for Tazhayakov and Kadyrbayev argue that there are no paper documents or computer records in their cases.

Tsarnaev's backpack contained a thumb drive, but Tazhayakov's lawyers successfully argued during his trial that there was no evidence that Tazhayakov knew the backpack contained the thumb drive. The jury also acquitted Tazhayakov of charges of obstruction of justice for taking Tsarnaev's computer from his dorm room.

Kadyrbayev pleaded guilty under an agreement that he would serve seven years in prison, but Woodlock said Thursday that the outcome of the Yates case could influence whether he would accept the plea deal.

The judge had ordered government prosecutors to address the Yates decision in an earlier court filing in September, but he said his decision Thursday to postpone the sentencing was based on his review of the "very vigorous argument" before the Supreme Court on Wednesday.

Nicholas Wooldridge, a lawyer for Tazhayakov, welcomed Woodlock's decision.

"I think the judge made the right call, the sentencing should be adjourned before there's any final determination as to what the correct judgment is on this case," he said.

Robert Stahl, an attorney for Kadyrbayev, agreed.

"The court made the prudent and wise decision to hold off on sentencing until the Supreme Court decides the Yates decision since that decision affects the statute the government has charged in this case," he said.

Boston Globe articles (7/26/2014—11/15/2014) 134

"The government has chosen [to use] this statute, and so what the Supreme Court does could potentially impact the case here."

Milton J. Valencia can be reached at mvalencia@globe.com. Follow him on Twitter @miltonvalencia.

Credit: By Milton J. Valencia Globe Staff

A cultural mecca and a medical mecca

Boston Globe - Boston, Mass.

Subjects: Fine arts; Students; Colleges & universities; Industrial design; Family medical history; Museum exhibits; Medicine

Author: Katz, Marni Elyse

Date: Nov 9, 2014

Start Page: L.13

Section: Special

Document Text

There is more to Longwood than medicine. How much more? A lot if you expand the boundaries a bit.

Gems at Dana-Farber's Yawkey Center for Cancer Care

The Dana-Farber Cancer Institute Art Collection has more than 1,400 pieces spread throughout its facilities. "Art humanizes the experience," curator Elaine L. Tinetti says. Exam rooms, corridors, and waiting areas are graced with artwork, much of it donated, including pieces by Andy Warhol, Josef Albers, and Dale Chihuly. While the exhibit is only available to patients, family, and staff, the public can access a 27-piece audio tour online, narrated by Museum of Fine Arts director Malcolm Rogers. 450 Brookline Ave., Boston, 617-632-3000, <http://www.dana-farber.org/About-Us/Yawkey-Center/Audio-Art-Tour-for-Dana-Farber-Patients-Families-and-Staff.aspx>

The Jimmy Fund Gallery

Opened in 2005 at Dana-Farber, it now has a street-level space. The collection, which includes a jersey autographed by Ted Williams and cleats signed by Dustin Pedroia, hangs in an airy corridor where patients, family, and staff can eat and hang out. Suzanne Fountain, associate vice president of the Jimmy Fund, says, "It gives patients a nice break and the feeling of a Fenway Park home away from home." 450 Brookline Ave., Boston, 617-632-3000, [dana-farber.org](http://www.dana-farber.org), <http://www.crja.com/healthcare/stoneman.htm> A Venetian escape

In addition to immersing visitors in three stories of galleries in a 15th-century Venetian-style palace and courtyard, the Isabella Stewart Gardner Museum, a 10-minute walk from Longwood, provides a rich array of lectures and classical concerts. Monthly Third Thursdays attract young professionals and college students for wine, music, and sometimes hands-on art projects. For younger area students, the museum offers internships. 25 Evans Way, Boston, 617-566-1401, gardnermuseum.org

Healing sounds from Longwood Symphony

Two pillars of Boston -- music and health care -- come together with the Longwood Symphony Orchestra. Established more than 30 years ago, it is composed primarily of doctors, medical students, scientists, therapists, and nurses. They perform at New England Conservatory's Jordan Hall (The next concert is Dec. 6.), raising money for local health-related nonprofits. The company also partners with organizations like Artists for Alzheimer's and Classical Action: Performing Arts Against AIDS to raise funds. LSO on Call brings music to the patients who can't attend the concerts. 617-667-1527, longwoodsymphony.org

MassArt, where artists are made

Massachusetts College of Art and Design just added a 40,000-square-foot Design and Media Center featuring a three-story, sky-lit exhibition hall and a multitude of studios, labs, and classrooms. The school also offers over 100 youth and adult art classes in more than 20 disciplines, including fiber art, glassblowing, and digital design, as well as programs in furniture, fashion, graphic, and industrial design. 621 Huntington Ave., Boston, <http://www.massart.edu>

Art and healing from the MFA

In a confluence of medicine and art, educators at the Museum of Fine Arts have collaborated with neighboring hospitals to develop programs that help doctors improve visual observation and patient communication skills. Its Artful Healing program provides therapeutic art workshops at Children's Hospital and Dana-Farber. 465 Huntington Ave., Boston, 617-267-9300, <http://www.mfa.org/programs/community-programs/artful-healing>

Wearable art sale, Nov. 20-23

The School of the Museum of Fine Arts, Boston's annual SMFA Art Sale, takes place Nov. 20-23, offering pieces by students, faculty, and alumni. The sale typically features standouts from the likes of Jim Dine, Ellsworth Kelly, and Richard Serra, but it's easy to find great deals. 230 Fenway, Boston, 617-267-6100, smfa.edu

Have a kosher Christmas?

Temple Israel, just on the other side of Longwood across Brookline Avenue, fosters connections with the larger community, including hosting Trinity Church's congregation following the **Marathon bombings**. On Sunday, Dec. 7, Rabbi Joshua Plaut will speak about his book "A Kosher Christmas." 477 Longwood Ave., Boston, 617-566-3960, tisrael.org

Medical history lessons

Boston Globe articles (7/26/2014—11/15/2014) 135

Harvard Medical School's Center for the History of Medicine presents a program of open public lectures on the history of medicine and public health. Upcoming topics include "Death and Discovery in Civil War Medicine" and "Sympathy and Surveillance in the American Asylum." Countway Library of Medicine, 10 Shattuck St., Boston, 617-432-6196, <https://www.countway.harvard.edu/menuNavigation/chom/exhibit.html>

Ewww. Wow. Cool.

While not a full-size destination, the Warren Anatomical Museum has artifacts that are not for the squeamish. The free, permanent exhibition in the Countway Library of Medicine boasts arcane surgical tools, along with such curious specimens as fetal skeletons, Phineas Gage's impaled skull, dried body parts. 10 Shattuck St., Boston, 617-432-6196, <https://www.countway.harvard.edu/menuNavigation/chom/warren.html>

On stage

Around the corner from Longwood is one of Boston's true cultural gems. You still have a week to catch "Alice" at the Wheelock Family Theatre, before a 10-week wait until "Pinocchio" arrives. Saturday matinees offer post-show, behind-the-scenes talks, while kids are invited to come in their PJs for discounted Friday evening performances. December vacation week intensives include a folktales class for 7- and 8-year-olds and a special effects course for teens. Once they've got the hang of it, kids can audition to become cast members in Wheelock's staged productions. 80 Riverway, Boston, 617-879-2300, wheelockfamilytheatre.org

Where to eat

The Food Court at The Longwood Galleria on has options, and there's an Au Bon Pain inside Brigham & Women's, and Bertucci's, and burrito chain Boloco, but competition is growing fierce.

One of the Boston dining scene's biggest crowd pleasers, Clover Food Lab, serves seasonal fare for breakfast and lunch out of a truck on Blackfan Street four days a week (menu updates via Twitter @cloverLMA). Founder Ayr Muir says the spot is so popular that Clover is considering opening a permanent restaurant. Muir finds the Longwood crowd, saturated with health experts, to be particularly engaged. The truck's most popular item? The brussel sprout sandwich.

Lebanese food trailer Sami's (107 Avenue Louis Pasteur, Boston, 617-432-0402, samisboston.com) reopened in the spring under the stewardship of Jou-jou Saba, daughter of its founder, a cabdriver who set up the business in Longwood 35 years ago. While its foundation is in Lebanese dishes like falafel, couscous, hummus, grape leaves, and tabbouleh, the menu is multicultural and enormous.

A surprising destination is the Lavine Family Dining Pavilion at Dana-Farber (Yawkey Center for Cancer Care, 450 Brookline Ave., 3d floor, Boston, 617-632-3165), which is

Boston Globe articles (7/26/2014—11/15/2014) 135

connected by skybridges to both Children's and the Brigham. Its director, Tom Peacock, is a trained chef who focuses on hearty, healthy meals that include brick oven pizza, noodle bowls and stir fry, tossed-to-order salads, and a popular Bombay market.

Marni Elyse Katz blogs about design at StyleCarrott.com.

Credit: By Marni Elyse Katz Globe Correspondent

Illustration

Caption: anthony Tieuli for the boston globe

Asking for trouble? Back with a new book, Amanda Palmer reflects on a stormy time in her life -- and wouldn't change a thing

Boston Globe - Boston, Mass.

Author: Reed, James

Date: Nov 9, 2014

Start Page: N.1

Section: Arts

Amanda Palmer

At: Royale, Tuesday, 8 p.m. Tickets: \$20,

800-745-3000, www.ticketmaster.com

ANNANDALE-ON-HUDSON, N.Y.

Amanda Palmer will be the first to tell you: She is shameless.

She admits as much on the opening page of her new book, "The Art of Asking," spelling the word in ALL CAPS as if it has become her scarlet letter.

It's also the reason Palmer has shed her cult status as a rock musician raised in Lexington, who got her start in the local cabaret-punk duo the Dresden Dolls. Loved and loathed in equal measure, the 38-year-old Palmer is a national figure known for her pioneering work with crowd-funding. Now, add "published author" to her growing list of accomplishments.

To celebrate her book's publication on Tuesday, Palmer will do an in-store signing late Monday night at Porter Square Books in Cambridge, followed with a performance at Royale on Tuesday.

"The Art of Asking" was born out of a TED Talk that became a viral sensation early last year, with more than six million views now at www.ted.com. It's also a response to the incredible experiences Palmer had in 2012, in which every success was tempered by a bump in the road.

In May of that year, she raised close to \$1.2 million from nearly 25,000 backers of a Kickstarter campaign, the most successful music project in the site's history. The money financed a new album and other assorted projects, and supported Palmer on the road with a new band.

Soon enough, she got into hot water when it was revealed she was inviting musicians in each town to perform with her in exchange for beer, hugs, high-fives, and merchandise --

Boston Globe articles (7/26/2014—11/15/2014) 136

in other words, for free, which she had done previously in the grassroots spirit of directly connecting with her fans. She also wrote and shared a poem that was roundly criticized as being sympathetic toward one of the Boston Marathon bombings suspects.

To appreciate Palmer, who first emerged from Boston's music scene in the early 2000s, you have to understand her ability to provoke. She is fearless and works from the heart, which she concedes is not a popular or easy approach. But now the stakes were higher and more visible.

"There was a beautiful continuum that I started to notice as I began piecing together the giant ups and downs of that [year]," Palmer said late last month at Bard College, where she was rehearsing for an upcoming theater piece called "The Bed Show." "The interesting pattern is that there was never a negative event that didn't have a positive silver lining.

"The Kickstarter and musician controversy led straight to my invitation to TED, which led straight to my book deal," she said. "The Boston [Marathon] bombings and the poem I wrote about it led to a new opening in my community and a huge discussion about compassion, and an invitation from WBUR to write a song about the event."

Palmer was recently back in the headlines for her association with Jian Ghomeshi, the Canadian radio personality who was fired from the CBC over allegations of sexual abuse. She had invited Ghomeshi to be part of the Toronto stop on her book tour well in advance of the scandal.

Initially she stood her ground. But then a social-media battle raged, in which critics accused her of being a "rape apologist" and "woman hater." Upon learning more about the Ghomeshi situation, she dropped him from the event. As is her style, she wrote an extensive and thoughtful defense on her website (www.amandapalmer.net).

Talking with the Globe early that week, before she reversed course, Palmer was adamant that Ghomeshi would remain on the bill.

"Why wouldn't he be?" she asked, arching her tattooed eyebrows that resemble little links of barbed wire that long ago replaced her natural ones. "I've always said I would have talked to Hitler. I don't think anyone should be excluded from the conversation."

As she said that, Palmer rested her hand on the reporter's knee, her eyes heavy and glistening. It's clear that no matter how much energy Palmer invests in explaining her intentions, posting lengthy blog entries and constantly engaging her million-plus Twitter followers, she still feels misunderstood. Replying to an admirer who recently tweeted, "When I grow up, I wanna be Amanda Palmer," Palmer wrote, "Oh, God. Start meditating now. You'll need it."

By most accounts, Palmer's conviction to speak her mind was established early on. Steven Bogart, her drama teacher at Lexington High School who recently directed "The

Boston Globe articles (7/26/2014—11/15/2014) 136

Bed Show" and also worked with her on the ART's production of "Cabaret" in 2010, likes to tell a particular story with a wry grin.

"When she was in high school, we used to do this student-directed festival. I think she was a sophomore, and she came up to me and said, 'May I bare my breasts onstage?' " Bogart recalled, guessing Palmer was around 16 years old. "I said, 'No, you may not bare your breasts onstage.' She said, 'Oh. One breast?' I said, 'No, Amanda, you can't.' "

"The Art of Asking" mirrors the tone of self-empowerment that made her TED Talk, which was just over 13 minutes, such a hit. Palmer credits her husband, the celebrated writer Neil Gaiman, with helping her shape and edit the book. In the harried week leading up to its deadline, Gaiman excised 50,000 words and suggested structural changes.

"The lovely thing about this book is that you can't read it without at least understanding how Amanda thinks," Gaiman said. "And the view from Planet Amanda tends to be far more noble than most people give her credit for. She believes the stuff she says, and most people assume that she can't or wouldn't, because they're cynical.

"Every now and again, Amanda will do the strange equivalent of lobbing a baseball and hitting a hornet's nest," Gaiman adds.

Palmer admits her errant filter is both a blessing and burden, creating a sense of urgency around her thoughts, but also the perception that she lacks compassion, that she's a calculated opportunist. Two days after the capture of **Dzhokhar Tsarnaev**, one of the Boston Marathon bombings suspects, she posted on her website "A Poem for Dzhokhar," in which Palmer ruminated on what he must have been thinking. She wanted to spark a discussion about human kindness and empathy; instead, she stoked the flames into a roaring wildfire.

The backlash was swift and intense. It was perhaps the first time that Palmer worried about her physical safety after receiving graphic death threats.

"She's full of surprises," said Anthony Martignetti, whose lifelong friendship with Palmer, since meeting her at age 9 when he lived next door, is a poignant piece of her book. "I think writing that poem right after the Boston Marathon bombings was surprising in terms of timing. I thought the content was fine, but it was a tough thing to come out with, because everybody was so raw. I thought, 'Oh, geez, baby. Just think about this for a minute.' "

In her late 20s, Palmer already had an inkling that her life had the makings of a book. Indeed, "The Art of Asking" is a compelling read, easily the most universal work she has ever done.

"My desire to clarify myself became more important every time someone came pointing their finger at me, especially the first round of controversy with my choice to use crowd-funding and being told that I was an online beggar," Palmer said. "I couldn't understand

how people couldn't understand, having lived for so long in a community where exchanging directly is holy."

Like she had done with the TED Talk, Palmer aimed the book at her artist friends who can't or won't ask for help because of shame. "Even though my intended audience was narrow," Palmer said, "I was hoping it would have a wide resonance. And I think it does."

Brene Brown, a bestselling author ("Daring Greatly") who's also a popular TED speaker and wrote the foreword to Palmer's book, was in the audience for Palmer's talk. She was astonished.

"She pulled back a veil about some things that we all struggle with," Brown said. "There's something really pure about her humanity and her willingness to depend on people. I think what makes Amanda a unique voice is she lets us see her own struggle with needing help in a way that, no matter how different I am from her, I see my story reflected back in her eyes."

"I think she's given us all a hint about the future of work," Chris Anderson, TED curator, wrote in an e-mail to the Globe. "There will be more artists in the future, not fewer, and therefore more struggling artists. But Amanda has shown that there are alternatives to struggling. You can accept your role with pride and ask for what you deserve."

No matter how much scorn she draws, Palmer said it has only made her stronger.

"It always cycles back, and as I stand there in the middle of whatever storm, I really do feel called upon," Palmer said, straightening her back. "I have a choice: I either run away and back down and not stick to my guns, or I can stand there and let the slings and arrows fly by, knowing that sticking to my principles is the only way to live."

By James Reed

Globe staff

PALMER, Page 6

James Reed can be reached at james.reed@globe.com.

Follow him on Twitter @GlobeJamesReed.

Credit: By James Reed Globe Staff

Illustration

Caption: Amanda Palmer, at Bard College in Annandale-on-Hudson in New York.
Matthew Cavanaugh for the boston globe Matthew Cavanaugh for Globe

Walsh ties goals to fast flow of data: Hopes real-time systems will aid in construction, zoning, licensing

Boston Globe - Boston, Mass.

Subjects: Cities

Author: Ryan, Andrew; Irons, Meghan E

Date: Nov 10, 2014

Start Page: A.1

Section: Metro

Document Text

A year after winning office, Mayor Martin J. Walsh is hoping to drive his agenda with an emphasis on real-time data that measure everything from shootings to building permits, using management techniques often found in business settings to infuse city government with new urgency.

Every stop on Walsh's daily schedule is now automatically plotted on a digital screen in the mayor's office showing how often he has visited each Boston neighborhood in the past 30 days.

Pothole crews are using more smartphones to increase productivity, and residents now receive photos to prove that tasks were completed: One image shows the freshly patched asphalt and the other is a portrait of the public works crew that did the work.

In a 90-minute interview last week, Walsh unveiled what he described as his "thriving, innovative, and healthy" vision for Boston, an exhaustive list of issues he hopes to tackle in the three remaining years of his term. His administration plans to build new digital tools to regularly track progress toward individual goals, such as dramatically boosting housing construction, rezoning swaths of Boston to increase economic opportunity, or eliminating superfluous licenses for jukeboxes and pool tables.

The agenda Walsh described was heavy on analytical tools but lacked concrete details about how he plans to address the broader issues he cited, such as increasing economic inclusion. He also did not provide specifics about how he plans to pay for new initiatives, including his campaign promise to expand prekindergarten classes so that all 4-year-olds would have a seat.

But he said the emphasis on using digital tools to track the administration's progress will help Boston become "the first 21st-century city in America."

Boston Globe articles (7/26/2014—11/15/2014) 137

"I can make all the announcements that I want and have all the speeches at the Chamber of Commerce and the State of the City and talk about my vision and great plans," Walsh said. "But it is really making sure that we follow through on them. If we truly want to make that jump from the 20th to the 21st century. . . . We have to hit the benchmarks."

Walsh, who requested last week's sit-down with Globe reporters, described his transition from a state legislator to chief executive of a large, complex city that began when he took office in January. Walsh said he began feeling more at ease in his new role about two months into his tenure and his comfort has grown with each passing day.

Walsh acknowledged that he had remained in the shadow of his predecessor, Thomas M. Menino, Boston's longest-serving mayor, who after 20 years in office had almost become synonymous with the city. When Menino died late last month, Walsh was sitting in his City Hall office and it hit home.

"When I got the phone call I sat down and thought, 'I'm the mayor,' " Walsh said. "He was always kind of there. . . . He's such a big figure out there in the community."

After taking office, Walsh faced a mayor's broad portfolio: the shooting death of a 9-year-old Mattapan boy, a showdown over casinos, the deaths of two firefighters, and union contracts. Walsh noted that he also had to prepare for the one-year anniversary of the **Boston Marathon bombings** and for Menino's funeral.

"I learned trial by fire early on," Walsh said. "I think we've done a fair job of governing in Boston so far."

In the interview, the mayor also revealed that a few weeks ago he met for the first time with casino magnate Steve Wynn, whose company was recently awarded a license to building a gambling resort in Everett. The administration has been critical of the casino, which will be near the Boston city line.

"He reached out to me," Walsh said. "We had a good first conversation."

Walsh also announced that the city's round-the-clock hot line will soon be transformed from its 10-digit telephone number to 311, a system used in other urban centers. A new digital initiative dubbed "Street Cred" will soon be launched to encourage civic participation by allowing users to earn points for volunteering or reporting broken street lights, unplowed streets, and overflowing garbage cans.

When he is up for reelection in three years, Walsh said, his most significant accomplishments will still be works in progress. He described a "strong infrastructure" to improve education and said that by then Boston would be in the second year of a master plan for public school buildings. Construction must be under way on a "sufficient number" of units of workforce housing, Walsh said, adding when pressed for specifics, "I don't have a number today, but in the thousands."

Boston Globe articles (7/26/2014—11/15/2014) 137

The city will also be preparing to implement universal prekindergarten, Walsh said, with a goal of having seats for all children by 2018, the year after the next mayoral election. In New York City, Mayor Bill de Blasio made the same campaign pledge and universal prekindergarten started in September after state lawmakers agreed to fund the initiative.

Walsh said he plans to appeal to the state for funding. "If not, we're going to have to take [money] from somewhere else to build it in," Walsh said.

Walsh was accompanied during the interview by three top aides who embody vastly different backgrounds. The emphasis on data came from the new generation of municipal officials educated at Harvard and MIT: Walsh's chief of staff, Daniel Arrigg Koh, and Boston's chief information officer, Jascha Franklin-Hodge. The third was Michael Goldman, an outside communications consultant whose political roots date to the 1970s and the first administration of former governor Michael S. Dukakis.

Under Menino, the city used data in an effort called "Boston About Results." The initiative tracked more than 200 performance metrics that included everything from employee overtime to library card usage, the number of trees planted to violent crime. The data were regularly analyzed by top city officials and reports were made public every three months.

Walsh's goal is to change the culture at City Hall by infusing all levels of government with a data-driven approach, according to Koh. One Cabinet meeting a month will be dedicated to reviewing the data, and top officials will be required to submit reports to show progress toward each of Walsh's goals. The mayor said the data would be made public.

"The idea of people really thinking at all levels of government about how we measure things quantitatively is novel," Koh said. "But I think people are really excited about it."

As an example, he pointed to Melissa Pagan, supervisor of veterans' services. Pagan's department hears from veterans across the city and employees track calls by neighborhood.

"I input all the information and it goes zooming up to the mayor's office to his big screen," Pagan said.

Focusing on collecting and analyzing data is part of the new administration's effort to manage a city workforce with more than 18,000 employees and 20 different departments.

"If we built this correctly, the measures that we are talking about translate into real impact for people of this city. That is the goal," said Franklin-Hodge, the chief information officer.

For the mayor, the push to drive his agenda with data is an attempt to show tangible progress on the array of complex problems facing Boston.

Boston Globe articles (7/26/2014—11/15/2014) 137

"I want to be able to look back three years from now and say, 'OK this is what we spoke about when we first came into office. And this is where we are today,' " Walsh said. "The biggest piece is really for me personally . . . going from a legislator to an executive. That transformation took almost a year in."

Andrew Ryan can be reached at andrew.ryan@globe.com. Follow him on Twitter @globeandrewryan. Meghan E. Irons can be reached at meghan.irons@globe.com. Follow her on Twitter @meghanirons.

Credit: By Andrew Ryan and Meghan E. Irons Globe Staff

Illustration

Caption: Mayor Martin J. Walsh announced his plan for the citywide expansion of prekindergarten last May at the Patrick J. Kennedy School in East Boston. The plan would afford a seat for all of Boston's 4-year-olds. Pothole repair crews are using more smartphones in an effort to increase productivity. The mayor recently met with casino magnate Steve Wynn, whose company was awarded a license to build a gambling resort in Everett. John Tlumacki/Globe Staff Photos by John Tlumacki/Globe Staff (left) and Ronda Churchill for The Boston Globe

Long after bombings, an amputation: Marathon victim had surgeries, lasting pain

Boston Globe - Boston, Mass.

Subjects: Pain; Surgery; Bombings; Hospitals

Author: Moskowitz, Eric

Date: Nov 11, 2014

Start Page: A.1

Section: Metro

Document Text

More than a year and a half after the Boston Marathon attack, a 27-year-old Texas woman who was severely injured in the first blast underwent surgery Monday to amputate her left leg below the knee.

Rebekah DiMartino's decision to amputate came after more than 15 previous operations in Boston and Houston aimed at saving the limb. It made her at least the 17th person to lose a leg as a result of the April 2013 attack, but the first apparently since the life-saving surgeries that immediately followed the traumatic bombing.

Doctors said DiMartino's choice reflects the continued struggle some of the critically injured survivors have faced in trying to regain mobility and minimize pain over the past 19 months.

With what has become her trademark optimism and humor, DiMartino held a "Left Leg Last Hurrah" dinner over the weekend and posted a break-up note to her leg on her public Facebook page, along with a photo in which she had written "It's Not You It's Me" across her heavily scarred foot, ankle, and shin -- above one final pedicure.

"Today is the day I say goodbye to what is holding me back, and I reclaim my life," she wrote hours before heading into surgery, thanking friends, family, and the public for support.

On Monday night, her orthopedic surgeon, Dr. William McGarvey, said the hourlong surgery at Memorial Hermann Katy Hospital west of Houston was successful.

"There were no hiccups," McGarvey said, in a phone interview immediately after the surgery. "Having spoken with Rebekah for the last several months, I think she's going to do well. She's got a great attitude, and I think for her, this is sort of a reconstructive procedure as opposed to an elimination procedure."

Boston Globe articles (7/26/2014—11/15/2014) 138

McGarvey said DiMartino's decision was driven by the acute, persistent pain that has forced her to rely on a wheelchair, crutches, and leg brace and limited her ability to live a normal life with her 7-year-old son, Noah, and husband Pete, both of whom were also wounded in the attack.

He said she should gain smooth movement with a below-the-knee prosthesis and hoped her pain would ultimately vanish, but it may persist. "As a result of the blast injury, she clearly had skeletal trauma, she clearly had muscular trauma, but she also had neurological injury, and that's probably the thing we have the least control over," McGarvey said.

Dr. Edward Rodriguez, the trauma surgeon who initially treated DiMartino at Beth Israel Deaconess Medical Center, said "limb salvage" patients -- those who elect with their care teams to try to save damaged limbs -- can sometimes have a more complex, painful trajectory than those who lose limbs immediately from trauma.

"It's very sad that it took this long to reach this point, but I think it's important that you don't see this as a failure," Rodriguez said. "It's not that she failed to keep her leg. She had a leg that wasn't working for her, so it could be a success."

DiMartino -- then Rebekah Gregory -- was a divorced single mother when she met Pete DiMartino, a construction worker and bartender, on a business trip in upstate New York in 2012 while traveling for her job as membership sales manager for a private-clubs association. They were dating long distance when she joined DiMartino and his family in Boston to watch his mother run the 2013 Marathon. They gathered to cheer her at the 17-mile mark before jumping on the MBTA to root her on again on Boylston Street, site of the bombings.

Pete DiMartino lost the majority of his right Achilles tendon and suffered multiple broken bones, burns, and cuts, while Noah, then 5, emerged with a bad leg cut and shrapnel in the back of his head, according to previous reports. Noah left the hospital in five days, and by late May Pete was well enough to throw out the first pitch at a Red Sox game. But Rebekah spent five-plus weeks at Beth Israel before transferring to Spaulding Rehab, where it became clear that she needed more surgery.

Even in those two days at Spaulding, she made a strong impression on the staff with her positive outlook and close connection to her young son, said Dr. David Crandell, medical director for the Spaulding Rehabilitation Network's amputee program. She transferred from Spaulding to Houston for further surgery and rehabilitation, and to be with her son and parents.

Gregory and DiMartino married last spring in Asheville, N.C., after winning wedding website TheKnot.com's 2014 Dream Wedding contest.

Crandell said he has treated patients who have ultimately elected amputation after even a decade of trying to save a damaged limb.

Boston Globe articles (7/26/2014—11/15/2014) 138

"People mourn the loss of a limb just like a loved one, but if you're truly focusing on function, the reality may become, with quality care and rehabilitation, that they may do better" with amputation, said Crandell, who advised One Fund Boston's second round of distributed aid last summer.

The One Fund's initial distribution of \$61 million in 2013 gave \$1.2 million to each survivor who lost one limb, and less -- \$125,000 to nearly \$950,000 -- to 69 others who were hospitalized for at least one night, based exclusively on how long they were hospitalized. DiMartino's extended hospitalization would have put her at the top of that range. But the second round of One Fund awards, totaling nearly \$19 million this summer, took into account the potential for future amputation as well as lifelong need and other factors.

DiMartino had planned just a brief visit to Boston in 2013 when her life was altered at the Marathon. She formed close relationships with her Beth Israel team; some of her nurses attended her wedding, and at least one planned to fly to Texas Tuesday to see her.

That nurse, Tracy Kiss, was photographed holding DiMartino's hand as the survivor crossed the finish line of the Marathon last April in a wheelchair. DiMartino has set a goal to run the next Marathon on a new prosthesis. McGarvey, the surgeon, said it may be possible. "Based on what I've seen and the amount of commitment she's put into everything she's done to this point, and the attitude she has, I wouldn't doubt it for a minute," he said.

Eric Moskowitz can be reached at emoskowitz@globe.com.

Credit: By Eric Moskowitz Globe Staff

Casey Affleck confirms he's not a 'Strong' man

Boston Globe - Boston, Mass.

Subjects: Shipyards; Academy awards

Author: Carlson, Eryn

Date: Nov 11, 2014

Start Page: B.16

Section: Lifestyle

Document Text

Hometown Casey Affleck says that he is not starring in a film based on the Marathon bombings, despite reports that surfaced in October. Affleck -- who appeared at the Brattle Theatre on Sunday night -- explained that while he is, in fact, starring in "The Finest Hours," based on the book by local writers Michael J. Tougias and Casey Sherman, he is not attached to the adaptation of Sherman and Dave Wedge's marathon book, "Boston Strong," which will be released in January.

Affleck was at the Brattle for a special screening of his movie "The Assassination of Jesse James by the Coward Robert Ford." Following the screening, Affleck -- a Cambridge Rindge and Latin alum -- took the stage to talk about the 2007 film, which earned him an Academy Award nomination for his performance alongside A-listers Brad Pitt, Sam Rockwell, and Sam Shepard. In a jovial mood, Affleck joked about the Western drama's lack of box office success, saying, "There's nothing more detested by Hollywood than a Brad Pitt movie that doesn't work out." Affleck also told the audience about the morning routine of costar Rockwell, who had the hotel room next to him during filming and would sing his lines while getting ready for the day. "I kind of felt like I was in the shower with him every morning," Affleck quipped.

Affleck had a few colleagues in the audience, including Scottish actor Graham McTavish, of "The Hobbit" and "Outlander" fame, and Abraham Benrubi, from TV's "ER." Affleck, McTavish, and Benrubi, along with Chris Pine and Eric Bana, are in the midst of shooting "The Finest Hours," based on the true story of the rescue mission of two oil tankers that were destroyed in a nor'easter off Cape Cod in 1952. Filming, which wraps in mid-December, is taking place in Quincy's Fore River Shipyard and will soon move to Chatham. The movie is slated for a spring 2016 release.

Affleck, who is onscreen now in Christopher Nolan's "Interstellar," said that while the "Boston Strong" rumors aren't true, he still has plans to star in a movie about the Boston Strangler. "I love coming home," adding that he's always on the lookout for roles involving his geographic roots.

Credit: By Eryn Carlson Globe Correspondent

Illustration

Caption: Casey Affleck (top) with fans and (above) with Graham McTavish, a costar in "The Finest Hours." PHOTOS BY ARAM BOGHOSIAN FOR THE BOSTON GLOBE

'The Newsroom' misses with 'Waterton'

Boston Globe - Boston, Mass.

Author: Goldstein, Meredith

Date: Nov 11, 2014

Start Page: B.16

Section: Lifestyle

Document Text

Sunday's season three premiere of Aaron Sorkin's HBO drama "The Newsroom" was a commentary on the coverage of the Boston **Marathon bombings**. Not surprisingly, locals had plenty to say about the episode on Twitter, but most simply objected to the mispronunciation of Watertown -- which, on the show, was called "Waterton." "All the angry tweets about @HBO #Newsroom botching my home state's most easily pronounceable town is comforting me in my rage. #Watertown," tweeted Kelly Genois (@suchkelly). Caitriona Fitzgerald (@CaitrionaFitz) tweeted, "Sorkin needs a MA advisor -- mispronounced Watertown on tonight's #Newsroom twice, reminded me of botched 'Haverhill' on West Wing finale." No word on whether Sorkin changed the name of the town in the script. Worth noting is that "Newsroom" star Sam Waterston (inset, rhymes with "Waterton") is from Cambridge.

Credit: By Meredith Goldstein Globe Staff

Tsarnaev lawyers get deadline for witness list: Judge orders names by the end of December

Boston Globe - Boston, Mass.

Subjects: Fraud; Attorneys; Trials; Questioning; Defense; Public prosecutors; Federal court decisions

Author: Valencia, Milton J

Date: Nov 13, 2014

Start Page: B.4

Section: Metro

Document Text

A federal judge ordered lawyers for Boston Marathon bombing suspect Dzhokhar Tsarnaev on Wednesday to turn over their witness list by the end of December, resolving one of the last remaining legal disputes before the high-profile trial begins in January.

Lawyers for Tsarnaev had wanted to withhold the list until the end of January, about the time when testimony in the case could begin, contending that it would be tougher to persuade witnesses to cooperate if government prosecutors know who they are.

But US District Court Judge George A. O'Toole Jr. agreed with prosecutors that they should know who the witnesses will be before jury selection begins on Jan. 5.

"I don't have any doubt of the court's authority to require disclosure," O'Toole said, ordering the defense to make their list available by Dec. 29.

Tsarnaev has pleaded not guilty to 30 federal charges in connection with the April 2013 bombings, and faces the possibility of the death penalty if convicted. Three people were killed and more than 260 injured when the two bombs exploded near the Marathon finish line. Tsarnaev's older brother and alleged accomplice, Tamerlan, was killed days later during a confrontation with police in Watertown.

In addition to setting a schedule for the trial and ordering Tsarnaev to appear at the next proceeding, O'Toole said he will review the defense team's request that prosecutors turn over more documents related to the case, specifically documents about Tamerlan Tsarnaev's alleged participation in a triple homicide in Waltham in 2011.

One of Tamerlan Tsarnaev's friends, Ibragim Todashev, allegedly confessed to the FBI during an interrogation in May 2013 that he and Tamerlan Tsarnaev took part in the Waltham killings. Todashev was shot and killed by an FBI agent during the interrogation after he allegedly attacked the agent.

Defense lawyers have sought more information about Tamerlan Tsarnaev's potential role in the Waltham killings as they seek to portray him as the dominating older brother who coerced Dzhokhar Tsarnaev into taking part in the bombings.

But federal prosecutors say the Waltham killings have no connection to the bombing investigation.

The defense noted that a lawyer for a potential witness has already told government prosecutors that the witness would testify that Dzhokhar Tsarnaev knew his older brother took part in the killings, though prosecutors say they do not know the source of the witness's information.

Attorney William Fick said there is no reason to deny the defense team the information.

"Time has passed, we are now essentially on the eve of trial," Fick said, adding the information "would be an important thing for the jury to know and weigh."

O'Toole said he will consider the defense request, and a separate request to investigate law enforcement leaks to the media, which defense lawyer Judy Clarke said affects the "fair trial process."

The back and forth between defense lawyers and prosecutors occurred during an hourlong status conference Wednesday as O'Toole looks to set a schedule for court filings and hearings leading up to the Jan. 5 trial start. The judge said he will summon 1,200 potential jurors who will fill out questionnaires over three days, part of the screening process.

The judge will hold a final status conference on Dec. 18, though he said he may hold a separate hearing to discuss any last-minute legal issues. Tsarnaev, who has not been seen in public since his arraignment in July 2013, is expected to appear at the Dec. 18 proceeding.

O'Toole also told lawyers that testimony during the trial will last from 9 a.m. to 4 p.m., rather than the typical 9 a.m. to 1 p.m. schedule.

Federal prosecutors said they expect the trial -- and sentencing, if needed -- to last three months, though that could be shortened by O'Toole's decision to have a full-day schedule.

Milton J. Valencia can be reached at milton.valencia@globe.com.

Credit: By Milton J. Valencia Globe Staff

Inside a death penalty trial: Judge Ponsor offers fictional account of how process works

Boston Globe - Boston, Mass.

Subjects: Trials; Serial crime; Criminal sentences; Capital punishment; Novels

Author: Valencia, Milton

Date: Nov 13, 2014

Start Page: G.12

Section: Lifestyle

Document Text

In the United States legal system, there are few cases where stakes are as high and pressure is as intense as one involving the death penalty. The daunting question of life or death weighs on the defendant, but also prosecutors, defense lawyers, jurors, and the judge.

Just ask US District Court Senior Judge Michael A. Ponsor. A decade ago, he oversaw the first death penalty trial in Massachusetts in more than 50 years, in the case of Kristen Gilbert, a veterans' nurse who faced capital punishment for injecting patients with epinephrine, causing them to have fatal heart attacks.

A jury in Springfield ultimately spared Gilbert of the death penalty in 2001, choosing to sentence her to life in prison, following a dramatic, five-month trial that Ponsor says helped mold his view of capital punishment.

And now, with the rare occasion of two death penalty cases playing out in federal court in Massachusetts, Ponsor has penned a novel that provides an insider's view of the intense legal process we can expect in the trials of **Dzhokhar Tsarnaev**, the alleged Boston Marathon bomber, and Gary Lee Sampson, an admitted serial killer who carjacked his victims.

"The Hanging Judge" is a fictional account of a death penalty trial involving a gangland murder, prosecutorial malfeasance, and a thoughtful judge struggling to make sure justice is carried out. Ponsor spoke to the Globe about the story line and his experience in such a high-profile trial.

Q. Tell us a bit about your book's story line and how it plays into the larger picture of an actual death penalty trial.

A. The precipitating event is a drive-by shooting that takes the life of the target, a drug dealer, as well as an unlucky bystander, a hockey mom volunteering at a nearby street clinic. Powerful evidence quickly points to the defendant, an African-American ex-

Boston Globe articles (7/26/2014—11/15/2014) 142

convict named Clarence "Moon" Hudson, as the shooter, and the politically ambitious US Attorney shifts the case to federal court so he can seek the death penalty. The central figure is the presiding judge, David Norcross, a decent, reasonably intelligent man, who is determined to give Hudson a "truly fair" trial.

Q. What about the Gilbert case caused you to write a fictional account of a death penalty trial for your first novel?

A. The most profound realization I took from Gilbert was that human beings getting together to decide whether someone should be executed, even when they are supervised by a judge, will make mistakes. A legal regime permitting capital punishment comes with a fairly heavy price. I wanted people to know this.

Q. What do you mean when you say that the death penalty comes with a heavy price?

A. I mean, first of all, that where there's a death penalty innocent people will die. Sooner or later -- we hope not too often -- someone who didn't commit the crime will be executed. Every religion, every philosophy, every wise person -- at least every one I've ever heard of -- tells us that people are fallible. No religion I know of says that human beings are fallible in everything except in selecting who will face execution, and in that one area they are perfect.

Q. Are you saying you think a mistake was made in Gilbert? She got a life sentence without parole, after all.

A. No, I'm not saying that. I'm fairly sure Ms. Gilbert actually did commit the despicable murders she was charged with, and I'm comfortable with the heavy sentence I gave her. Overwhelmingly, thank heaven, people charged in capital crimes are guilty, often obviously guilty.

On the other hand, plenty of objective evidence suggests that mistakes occur in these trials regularly. Since the Supreme Court reinstated the death penalty in 1976, roughly 1,300 people have been executed. During the same time, over 140 people have been exonerated.

Q. Do you consider "The Hanging Judge" to be an anti-death penalty novel?

A. Absolutely not. The novel merely says, or tries to say: "Here is how a death penalty trial actually works. Now we can talk."

Q. How is the book being received?

A. "The Hanging Judge," my agent tells me, has so far sold over 40,000 copies in print and e-book format, pretty good for a first novel. It spent one blessed week on The New York Times bestseller list, and we're negotiating a contract with my publisher for my next book.

Boston Globe articles (7/26/2014—11/15/2014) 142

Perhaps the most gratifying reward I've gotten for writing the novel is a letter I received from retired Supreme Court Justice John Paul Stevens, one of my heroes, who said he "thoroughly enjoyed" the novel and praised it for demonstrating that the "judicial process is not infallible."

In my world, this is like getting a letter from the Dalai Lama, and I had to peel myself off the ceiling when I read it.

Q. What is the significance of the title, "The Hanging Judge"? Your protagonist, Judge David Norcross, seems like a pretty decent man.

A. I liked the double meaning that the phrase conveys. A "hanging judge" can mean two things: either a judge who hangs people, or a judge who is himself hanging. All judges who preside over death penalty trials are in this fix. They face the possibility of having to sign an execution order, and they also figuratively dangle over the capricious process they are supposed to be supervising.

Q. One of the subplots in your novel involves two luckless Irishmen, executed in Northampton in 1806. Why did you include their story?

A. We like to console ourselves that the injustices of the past no longer occur in our country in the 21st century. Yet the hanging of Dominick Daley and James Halligan, two innocent victims of virulent anti-Catholic bigotry in 1806, has its parallels today. The people executed are most often the friendless, targets of prejudice and fear. I had no idea that Catholics were so abhorred in Western Massachusetts two hundred years ago. The defendant in my novel, Clarence "Moon" Hudson, a young African-American man with a criminal record and an intimidating face, shares some of the same vulnerabilities Daley and Halligan suffered. Beyond that, the story of the two courageous Irishmen, who stood on the gallows, declared their innocence, and then stated that they "blamed no one and forgave everyone" deserves to be retold.

Milton J. Valencia can be reached at MValencia@globe.com. Follow him on Twitter @Milton Valencia.

Credit: By Milton Valencia Globe Staff

Illustration

Caption: Judge Michael A. Ponsor's novel "The Hanging Judge" involves a murder trial. Steven G. Smith

Ringling the bell for little-known bills

Boston Globe - Boston, Mass.

Subjects: Governors

Date: Nov 14, 2014

Start Page: D.6

Section: Metro

Document Text

Many bills signed into law by the governor are a big deal. Some get nearly no attention. See how much you know about some of the lesser-known bills signed this year by Governor Deval Patrick.

1In October, Patrick signed into law legislation naming a bridge on Baker Street in West Roxbury after William J. Gormley III. Who was he?

2Also in October, a bridge in Needham was officially named for Daniel J. Kennedy. Who was he?

3In September, a measure signed by the governor added the phrases "belay safety system," "safety harness," and "protective headgear" to state law. What in the world was that about?

4In a law signed in August, state officials weighed in on potluck suppers. Why?

5In July, the governor declared an official recreational and team sport of Massachusetts. What is it?

6Who is Ms. G?

7In July, Patrick made life a little better for sharks. How?

8The state's drinking laws were liberalized in a law signed in July. How?

9June 9 is now officially called General Sylvanus Thayer Day in Massachusetts. Who was he?

10A new state law allows drivers to show their support for victims of the Boston **Marathon bombings**. How?

ANSWERS

Boston Globe articles (7/26/2014—11/15/2014) 143

1. Gormley was a commander in the Massachusetts National Guard and an expert in operating anti-aircraft missiles to defend Greater Boston. 2. Kennedy was a US Navy chaplain. 3. The governor approved a new law regulating the operation of portable fabricated rock climbing walls. 4. The new law makes clear that government health officials do not regulate the food brought to potluck events sponsored by individuals or by religious, charitable, or nonprofit groups. Restaurants can't sponsor potlucks. And potluck event food may not be brought into the kitchen of a business establishment dealing in the sale of food. 5. Volleyball. 6. In July, she became Massachusetts' official state groundhog. Truly. (Ms. G. lives at the Mass Audubon Drumlin Farm Wildlife Sanctuary in Lincoln.) 7. He signed legislation banning the possession and sale of shark fins in the state. Massachusetts became the ninth state to criminalize the shark fin trade. 8. On Sundays, alcohol can now be sold starting at 10 a.m., rather than noon. 9. Thayer, of Braintree, was known as the "Father of West Point." He was an early superintendent of the US Military Academy at West Point and an early advocate of engineering education. 10. Drivers will be able to purchase "**Boston Strong**" license plates for an additional fee of \$50. The proceeds will be directed to the **One Fund Boston**.

Illustration

Caption: Globe Staff Illustration

Exhibit 1c (*Boston Herald* log and articles)

Boston Herald Articles Log & Breakdown
7/26/2014 – 11/15/2014
Dzhokhar Tsarnaev

Index #	Date	Headline	Type	# of printed pages	Short (S)	Pictures	Side bars
1 Boston Herald	7/26/2014	U.S. needs to act now on borders, terror threats	Commentary	2		1	
2 Boston Herald	7/27/2014	Count on Tsarnaevs' EBT card collection	Commentary	2			
3 Boston Herald	7/29/2014	WTC cross is about history, not religion		2		1	
4 Boston Herald	8/2/2014	Lester will cherish Sox years		2	S	1	
5 Boston Herald	8/5/2014	NYC hospital isolates, tests patient for Ebola		2	S	2	
6 Boston Herald	8/7/2014	Tsarnaev's best pal doesn't fight for bail		2			
7 Boston Herald	8/8/2014	Veteran group of Hub cops climbs ranks		2	S	1	
8 Boston Herald	8/10/2014	One Run relay nets \$455G		1		1	
9 Boston Herald	8/15/2014	Airstrikes won't accomplish our mission in Iraq	Commentary	2			
10 Boston Herald	8/17/2014	A'S eager for games reprise		5	S		
11 Boston Herald	8/18/2014	Damone focused on the future		2		1	
12 Boston Herald	8/18/2014	Clark's cancer battle inspires Mayor Walsh		2	S	1	
13 Boston Herald	8/21/2014	Demilitarize our cops? ISIS would love that	Commentary	2			
14 Boston Herald	8/21/2014	Fear reigns on Gaza Edge: After helping Hub, trauma team returns		2		1	
15 Boston Herald	8/21/2014	Lawyer: Tsarnaev pal will plead guilty today		2		3	
16 Boston Herald	8/22/2014	Guilty plea opens evidence vs. Tsarnaev: Experts: Prosecutors must prove conspiracy		2		1	

Index #	Date	Headline	Type	# of printed pages	Short (S)	Pictures	Side bars
17 Boston Herald	8/22/2014	Dzhokhar's pal lost in translation	Commentary	2		1	
18 Boston Herald	8/23/2014	Feds brief hub cops on ISIS threat		2		1	
19 Boston Herald	8/24/2014	Welcome mat is out	Commentary	3		1	
20 Boston Herald	8/25/2014	How terrorists could win	Letter to the Editor	2			
21 Boston Herald	8/28/2014	Tsarnaev sister accused of bomb threat: Cops: She told woman, 'I know people'		2		1	
22 Boston Herald	8/30/2014	Fears ISIS could use traitors to hit U.S.		2		1	
23 Boston Herald	8/30/2014	Tsarnaev defense seeks to delay trial		2		1	
24 Boston Herald	9/1/2014	Terrorists coming home	Editorial	2			
25 Boston Herald	9/1/2014	Thugs reign on festive Hub parade	Commentary	2			
26 Boston Herald	9/3/2014	One Fund to hand out \$18.5M, create center		1			
27 Boston Herald	9/5/2014	Feds: Delays will prevent Tsarnaev insanity claim		1		1	
28 Boston Herald	9/6/2014	Hub's a terror hotbed, military pundit warns		2			
29 Boston Herald	9/6/2014	Terror comes home	Editorial	2			
30 Boston Herald	9/8/2014	Tracked down	Briefs	1		1	
31 Boston Herald	9/9/2014	Mosque denies ties to suspected ISIS techie: Admits other terrorists had visited		2			
32 Boston Herald	9/10/2014	Let parade roll on	Letter to the Editor	2			
33 Boston Herald	9/11/2014	Alliance helps marathon bombing victims rebuild		2		1	
34 Boston Herald	9/12/2014	How the T works to prioritize safety in post-9/11 world	Q&A	2			
35 Boston Herald	9/12/2014	Trial too speedy	Letter to the Editor	2			

Index #	Date	Headline	Type	# of printed pages	Short (S)	Pictures	Side bars
36 Boston Herald	9/13/2014	Fight fanaticism with freedom	Commentary	2			
37 Boston Herald	9/13/2014	Expert: Tsarnaev's ideal juror 'a little more liberal'		2		1	
38 Boston Herald	9/14/2014	Tracked down	Briefs	1			
39 Boston Herald	9/19/2014	A push to keep trial in hub: Bombing survivors want to face 'coward'		3		2	
40 Boston Herald	9/21/2014	Memorial a beauty, but a sad reminder		2	S	4	
41 Boston Herald	9/22/2014	Marathon bombings survivors take the field for mobility clinic		2		1	
42 Boston Herald	9/24/2014	Deval's devotion to riffraff is disturbing	Commentary	2		3	
43 Boston Herald	9/24/2014	Pilot program looks to be proactive in halting terror		2		5	
44 Boston Herald	9/25/2014	FBI warns police, keep eye out for lone-wolf extremists		2		1	
45 Boston Herald	9/25/2014	Judge: Tsarnaev can get a fair trial in Boston		2		2	
46 Boston Herald	9/26/2014	EBT card bonanza	Commentary	2			
47 Boston Herald	9/26/2014	A fair trial in Boston	Editorial	1			
48 Boston Herald	9/28/2014	Deval under oath — if only	Commentary	2			
49 Boston Herald	9/29/2014	Tom's 'mixed' message: In new book, ex-mayor praises, raises concerns about FBI in wake of bombings		2			
50 Boston Herald	10/2/2014	No firing squad for these deserters, just EBT cards	Commentary	2			
51 Boston Herald	10/3/2014	Biden: Terrorists not an 'existential threat'		2		1	
52 Boston Herald	10/5/2014	Blame the bad, not their tools	Commentary	2		1	
53 Boston Herald	10/7/2014	Impartial attorney says of weed plea: 'It could work in this case'		2			
54 Boston Herald	10/7/2014	Tsarnaev pal's defense is pure reefer madness	Commentary	2			

Index #	Date	Headline	Type	# of printed pages	Short (S)	Pictures	Side bars
55 Boston Herald	10/7/2014	Victims' mom: Phillipos' pot excuse 'sickening'		2		3	
56 Boston Herald	10/8/2014	Affleck bro takes on 'Boston Strong'		2		1	
57 Boston Herald	10/8/2014	Other Tsarnaev bud may smoke pot claim		2		1	
58 Boston Herald	10/9/2014	Pal a possible witness against Tsarnaev		2		1	
59 Boston Herald	10/9/2014	Phillipos must take high road and testify	Commentary	2			
60 Boston Herald	10/12/2014	Tsarnaev's lawyers seek evidence from 2011 triple homicide tied to late brother		2		2	
61 Boston Herald	10/14/2014	Tracked down	Briefs	1		1	
62 Boston Herald	10/15/2014	Pal, text support claim Phillipos was stoned		2		2	
63 Boston Herald	10/16/2014	Pal says Phillipos 'extremely out of it' night things tossed		2		1	
64 Boston Herald	10/17/2014	Duke too late to help Dzhokhar pal		2			
65 Boston Herald	10/18/2014	Judge denies Tsarnaev bid to toss out seized evidence		2		1	
66 Boston Herald	10/18/2014	Phillipos trial slated to wrap up Tuesday		2		1	
67 Boston Herald	10/21/2014	Striding toward marathon memorial: Mayor in talks for permanent tribute to victims		2		1	
68 Boston Herald	10/22/2014	Phillipos case sent to jury for deliberation		1			
69 Boston Herald	10/23/2014	Pay tribute in schools	Letter to the Editor	2			
70 Boston Herald	10/23/2014	John Chapman in the 9th	Editorial	1			
71 Boston Herald	10/24/2014	Attack in Ottawa stirs emotions		3		1	
72 Boston Herald	10/25/2014	Ex-mayors share special bond	Commentary	2		1	
73 Boston Herald	10/26/2014	United ceremony	Briefs	3		1	

Index #	Date	Headline	Type	# of printed pages	Short (S)	Pictures	Side bars
74 Boston Herald	10/28/2014	Long deliberations good for Phillipos: Stoner defense may be resonating with jury		2		1	
75 Boston Herald	10/29/2014	Dumbbell Phillipos' excuse a big waste	Commentary	2			
76 Boston Herald	10/29/2014	Lawyers: Phillipos 'happy' to discuss deal to testify		2			
77 Boston Herald	10/29/2014	Youth has been no excuse		2		1	
78 Boston Herald	10/30/2014	Hernandez lawyers say DA lifted venue change words		2		1	
79 Boston Herald	10/31/2014	Menino beloved by Hub sports figures		2		2	
80 Boston Herald	10/31/2014	Hub's mayor gained national respect		2		1	
81 Boston Herald	10/31/2014	Tom taught kids to strive, care		2		1	
82 Boston Herald	10/31/2014	Hub legend built a stronger city: Beloved mayor remembered for giving back		4			
83 Boston Herald	10/31/2014	The Menino legacy	Editorial	2			
84 Boston Herald	11/1/2014	Survivors say thanks, Tom: Led city through bombing crisis		2		1	
85 Boston Herald	11/2/2014	Champion for city: Biz leaders say Menino's legacy is varied, assured		2		1	
86 Boston Herald	11/2/2014	Son cherishes moments of humor, compassion		3		2	
87 Boston Herald	11/3/2014	Mass includes prayers for mayor		2		1	
88 Boston Herald	11/3/2014	City's people pay respects		2		2	
89 Boston Herald	11/5/2014	Tsarnaev sis pleads guilty: Faces no jail time in counterfeit cash case		2		1	
90 Boston Herald	11/6/2014	Tsarnaev lawyers seek evidence about Tamerlan		1			
91 Boston Herald	11/9/2014	Sorkin's scold news: 'Newsroom' rehashes marathon bombings	TV Show Review	2		1	1
92 Boston Herald	11/10/2014	The Palmer method: Unpredictable musician/author does things her way		2		1	

Index #	Date	Headline	Type	# of printed pages	Short (S)	Pictures	Side bars
93 Boston Herald	11/11/2014	'Inspiration to all of us': For bombing survivor, amputation a 'new beginning'		2		1	
94 Boston Herald	11/11/2014	Tsarnaev prosecutors: He can't keep secrets		2			
95 Boston Herald	11/14/2014	Ex-cop: Bomber search violated Constitution		2			

**Boston Herald Articles Log & Breakdown
7/26/2014 – 11/15/2014
Dzhokhar Tsarnaev**

of Articles: 95

Photos: 80

Information boxes/sidebars: 1

Type of article:

News articles – 62
Briefs – 4
Letters to the Editor – 4
Commentary – 17
Editorial – 5
Interview Q&A – 1
Comments – 1
TV Show Review - 1

Breakdown by month:

2014:
July 26, 2014 – 3
August – 20
September – 26
October – 34
November 15, 2014 – 12
TOTAL – 95

Boston Herald (MA)

July 26, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 207

Topics:

Index Terms:

Columnists

U.S. needs to act now on borders, terror threats

Author: *Adriana Cohen* By *Adriana Cohen*

Article Text:

With terrorist threats at their highest levels since 9/11, Americans must demand that the federal government secure the nation's borders immediately. No one should be permitted to enter the U.S. without getting screened and having their backgrounds checked. Nobody.

Putting aside the flood of illegal Central American kids, we cannot afford to leave our borders so wide open that jihadist terrorists can stroll right in and launch another attack like the **marathon bombings**, 9/11 or worse. A nation cannot expect to remain sovereign without secure borders.

In the roiling Middle East, dangerous Muslim terrorists are multiplying in force. ISIS is no longer a terror "group" or "cell," it is a full-blown, extremely dangerous army, toppling countries and committing mass atrocities. Now it is threatening to take over Iraq and turn it into a terrorist state.

Yet President Obama keeps traipsing from golf course to fundraiser to vacation. Meanwhile ISIS could very well be acquiring dirty bombs, chemical or other weapons of mass destruction, and aiming them at our ally Israel and the U.S. There's also the ongoing threat of Iran developing nuclear weapons doing the same.

Secretary of State John Kerry keeps coming up with ineffective sanctions to stem the tide. Let's get real, Kerry makes Jimmy Carter look like Rambo. We'd be better off — and safer — if Kerry went back to windsurfing and an experienced foreign policy expert like former U.N. Ambassador John Bolton took the wheel.

Boston Herald articles (7/26/2014—11/15/2014) 1

Securing our borders also means tightening U.S. ports, which are wide open and vulnerable to a potential terror attack. Any terrorist bent on killing Americans and disrupting our economy can put a bomb in a cargo vessel overseas and ship it here. But the Department of Homeland Security has yet to implement U.S. Senator Ed Markey's 2007 legislation mandating that all cargo be screened before it enters the U.S. The public needs to pressure DHS and the White House to act now before it's too late.

When he was released from captivity at Camp Bucca in 2009, the now head of ISIS, Abu Bakr al-Baghdadi, told U.S. troops, "I'll see you in NY."

It is both perilous and foolish to ignore his warning given the very serious acts of terrorism we are witnessing unfold around the world.

Adriana Cohen is co-host of "Trending Now" on Boston Herald Radio. Follow her on Twitter @AdrianaCohen16.

Caption:

PROTECTING OUR COUNTRY: As more and more cross our borders illegally, it is more vital than ever to properly screen those entering the country, as seen below.

AP PHOTOS

Copyright (c) 2014 Boston Herald

Record Number: 22381046

Boston Herald (MA)

July 27, 2014

Edition: ALL

Section: News

Page: 14

Volume 32, Issue 208

Topics:

Index Terms:

Columnists

Count on Tsarnaevs' EBT card collection

Author: *HOWIE CARR*

Article Text:

What's the over-under on how many EBT cards the **Tsarnaev** gang had in their heyday? Very conservatively, I'm going to say 15.

It's difficult to nail down exact numbers, because these are, after all, undocumented Democrats, and God forbid that their privacy rights should ever be violated. As Rep. Shaunna O'Connell (R-Taunton) put it this week, "Deval Patrick can't run the state, but he sure is good at stonewalling."

The latest questions concern Khairullozhon Matanov, better known as "The Quincy Cabbie." Did he or did he not have an EBT card? Calls were placed to his lawyer (who we're paying for) but he did not return them. According to some law enforcement sources, not only did Matanov have an EBT card, but he also inherited the EBT card of confessed multiple-murderer immigrant Ibragim Todashev.

Todashev is the mixed martial arts fighter who was shot to death in Orlando by an FBI agent. Just before attacking the FBI agent, he had confessed to stabbing three drug dealers to death in Waltham on Sept. 11, 2011.

At least there is one positive thing about EBT cards — you can track where they're being used. In the hours before he and Speedbump **Tsarnaev** murdered the three Americans, Todashev was using his infidel-supplied EBT card in Waltham, sources tell me.

They also tell me Todashev was living with the Quincy cabbie before he left for Florida. And that when he left Massachusetts, he paid his back rent by handing his EBT card over to Matanov.

Boston Herald articles (7/26/2014—11/15/2014) 2

Why not? Drug dealers use EBT cards as a form of currency, so why not terrorists? Terrorists and drug dealers have a lot in common — they're always on welfare, and they're usually from foreign lands.

Matanov, you may recall, was an extremely successful cab driver. Using fake names, over three years he wired \$71,000 cash in 114 different wire transfers out of the Great Satan to Egypt, Jordan, Turkey and Uzbekistan.

Too bad he didn't save any money for his legal-defense fund. But hey, that's our job as U.S. citizens. Through their EBT cards, we pay for the pressure cookers to blow us up, and then we pay for their lawyers.

When it came to living high off the infidels, Quincy Cabbie was a piker compared to the Tsarnaevs. Naturally they all had EBT cards — they were “refugees,” after all, seeking “asylum” in America, asylum from work.

Mr. and Mrs. **Tsarnaev** had been living on Norfolk Street, which is in the Sectioneightistan neighborhood of Cambridge. Then they split up, an old ploy. If you split up, each “refugee” needs his own EBT card, and gets it, naturally, no questions asked. And each of the foreign freeloaders gets more dough, because despite what the old song says, two “asylum-seekers” cannot live as cheaply as one, especially if one of them is addicted to cognac.

Now that the **Tsarnaev** parents are back in their home country of EBTistan, they've reconciled.

Meanwhile, one of the **Tsarnaev** sisters is coming up for trial on her alleged dine 'n' dash at an Applebee's in Dorchester. Must be another one of those quaint customs they brought over from their home country of Shopliftistan.

Sister Bella has been arrested in New Jersey on drug charges. As for Speedbump, the dead terrorist, believed to have murdered seven people before his brother sent him to Paradise by running him over in a stolen SUV, he too had his own personal EBT card.

Anybody want to bet on who the Joker voted for for president in 2012?

Caption:

WELFARE WEALTH: Tamerlan, right, and Dzhokhar **Tsarnaev**, far right, and other family members had EBT cards.

STAFF FILE PHOTO BY NANCY LANE

MATANOV

TODASHEV

Copyright (c) 2014 Boston Herald Record Number: 22385392

Boston Herald (MA)

July 29, 2014

Edition: ALL
Section: News
Page: 12

Volume 32, Issue 210

Topics:

Index Terms:

Local

WTC cross is about history, not religion

Author: *BOB McGOVERN*

Article Text:

The iconic 17-foot-tall cross of steel beams that work crews found in the rubble of the Twin Towers is a piece of history, a federal appeals court ruled yesterday in rejecting an atheist challenge — and its display in the National September 11 Memorial and Museum in no way represents a government effort to establish religion.

“Thank God,” said Father Brian Jordan, the Franciscan priest who had the cross pulled from Ground Zero weeks after an excavator showed it to him. “In a way, we’ve been vindicated. I’m satisfied and gratified that this will go down as a piece of history — as a reminder.”

American Atheists had tried to get the cross booted from the museum, claiming a constitutional church-state violation.

“Atheists died on 9/11, members of our organization suffered in lower Manhattan on that day, and our members helped with the rescue and recovery efforts, yet we are denied equal representation in the National Museum,” American Atheists President David Silverman said in a statement.

But a three-judge panel for the Second Circuit in its decision released yesterday held that the “actual purpose in displaying The Cross at Ground Zero has always been secular: to recount the history of the terrorist attacks of Sept. 11, 2001, and their aftermath.”

American Atheists has not yet decided whether it would appeal the decision to the full appellate court or the Supreme Court.

One constitutional scholar, however, said the court got it right.

“Even though I’m a strong believer in the separation of church and state, I think it really goes unnecessarily far for any group of nonbelievers to be so thin-skinned that they would object to a display such as that involved in this case,” said Boston civil rights attorney Harvey Silverglate. “It seems that common sense, every so often, really should prevail in these cases, and that’s what happened.”

The court said the cross simply tells “the story of how some people used faith to cope with the tragedy” and that it’s a “genuine historic artifact.”

To some, the analysis is even easier than that.

“I think that no matter what your religion is, you prayed to some kind of god that day,” said Thomas Kennedy, a Hyannis firefighter who was with the first search teams working the site. “I don’t have anything against the atheists, but I think they could focus their efforts elsewhere. This is a piece of history. It’s the same as all the other things they saved as a part of history.”

Jordan, a runner who was present during the **Boston Marathon** bombings, agreed.

“When I heard their argument, I knew the atheists didn’t have a prayer,” he said, in a vintage Brooklyn accent. “No pun intended.”

Laurel J. Sweet contributed to this report.

— bob.mcgovern@bostonherald.com

Caption:

CLEARED: A federal appeals court ruled yesterday that a cross-shaped remnant from the wreckage of the Sept. 11 World Trade Center attacks is a secular item that can be a part of a national memorial.

AP FILE PHOTO

Copyright (c) 2014 Boston Herald

Record Number: 22415907

Boston Herald (MA)

August 2, 2014

Edition: ALL

Section: Sports

Page: 28

Volume 32, Issue 214

Topics:

Index Terms:

Baseball-Red Sox

Lester will cherish Sox years

Author: *GIDEON RUBIN*

Article Text:

OAKLAND — Yes, Jon Lester did leave Boston disappointed to some degree after negotiations with the Red Sox fell apart. But he was adamant that those emotions don't define his experience with an organization he helped win two World Series titles over parts of nine years.

Lester's comments came during an introductory press conference in Oakland yesterday, just a day after the blockbuster deal that sent him along with outfielder Jonny Gomes to the West Coast for outfielder Yoenis Cespedes and a competitive balance draft pick from the A's.

The 30-year-old left-hander is scheduled to make his A's debut today against the Kansas City Royals.

"I think anytime you negotiate with a team and it doesn't go the way everybody wants it to, there's always going to be disappointment, but that's not to say that the effort wasn't there on both sides to try to get something done," Lester said.

And he sounded like a player who hasn't given up on something getting done during the offseason, noting that he treasures his time in Boston.

Lester, who'll be a free agent after this season, is widely viewed as a rental for the low-payroll A's, who are now in full-blown 2014-or-bust mode.

"My time in Boston will be something I'll always remember, I'll always cherish, from 2002 (the year he was drafted) to yesterday," Lester said. "I've got nothing but great

things to say about the way they treated me and the way they treated my family. In good times and the bad times, they were always consistent.”

Lester said he thanked the team for the way he was treated.

He offered a not-so-subtle hint that he'd welcome a return to Fenway despite negotiations that in recent months reportedly didn't go well. A four-year deal according to published reports worth \$70 million that the Red Sox offered was viewed by most in the industry as well below market value for a pitcher of Lester's stature.

“We'll see where that relationship goes, but right now I'm an A and I'm going to go out here and perform for these guys and try to help bring a championship here,” Lester said.

Gomes, who grew up in the San Francisco Bay Area in Sonoma County (about 40 miles north of Oakland), returns to the East Bay for a second stint with the A's. He batted .262 with 18 homers and 47 RBI in 99 games for the A's in their 2012 Western Division title run.

The 33-year-old outfielder, who played a big role in the Red Sox clubhouse chemistry last season, said he appreciates the significance of playing in a historic ballpark on the same left field in the Green Monster's shadow that greats such as Jim Rice and Carl Yastrzemski, among others, patrolled.

“I got to play 81 home games inside a museum,” Gomes said.

Gomes said he values the special experience of winning a championship in a historic ballpark amid unique circumstances, with the city rallying behind the Red Sox in aftermath of the **Boston Marathon** bombing.

“Looking back on it, the Boston Strong, the marathon and the famous flex that we all rallied around that I think is going to be timeless,” Gomes said. “Not individually, but I'm extremely honored to be engraved in history in that city with the team that we had.”

Caption:

GOOD AS (GREEN AND) GOLD: New Athletics Sam Fuld, Jon Lester and Jonny Gomes show off their new jerseys at a news conference yesterday in Oakland, Calif.

AP PHOTO

Copyright (c) 2014 Boston Herald

Record Number: 22460818

Boston Herald (MA)

August 5, 2014

Edition: ALL

Section: News

Page: 12

Volume 32, Issue 217

Topics:

Index Terms:

Local

NYC hospital isolates, tests patient for Ebola

Author: *CHRIS CASSIDY*

Article Text:

A patient with possible Ebola symptoms who had recently returned from West Africa was being tested in isolation at New York's Mount Sinai Hospital yesterday, as the death toll from the terrifying virus rose and the outbreak spread into Nigeria — an alarming development that raised new fears that the health crisis could spread far beyond the region.

“Nigeria is a game-changer,” Northeastern University professor Alessandro Vespignani said of the second confirmed case in Africa's most populous country. A physicist who studies how technology and human behavior spread diseases globally, Vespignani said, “Nigeria is so much more connected than Sierra Leone and Liberia and Guinea. Nigeria is a country that, if they can't control the outbreak there, it could lead to a much faster internationalization of the outbreak.”

Deaths in what already has become the worst-ever Ebola outbreak have risen to 887, according to the World Health Organization. Confirmed cases of the virus increased to 1,603, spanning four countries in West Africa.

“The world is a very small place,” said Dr. Lachlan Forrow of Beth Israel Deaconess Medical Center, who has made dozens of trips to West Africa. “We are one global village, and there is no such thing in 2014 as a disease in one place that is irrelevant to other people in the world.”

The male New York patient arrived at Mount Sinai's emergency room early Monday with a high fever and gastrointestinal symptoms.

“The patient has been placed in strict isolation and is undergoing medical screenings to determine the cause of his symptoms,” the hospital said in a statement. “All necessary steps are being taken to ensure the safety of all patients, visitors and staff.”

Meanwhile, Kent Brantly, one of two Americans infected with Ebola in Liberia, was treated with an experimental serum before he left Africa amid high security to Atlanta, his organization, Samaritan’s Purse, said yesterday.

The second American, Nancy Writebol, is expected to arrive in Atlanta today.

Forrow, the Beth Israel physician, said Bostonians should neither panic nor underestimate the impact of Ebola, but added that even if a case was reported here, hospitals would be ready.

“We can say with confidence after the **marathon experience**, Boston hospitals are superbly equipped to do emergency responses right,” Forrow said. “If there was an exposure in Boston, I’m highly confident our emergency department and other staff would be all over it.”

Meanwhile, Dr. Nahid Bhadelia of Boston Medical Center will soon head to Sierra Leone to treat infected Ebola patients, a hospital spokeswoman said.

Herald wire services contributed to this report.

— chris.cassidy@bostonherald.com

Caption:

TOO CLOSE TO HOME: A visitor sits inside the emergency entrance of New York City’s Mount Sinai Medical Center, where a patient is undergoing testing for the Ebola virus.

AP PHOTOS

AIRPORT SCREENINGS: Nigerian health officials, above and left, wait at the arrivals hall in Murtala Muhammed International Airport in Lagos, Nigeria, in order to screen passengers yesterday.

Copyright (c) 2014 Boston Herald

Record Number: 22496968

Boston Herald (MA)

August 7, 2014

Edition: ALL

Section: News

Page: 17

Volume 32, Issue 219

Topics:

Index Terms:

Local

Tsarnaev's best pal doesn't fight for bail

Author: *LAUREL J. SWEET*

Article Text:

A Cambridge man authorities have alleged once possessed the handgun they believe the **Tsarnaev** brothers used to execute MIT police Officer Sean Collier as they were fleeing capture for the **Boston Marathon** bombings has volunteered to be held without bail indefinitely.

Stephen Silva, 21, of Cambridge — who allegedly told transit police he was Dzhokhar **Tsarnaev**'s "best friend" — pleaded not guilty yesterday to heroin and firearm charges and was remanded by U.S. District Court Magistrate Judge Marianne B. Bowler to the custody of the U.S. Marshals.

Silva is the sixth man to be arrested and linked to the April 15, 2013, terrorist attack in Copley Square — in his case, by a Ruger P95 9mm pistol with an obliterated serial number his indictment charges he had in his possession illegally two months earlier.

"The indictment charges that Mr. Silva possessed a firearm in February of 2013, which is approximately two months before the marathon bombing and the shooting of the MIT police officer. He has not been charged with any connection or any involvement with the marathon bombing.

"That's clear," Silva's court-appointed defense attorney Jonathan Shapiro told reporters after today's arraignment.

"I've read what's in the (news)papers. The papers are saying that law enforcement officials are saying the gun was the gun that was used, but again, that's not been charged," Shapiro said.

Shapiro also said he's not given up on fighting for Silva's release on bail at a later date.

"We're working on developing conditions for his release," he said. "It's something that takes time," he said.

— laurel.sweet@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 22519033

Boston Herald (MA)

August 8, 2014

Edition: ALL

Section: News

Page: 12

Volume 32, Issue 220

Topics:

Index Terms:

Local

Veteran group of Hub cops climbs ranks

Author: *ANTONIO PLANAS*

Article Text:

A new batch of commanders and detectives who boast a “deep well of experience” with the Boston Police Department were promoted yesterday in a ceremony at Dorchester’s Florian Hall where Mayor Martin J. Walsh and police Commissioner William B. Evans praised their work and proclaimed the city’s future in good hands.

“Together, you have 671 years of service right here in front of us — an average of 19 years per officer,” Walsh said. “That’s a deep well of experience. ... You have to respond to thousands of different situations, confronting danger on a daily and nightly basis. ... You have learned the technical skills and developed the deep instincts that make you all great investigators.”

Evans said the department’s professionalism is “unmatched.”

“We’ve seen it on April 15 (the day of the **marathon bombings**), how well we responded,” Evans said. “The work is tireless, but we continue to step up to the plate and I really appreciate it.”

Lt. Stanley Demesmin is the department’s first Haitian to reach that rank. He said the promotion “humbled” him. “I wanted to give back to people,” Demesmin said of choosing to be a cop. “It’s a positive feeling that you get when you help out people.”

— antonio.planas@bostonherald.com

Caption:

PRIDE AND JOY: Newly promoted officers are joined by family members at yesterday’s ceremony. Clockwise from top left, Ella, 1, dons dad Lt. Michael Connolly’s hat, Lt.

Boston Herald articles (7/26/2014—11/15/2014) 7

Stanley Demesmin gets help pinning his badge from son Jacques, 11, and Sgt. Luke Holbrook cradles 2-week-old son Shane.

STAFF PHOTOS BY ANGELA ROWLINGS

Copyright (c) 2014 Boston Herald

Record Number: 22531722

Boston Herald (MA)

August 10, 2014

Edition: ALL
Section: News
Page: 12

Volume 32, Issue 222

Topics:

Index Terms:

Local

One Run relay nets \$455G

Author: *ANDREW BLOM*

Article Text:

Organizers of One Run For Boston, a monthlong, coast-to-coast relay that raised \$455,000 for victims of the **Boston Marathon** bombings, yesterday donated the proceeds to The One Fund.

Boston Mayor Martin J. Walsh accepted the check from One Run co-founder Danny Bent, who was joined by **Marathon** survivors, including Officer Sean Collier's sister, Jennifer Lemmerman, and many of the runners who spent a month last spring battling rain, heat and coyotes to raise money for survivors.

Runners raised donations through sponsorships during their monthlong, 2,000-runner, 3,328-mile, 24-hours-a-day, 14-state relay from Santa Monica, Calif., to Boston that ended April 13.

— citydesk@bostonherald.com

Caption:

SELFIE TIME: One Run For Boston co-founder Danny Bent, center, takes a photo with Boston Mayor Martin J. Walsh after a check presentation at Copley Square in Boston yesterday. One Run For Boston raised \$455,000.

HERALD PHOTO BY CHITOSE SUZUKI

Copyright (c) 2014 Boston Herald

Record Number: 22555589

Boston Herald (MA)

August 15, 2014

Edition: ALL

Section: News

Page: 12

Volume 32, Issue 227

Topics:

Index Terms:

Local

Airstrikes won't accomplish our mission in Iraq

Author: *ADRIANA COHEN*

Article Text:

Obama just had his “Mission Accomplished” moment, and it’s a farce.

Despite his assurances that the humanitarian mission atop Mount Sinjar was a success, nothing could be further from the truth. Obama has a big problem with the Islamic State in Iraq and Syria — a name he chooses not to use because it reminds people of his failure in Syria and the fact that we have to go back to Iraq — and he’d like it to just go away, at least until the midterms are over. But it won’t.

The president took time out from his 186th round of presidential golf yesterday to spike the football on the humanitarian mission to save the starving Yazidi refugees from ISIS.

“The bottom line is, is that the situation on the mountain has greatly improved and Americans should be very proud of our efforts,” Obama said in a press conference on Martha’s Vineyard. “We broke the ISIL (Islamic State in the Levant) siege of Mount Sinjar, we helped vulnerable people reach safety and we helped save many innocent lives.”

What he didn’t mention is that, according to numerous news reports, the ISIS jihad continues in full force ... and now they’ve commenced a “sexual jihad,” abducting hundreds if not thousands of Iraqi women and girls, raping them and trading them as sex slaves.

A few airstrikes are not going to end this. ISIS controls a vast swath of Iraq, and whether Obama and the Democratic Party like it or not, airstrikes will not be enough to dislodge them or embolden the weak Iraqi forces. That will, sooner or later, require American boots on the ground. The Iraq War isn’t over. And the threat now, as it was from the

Boston Herald articles (7/26/2014—11/15/2014) 9

beginning, is what terrorists in Iraq can do to our interests in the region and to us here at home.

ISIS wants to attack America. Its leaders have said so, promising to raise the jihadi flag at the White House. They wouldn't be the first to target the White House. That was al-Qaeda on Flight 93. We already know, from 9/11 to the **Boston Marathon** bombing, that people radicalized overseas can and have killed Americans and caused massive economic disruption here.

What Obama and his party don't seem to grasp is that Americans will get behind a president who takes bold action in defense of the nation. Actually looking out for America's vital strategic interests might even help this beleaguered, scandal-plagued president — who hasn't managed to get a single thing right in foreign policy or at home in the last six years — and his fellow Democrats salvage this election.

— adriana.cohen@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 22599520

Boston Herald (MA)

August 17, 2014

Edition: ALL

Section: Sports

Page: 10,11

Volume 32, Issue 229

Topics:

Index Terms:

Baseball-Red Sox

A'S eager for gomes reprise

Author: *BASEBALL NOTES* by *JOHN TOMASE*

Article Text:

Jonny Gomes misses Boston, too.

The former Red Sox outfielder is thrilled to be back in Oakland, in the part of the country where he grew up, playing for the team he used to watch as a kid and helped lead to a surprise AL West title in 2012.

But there will always be a part of him in Boston, especially after the connection he forged with the city during the magical 2013 season. He still can't fathom how 2014 went so wrong.

"That's not supposed to happen," Gomes said last week in Kansas City. "You play this game long enough, you see the team that wins the World Series, they're going to be on a five-year run. Maybe they don't win it all five, but they're right there, whether it's the Phillies, Cardinals, Giants, you name it. You make that run.

"How we played last year, no one played out of their minds. I thought we'd be able to sustain that. Talk about an emotional roller coaster. I've never been part of something like that."

Jon Lester was rightly the story of the July 31 non-waiver trade deadline, but Gomes left a unique mark on the Olde Towne Team in a brief time before joining Lester in Oakland.

The clubhouse impact was real as the Red Sox remade their culture on the fly, and he contributed some of the most indelible moments of the march to a title. From the iconic **Boston Strong** flex, to the walkoff helmet punt, to the three-run homer that won Game 4 of the World Series.

Boston Herald articles (7/26/2014—11/15/2014) 10

That's why before leaving Fenway, he scooped up some dirt as a memento.

“(Winning) is what I stand for more than anything and I try to have my thumbprint on every game, even if I'm not in there,” Gomes said. “To finally get that goal was everything I play for.

“Obviously, **Boston Strong** is going to be a part of the legacy. The grandkids will go to Boston some day and see the flex and it won't be a picture of me or anything, but it was this community handshake, if you will.”

That said, Gomes is happy to be playing for a contender that he knows, which means he has a chance to win it all for a second straight year.

The A's he played for in 2012 made a huge late run to overtake the Rangers on the final day of the season and claim the AL West. They then took the Tigers to five games in the Division Series before dropping the finale, leaving the field to the obvious respect of their opponent and rival fans.

“As far as coming over here, there are a lot of familiar faces, but the feel is totally different,” he said. “It went from shocking the world to now, it's expected. And it happened quick for this organization.

“When we lost Game 5 against Detroit in '12, I know if that will ever get repeated, as far as a situation where you get a standing 'O' from the crowd, and even a quick-second from Detroit where they all tipped their hats to us. That's not going to happen again, if we're not fortunate enough to finish the season with a win. And the guys here know that.”

Gomes preaches playing the game right, which makes him the perfect fit in an Oakland clubhouse that remains relatively young and can only benefit from experienced veteran leadership.

“His reputation precedes him,” said A's platoon partner Stephen Vogt. “He's everything you can imagine a clubhouse leader looks and acts like. He keeps things loose, but he'll jump on a guy if they need to get jumped on.

“I wasn't here when he was here a couple of years ago. But when I was with Tampa, all you heard about was Jonny Gomes. And then I come here, and all everyone talks about is Jonny Gomes. Now he's here and it's all true. He's an asset to a team. It's no wonder he's been on so many playoff teams. It speaks to his character and ability.”

Vogt doesn't even mind that Gomes' arrival could even cost him at-bats against tough left-handers.

“I don't care,” he said. “The way I look at it is if there's a left-handed reliever in the game and it's my turn to hit with the game on the line, I'd rather have Jonny Gomes hitting for my team than Stephen Vogt hitting for my team, 100 out of 100 times.”

Boston Herald articles (7/26/2014—11/15/2014) 10

Multiple A's noted that Gomes' arrival should help former Red Sox farmhand Josh Reddick the most. Reddick is a talented player who can play with the scattered enthusiasm of a youngster. Gomes kept him in line in 2012, when Reddick blasted 27 homers and won a Gold Glove. It also turns out he's been one of Oakland's best hitters in August since Gomes' arrival.

"For me, it's perfect timing," Reddick said. "My big breakout year was 2012. Now he comes back and I start hitting again. It's ironic how timing works like that. Maybe it's fate. He's one of the best teammates I've ever had."

Reddick said the key to Gomes' influence is knowing when not to push too far.

"Jonny knows all the boundaries of what lines to cross and not cross," Reddick said. "Just when you think he's about to go over that line, he dials it back enough to keep it in a positive way. He brings the best out of us on the field, when emotions are high. He can keep us focused. After a rough game, he'll pat you on the back, keep everyone calm. That's what you want from a guy on the bench. By the fourth inning, he's got his batting gloves on. He's ready to get in there and help this club out. He knows his role and comes ready to play."

As for the Red Sox, Gomes recognizes that trades are part of life in the big city.

"That's title town up there," he said. "It's part of the risk of signing with a big-market club. If they're rolling and you're not, you're gone. If you're on a big-market club and the team's not rolling, you're gone then, too. That's big-market baseball. Big-market teams make moves."

Gomes believes the Red Sox will ultimately recover, because they're in good hands between general manager Ben Cherington and manager John Farrell.

"They've got the Executive of the Year and the manager who fell about a vote shy," he said. "The two most important pieces are in. They'll be fine."

Lester reflects on debacle

Lester didn't just speak at length about his contract last week in Kansas City. He also touched on how the 2014 season went to hell, and in his mind a lot of it has to do with turnover up the middle.

"There's a lot of things that put us — put them — in that position," Lester said, correcting his pronoun to reflect his new home. "Anytime you lose the middle of your diamond, it's not easy."

The Red Sox bid adieu to a trio of free agents in catcher Jarrod Saltalamacchia, shortstop Stephen Drew, and center fielder Jacoby Ellsbury. They proved far more difficult to replace than hoped. The Red Sox turned, respectively, to veteran A.J. Pierzynski, and rookies Xander Bogaerts and Jackie Bradley Jr., with poor results.

Boston Herald articles (7/26/2014—11/15/2014) 10

“We knew Jackie and nobody would’ve expected the struggles he’s had at the plate this year,” Lester said. “You had so many questions. Can Bogie play short? Can A.J. come in catching a new staff and handle the demands of that?”

“When you have guys like Salty and Stephen and obviously Jacoby, you have a catcher coming into his own, one of the best solid defensive shortstops you’re ever going to see, and you have an unbelievably dynamic player in center.”

The replacements struggled.

“No matter what Jackie did this year, he was never going to replace Jacoby,” Lester said. “He said it himself and hit the nail on the head — ‘I’m not trying to replace him. I’m trying to be me.’ That’s a great attitude, but at the same time, as a team you need to replace his production and what he brought to the table. That’s not a knock on Jackie, by any means.

“It’s the same thing with Bogie. He needed to replace the defensive stronghold that was Stephen Drew. He may one day be that, but at 21, he’s going to make the 21-year-old errors we all did when we were 21.

“And then A.J. coming in, he’s been around a while and played against us, seen us pitch, but the East is a whole different battle, especially when you come to Boston. I think he had a hard time with that.”

Add injuries to Shane Victorino and Mike Napoli, Lester said, in addition to the struggles of Daniel Nava, Will Middlebrooks, and even Dustin Pedroia, and you have a recipe for a team not living up to the standard it had set a year earlier.

“It almost just snowballed,” he said. “I don’t think anyone could’ve predicted it.”

That said, Lester believes the team’s young talent will eventually bear fruit.

“They’re young,” he said. “You’re going to have your ups and downs. You just have to figure out how to come out of it and be a little more consistent. These guys will be good players. Just give them time. Give them a shot.”

Odds and ends

Former Red Sox infielder Jed Lowrie on the media differences between Oakland and Boston: “The demand for information in Boston is like no other place. Unique is the perfect way to describe it. I’ve never experienced anything else like it. It just depends. (Lester) obviously thrived in that situation. It takes a special type of guy to succeed in Boston. You see a lot of good players go through there and not be successful for that reason. (Lester) is one of those people, personality-wise, who knew how to handle that situation.” . . .

What a killer week for high-profile pitchers, and a sobering reminder that even the most reliable arms are always one start away from injury. Both Tigers ace Justin Verlander

Boston Herald articles (7/26/2014—11/15/2014) 10

(shoulder) and Rangers counterpart Yu Darvish (elbow) were placed on the disabled list, and their teams are hoping for the best. Remember that when the Red Sox make their decision on Lester this winter.

— jtomase@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 22601010

Boston Herald (MA)

August 18, 2014

Edition: ALL

Section: News

Page: 3

Volume 32, Issue 230

Topics:

Index Terms:

Local

Damone focused on the future

Author: *LAUREL J. SWEET*

Article Text:

A 15-year-old Dorchester teen is recovering from the amputation of his left leg, surrounded by the community that has supported him during his long ordeal.

“The pain’s over,” Damone Clark told Mayor Martin J. Walsh during a visit in his room at Children’s Hospital yesterday. “I’m fine with it. I’m going to start walking again. I’m going to go to the store for no reason. If I can wake up every day, put on a leg even if it’s not mine, I can work it out. I know I can. If I’d saved the leg, I couldn’t jump or run or shoot hoops. I’m really enthusiastic about getting this done.”

Damone, a choir boy, cellist and member of the Dorchester Youth Collaborative, was diagnosed last year with osteosarcoma. His story has been chronicled by the Herald’s Peter Gelzinis, as his school, friends and the Boston Police Department have rallied around him.

The badly infected left leg the teen elected to have partially amputated Friday is heavily bandaged — and Damone is two months out from being fitted with a permanent prosthesis. But he told the mayor — a fellow childhood cancer survivor — he intends to get up today and let the therapy begin.

Damone is also looking forward to beginning classes at Cristo Rey on Savin Hill, where he will start his freshman year. He hopes to join its work-study program, and to use it as a launch pad for a career one day as an attorney. “I like waking up every day and learning something new,” he said.

Boston Herald articles (7/26/2014—11/15/2014) 11

A second surgery to combat lung cancer awaits Damone, as does chemotherapy. “But,” he said, swiping one palm over the other, “I hope to have all that behind me by November.”

In the meantime, Damone said, he hopes to meet fellow amputees who inspired millions by surviving the **Boston Marathon** bombings.

“I would like to meet them and see how they’re living,” he said, smiling. “I can live that normal life.”

— laurel.sweet@bostonherald.com

Caption:

SHARED EXPERIENCE: Damone Clark shakes hands with Boston Mayor Martin J. Walsh yesterday at Children’s Hospital. Clark is battling cancer, a disease the mayor conquered as a child.

HERALD PHOTO BY CHITOSE SUZUKI

Copyright (c) 2014 Boston Herald

Record Number: 22647201

Boston Herald (MA)

August 18, 2014

Edition: ALL

Section: News

Page: 2,3

Volume 32, Issue 230

Topics:

Index Terms:

Local

Clark's cancer battle inspires Mayor Walsh

Author: *LAUREL J. SWEET*

Article Text:

Every time he walks through the doors of Children's Hospital, Mayor Martin J. Walsh relives a part of his childhood from 40 years ago, when he was a 7-year-old lying in one of its big mechanical beds and watching "Lost In Space" on TV, letting the Jupiter 2 fly him away from the cancer ravaging his stomach here on earth.

These days, the mayor often quietly pays visits alone, without an entourage, to other kids stricken with cancer.

Yesterday, the mayor sat by the bedside of a fellow Dorchester boy, 15-year-old Damone Clark.

Slipping Damone a Boston Red Sox 2013 World Series Champions ballcap, Walsh said, "You look good."

"I'm trying to get my hair back," Damone said, self-consciously touching his bald pate.

"It will come," Walsh assured him. "I lost all mine."

Damone looked up at the mayor. "I feel great," the teen said. "I'm really glad you came."

After leaving the hospital room, the mayor told the Herald what such visits mean to him:

"I'll get calls from parents or from young kids that know I've had cancer. Generally, I just do it quietly. I never call anybody, like I didn't call you guys today, because I'm not doing it for attention.

Boston Herald articles (7/26/2014—11/15/2014) 12

“Oftentimes I’ll come in and visit sick families or I’ll get a call and come right over. You just let it happen, because every situation is different. Every young person is at a different stage, every family is in a different place. You can’t really prepare, you just have to go and see what the circumstances are.

“Oftentimes for the parent or parents it’s harder than for the young people because, depending on their age, they don’t really know what’s going on and the parents are living through the pain every day.

“I mean, this young man here is incredible. He’s remarkable.

“I’m inspired leaving him. I mean, I came in to try and make him feel good and I’m inspired by him. Everything he said ... He’s going into his freshman year in high school, his insight and his strength is actually incredible.”

— laurel.sweet@bostonherald.com

Caption:

BOSTON STRONG: Damone Clark, left, lost part of his left leg Friday but none of his fighting spirit as he recovers from the surgery in his ongoing battle with cancer.

HERALD PHOTO BY CHITOSE SUZUKI

Copyright (c) 2014 Boston Herald

Record Number: 22647016

Boston Herald (MA)

August 21, 2014

Edition: ALL

Section: News

Page: 14

Volume 32, Issue 233

Topics:

Index Terms:

Local

Demilitarize our cops? ISIS would love that

Author: *ADRIANA COHEN*

Article Text:

In response to the recent tragic death of an unarmed black teenager in Ferguson, Mo., many liberals joined Kentucky Sen. Rand Paul in calling for the demilitarization of the police.

Although any misuse of force by cops warrants an in-depth investigation, Paul — and other political leaders and commentators on his left — should think twice before insisting on taking away armored vehicles and high-powered rifles from police.

There is the little matter of the Islamic State group, which just executed a Boston-based reporter to “send a message” and is vowing to bring their terrorist battle to the U.S.

Did these political and opinion leaders calling for cops to demilitarize not hear ISIS leader Abu Bakr al-Baghdadi say to U.S. troops, “I’ll see you guys in New York?” Perhaps they missed another recent video of an ISIS soldier promising to take over the White House and raise the jihadi flag.

Let’s not forget the lesson we learned here in Boston. In the days following the marathon bombings, it took a massive amount of law enforcement manpower to capture one terrorist teenage punk. What if, in the future, they had to confront dozens of ISIS terrorists bent on inflicting mass carnage all over Boston?

Do we really want to strip law enforcement of its ability to protect Americans?

ISIS is an ultra-violent and formidable terrorist army that is slaughtering Iraqi soldiers, beheading Christians and other religious minorities, burying people alive, and committing

Boston Herald articles (7/26/2014—11/15/2014) 13

mass slaughter and torture of innocent civilians throughout Iraq and Syria. They're also abducting and raping troves of helpless women and girls and using them as "war booty."

U.S. Sen. Lindsay Graham has warned that it's not a question of if ISIS will attack America, only when.

Despite tensions in Missouri, now is the wrong time to demilitarize local police. Terrorist threats against the U.S. are at their highest level since 9/11 — thanks in no small part to President Obama's disastrous foreign policy.

We cannot afford to ignore ISIS — or, worse, get caught flat-footed. Our law enforcement needs to be fully trained and prepared for another major terrorist attack here on our soil.

I hope the left-wing commentariat, Rand Paul and the president are all taking notes.

Adriana Cohen is co-host of "Trending Now" on Boston Herald Radio. Visit www.adriana-cohen.com or follow her on Twitter @AdrianaCohen16.

— adriana.cohen@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 22680692

Boston Herald (MA)

August 21, 2014

Edition: 2ND

Section: News

Page: 3

Volume 32, Issue 233

Topics:

Index Terms:

Local

Fear reigns on Gaza Edge: After helping Hub, trauma team returns

Author: *JEFFREY ROBBINS*

Article Text:

SDEROT, Israel — When Talia Levanon, director of the Israel Trauma Coalition, was asked to bring her team of specialists to Boston after the 2013 **marathon bombings** to help ease the community trauma in their wake, she was an obvious choice for the job. She and her group had years of experience helping Israelis victimized by similar acts of terror cope with serious stress disorders.

The Israeli mental health professionals spent five days in the Boston area working with parents, teachers and social workers to help relieve the emotional trauma caused by the bombings, the “lockdown” and the presence of soldiers and weapons in neighborhoods unused to the sight of them.

These days Levanon has her hands full trying to help Israeli families living in southern Israel deal with the trauma and fear inflicted by the nearly 4,000 rockets fired at them by Hamas militants in the nearby Gaza Strip over the past six weeks alone. The rockets trigger air raid sirens that go off all day and night, leaving residents only 15 seconds to get their families — which may include small children, elderly parents and disabled — into concrete shelters before rockets land and shrapnel flies.

Communities like Sderot, which 12 Bostonians visited yesterday as part of a solidarity mission called “Stop The Sirens,” have lived with rocket attacks by Hamas for 14 years. “Eighty-five percent of the people here suffer from one or more post-traumatic symptoms,” Levanon told the group.

Patricia, a 54-year-old grandmother, is so badly scarred by the constant rockets that she has not left the basement of her home since early June, when Hamas began its recent

Boston Herald articles (7/26/2014—11/15/2014) 14

round of attacks. She told the group from Boston that visited her in that basement, “This is the only place I feel safe.”

Patricia’s 11-year-old daughter, Shir-el, alternately stroked and braided her hair as she wept, describing a life in which she could not sleep and was afraid to leave the house. At one point Shir-el asked her mother if she could leave the home to see her own therapist. Patricia softly told her no, that she was afraid to let her go outside.

As if on cue, there was a big “boom” outside, signifying that Israel’s Iron Dome defense system had intercepted an incoming rocket. Patricia jumped, as did everyone in the room. Shir-el told her mother that she no longer wanted to go to her therapist, and walked away.

“She’s afraid,” Patricia says. “She sleeps with me. She’s even afraid of animals.”

Patricia sees no end to the trauma from which she suffers. “I’m always alert,” she says. “I will always need therapy.”

Her hope is very simple. “I would like to live in peace.”

Jeffrey Robbins, a Boston attorney with the Mintz Levin law firm, is head of the Anti-Defamation League for New England.

Caption:

‘NEVER FEEL SAFE’: Talia Levanon, below left, and Patricia speak about living under threat of Hamas rockets coming into Sderot, Israel, above and right.

AP PHOTOS ABOVE AND RIGHT

Copyright (c) 2014 Boston Herald

Record Number: 22686136

Boston Herald (MA)

August 21, 2014

Edition: ALL

Section: News

Page: 12

Volume 32, Issue 233

Topics:

Index Terms:

Local

Lawyer: Tsarnaev pal will plead guilty today

Author: *OWEN BOSS*

Article Text:

A former college roommate of accused terrorist Dzhokhar **Tsarnaev** will plead guilty today in Boston federal court to impeding the probe of the **Boston Marathon** bombings, his lawyer said yesterday.

Dias Kadyrbayev, 20, was set to go on trial next month on obstruction of justice and conspiracy charges, but his lawyer Robert Stahl filed a change of plea notice in advance of today's hearing. Stahl told the Associated Press that Kadyrbayev intends to plead guilty, but he wouldn't say whether he will admit to one or both charges.

The move comes a month after another **Tsarnaev** pal, Azamat Tazhayakov, was found guilty of obstruction and conspiracy charges stemming from the **Boston Marathon** bombings.

Prosecutors said Kadyrbayev, a Kazakhstan native from New Bedford, and Tazhayakov removed a backpack containing fireworks and a laptop computer from **Tsarnaev**'s University of Massachusetts Dartmouth dorm room three days after the April 15, 2013, tragedy that killed three people and injured 260 near the finish line of the **Boston Marathon**.

The items were removed hours after the FBI released photographs of **Tsarnaev** and his brother, Tamerlan, as suspects in the bombing.

Tsarnaev's laptop was later recovered from their kitchen table. The backpack, still holding the hollowed-out fireworks, was unearthed a week later from the Crapo Hill Landfill in New Bedford.

Boston Herald articles (7/26/2014—11/15/2014) 15

If convicted, Kadyrbayev faces up to 20 years in prison and deportation home to Kazakhstan.

Tazhayakov faces up to 25 years in federal prison when he's sentenced Oct. 16.

A third friend, Robel Phillipos, is charged with lying to investigators, while Quincy cabbie Khairullozhon Matanov has been charged with destroying evidence.

Tamerlan **Tsarnaev** was killed in a shootout with police several days after the bombings. Dzhokhar **Tsarnaev** has pleaded not guilty to 30 federal charges and is slated to go on trial Nov. 3. If convicted, he could be put to death.

Tsarnaev's defense team is pushing to have the trial moved to Washington, D.C., arguing it cannot find an impartial jury in Boston, and his lawyers are expected to file a request next week to delay the start of the trial.

— owen.boss@bostonherald.com

Caption:

THREE STRIKES: Dias Kadyrbayev, Robel Phillipos and Azamat Tazhayakov, from left, pose in New York City's Times Square. Kadyrbayev's planned guilty plea follows Tazhayakov being found guilty of obstructing the investigation into the marathon bombing. Phillipos also faces charges connected with the investigation.

GOVERNMENT EXHIBIT PHOTO

TSARNAEV

Copyright (c) 2014 Boston Herald

Record Number: 22682264

Boston Herald (MA)

August 22, 2014

Edition: ALL

Section: News

Page: 8

Volume 32, Issue 234

Topics:

Index Terms:

Local

Guilty plea opens evidence vs. Tsarnaev: Experts: Prosecutors must prove conspiracy

Author: *BOB McGOVERN*

Article Text:

Evidence dug up as part of yesterday's guilty plea by a former college roommate of Dzhokhar **Tsarnaev** could be used against the accused **Boston Marathon** bomber if prosecutors can show they were part of a conspiracy to thwart investigators, according to legal experts.

"If people are considered co-conspirators, anything one says can possibly be used in the case of another," said Peter Elikann, a Boston criminal defense attorney. "If these guys were doing anything to help Dzhokhar out, and he knew about it, they would be considered co-conspirators since they worked together to achieve a goal — to get rid of the evidence."

Dias Kadyrbayev, 20, pleaded guilty yesterday in federal court to charges that he hindered the investigation into the deadly 2013 bombings. He could spend up to seven years behind bars if Judge Douglas Woodlock approves the agreed-upon plea.

As part of his plea, Kadyrbayev admitted to a series of facts, including a text exchange with **Tsarnaev** that occurred after the attacks.

One comment could show that Kadyrbayev and pal Azamat Tazhayakov conspired with **Tsarnaev** to hide a backpack and laptop that were key aspects of the obstruction charge Kadyrbayev admitted to.

"If you want you can go to my room and take what's there (SIC)," **Tsarnaev** texted Kadyrbayev, after it became clear that **Tsarnaev** was involved in the twin bombings that killed three and injured more than 260.

Boston Herald articles (7/26/2014—11/15/2014) 16

The statement, which was made before Kadyrbayev and Tazhayakov raided **Tsarnaev**'s University of Massachusetts Dartmouth dorm room, could show that they were in a conspiracy to obstruct the investigation. If prosecutors prove the conspiracy, **Tsarnaev**'s words could be used against him as a co-conspirator, even if he isn't indicted as one, according to an expert.

“As long as the government can establish someone is a co-conspirator in the charged conspiracy, they don't have to be indicted,” said Brad Bailey, a criminal defense attorney and former federal prosecutor. “It is sufficient to label someone an unindicted co-conspirator. However, the government still must prove the existence of the conspiracy charged and that the unindicted co-conspirator was part of it.”

Tazhayakov was found guilty of obstruction and conspiracy charges last month. He faces up to 25 years in federal prison when he's sentenced Oct. 16. Kadyrbayev is set to be sentenced Nov. 18.

A third friend, Robel Phillipos, is charged with lying to investigators.

— bob.mcGovern@bostonherald.com

Caption:

BROTHER'S VIEW: Media question a man who identified himself as Ablaihan Ismagulov, the brother of Azamat Tazhayakov, outside the Moakley Federal Courthouse yesterday.

STAFF PHOTO BY PATRICK WHITTEMORE

Copyright (c) 2014 Boston Herald

Record Number: 22692784

Boston Herald (MA)

August 22, 2014

Edition: ALL

Section: News

Page: 8

Volume 32, Issue 234

Topics:

Index Terms:

Columnists

Dzhokhar's pal lost in translation

Author: *PETER GELZINIS*

Article Text:

Dias Kadyrbayev came to court yesterday flanked by his lawyer and his translator, a woman who looked a lot like my third-grade teacher.

She planted herself by Kadyrbayev's left shoulder and only sprung into action on those occasions when the 20-year-old Kazakh's brow wrinkled, or U.S. District Court Judge Douglas P. Woodlock would ask, "Do you understand me?"

The kid nodded politely, answered, "Yes sir," and "No sir," but never once, "I understand, your Honor."

This bit of lost in translation became all the more curious when Assistant U.S. Attorney Stephanie Seigmann rose to read six pages of stipulated facts about Dias' role in trying to get rid of evidence that allegedly ties his UMass Dartmouth buddy, Dzhokhar **Tsarnaev**, to the marathon bombings.

The most chilling part, the one without a trace of an accent, was the fateful text exchange Dias had with **Tsarnaev** on Thursday, April 18, 2013, the night he saw his friend in those pictures the FBI flashed around the world. There was nothing "foreign" about it.

"Yo, bro, u saw the news?" Dias asks.

"Yea bro, I did," **Tsarnaev** responds.

"For real?" texts Dias

Boston Herald articles (7/26/2014—11/15/2014) 17

“I saw the news,” **Tsarnaev** replies, then follows it up with a warning, “Better not text my friend.”

Though Dzhokhar tries to lighten things up with a quick “LOL,” Dias asks, “U saw yourself in there?” meaning strolling with backpacks among all those unsuspecting strangers on Boylston Street.

Dias then adds, “ahaha...hahaha.”

What kind of virtual laugh do you suppose that was? As it turns out, it became Dias Kadrybayev’s entry into a situation that would have him copping a plea to obstruction of justice. He would find himself up to his ears in a vicious terrorist incident.

When the brief courtroom proceeding was over, Kadrybayev’s lawyer, Robert Stahl, told reporters that he was convinced his client had no role in the planning of the bombing, or that his friends might be involved.

That might well be true. But when it comes to this horrific act, joining in the cover-up is just as bad. I rode the elevator down yesterday with a sergeant from the Somerville Police Department, a woman who politely declined to say anything beyond, “I needed to be here.”

This cop came to court yesterday to see a kid admit that he obstructed the justice that might well have prevented the murder of MIT police Officer Sean Collier, who had just learned he was going to join the Somerville police.

That text conversation, which is bound to play a role in Dzhokhar’s upcoming trial, ends with **Tsarnaev** telling Dias “If yu want yu can go to my room and take what’s there...” He ends with “Salam aleikum.”

Dias responds with: “what’s wrong with u?”

He should have taken that question to the police.

— peter.gelzinis@bostonherald.com

Caption:

GUILTY: Dias Kadyrbayev, a college friend of **Boston Marathon** bombing suspect Dzhokhar **Tsarnaev**, with his defense attorney Robert Stahl at his left, pleads guilty yesterday before Judge Douglas P. Woodlock for impeding the investigation into the deadly attack.

AP ILLUSTRATION

Copyright (c) 2014 Boston Herald

Record Number: 22692599

Boston Herald (MA)

August 23, 2014

Edition: ALL

Section: News

Page: 4,5

Volume 32, Issue 235

Topics:

Index Terms:

Local

Feds brief hub cops on ISIS threat

Author: *ANTONIO PLANAS*

Article Text:

Islamic militants behind the barbaric beheading of an American journalist are capable of launching an attack on U.S. soil, security experts said yesterday as federal agencies warned police nationwide — including Bay State cops — to be on alert for ISIS.

“They’re a bigger threat than al-Qaeda simply because they’re so much bigger than al-Qaeda,” said international security expert John Pike.

The type of anti-Western warriors the terrorist group boasts also present a unique and real threat, he said.

“This is going to be a big problem. They have hundreds of people with European passports for which no visa is required to get into the United States. Unlike those Saudis ... who were part of the Sept. 11 team, these are all people who have lived in the West. They know how to talk. They know how to act. They know how to get around.”

The Islamic State of Iraq and the Levant, known as ISIS or ISIL, abducted freelance journalist James Foley and posted a gruesome video of his beheading, which it said was in retaliation for U.S. airstrikes against them in Northern Iraq. Foley, a native of Rochester, N.H., was freelancing for Boston-based GlobalPost when he was abducted in Syria on Thanksgiving Day 2012.

Boston and state police confirmed yesterday they received a joint bulletin from Homeland Security and the FBI regarding ISIS. The “for official use only” bulletin stressed there was no known threat to the U.S. and state police said it briefed them on the “actions of this murderous organization.”

Boston Herald articles (7/26/2014—11/15/2014) 18

“It is reminding law enforcement to be alert and aware of the possibility of some issues here ... to be a little more vigilant because of the activity going on with the airstrikes,” said Boston police spokesman Sgt. Michael McCarthy.

He said police were urged to closely monitor social media websites, which ISIS is known to use to recruit supporters.

Cedric Leighton, a retired Air Force veteran who held top posts at the NSA and Pentagon, said ISIS is focused on the turmoil in Iraq and Syria so a “lone wolf” attack — rather than a large-scale plot like 9/11 — is the most likely possibility.

“What we’ve seen so far is ISIS try to inspire lone wolf-type terrorists on their behalf,” Leighton said. “It could spark something like a marathon-type bombing or a Times Square bombing. The **Tsarnaev** brothers were lone wolf characters and scenarios like that ... are certainly possible.”

Federal and New York City police officials estimate that at least 100 Americans could be fighting with ISIS. In April, a Colorado woman was arrested before she could travel to Syria to marry an Islamic militant she met online. A Texas man was recently arrested before he could hop a plane to Turkey. He pleaded guilty to terror charges alleging he wanted to join the group.

Texas Gov. Rick Perry said in New Hampshire yesterday that the porous Southern border could create an entryway for the Islamic militants.

“They have told us they are coming,” he said, “and why should we not take them at their word?”

— antonio.planas@bostonherald.com

Caption:

VIGILANT: A police officer patrols Downtown Crossing yesterday.

STAFF PHOTO BY PATRICK WHITTEMORE

Copyright (c) 2014 Boston Herald

Record Number: 22703447

Boston Herald (MA)

August 24, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 236

Topics:

Index Terms:

Local

Welcome mat is out

Author: *HOWIE CARR*

Article Text:

So the chairman of the Joint Chiefs of Staff said the other day that when it comes to terrorist attacks by ISIS, certain countries “because of open borders and immigration issues, it’s an immediate threat.”

Open borders? Immigration issues?

What nation could Army Gen. Martin Dempsey possibly be speaking of?

As it turns out, Dempsey is a good bureaucrat, an Obama Kool-Aid drinker from way back, and he was referring to the “southern border” of NATO.

Whew, that’s a relief. Besides, the U.S. doesn’t have any borders anymore, open or otherwise.

Who are these nattering nabobs of negativism, these nervous nellies screaming about ISIS? Gov. Rick Perry of Texas said it’s a “very real possibility” ISIS has already crossed the border in the flood of the shiftless Central American underclass invading EBT-land.

How dare Perry say such a thing! No wonder the Democrats had to indict him.

Does something seem very wrong here? The U.S. draws a “line in the sand,” so to speak, against ISIS — 10,000 miles away. But on our own border ... nothing to see here, folks, move along.

Boston Herald articles (7/26/2014—11/15/2014) 19

Not only do we lavish welfare on any and all terrorists who want it — hello, Tsarnaevs! Now the Border Patrol union says the TSA is allowing illegal aliens onto commercial airliners, no ID's required, no questions asked.

On Friday, the feds issued a directive to all police departments warning of terrorist threats from ISIS. Two days earlier, the Boston City Council voted unanimously to bar Boston police from holding illegal aliens on “civil detainer” requests from ICE.

You see, illegal aliens in the “community” are afraid to report crimes because they could themselves be held. Oh sure, happens all the time.

If you're an undocumented Democrat who doesn't want to obey the law, who are we to judge you? If you want to sneak into the U.S. and leech off the welfare system while you're plotting to kill us, that's your right too. You're an illegal alien.

During the so-called debate, City Councilor Charles “Don't Call Me Chuck” Yancey pointed out that the Pilgrims were “undocumented” and smugly recalled a time when a measure to ignore the laws of the land would have been opposed by some troglodytes on the council.

Hey, Chuck, I can even remember a time when at least a few members of the council knew that it was the Puritans who colonized Boston, not the Pilgrims. The Pilgrims landed in Plymouth.

But what does it matter? The other day, an ISIS spokesman publicly dared the U.S. to invade Iraq. Two days later, he's dead, killed by the Syrian forces of Bashar Assad, the same regime Obama was threatening to bomb back to the Stone Age a year ago. As that “line in the sand” was being drawn against Syria, the U.S. was supplying arms to the Syrian jihadists who are now known as ISIS.

Jihad makes even stranger bedfellows than politics.

Meanwhile, Qatar is denying it provides financial funding for ISIS. You know Qatar — Obama sold them new Apache helicopters last month. And they own Al Jazeera, the network where Hillary Clinton says she goes to get “real news.”

Yes, that would be the same Hillary who now says Obama has no clue what he's doing in foreign policy.

But what do we care about any of this? How 'bout them Patriots? Plus, the terrorists have forgotten Boston, right, after flying two planes out of Logan on 9/11 and then bombing the **Boston Marathon**. They're done with us, right?

By the way, the same day the council gave the get-out-of-jail-free card to illegal aliens, they also banned a new app that would have been used to obtain parking spaces in Boston. This is what passes for a real threat to public safety in Boston.

Guess which network did a piece on the dispute? Al Jazeera America.

Boston Herald articles (7/26/2014—11/15/2014) 19

Five minutes showing the real priorities of the local Pilgrims, I mean Crusaders. I'm sure no one in Qatar, or Cambridge, was taking notes on how clueless we are.

Nothing to see here folks, move along.

Caption:

ISIS CRISIS: Texas Gov. Rick Perry, above, said he fears ISIS has already invaded the U.S. through its southern border with Mexico, while Joint Chiefs Chairman Gen. Martin Dempsey, right, said ISIS threatens to infiltrate countries with soft borders. Below, ISIS fighters parade in Syria.

AP PHOTOS

yancEy

AP FILE PHOTO

Copyright (c) 2014 Boston Herald

Record Number: 22714385

Boston Herald (MA)

August 25, 2014

Edition: ALL

Section: Opinion

Page: 14

Volume 32, Issue 237

Topics:

Index Terms:

Letters

Letters To the Editor

Article Text:

How terrorists could win

Columnist Adriana Cohen said that we need to maintain our police forces as, what amounts to, a second standing army (“Demilitarize our cops? ISIS would love that,” Aug. 21). Already it is impossible to tell them from the U.S. Army in full battle gear. Cohen says that it is through this police/army that we will be kept safe from future **Boston Marathon** bombers.

She forgets that the suspect was not captured by the virtual lockdown of the entire area and the house-to-house search by police in Watertown. She has conveniently forgotten that it wasn’t until after the heavy hand of the police was lifted that the bomber was found, not by police but by a resident stepping into his backyard to check on his boat.

Finally, I would remind her of a quote often attributed to Ben Franklin: “Those who would give up essential liberty, to purchase a little temporary safety, deserve neither liberty nor safety.” When we give up our liberties and freedoms to live in a military camp, the terrorists have won.

— Jeff Padell, Walpole

After the deluge

What awful irony. Thirteen inches of rain in a couple of hours (“New York suburbs get entire summer’s worth of rain,” Aug. 13). During the deluge, an SUV driver slowed down to be careful, but was killed when her vehicle was struck by a truck carrying waste oil. Waste oil.

Thirteen inches of rain? How is that possible? Global warming allows a warmer atmosphere to absorb more moisture and leads to heavier rainfalls, flash floods and more mudslides. We know what causes global warming: burning coal, burning oil, burning natural gas, and allowing natural gas to leak into the atmosphere. Fossil fuel waste.

The U.S. National Climate Assessment, issued every four years by the National Oceanic and Atmospheric Administration, is an effort by more than 300 U.S. scientists to track how the climate is changing in the U.S. The just-released 2014 report said: “Heavy downpours are increasing nationally, especially over the last three to five decades. Largest increases are in the Midwest and Northeast. Increases in the frequency and intensity of extreme precipitation events are projected for all U.S. regions.”

— Judy Weiss, Brookline

Cruelty a threat to all

Some people are complaining that the “Puppy Doe” case has gotten so much attention (“ ‘Puppy Doe’ faithful at court as suspect larceny trial set,” Aug. 20). Beyond the terrible abuse heaped on the puppy, the case is also important because whoever did that might move on to hurt people as well.

For example, Robert Lee Brian was convicted recently of three counts of felony animal cruelty — as well as assaulting and threatening a neighbor. Brian was accused of beating, choking and hanging his pet dogs. This shows that judges need to take the Puppy Doe and other animal cruelty cases seriously.

— Martina Marchand, Brockton

Pity poor ‘Puppy Doe’

I can’t believe the terrible way that “Puppy Doe” was treated (“ ‘Puppy Doe’ faithful at court as suspect larceny trial set,” Aug. 20). If Radoslaw Czerkawski is responsible, I hope he suffers after he’s thrown in jail.

— Linda Block, Fort Lee, N.J.

Copyright (c) 2014 Boston Herald

Record Number: 22690595

Boston Herald (MA)

August 28, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 240

Topics:

Index Terms:

Local

Tsarnaev sister accused of bomb threat: Cops: She told woman, 'I know people'

Author: *ERIN SMITH*

Article Text:

The sister of accused **Boston Marathon** bombers Tamerlan and Dzhokhar **Tsarnaev** was arrested in New York City yesterday, accused of making a bomb threat against her boyfriend's ex, according to police.

Ailina Tsarnaeva, 24, of North Bergen, N.J., turned herself in to officers in Manhattan around 2:30 p.m. yesterday and was charged with aggravated harassment, according to police.

"She made phone threats against another female, saying, 'I know people who can go over there and put a bomb on you,'" said New York police Lt. Paul Ng.

Tsarnaeva allegedly called the mother of her boyfriend's children in Manhattan on Monday around 3 p.m. and made the threats, according to Ng. Police did not identify the mother or the boyfriend.

Ng told the Herald that Tsarnaeva was released on a ticket to appear in a Manhattan court at a later date.

It's not Tsarnaeva's first run-in with the law.

In October, Tsarnaeva turned herself in to Boston police to clear up a nearly 3-year-old default warrant in a counterfeit money case. According to police records, Tsarnaeva was living in Cambridge on April 16, 2010, when counterfeit money was used to pay a tab at a Dorchester Applebee's and her car was used by the suspects police were seeking. Tsarnaeva told police she was out with friends, but didn't know their names, and later dropped them off at South Station.

Tsarnaeva pleaded not guilty Jan. 13, 2011, to what prosecutors said was a charge of “misleading and impeding an investigation” but skipped a Feb. 24, 2011, court hearing into the counterfeit money case, prompting the warrant for her arrest.

Her younger brother, Dzhokhar **Tsarnaev** — who turned 21 last month — is slated to go on trial Nov. 3 for the April 15, 2013, **Boston Marathon** bombings that killed three and injured 260. He has pleaded not guilty to 30 federal charges and, if convicted, **Tsarnaev** could face the death penalty. Dzhokhar **Tsarnaev**’s defense team is pushing to move the trial to Washington, D.C., on the grounds they can’t find an impartial Boston jury, and have also signaled that they will ask for a delay of the November trial date.

Dzhokhar **Tsarnaev**’s older brother, Tamerlan **Tsarnaev**, who the feds allege helped carry out the attacks, was killed four days after the bombings in a shootout with police in Watertown as law enforcement closed in to arrest the pair in a manhunt that shut down Greater Boston. Prosecutors say during the brothers’ brief time as fugitives, they executed MIT police officer Sean Collier.

— erin.smith@bostonherald.com

Caption:

AILINA TSARNAEVA

Copyright (c) 2014 Boston Herald

Record Number: 22766288

Boston Herald (MA)

August 30, 2014

Edition: ALL

Section: News

Page: 4,5

Volume 32, Issue 242

Topics:

Index Terms:

Local

Fears ISIS could use traitors to hit U.S.

Author: *O'RYAN JOHNSON and OWEN BOSS*

Article Text:

The barbaric militant group ISIS could use traitorous American fighters to launch lone-wolf terror attacks against the United States drawing on the scores of U.S. citizens in their jihadist ranks, international security experts said.

The chilling warning comes as British Prime Minister David Cameron ordered the U.K. terror threat level raised to “severe” yesterday, the second-highest rating.

“The estimate of how many Americans are fighting for ISIS right now runs between 50 and 300, which is the real threat,” international security expert John Pike said, adding the prime target would be a crowded place.

“If ISIS pulls off a bombing at a sporting event or a shopping mall in the United States, that will demonstrate that it is not safe in a crowd and it only takes a handful of people to pull that off — a small number compared to the number of people they have that can get into the United States without a visa,” Pike told the Herald.

Although security officials are saying there is no evidence of a specific threat against the United States, Pike said the government should be worried about one of the dozens of American ISIS fighters coming home from the battlefield and carrying out a terror hit.

The U.S. is checking reports that a second American was killed in Syria while fighting alongside the militant group. NBC cites an anonymous member of the opposition Free Syrian Army as saying two Americans were killed in a battle last week with Islamic State fighters. The U.S. already has confirmed that American Douglas McAuthor McCain was killed while fighting with militants.

Boston Herald articles (7/26/2014—11/15/2014) 22

“The one thing that al-Qaeda has done that ISIS has not done is pull off terrorist attacks in Britain and America,” Pike said. “That will certainly be something they’ll be looking to achieve.”

More than 500 British citizens have reportedly traveled to Iraq and Syria with at least half returning, raising security concerns, according to the U.K. newspaper The Telegraph.

A former ISIS fighter, Mehdi Nemmouche, returned home to Europe in May where he is accused of methodically murdering four people at the Jewish Museum in central Brussels, The Associated Press reports. Nemmouche was later arrested.

The 2013 **Boston Marathon** bombings were like that — allegedly carried out by radicalized American brothers Dzhokhar and Tamerlan **Tsarnaev** acting on their own. So was the 2010 attempt to bomb New York’s Times Square by Faisal Shahzad, who received training and direction in Pakistan but operated alone in the U.S.

Cameron said that while the Taliban facilitated al-Qaeda terrorism, the Islamic State group is “effectively a state run by terrorists.” He said the ambition to create an Islamist caliphate isn’t something that could be ignored.

“We could be facing a terrorist state on the shores of the Mediterranean and bordering a NATO member,” he said, referring to Turkey.

Herald wire services contributed to this report.

— owen.boss@bostonherald.com

Caption:

Terror threat raised to ‘Severe’ IN U.K.: Police officers stand guard in central London yesterday, above. British Prime Minister David Cameron, top left, ordered the U.K. terror threat level raised to ‘severe’ on fears American ISIS fighters, such as Douglas McAuthor McCain, bottom left, will return from the battlefield overseas and carry out lone-wolf operations.

GETTY IMAGES

Copyright (c) 2014 Boston Herald

Record Number: 22788708

Boston Herald (MA)

August 30, 2014

Edition: ALL

Section: News

Page: 16

Volume 32, Issue 242

Topics:

Index Terms:

Local

Tsarnaev defense seeks to delay trial

Author: *OWEN BOSS*

Article Text:

The high-powered legal team for accused terrorist Dzhokhar **Tsarnaev** wants to push back the start of the blockbuster **Boston Marathon** bombings trial nearly a year, according to a motion filed yesterday in U.S. District Court in Boston.

Tsarnaev's lawyers argued that their client's case, set to begin Nov. 3, is being rushed to trial and said the scope of the investigation has "overwhelmed the ability of defense counsel to evaluate and respond to the government's case in the time allotted."

"The trial in this case is currently scheduled to begin just 16 months after the defendant was indicted. This 16-month period is one-half the median preparation time that federal courts have allowed defendants on trial for their lives over the past decade and would bring this case to trial faster than 103 of the 119 federal capital trials to get underway since 2004," the motion read.

Tsarnaev's lawyers asked that the trial begin on or after Sept. 1, 2015, and pointed to the massive amount of evidence gathered during the investigation in their request for additional time to prepare their case.

"The **Boston Marathon** bombing has been investigated by more than 1,000 FBI and other agents from additional federal, state, and local law enforcement agencies ... and by at least five separate committees of the United States Congress," the motion read. "The government has gradually produced some 6.7 terabytes of discovery, including more than 100,000 pages of witness statements, reports, photographs and scientific tests produced in scanned formats; thousands of items of physical evidence; and — perhaps most daunting of all — thousands of gigabytes of digital evidence."

Tsarnaev's brother, Tamerlan **Tsarnaev**, was killed in a shootout with police several days after the April 15, 2013, **Boston Marathon** bombings that killed three and injured 260.

Dzhokhar **Tsarnaev** has pleaded not guilty to 30 federal charges. If convicted, he could be put to death. His defense team is also pushing to have the trial moved to Washington, D.C., arguing it cannot find an impartial jury in Boston.

“We recognize that the government and many members of the public, especially in the Boston area, may want the trial to begin quickly,” the motion read. “But it is critically important that any trial be fair, which means giving both sides, not just the government, enough time to uncover and present all relevant evidence.”

— owen.boss@bostonherald.com

Caption:
DZHOKHAR TSARNAEV

Copyright (c) 2014 Boston Herald

Record Number: 22788745

Boston Herald (MA)

September 1, 2014

Edition: ALL

Section: Opinion

Page: 12

Volume 32, Issue 244

Topics:

Index Terms:

Editorials

Terrorists coming home

Article Text:

Last Friday as most Americans were busy stocking up on supplies for the holiday weekend barbeque, the people of Great Britain were being told their terror threat level was being raised from “substantial” to “severe” and that a terror attack by a foreign fighter was “highly likely.”

It was sobering news, but not unexpected in the wake of the growing threat from radicalized Islamists recruited to fight for the Islamic State terrorists in Syria and then encouraged to return home to Europe or the United States and wreck havoc on their native soil.

This is no theoretical threat. It has already been well documented that Mehdi Nemmouche, a French national who on May 24 shot and killed four people at the Jewish Museum in Brussels, had recently returned from 11 months fighting for the Islamic State in Syria.

Last week it was confirmed than an American from San Diego, Douglas McAuthur McCain, was killed in Syria fighting for the Islamic State. U.S. intelligence is trying to confirm whether a second American was also killed.

Last May Moner Mohammad Abusalha, an American who grew up in Vero Beach, Fla., killed 16 people and himself in a suicide bombing against government forces in Syria. U.S. officials acknowledge he had traveled back to the U.S. after his recruitment and before returning to Syria and his “final reward.” The might-have-beens there are horrifying indeed.

Thousands of Europeans and about 100 Americans have gone to fight for various extremist groups in the region. About a dozen Americans are believed to be fighting under the black banner of the Islamic State.

The real question facing the U.S. intelligence community is what happens when they try to return?

Bostonians are particularly sensitive to the harm that lone terrorists can do when faced with the countless “soft” targets provided by our open society — our malls and sports stadiums and civic celebrations. And we also know how easy it was for someone like Tamerlan **Tsarnaev** to find common ground with a nest of extremists and then return to the land that gave him refuge and build his bombs.

We have always known that we can fight the terrorists on their own territory or wait for them to come to us. It seems the Obama administration has not yet made up its mind on that score.

Copyright (c) 2014 Boston Herald

Record Number: 22786712

Boston Herald (MA)

September 1, 2014

Edition: ALL

Section: Opinion

Page: 13

Volume 32, Issue 244

Topics:

Index Terms:

Commentary

Thugs reign on festive Hub parade

Author: *KEVIN C. PETERSON*

Article Text:

The murder of 26-year-old Dawnn Jaffier on a Saturday morning in August should lead us to a sobering conclusion: it's time to cancel the Boston Caribbean Parade. Forever.

The yearly carnival is supposed to be a celebration of West Indian culture. But over the years it has become an event associated with routine violence.

Jaffier — a youth mentor who spent the summer coaching kids at the West End Boys and Girls Club — died during J'ouvert, a pre-parade event. She was shot in the head on Blue Hill Avenue in Dorchester, her blood staining the street.

But many others have been victims of shootings and bloodletting connected to the parade in years past.

Consider the following small sample of the carnage:

- In 1993 seven people were shot during the carnival. Police blamed feuding gangs.
- In 2007 four people were stabbed as they attended festival-related events.
- In 2008 a man police believed to be attending the carnival was found stabbed to death in a Dorchester park.
- In 2010 three parade watchers were shot, one died.

Boston Herald articles (7/26/2014—11/15/2014) 25

The problem with the Caribbean Carnival is that it gives outlaws opportunities to show their disrespect for law-abiding citizens. Gun-toting youth have turned the parade into a place of violence that many now fear.

If the slightest chance exists that someone may be shot or murdered next year, then shutting down the event is a responsible action.

Let's not get this twisted. We shouldn't confuse the yearly violence at the Caribbean festival with what happened at the **Boston Marathon** two years ago.

The bombings on Boylston Street were an aberration, one terrible event in an otherwise long history of peaceful celebrations.

But the ugly terror that happens along Blue Hill Avenue each festival approaches the level of self-inflicted, protracted terrorism. It numbs our souls.

It's an insult to the black community in Boston to allow the parade to continue when the results of the event are too often murderous.

Jaffier's life represented yet another bright promise in an increasingly vibrant and diverse city. We all need to ask ourselves: "Is her blood on our hands?"

Kevin C. Peterson is a senior fellow at the Center for Collaborative Leadership at the University of Massachusetts Boston and founder of the New Democracy Coalition. Talk back at letterstoeditor@bostonherald.com.

Copyright (c) 2014 Boston Herald

Record Number: 22775929

Boston Herald (MA)

September 3, 2014

Edition: ALL

Section: News

Page: 15

Volume 32, Issue 246

Topics:

Index Terms:

Local

One Fund to hand out \$18.5M, create center

Author: *RICHARD WEIR*

Article Text:

The One Fund Boston announced yesterday it was distributing another \$18.5 million in cash donations to over 200 marathon bombing survivors and victims' families, while also establishing a \$1.5 million center at Mass. General Hospital to provide ongoing care to those injured in the April 15, 2013, terrorist attacks.

The One Fund Center, a collaboration between Mass. Eye and Ear, Spaulding Rehabilitation Hospital and the Benson Henry Institute for Mind Body Medicine, has a two-year mission to provide personalized care to those injured in the bombings and their families, helping heal both their physical and invisible wounds.

The One Fund, which has so far handed out a total of \$80 million in cash gifts and program support, has received donations from more than 200,000 people.

The fund said yesterday it was distributing another \$100,000 to the families of the four victims killed in the bombings and their aftermath. Also, the One Fund is phasing out, and all future donations will go to the center.

— richard.weir@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 22840840

Boston Herald (MA)

September 5, 2014

Edition: ALL

Section: News

Page: 22

Volume 32, Issue 248

Topics:

Index Terms:

Local

Feds: Delays will prevent Tsarnaev insanity claim

Author: *LAUREL J. SWEET*

Article Text:

Prosecutors say stalling by Dzhokhar **Tsarnaev**'s lawyers has blown any chance they had of using an insanity defense to save the **Boston Marathon** bombing suspect from execution.

Asserting the deadline for doing so has long passed, exasperated federal prosecutors said in a motion, "It is now clear that **Tsarnaev** will not offer evidence relating to a mental condition. ... Aside from a one-sentence disclosure notifying the government that an expert will testify about 'relevant aspects of Mr. **Tsarnaev**'s life story,' the defense has produced no information whatsoever about its case-in-chief."

Prosecutors also want the judge to make the defense state any mitigating factors they'll use to argue against the death penalty if he is convicted. The defense has said that would tip their hand. The trial is set for Nov. 3.

— laurel.sweet@bostonherald.com

Caption:

DZHOKHAR TSARNAEV

Copyright (c) 2014 Boston Herald

Record Number: 22865088

Boston Herald (MA)

September 6, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 249

Topics:

Index Terms:

Local

Hub's a terror hotbed, military pundit warns

Author: *CHRIS CASSIDY*

Article Text:

A retired Army commander is warning that the Bay State is now among the top breeding grounds in America for homegrown terrorists after a report that a former Stoughton man is helping to run social media for ISIS.

“This is a critical time,” retired Lt. Col. Allen West told Boston Herald Radio yesterday. “Think about the **Tsarnaev** brothers. They were right here in Boston. So in Boston, another hotbed for radicalism and jihadism and another recruiting ground. We know Dearborn, Michigan, is one. We understand Chicago as well, and Minneapolis. We have got to start focusing on where these hotbeds are and we have to have the right type of domestic criminal investigation into it.”

The Herald reported yesterday that 32-year-old computer expert Ahmad Abousamra is suspected of using the tech skills he honed at Northeastern University and the University of Massachusetts at Boston to spread the Islamic State of Iraq and Syria's anti-American message of hate on social media.

Abousamra, who graduated from Stoughton High School in 1999 and has dual U.S. and Syrian citizenship, was placed on the FBI's Most Wanted Terrorists list last year.

“Yes, they're absolutely here,” West said. “Don't look for this administration to get serious about it because the (Department of Justice) has opened up a civil rights investigation against the Ferguson, Mo., Police Department instead of opening up an investigation on the homegrown jihadism in Minneapolis, Minnesota or in the Boston area.”

Meanwhile, the U.S. and a coalition of NATO allies — including Great Britain, France, Germany and Canada — vowed yesterday to cut off ISIS' financial resources and provide intelligence, equipment, ammunition and weapons to the fight.

Obama said U.S. ground troops aren't needed in Syria, where ISIS is based, but instead called for the coalition to support and train the more moderate rebels who are fighting ISIS and the regime of Syrian President Bashar al-Assad.

Herald wire services contributed to this report.

— chris.cassidy@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 22878097

Boston Herald (MA)

September 6, 2014

Edition: ALL

Section: Opinion

Page: 8

Volume 32, Issue 249

Topics:

Index Terms:

Editorials

Terror comes home

Article Text:

The **Boston Marathon** bombing should have erased any doubt in our minds that terror can lurk anywhere, that those bent on jihad can live among us, work among us, go to our schools and still be hellbent on destroying a nation that gave them shelter and the freedoms we all enjoy.

Still as much as we know that, to realize that yet another would-be jihadist who once called Stoughton home may well be the social media guru for the Islamic State is — well — shocking.

Ahmad Abousamra, 32, has been on the FBI's Most Wanted Terrorists list since 2013 and was named a co-defendant with Tarek Mehanna of Sudbury, now doing 17 years in federal prison for providing material support to terrorists. But Abousamra, born in France, and with dual U.S. and Syrian citizenship, is believed to have fled for Syria in 2006 after being questioned by the Joint Terrorism Task Force.

The FBI believes he began his head-long flight into terrorism shortly after the 9/11 attacks, traveled to Pakistan in 2002 for "training," went to Yemen in 2004, and returned to Boston six months later.

He began his computer studies at Northeastern and got his degree in computer science at the University of Massachusetts Boston in December 2006 — yes, folks, your tax dollars at work.

And now as if in some dreadfully ironic joke, Abousamra is being credited with using that computer science degree to help the Islamic State put all their horrifying propaganda videos up on YouTube and post their latest atrocities and warnings on Twitter.

Boston Herald articles (7/26/2014—11/15/2014) 29

The FBI had initially warned that Abousamra trained with jihadists with the intent of killing U.S. soldiers. Then he and Mehanna were accused of trying to amass automatic weapons for a possible hit on a softer target like a shopping mall.

But by all accounts it seems Abousamra has finally found his calling somewhere in the Caliphate where he is now part of the problem the Obama administration has committed to “manage.”

Copyright (c) 2014 Boston Herald

Record Number: 22865822

Boston Herald (MA)

September 8, 2014

Edition: ALL

Section: Inside Track

Page: 15

Volume 32, Issue 251

Topics:

Index Terms:

The Inside Track

Tracked down

Author: *GAYLE FEE / INSIDE TRACK*

Article Text:

Boston Marathon bombing survivor and former Suffolk University tennis star Kaitlynn Cates, who has undergone multiple surgeries on her calf as a result of injuries she suffered in the bombing, hopping a chopper to Willowbend in Mashpee, where she coached a tennis practice for kids from the Boys & Girls Club ... “Breaking Bad” Emmy winner Bry an Cranston, who did “All the Way” at the American Repertory Theater, taking in “Finding Neverland” at the A.R.T. ... Matthew McConaughey and the “Sea of Trees” crew filming at Clark University in Worcester ... The late U.S. Sen. Ted Kennedy’s prize sailboat, Mya, rolling down Route 6 in Yarmouth on the back of a truck ... Nantucket and Eastham homegal Meghan Trainor doing her hit “All About That Bass” with Jimmy Fallon and The Roots using all kids’ instruments ... “The Real Housewives of New Jersey” castie Kathy Wakile signing copies of her dessert cookbook, “Indulge: Delicious Little Desserts That Keep Life Real Sweet,” at the BJ’s Wholesale Club in Seekonk ... Grammy-nominated kiddie crooner Mister G in Cohasset at a first birthday party for Watkins Strategies PR prince Matt Watkins’ son John ...

Caption:

Boston Marathon bombing survivor Kaitlynn Cates is back in action after undergoing multiple surgeries on her calf as a result of injuries she suffered.

PHOTO COURTESY REGAN COMMUNICATIONS

Copyright (c) 2014 Boston Herald

Record Number: 22881001

Boston Herald (MA)

September 9, 2014

Edition: ALL

Section: News

Page: 12

Volume 32, Issue 252

Topics:

Index Terms:

Local

Mosque denies ties to suspected ISIS techie: Admits other terrorists had visited

Author: *CHRIS CASSIDY*

Article Text:

The executive director of the Islamic Society of Boston is denying media reports that a Stoughton man suspected of helping to run social media for ISIS worshipped at the society's Cambridge mosque.

"To our knowledge Ahmad Abousamra never came to our mosque and has absolutely no connection," Yusufi Vali, the executive director of the Islamic Society of Boston Cultural Center, told the Herald yesterday.

Abousamra was placed on the FBI's Most Wanted Terrorists list last year and is now suspected of using the computer science skills he honed while studying in the Bay State to help spread the violent jihadist message of Islamic State of Iraq and Syria.

That group, known for its ruthless and barbaric violence, beheaded two American journalists this summer.

Some media outlets, including the New York Post and CNN, reported yesterday that Abousamra had worshipped at the same Cambridge mosque as other extremists, including accused **Boston Marathon** bomber Tamerlan **Tsarnaev**; Abdurahman Alamoudi — the mosque's founder — who was sentenced for conspiring with Libya and plotting to assassinate a Saudi prince; Aafia Siddiqui, now in prison for planning a chemical weapons attack in New York; and Tarek Mehanna, who's serving time for conspiring to shoot up a mall with automatic weapons.

In a statement, the Islamic Society called the Post report "a sensationalist article about our mosque full of many half-truths and inaccuracies" and claimed it was never contacted for comment. But it admitted others did attend.

Boston Herald articles (7/26/2014—11/15/2014) 31

“As far as we know, some of the people mentioned by the NYPost may have prayed at the Cambridge mosque at one time or another, just as they most likely shopped at grocery stores in Central Square, bought coffee from the nearby Dunkin’ Donuts and withdrew and deposited funds at local banks, activities they surely engaged in many more times than they prayed at the mosque,” the statement reads.

It also said the mosque doesn’t exclude anyone and doesn’t check IDs, and it “unequivocally condemns ISIS.”

“All of these individuals, if and when they prayed at the ISB mosque, were law-abiding citizens and never exhibited any hint of criminal or violent sentiment,” the statement said. “Like any other faith institution, if we were to ever observe any hint of criminal or violent behavior, we would immediately intervene and notify the authorities.”

Copyright (c) 2014 Boston Herald

Record Number: 22923757

Boston Herald (MA)

September 10, 2014

Edition: ALL

Section: Opinion

Page: 22

Volume 32, Issue 253

Topics:

Index Terms:

Letters

Letters To the Editor

Article Text:

They protest too much

I'd like to give these poor misguided souls a quick lesson in economics ("8 fast-food workers arrested in protest," Sept. 5). They don't realize they're campaigning to eliminate many of their own jobs. When wages are high, production costs rise. To cover this, prices must rise. When prices rise, demand will decrease.

Then, some workers will lose their jobs. Employers will not pay a worker \$15 per hour if that worker can not produce at least that amount. Minimum wage laws are, therefore, a formula for causing increased unemployment among the least-skilled members of society. In turn, this will cost the government in additional welfare spending, requiring higher taxes or greater budget deficits to finance it.

— Joe Genevich, Dorchester

Let parade roll on

In his column, Kevin C. Peterson calls for canceling the Boston Caribbean Parade "forever" due to violence ("Thugs reign on festive Hub parade," Sept. 1). This would, essentially, punish hardworking and taxpaying Boston residents, Caribbean people and entrepreneurs who rely on the festivities to make money.

Now, the killing of Dawnn Jaffier during a pre-parade event this year was tragic. But Peterson argues that "the ugly terror that happens along Blue Hill Avenue each festival approaches the level of self-inflicted, protracted terrorism." This is unfair and harsh. Yes there are a few idiots who don't know how to enjoy themselves and whose actions are dangerous, neglectful, and irresponsible — but "terrorism"? That's a term for such incidents as the **Boston Marathon** bombings.

If we're going to cancel the Caribbean Parade, well why not other parades as well? As we saw with the Boylston Street bombings, violence can erupt anywhere.

— Steven Ricot, Boston

Flynn skips key facts

As someone who worked in the Boston Public Schools for over 30 years and stood on the South Boston High steps on the first day of school in 1974, I agree with Ray Flynn's column on some points ("40 years later, busing ruling still misguided," Sept.2). It was an ugly time for students, teachers, parents and school administrators. He is right, busing was not about education, but about desegregation. Segregated schools were determined by federal law to be unequal.

I disagree with the former mayor's analysis of the cause of busing. The idea that busing was caused by the elites or educational experts is simply not true. It was a basic matter of law.

If the Boston Public School system had not violated federal law by purposely segregating black students in the 1950s and 1960s, and if the elected School Committee had not refused to voluntarily desegregate the schools, busing would not have been necessary. I hope the next time the former mayor writes about busing, he will not leave out those facts. Telling the truth about the past is the best way to learn from it.

— Tom Larkin, Bedford

Copyright (c) 2014 Boston Herald

Record Number: 22918119

Boston Herald (MA)

September 11, 2014

Edition: ALL

Section: Business

Page: 21

Volume 32, Issue 254

Topics:

Index Terms:

Economy

Alliance helps marathon bombing victims rebuild

Author: *MARIE SZANISZLO*

Article Text:

For months after she came home from the hospital with prosthetics in place of the legs that were blown off in the **Boston Marathon** bombings, Celeste Corcoran was carried upstairs by her husband, Kevin, every night to bed and back downstairs every morning before he left for work.

Through a program called Renovate for Recovery, volunteers from the Boston Society of Architects installed a chairlift, which has helped. But maneuvering around the small rooms of their Lowell home still has proved challenging.

“I bang into things in my wheelchair all day long,” said Corcoran, a hairdresser whose 19-year-old daughter, Sydney, also was injured in the bombings.

Tomorrow, the Corcorans will break ground on a fully handicap-accessible home on 21/2 acres they bought in Dracut with donations made to The One Fund Boston. And from the design of the building to its construction, virtually all of the work is being done for free.

“I’ve said before that good always overcomes evil,” said Corcoran, 48. “It renews your faith in humanity after something so violent and so hateful. That’s why one way for us to give back is to get the word out that help is still available for the survivors.”

In the wake of the bombings, the state Department of Public Safety created the Boston Survivors Accessibility Alliance, a network of volunteers who make the homes of marathon bombing victims accessible for free. But health care privacy laws prevent the group from contacting them directly. Instead, survivors have to contact the department.

“Many survivors weren’t ready at the time to face this part of moving on and how they were going to live the rest of their lives,” said Dana Cohen of Patrick Ahearn Architect in Boston, who designed the Corcorans’ new home with large, open spaces, wide doorways and an elevator.

With time, though, survivors who either didn’t know that help was available or weren’t ready to accept it may now see a need for home-accessibility modifications that the alliance’s volunteers can fill, said Liz Mason, director of client services for Green Leaf Construction, the Leominster company building the Corcorans’ home.

“I just want people who may have declined help in the beginning to realize help is still out there,” Corcoran said.

Survivors can request help at www.mass.gov/eopss/agencies/dps/bsaa-application-6-7-2013.pdf.

— mszaniszlo@bostonherald.com

Caption:

WINNING SPIRIT: Carmen Acabbo, Celeste and Sydney Corcoran, from left, cross the finish of this year’s marathon. Both Corcorans were injured in the 2013 bombing.

STAFF FILE PHOTO BY NANCY LANE

Copyright (c) 2014 Boston Herald

Record Number: 22944150

Boston Herald (MA)

September 12, 2014

Edition: ALL

Section: News

Page: 14

Volume 32, Issue 255

Topics:

Index Terms:

Local

How the T works to prioritize safety in post-9/11 world

Article Text:

MBTA Police Lt. Cmdr. Christopher Maynard joined Boston Herald Radio's "Morning Meeting" from South Station yesterday to talk about post-9/11 security and more. Here are excerpts:

Q: What's going on at South Station right now?

A: They're performing a security inspection. It's kind of similar to what you see at the airport. They use a machine called an 'Itemiser' which basically detects trace explosives. What they do is they swipe a bag ... with a small piece of cloth that they then put through the machine and it detects whether anyone's handled explosives.

Q: Is there a lot more security that we don't see post-9/11?

A: There are systems in place. We have key stations where we do have sensors within the system that detect chemicals ... that will trigger alarms which we will then respond to. We have over 4,000 cameras in place along the MBTA. Our surveillance program is really ramped up and it's now integrated within a larger system. It's tied in with MassDOT, the state system, city of Boston and other entities as well.

Q: What happened two years after the terrorist attacks?

A: We got more assets in place to respond to needs and what was happening day-to-day at that point. At some point it couldn't go on forever with people working 80 hours a week. They had to throttle it back a little bit. There was still additional coverage, and we still have additional coverage at this point.

Q: How did the advances you made to your security after 9/11 come into play during the **Boston Marathon** bombings?

Boston Herald articles (7/26/2014—11/15/2014) 34

A: We were pretty well stocked. It would be easier to say what we didn't use. We used everything. Our SWAT teams were used. Our explosive detection dogs, our regular patrol officers, our detectives, every asset of this department was used. Our department was ahead of the curve. Our whole department was trained in terrorism a couple years before 9/11.

Q: The days following 9/11 there was a train attack in Spain. Did your MBTA team learn more from that?

A: That's why we have the training because what had happened in the early '90s at the World Trade Center. Terrorism was really on the upswing. It's more common in other parts of the world where transit is attacked. You think about what transit means to the city of Boston, what would happen if people didn't trust the transit system to come to Boston, to go to work. We know that transit is always a target. It's something that we're very much aware of and we take very seriously.

Go to bostonherald.com for the full audio interview.

Copyright (c) 2014 Boston Herald

Record Number: 22957238

Boston Herald (MA)

September 12, 2014

Edition: ALL

Section: Opinion

Page: 18

Volume 32, Issue 255

Topics:

Index Terms:

Letters

Letters To the Editor

Article Text:

Retiree benefits sacred

With the general election campaign underway, voters should make sure the candidates will strive to protect the health care and pension benefits we retirees worked for (“Pols, supporters work a busy day at the polls,” Sept. 10). Legislation recently introduced in the U.S. Senate, the Bankruptcy Fairness and Employee Benefits Protection Act, would make it harder for companies to reduce or eliminate these promised benefits.

I, and many others, were told we would have health care benefits in retirement in exchange for accepting lower wages during our careers. Sadly, companies have not only reduced and in some cases canceled earned retiree health care benefits, but also found loopholes to dump pension obligations. Older Americans who labored their entire adult lives should not have to fear for the safety and security of their benefits.

— Peter Fitzgerald, Stoughton

Trial too speedy

Recently there has been media attention on Dzhokhar **Tsarnaev**’s motions to delay the trial (“**Tsarnaev** defense seeks to delay trial,” Aug. 30). Understandably, the public wants a quick resolution to the case and many are eager, given the horrific nature of his crime, for him to be executed. Justice demands, however, that the jury gets it right and that there is public confidence in the outcome. Furthermore, if the jury’s verdict is reversed on appeal, the victims’ families will have to endure the pain of another trial or sentencing phase.

The motion for a continuance needs to be given careful consideration. The defense has said that, if the trial goes forward on Nov. 3, it will be one of the quickest death penalty

trials (in terms of time from indictment to trial). That should not happen in a case of this complexity. Every death penalty defendant, no matter how horrendous the crime, deserves a defense team that has done a thorough job of investigating the defendant's life.

Despite the horrific nature of the **Boston Marathon** bombing, an overly speedy trial is not in the public's best interest.

— Ilya Ablavsky, Lynn

'Shenanigans' of fanatics

In his op-ed, Farouk El-Baz decries the "shenanigans" of the Islamic State and says that "vicious attacks on non-Muslims are abhorrent to Islam" ("Dire need for Muslims to lead fight vs. fanaticism," Aug. 29). El-Baz proposes to solve the problem of Islamic extremism by assuring a "proper education of Muslim youth in the religion."

The first step would be to "properly" train a bunch of teachers. Second, to cause the new, properly trained teachers to pass among the Muslim terrorists and revolutionaries and indeed all underprivileged young Muslims worldwide, while properly educating them so they become properly docile and civilized and learn to love the world. Next I presume, comes universal world peace.

El-Baz omits a time schedule for his solution, but several generations seems about right, assuming that the teachers are all charismatic geniuses. Meanwhile I guess we will just have to be patient and continue to put up with fanatics' continuing "shenanigans."

— Richard Chamberlain, Beverly

Copyright (c) 2014 Boston Herald

Record Number: 22943198

Boston Herald (MA)

September 13, 2014

Edition: ALL

Section: Opinion

Page: 8

Volume 32, Issue 256

Topics:

Index Terms:

Commentary

Fight fanaticism with freedom

Author: *As you were saying ...* by *KATRINA LANTOS SWETT*

Article Text:

As America marked the 13th anniversary of the 9/11 attacks earlier this week, ISIS's atrocities highlight the fact that the Middle East remains unstable and an incubator of future threats. But as we learned through last year's **Boston Marathon** attack, allegedly perpetrated by two half-Chechen brothers, threats can come from people from any region plagued by violent religious extremism. While it remains uncertain where or when they were radicalized, both came from Russia's North Caucasus area, a bastion for such extremism.

How can nations combat extremism that fuels terrorism? Russia provides a textbook example of what not to do — repress and restrict a large Muslim population, targeting an entire group for a violent minority's actions, thereby creating potential new recruits for extremism and triggering more violence. The government then responds to this violence with more repression leading to more radicalization and strife. The way to break this vicious cycle or prevent it in the first place is this: Protect religious freedom — the right of people to practice their beliefs nonviolently, without fear of official reprisal.

Partly due to this vicious cycle, the European Court of Human Rights has cited Russia more than 200 times, mostly for its conduct in the North Caucasus, where Muslims remain the majority. There, Chechnya's Kremlin-appointed president, Ramzan Kadyrov, has instituted a repressive rule responsible for massive human rights and religious freedom violations. Kadyrov and his men stand accused of torture, murder, and the disappearances of opponents in Russia and abroad.

Muslims throughout Russia are harmed especially by the country's Extremism Law, through which people are labeled, often wrongly, as security threats: Violators face up to five years' jail time. The 2002 law defines extremism as promoting the "exclusivity,

superiority, or inferiority of citizens” based on religion; thanks to amendments in 2007, the law now applies to nonviolent actors. Thus, Russian citizens, from traditional Muslims to Jehovah’s Witnesses who simply preach that their faith is superior, can be prosecuted. A court in 2007 banned the Russian translations of 14 Koranic commentaries by Turkish theologian Said Nursi due to his assertion of Islam’s exclusivity, not because of any security risk.

The Nursi bans are one example among many prohibitions of Muslim materials under the extremism statute. In response to a court’s banning 65 Muslim texts issued by “literally all Islamic publishers in Russia,” the Council of Muftis protested in 2012 the “revival of total ideological control” in Russia.

Have these or other sweeping religious restrictions made the homeland of the **Boston Marathon** attackers any more stable or less violent? No. Have they reduced terrorism by discouraging people from becoming terrorists in the first place? No. In fact, common sense suggests the contrary, as do numerous studies showing that religious freedom, not repression, helps stabilize nations.

The conclusion is clear. If nations wish to combat terrorism, they must counter religious extremism with freedom, not repression. Punish the violent, but let the nonviolent practice their beliefs in peace.

Katrina Lantos Swett, a resident of New Hampshire, is president and CEO of the Lantos Foundation for Human Rights and Justice. “As You Were Saying” is a regular Herald feature. We invite readers to submit guest columns of no more than 600 words. Email to oped@bostonherald.com. Columns are subject to editing and become Herald property.

Copyright (c) 2014 Boston Herald

Record Number: 22920567

Boston Herald (MA)

September 13, 2014

Edition: ALL

Section: News

Page: 2

Volume 32, Issue 256

Topics:

Index Terms:

Local

Expert: Tsarnaev's ideal juror 'a little more liberal'

Author: *BOB McGOVERN*

Article Text:

Somewhere in eastern Massachusetts are 12 people who will decide the fate of accused **Boston Marathon** bomber Dzhokhar **Tsarnaev** — and one of them could be you.

More than 2,000 people — from Haverhill to Duxbury, and from Framingham to Boston — could get the call from federal court by the end of this month, according to court papers filed yesterday. Doctors, garbagemen, lawyers, nurses and used-car salesmen may be among those who get the news they've been picked as potential jurors for the blockbuster terrorism trial.

Who is the perfect pick? Could you survive the scrupulous eyes of prosecutors, defense attorneys and a judge?

For **Tsarnaev**, a perfect juror would be a card-carrying Cambridge liberal — someone who blames George W. Bush for the war in Iraq and President Obama for NSA eavesdropping on citizens. Of course, that would-be juror would have to be willing to consider the death penalty if **Tsarnaev** is found guilty. Any moral qualms about lethal injections will be grounds for immediate disqualification.

Another good pick for **Tsarnaev**'s defense team would be a social worker or psychologist — an empathetic person who might see Dzhokhar as a lost soul, a stranger in a strange land who was under the spell of his older jihadist brother, Tamerlan. "It would be someone who is distrustful of the government's power and maybe a little more liberal," said David Yannetti, a criminal defense attorney not involved in the case.

Federal prosecutors will be looking for older folks who worked hard, paid their taxes and respect the government. A retired National Grid worker — who’s living on his pension and Social Security — would be the perfect candidate.

“You need a person who is law-abiding, pro-America and a little patriotic,” said Brad Bailey, a defense attorney and former prosecutor not involved in the case. “You need anyone who would have some real outrage that something like this could happen on American soil.”

Meanwhile, **Tsarnaev**’s attorneys will look kindly upon a humanities professor from one of Boston’s many universities — who would surely be skeptical as prosecutors paint the former UMass Dartmouth student-slacker as a cold-blooded killer.

A stockbroker or a small-business owner could make the cut for U.S. attorneys seeking a hard-line decision-maker. To put **Tsarnaev** to death, prosecutors want jurors who have no problem making gut-check choices without emotion. A surgeon — used to making life-or-death calls — would be able to cast a clinician’s eye on **Tsarnaev** and not be covered by the prospect of sending a young man to his death.

“You need a decisive type. You need someone who is accustomed to making big decisions, quickly,” Yannetti said. “He or she can’t be afraid to make a tough call.”

Both sides can kick out 20 potential jurors for no reason at all, and that typically eliminates those with the most extreme ideologies and prejudices.

Somewhere in the middle will be 12 men and women and six alternate jurors — and yes, one of them could be you.

— bob.mcgovern@bostonherald.com

Caption:

DECIDING HIS FATE: Experts say accused **Boston Marathon** bomber Dzhokhar **Tsarnaev**, above and below left, should hope for a cerebral, ‘more liberal’ jury, while the prosecution would be best served by older, ‘decisive’ types.

AP FILE PHOTOS

Copyright (c) 2014 Boston Herald

Record Number: 22970697

Boston Herald (MA)

September 14, 2014

Edition: ALL

Section: Inside Track

Page: 12

Volume 32, Issue 257

Topics:

Index Terms:

The Inside Track

Tracked down

Author: *GAYLE FEE / INSIDE TRACK*

Article Text:

Steven Tyler bringing his two little pooches Butch Cassidy, the Morkie, and Sundance Kid, the Yorkie, to Pawsh Dog Boutique & Salon in the Back Bay for a spa day ... Aerosmith drummer and coffee merchant Joey Kramer dining with car czar Ernie Boch Jr. at Empire ... “Flipping Boston” bros Peter Souhleris and Dave Seymour, Bruins Dougie Hamilton and Ryan Spooner and Coastal Windows & Exteriors boss Stephanie Vanderbilt watching two episodes of the A&E show where Peter and Dave help rehab **Marathon** survivor JP Norden’s house at a screening bash and fundraiser for JP and his brother and fellow bombing victim Paul at Kings Lynnfield ... Thirty local chefs hitting The Colonnade hotel’s now-closed rooftop pool with Brasserie Jo kitchen king Nicholas Calias to do the ice bucket challenge and raise some dough for ALS research ...

Copyright (c) 2014 Boston Herald

Record Number: 22977716

Boston Herald (MA)

September 19, 2014

Edition: ALL

Section: News

Page: 5

Volume 32, Issue 262

Topics:

Index Terms:

Local

A push to keep trial in hub: Bombing survivors want to face ‘coward’

Author: *LAUREL J. SWEET and JOE DWINELL*

Article Text:

Marathon bombing survivors are urging a federal judge to end the agonizing delay in the blockbuster trial of Dzhokhar **Tsarnaev** and keep it in Boston so they can finally face the accused terrorist and see justice done.

“If you could have seen the pain we did, you would put the trial in the community that was terrorized,” said Peter Brown, uncle of brothers J.P. and Paul Norden of Stoneham who lost their legs in the April 15, 2013, attacks on Boylston Street. “It was a spineless act. I’m asking the judge to do the right thing and keep the case in Boston.”

Tsarnaev’s lawyers continue to push to have the trial bumped back 10 months and relocate it to Washington, D.C., saying the 21-year-old Chechen refugee isn’t ready and an impartial jury cannot be found in the Hub.

U.S. District Court Judge George A. O’Toole said yesterday he will rule “shortly” on when and where the trial will take place.

Survivors, many of whom are still recovering from their injuries, said they’ve waited long enough.

“I’d like to see him have to face us, see us, have to face what he did. He’s a coward because he didn’t face us that day. He walked away. If he was a real man he would have stood there,” Marc Fucarile said of the twin pressure-cooker bomb blasts in Copley Square that injured him and more than 260 others, while killing Martin Richard, 8, Krystle Campbell, 29, and Lingzi Lu, 23.

Boston Herald articles (7/26/2014—11/15/2014) 39

Fucarile, 35, a Stoneham newlywed who lost his right leg in the bombings, said **Tsarnaev** is a “coward” who must confront his accusers face to face in a Boston courtroom.

“I’ll go wherever (the trial) is, but it should stay here. It happened here, this is where it should be. This is where we are. We’re still involved and we still care,” Fucarile said.

MBTA Officer Richard “Dic” Donohue, who nearly bled to death after being shot in a firefight April 19 that killed Tamerlan **Tsarnaev** — the accused killer’s older brother — said nothing will keep him away from the John Joseph Moakley federal courthouse for the scheduled Nov. 3 trial.

“I’m anxious. I’ve been following Twitter all day,” Donohue said regarding the judge’s imminent decision. “I wish it would move a little faster, and having it here in Boston would be easier, but having it moved won’t stop me from attending or keeping up.”

MIT Officer Sean Collier, 26, was killed the night of the firefight.

Lawyers for Dzhokhar **Tsarnaev** — accused of 30 federal counts in the bombing case, with 17 carrying the death penalty — have argued that he would face “an overwhelming presumption of guilt” in a Boston courtroom.

Tsarnaev’s lawyers submitted a poll in June claiming that 58 percent of Boston area people think their client is guilty. The survey also found that more than half of respondents took part in the 2013 marathon or knew someone who did.

“The community impact here is even greater than that (in the 1995 Oklahoma City bombing) given that the bombings occurred at the **Boston Marathon** on the day thousands of Bostonians and others from the region gathered to celebrate the runners, the Red Sox and Patriots Day,” **Tsarnaev**’s lawyers said in a filing.

The judge has ruled that at least 2,000 potential jurors from Greater Boston will be called to find a dozen who will pass final judgment.

For Liz Norden, the mother of bombing survivors J.P. and Paul, that day can’t come soon enough. “I just want to know what kind of person can do this,” she said. “I just want to see him. I want it over and done with.”

— laurel.sweet@bostonherald.com

Caption:
Dzhokhar **Tsarnaev**

STAFF FILE PHOTOS, ABOVE, BY MATT STONE; RIGHT, BY MATT WEST; TOP RIGHT, BY CHITOSE SUZUKI

WAITING FOR JUSTICE: **Marathon** bombing survivors and loved ones, including Marc Fucarile, above, Peter Brown, right, and Richard Donohue, top right, want Dzhokhar **Tsarnaev** to stay in Boston for trial.

Copyright (c) 2014 Boston Herald

Record Number: 23046190

Boston Herald (MA)

September 21, 2014

Edition: ALL

Section: News

Page: 4

Volume 32, Issue 264

Topics:

Index Terms:

Local

Memorial a beauty, but a sad reminder

Author: *PETER GELZINIS*

Article Text:

When you grow up in Dorchester, as Joe Finn did, views of the horizon don't stretch past the house next door.

Perhaps that's why Boston's fire commissioner sat in his Colorado Springs hotel room yesterday morning, transfixed by a jaw-dropping view of Pikes Peak outside his window.

"What an incredibly beautiful spot," Finn said as he prepared to attend yesterday's service at the IAFF Fallen Fire Fighter Memorial, where five Boston jakes were enshrined along with 163 of their fallen brothers and sisters.

The names of firefighter Michael Kennedy of Ladder 15 and Lt. Edward Walsh of Engine 33 would take their place beside the names of 19 "hotshot" brothers who were enveloped by a wildfire in Prescott, Ariz., and four more who perished in a Houston hotel fire.

"To be out here is to understand that you really are part of a brotherhood," Joe Finn said. "We suffered a great loss back in March on Boylston Street. We grieved as a department, as a family, and the rest of the city and the region grieved with us.

"But when you come to something like this, you realize yours is one story among many. Our sacrifice, our loss, is shared by firefighters all across the country."

Kathleen Crosby-Bell, who has attended many tributes to her son, firefighter Michael Kennedy, in the five months since his death, still finds herself wondering if the public understands the commitment all firefighters make on our behalf.

"My first impression on seeing this national memorial out here," she said yesterday morning, "is that it's stunningly beautiful, but it needs to be bigger. You've got 168

Boston Herald articles (7/26/2014—11/15/2014) 40

names being added to it now, and they'll be followed by at least another hundred with every passing year.”

The names of Michael Kennedy and Eddie Walsh were just two of the five fallen Boston firefighters whose names were added to the honor roll in Colorado yesterday.

Over the past year, Boston firefighters Frankie Flynn, Joe Mullen and Tommy Bell all succumbed to what Finn called the “occupational cancers that are killing our guys in far greater numbers than fire.” It is the residual effects of battling a fire where the smoke and fumes of synthetic materials are just as deadly as the flames.

The memorial affords these deaths the same honor and respect as line-of-duty deaths. “Frankie Flynn was the senior man at Engine 33, Michael and Eddie’s house,” Finn said. “He was one of the first guys on scene during the **marathon bombing**.”

“Joe Mullen, 25 years on the job, was a legend at Engine 8 in the North End. And Tommy Bell, over at Ladder 17 in Dorchester, was beloved, the comic of the house who kept everyone’s spirits up.”

Lt. Tom Cherry, who worked with Michael Kennedy and Eddie Walsh, came to Colorado Springs to hear their names called, to feel his heart swell with pride and his throat choke with emotion.

“It was an honor to be here,” Cherry said, “and yet to look over at Eddie’s wife and Michael’s mother, that was very hard. Someday, I’d like to come back with my children.”

Tomorrow, the walls that bear the names of Michael Kennedy, Edward Walsh, Frankie Flynn, Joe Mullen and Tommy Bell, along with 3,000 other firefighters, will be torn down to make way for a new and larger memorial.

The black granite walls will be pulverized and used to form a sacred path toward a new place of honor, in the majestic shadow of Pikes Peak.

— peter.gelzinis@bostonherald.com

Caption:

FOR ETERNITY: The names of Boston fire Lt. Edward J. Walsh Jr. and Michael R. Kennedy have been etched into the Fallen Firefighters Memorial Wall in Colorado.

PHOTO COURTESY TIME BURNS/IAAF

CROSBY-BELL

KENNEDY

WALSH

Copyright (c) 2014 Boston Herald Record Number: 23073199

Boston Herald (MA)

September 22, 2014

Edition: ALL

Section: News

Page: 10

Volume 32, Issue 265

Topics:

Index Terms:

Local

Marathon bombings survivors take the field for mobility clinic

Author: *LAUREL J. SWEET*

Article Text:

If **Boston Marathon** bombings survivor Heather Abbott has learned any life lessons in the past 17 months, it's that it's OK to fall down — so long as you're in hot pursuit of a dream.

“You just have to get over that fear,” the indomitable Abbott said yesterday on a Harvard University soccer field, where she was one of 50 adults, youths and tots participating in a free running and mobility clinic for amputees who've lost legs either to trauma or birth defects. Bombings survivor Roseann Sdoia also took the field.

Iceland-based prosthetic manufacturer Ossur has been holding a half-dozen such clinics across the country for the past decade.

“It's always amazing to see that there's so many amputees out there that want to get back into being active and start running. It's nice to be able to show people that it can be done,” said Abbott, 39, of Newport, R.I., a human resources manager for Raytheon.

Abbott was waiting in line at the Forum on Boylston Street on April 15, 2013, when the second of two homemade pressure-cooker bombs detonated, catapulting her body into the restaurant. The terrorist attack took her left leg from the knee down. But thanks to the Challenged Athletes Foundation, she now has a carbon-fiber running blade valued at up to \$30,000 she said she could never have afforded because it's not covered by insurance.

“It's really springy so it's kind of like being on a trampoline,” she said. “I still wouldn't say I'm an expert, but I'm getting better.”

But don't look for her in a bib at the starting line of the 2015 **Boston Marathon**.

“I will not be running the marathon,” she declared, laughing. “I wouldn’t have done it with two legs.”

— laurel.sweet@bostonherald.com

Caption:

‘IT CAN BE DONE’: **Boston Marathon** bombings survivor Heather Abbott, right, participated at the Ossur Mobility Clinic yesterday at Harvard University’s Cumnock Field.

STAFF PHOTOS BY CHITOSE SUZUKI

Copyright (c) 2014 Boston Herald

Record Number: 23084160

Boston Herald (MA)

September 24, 2014

Edition: ALL

Section: News

Page: 8

Volume 32, Issue 267

Topics:

Index Terms:

Columnists

Deval's devotion to riffraff is disturbing

Author: *HOWIE CARR*

Article Text:

What is it with Gov. Deval Patrick and his soft spot for criminals — especially rapists?

Imagine if a Republican governor had fired the two female chiefs of the Sex Offender Registry Board because they wanted to put a convicted rapist on the list — a rapist who happened to be the governor's brother-in-law?

Can someone say candlelight vigils?irate Globe editorials. Round-the-clock, bigger-than-Christie-on-the-G.W.-Bridge coverage on MSNBC.

But Deval is a Democrat, so nothing to see here folks, move along.

And it's not like this is Deval's first crush on a rapist. How about Ben LaGuer, the Leominster monster who raped and beat a 59-year-old woman in 1983 and then claimed he was the victim of a racist frame?

Deval described him to the Parole Board as "thoughtful and eloquent," and chipped in \$5,000 for LaGuer's DNA test, which of course confirmed his guilt.

Talk about a war on women — the State House is Ground Zero. What about ex-Sen. Jim Marzilli, the perv in the Prius from Arlington? And ex-Rep. Carlos Henriquez, convicted of beating up his girlfriend? Some things on Beacon Hill never change.

Then there was Deval's trusted aide Carl Stanley McGee. He was arrested in Florida in 2007 on charges of sexual assault of a 15-year-old boy in a resort swimming pool. The charges were dropped after McGee paid money to the alleged victim's family — "it was not a big number," he said.

Boston Herald articles (7/26/2014—11/15/2014) 42

So then the administration tried to get McGee a new state job at the Mass. Gaming Commission. That didn't fly, despite McGee's friendship with Deval.

Actually, it isn't just rapists Deval seems to have a soft spot for. Remember the Tsarnaevs, the accused **Boston Marathon** bombers? Two days after the jihadist's notes were found in the boat in Watertown, Deval went on "Face the Nation" and lied to Bob Schieffer that he had no idea what the motives of "those two young fellas" were.

And how about Ron Bell, his liaison to "the community"? After Bell was arrested for drunken driving in Boston, somehow he was able to secure a job in Lawrence City Hall with Willie "Landslide" Lantigua.

Deval's driver was named head of the Parole Board. He lasted until he and his cohorts cut loose a career criminal doing life sentences for armed robberies. As soon as the con got out, he killed another cop.

One last point. At the end of his term, there will be one way to know for sure if Deval's running for president or not: If he pardons his old pal LaGuer just before he leaves office, we'll know he's done with politics.

I say he's not, and he won't.

Sorry, Ben LaGuer, that's politics.

— howie.carr@bostonherald.com

Caption:
LaGUER

MARZILLI

McGEE

Copyright (c) 2014 Boston Herald

Record Number: 23107798

Boston Herald (MA)

September 24, 2014

Edition: ALL

Section: News

Page: 4

Volume 32, Issue 267

Topics:

Index Terms:

Local

Pilot program looks to be proactive in halting terror

Author: *BOB McGOVERN*

Article Text:

A pilot program launched in Boston, Los Angeles and Minneapolis to help catch homegrown terrorists before they join terror cells overseas could become a national model for cornering lone wolves, said U.S. Rep. William R. Keating.

“We’re trying to counter what the terrorist organizations are doing. These groups are becoming very sophisticated with social networks and propaganda, and this program is designed to stop it at the root,” Keating told the Herald last night. “We can continue to try and react, but this is an attempt to counter this at the inception stage.”

The program was created by the U.S. Department of Justice to help stymie terrorists locally, according to Keating. Boston was selected because of its history of dealing with terror suspects — including Dzhokhar **Tsarnaev**, who is accused of the **Boston Marathon** bombings.

“One of the reasons, sadly, is that we’ve had experience here in the wake of the bombing. We had law enforcement and authorities working together, and that was part of the selection process,” said Keating, a member of the House Homeland Security Committee. “We have a proven track record with a number of agencies working together. We also have a very diverse city.”

Keating said state, federal and local officials will work together to identify the issues that lead to homegrown terrorists. He did not know how long the program would last, but added that he wants to see it spread out to different parts of the country “where these issues exist.”

The FBI, which wouldn't get into the specifics of the program, said Boston is not a hub for terrorist activity.

“To suggest ... that Boston or Massachusetts has an organized network for travelers to Syria or Iraq is not accurate,” said Vince Lisi, special agent in charge of the FBI's Boston Division.

Officials would only say that the pilot program would use education administrators, law enforcement, mental health professionals, faith-based organizations and others.

Other suspected terrorists with local ties include Ahmad Abousamra, a Stoughton High School graduate placed on the FBI's Most Wanted Terrorists list and now suspected of using the computer skills he honed while studying in the Bay State to help spread the violent jihadist message of ISIS; Tarek Mehanna of Sudbury, now serving a 17-year federal prison sentence for terror plotting; and Northeastern University grad Rezwan Ferdous of Ashland who also got 17 years in a plea deal for planning to bomb the Pentagon and the U.S. Capitol with remote-control model airplanes.

— bob.mcGovern@bostonherald.com

Caption:

ON GUARD: Massachusetts State Trooper Henry Chan with his K-9 Sandra patrols Terminal C at Logan International Airport yesterday.

STAFF PHOTO BY CHRISTOPHER EVANS

TAMERLAN TSARNAEV

Rezwan Ferdous

Tarek Mehanna

DZHOKHAR TSARNAEV

Copyright (c) 2014 Boston Herald

Record Number: 23108397

Boston Herald (MA)

September 25, 2014

Edition: ALL

Section: News

Page: 5

Volume 32, Issue 268

Topics:

Index Terms:

Local

FBI warns police, keep eye out for lone-wolf extremists

Author: *BOB McGOVERN and CHRIS CASSIDY*

Article Text:

Federal authorities are warning police in Boston and across the country to be on the lookout for homegrown, lone-wolf terrorists who could be infuriated with America's decision to wage war on the Islamic State and other jihadis, according to a leading law enforcement official.

"We started an air campaign in Syria the other night, so this is going to certainly irritate Muslims around the world in some respect," said Massachusetts State Police Col. Timothy P. Alben.

State police received a bulletin from the FBI yesterday "warning and reminding" them to be on the lookout for lone-wolf extremists, Alben said. "There wasn't anything specific that they were pointing to, they just want us to be cautious of this home-grown problem.

"It's just reminding us to do our due diligence because the military campaign is ramping up overseas," Alben said.

Boston police received a bulletin but wouldn't discuss its contents. U.S. Rep. William R. Keating, who was briefed on the bulletin, said lone-wolf extremists "are the No. 1 domestic threat, and people in Boston are well aware of that." Keating said the Boston Regional Intelligence Center also received the bulletin yesterday.

Keating noted Islamic extremists "use our attacks to reinforce the view that the U.S. is the enemy of radical Islam. That's another reason to heighten attention."

The Boston area has produced the **Tsarnaev** brothers, accused in the deadly marathon bombings, as well as several others accused of terrorist activity — Tarek Mehanna, doing

time for trying to kill U.S. soldiers; Ahmad Abousamra, allegedly handling social media for the Islamic State; and Rezwan Ferdaus, who plotted to bomb the Pentagon and U.S. Capitol.

“This is going to be someone without a big network or a trail to follow. It’s exceedingly difficult to track them,” said Patrick Skinner, a former counterterrorism case officer in the CIA. “As Boston knows, it’s very, very difficult to stop them.”

“We haven’t perfected a way to identify, track and neutralize homegrown terrorists,” said Manuel Gomez, a former FBI agent. “It’s difficult because they act by themselves, and they assimilate very easily.”

Meanwhile, a video emerged yesterday showing French hostage Herve Gourdel being beheaded by Algerian extremists sympathetic to the Islamic State, which beheaded American journalists James Foley and Steven Sotloff and British aid worker David Haines. Colin Clarke of the RAND Corp. said the extremists may decide to devise even more gruesome plots if they decide the beheading videos are losing their shock value.

“At the end of the day, the purpose of terrorism is to terrorize,” said Clarke. “If this just becomes banal, where this is run of the mill ... I think there will be pressure because it’s going to be looked at as small potatoes.”

— bob.mcGovern@bostonherald.com

Caption:
COL. TIMOTHY P. ALBEN

Copyright (c) 2014 Boston Herald

Record Number: 23121125

Boston Herald (MA)

September 25, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 268

Topics:

Index Terms:

Local

Judge: Tsarnaev can get a fair trial in Boston

Author: *O'RYAN JOHNSON and JOE DWINELL*

Article Text:

A federal court judge last night slammed defense lawyers' claims that publicity had ruined accused terrorist Dzhokhar **Tsarnaev**'s chances of getting a fair trial in Boston, as he ordered the blockbuster case to remain in the Hub — a ruling hailed by survivors of the marathon bombings.

U.S. District Court Judge George A. O'Toole Jr. also pushed back the Nov. 3 trial date to Jan. 5, rejecting the defense team's appeal to postpone the case to September.

"It is doubtful whether a jury could be selected anywhere in the country whose members were wholly unaware of the marathon bombings," O'Toole wrote in his decision. "The constitution does not oblige them to be."

Tsarnaev, 21, is accused of setting off one of the two pressure-cooker bombs near the **Boston Marathon** finish line on April 15, 2013, that killed three and injured hundreds. He faces the death penalty for his alleged role in the attacks.

MBTA Officer Richard "Dic" Donohue, who nearly bled to death after being shot in a firefight April 19 that killed Tamerlan **Tsarnaev** — the accused killer's older brother — said he's relieved the case will finally start.

"A burden has been lifted off all of us," Donohue said. "It's important to kick it off."

Before the firefight, the Tsarnaevs are alleged to have murdered 26-year-old MIT officer Sean Collier.

The Chechen brothers are also accused of killing Martin Richard, 8, Lingzi Lu, 23, and Krystle Campbell, 29, in the bombings on Boylston Street three days earlier.

Adrienne Haslet-Davis, the ballroom dancer who lost her left foot in the bombings, told the Herald last night she's "happy" the trial won't ruin the holidays for survivors and the victims' families. She added keeping the trial here gives them all "some type of solace."

"The trial is where it should be. He needs to face his own death sentence where he was stupid enough to pull off what he did," she said.

"I'm happy survivors can sleep in their own beds and be close to their support units" as the case unfolds in U.S. District Court on the waterfront in South Boston.

"He shouldn't have any say in where the trial is," she said. "He's fortunate enough to have people around him and to be able to fight for his life, because not all of us had that luxury.

"This is what's best for the people with PTSD who have to face this trial," Haslet-Davis added. "I'm glad none of us will have Thanksgiving in the courtroom. I'm glad the trial, and he, won't be ruining the holidays."

— oryan.johnson@bostonherald.com

Caption:

Adrienne Haslet-Davis

Richard Donohue

Copyright (c) 2014 Boston Herald

Record Number: 23122974

Boston Herald (MA)

September 26, 2014

Edition: ALL

Section: News

Page: 5

Volume 32, Issue 269

Topics:

Index Terms:

Columnists

EBT card bonanza

Author: *HOWIE CARR*

Article Text:

Another day, another anecdote, as Gov. Deval Patrick likes to call arrests of any of his core constituents, EBT cardholders.

Today's "leakage," another of his favorite phrases, involves one Gary Bond — no relation to Gary "U.S." Bonds, famous R&B singer of the 1960s.

This Gary U.S. Bond has had at least one million-dollar Lottery ticket winner, last month, on the \$4 million Gold Bullion scratch ticket.

Of course he took the one-time payment — \$650,000. According to the Lottery, after 25 percent federal taxes and 5 percent state taxes, he netted \$455,000. Not bad. Do you have \$455,000 cash in a bank account, or even under your mattress?

I'll bet you can see where this story is going. As has often been noted, not every person who has an EBT card is a drug dealer. But every drug dealer has an EBT card.

So the Haverhill cops go into Gary Bond's "subsidized apartment" (another popular public-sector perk among the EBT community), and they report finding a little more than 1 ounce of marijuana, 21 grams of cocaine and (a rather disappointing) three Oxycontin pills.

Haverhill police also reported seizing \$974 in cash, three Apple iPhones, brass knuckles, an airsoft gun and a machete — in other words, the usual EBT accessories.

Not to mention, two EBT cards, one belonging to Gary Bond and another to his wife, Fritzlaine Liautaud, 30.

If he'd taken the yearly payments from the Lottery, a court could have ordered that the money be stopped.

But of course Gary U.S. Bond knew that. He got the money, and how much do you figure is still around?

Just a hunch, but I'm going to bet that he and his wife both claim that they are "indigent" and will demand public defenders. Just like more high-profile criminals like Dzhokhar **Tsarnaev**, Whitey Bulger and Speaker Sal DiMasi.

Gary U.S. Bond had a prior conviction, but he was given probation. Of course he was. He had an EBT card. That makes him good people — just ask Deval Patrick.

If Charlie Baker can ever finish his "sweetheart" apology tour, maybe he could bring up the connection between welfare and drug dealing.

How many times this year have arrested drug dealers been found with multiple EBT cards — remember the woman in Taunton with 12, count 'em 12, EBT cards? Dealers take them as collateral for the next fix.

And you wonder why hundreds of thousands of the cards are "lost" every year, compared to how few traditional credit cards go missing.

Do you think Gary U.S. Bond has a dog? If he does, I'm betting it's a pit bull. Not every pit bull owner is a drug dealer, but every drug dealer ...

— howie.carr@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23132427

Boston Herald (MA)

September 26, 2014

Edition: ALL

Section: Opinion

Page: 20

Volume 32, Issue 269

Topics:

Index Terms:

Editorials

A fair trial in Boston

Article Text:

One of the few things Attorney General Eric Holder got right during his tenure (for the other list, see above) was his decision to seek the death penalty against accused **Boston Marathon** bombing suspect Dzhokhar **Tsarnaev**. On Wednesday a judge ruled that while **Tsarnaev**'s trial will be pushed off to early January, it will in fact be held here in Boston, rejecting the defense team's request for a change in venue.

U.S. District George O'Toole was unpersuaded by the defense argument that every potential juror within driving distance of Boston had already found **Tsarnaev** guilty in their minds. The defense based that claim in part on a poll.

Well, gee, who'd have thought the judge might want to base his decision on something a bit, well, weightier than an opinion poll commissioned by the defense!

O'Toole saw no cause to doubt that **Tsarnaev** can get a fair trial in Boston. He acknowledged the publicity surrounding the case, but noted that, on its own, that isn't the determining factor.

"It is doubtful whether a jury could be selected anywhere in the country whose members were wholly unaware of the marathon bombings," O'Toole wrote in his decision. "The constitution does not oblige them to be."

O'Toole's decision was the right one based on the facts and the law, but to those who suffered most acutely as a result of the bombings, it is more than that. Whether they lost a child or a friend, a limb (or two), their hearing, their sense of well-being, they won't be deterred from witnessing the trial of the man alleged to have stolen them.

Copyright (c) 2014 Boston Herald

Record Number: 23131360

Boston Herald (MA)

September 28, 2014

Edition: ALL

Section: News

Page: 12

Volume 32, Issue 271

Topics:

Index Terms:

Columnists

Deval under oath — if only

Author: *HOWIE CARR*

Article Text:

Gov. Deval Patrick never wanted to be the next attorney general — he's too busy at the State House settling "all family business," as the Godfather once put it.

He's making a list and checking it twice, and Deval knows even better than Santa Claus who's been naughty or nice, naughty mostly.

You're fired, Sex Offender Registry Board! And take that critic of the administration's \$1 billion botched Obamacare website rollout with you.

Besides, who wants to be the next Eric Holder if you can be the next Vernon Jordan? Access to any president is worth millions, and Jordan parlayed his well-publicized Clinton cronyism to the max, and now he's got more money than God.

Drumming up business for himself, not Massachusetts — that's what all these junkets have been about. Deval might as well have hung a sign around his neck — "For Rent." Do you really think Deval cares about Massachusetts? C'mon, how many years now has he had his mansion in Milton on the market?

His other mansion, out there in Richmond, the one he built — that's a weekend getaway. Oh sure, he'll have a nice \$2-million pied-a-terre in the Seaport District, but you'll see him here about as often as you did before he ran for governor.

(Remember his spotty voting record back then?)

Still, it's a shame that Deval isn't going to be nominated for attorney general.

Imagine the Senate Judiciary Committee hearings. Sen. Ted Cruz could grill him, under oath, about the exact circumstances of his abrupt departures from both Coca Cola and Texaco, and how much money he pocketed in each of those non-disclosure golden handshakes.

And these national politicians thought Eric Holder had a soft spot for Muslim terrorists, wanting to hold al-Qaeda terror trials in lower Manhattan? How would the statesmen have reacted when they saw the 2007 videotape of Deval describing 9/11 as “a failure of human beings ... to love one another?”

Or his appearance on “Face the Nation” after the **Boston Marathon** bombings blithely lying that he had no idea what the motive of those “two young fellas” was. Or his press conference earlier that week after the Muslim terror attack, warning people not to jump to conclusions that it was a Muslim terror attack.

What about his well-compensated service on the board of sub-prime mortgage lender Ameriquest, one of the architects of the housing bubble his pal Obama likes to blame on greedy Republicans?

And those are just the beginning of the scandals the senators could have asked him about. Right, Crash Murray?

Do you get the feeling that Deval has already checked out, except of course for settling a few old scores on Beacon Hill? He may not care much for Charlie Baker, but his opinion of Marsha doesn't seem all that much higher.

Remember how Deval tried to promote a boomlet for U.S. Attorney Carmen Ortiz, who is about as qualified for the job as, well, as he was. Then some of his top aides flipped to Juliette Kayyem.

Nah, I don't think we'll be seeing much of Deval after he walks down the State House steps in January. Good riddance, but I would have enjoyed hearing Ted Cruz ask him one final question:

“After graduating from Harvard College and Harvard Law School, Governor, just how many times did you have to take the bar exam before you passed?”

Copyright (c) 2014 Boston Herald

Record Number: 23155245

Boston Herald (MA)

September 29, 2014

Edition: ALL

Section: News

Page: 3

Volume 32, Issue 272

Topics:

Index Terms:

Local

Tom's 'mixed' message: In new book, ex-mayor praises, raises concerns about FBI in wake of bombings

Author: *MATT STOUT*

Article Text:

Former Mayor Thomas M. Menino says the FBI dragged its feet on releasing videos of the suspected **Marathon** bombers in the days after the horrific terrorist attacks, such that he “silently vowed” to go to President Obama if the feds waited any longer, he says in his new book about his 20 years in office.

“Mayor for a New America,” penned by Menino with WBUR analyst Jack Beatty and due out Oct. 14, devotes its introduction to the April 15, 2013, bombings when Menino, in a wheelchair, checked out of the hospital to address the city hours after the deadly blasts on Boylston Street.

Menino said his “feelings are mixed” about the FBI, noting their commitment to catching the bombers but also what he said was “caution (that) seemed motivated by a fear of making a mistake.” Agents had footage of the suspected bombers by late Wednesday but were “resisting pressure” to release the images, fearing the bombers could show up at the Cathedral of the Holy Cross on Thursday when President Obama was scheduled to speak.

“I hope that risky plan wasn’t the only reason the FBI was reluctant to share the tapes,” Menino writes, adding he sought to “notch up the pressure” when he mentioned the surveillance footage in a CNN interview.

“I silently vowed to appeal to the president if the bureau didn’t budge,” Menino wrote. “On Thursday afternoon, it budged.”

Menino also calls the controversial shelter-in-place order given by Gov. Deval Patrick that Friday as police hunted a suspect an “overreaction.”

“Absent shelter-in-place, (Watertown boat owner David) Henneberry might have discovered Dzhokhar **Tsarnaev** earlier,” Menino said.

The book’s behind-the-scenes looks reveal a man who embraces his image as an iron hand ruling the city he loves:

- When he learned a “senior” City Hall staffer was supporting Mitt Romney for Senate in 1994, he ordered him to a traffic circle to hold a “Kennedy for Senate” sign all day.
- On criticisms he micro-managed the Boston Redevelopment Authority: “BRA directors can get lulled into thinking they head an independent agency. ... I never relaxed my grip.” He said donations from preferred developers did not determine his decisions. “They were one among many factors.”
- Menino also devotes a large chunk of one chapter to his running battles with the police and fire unions, which nearly upended the 2004 Democratic National Convention in Boston.

“I lucked out on the timing,” he writes of an August 2001 contract agreement. “After 9/11, I couldn’t have denied anything to our firefighters”

Of his style, Menino said, “I’ve been labeled ‘an incrementalist.’ A step-by-step mayor who resisted bold dramatic change. But I didn’t resist it. The city did. ... change is possible, but in small pieces and in slow time.”

— matthew.stout@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23175006

Boston Herald (MA)

October 2, 2014

Edition: ALL

Section: News

Page: 8

Volume 32, Issue 275

Topics:

Index Terms:

Columnists

No firing squad for these deserters, just EBT cards

Author: *HOWIE CARR*

Article Text:

They used to deport illegal aliens. They used to shoot deserters.

But that was then and this is now. So the three Afghan Army deserters who fled Camp Edwards and, after a short sojourn at a local strip club, took off for Canada, are now begging for political “asylum.”

And we all know what political asylum means — instant welfare, forever.

Instead of going in front of a firing squad, or at least being sent back to Afghanistan to fight the Taliban, the deserters are likely to score EBT cards, MassHealth, WIC vouchers, Section 8 housing, free translators — the full **Tsarnaev**, in other words.

All three of these deserters have wives. They have a total of 11 children, with one more on the way. All they ask is that the United States allow in 18 more foreign freeloaders and allow them to live on the arm for the rest of their lives.

After all, these men were our allies, at least until they wised up and decided to seek asylum at the nearest welfare office.

What could possibly go wrong? Hint: 2013 **Boston Marathon** bombings.

Did you see the photo of the **Tsarnaev** sister in the paper yesterday, burka-clad, handcuffed to a bench after allegedly making a bomb threat? Compared to the rest of her asylum-seeking Chechen family, she’s assimilated!

And of course, these 18 would just be the beginning. Ever hear of “chain migration?” Here’s how that works. Once the families get settled, with their free brand new cars and plasma-screen TVs, they can start bringing their relatives over. Their parents, and their parents’ siblings. Then wife invites brother, who brings wife, who brings her brother, who vouches for his sister-in-law ...

And all of them have five or six kids.

In yesterday’s story in the Globe, the word “asylum” appeared again and again. Two words that did not appear once: “job” or “work.” For these parasites, asylum equals retirement for them and all of their worthless relatives.

One of the deserters was quoted as saying in broken English, “I worry about my wife. My daughter.”

Hey, Americans feel the same way, and what we’re worried about is the millions of people like you trying to sneak into the country and do us harm. Untold numbers of terrorists and gangbangers crossing the Rio Grande and being handed free tickets by Homeland Security to get on commercial airliners. The return of diseases eradicated here decades ago — polio, tuberculosis, whooping cough ...

Ebola-infected Africans flying into Dallas-Fort Worth and immediately checking into U.S. hospitals, with taxpayers picking up the tab. Hey, it’s the least we can do. Just ask Eric Holder.

Sure, let ’em all in. What could possibly go wrong?

Copyright (c) 2014 Boston Herald

Record Number: 23204670

Boston Herald (MA)

October 3, 2014

Edition: ALL

Section: News

Page: 2

Volume 32, Issue 276

Topics:

Index Terms:

Local

Biden: Terrorists not an ‘existential threat’

Author: *O’RYAN JOHNSON*

Article Text:

Vice President Joseph Biden last night painted an optimistic portrait of America’s foreign policy during the Obama years, claiming the administration engaged ISIS in Syria at just the right time, and has successfully checked Russia in the Ukraine.

Speaking at Harvard’s Kennedy School of Government, Biden said terrorists do not represent “an existential threat to our way of life or our security.”

“We didn’t crumble after 9/11. We didn’t falter after the **Boston Marathon**,” Biden said. “This is going to require a lot of time and patience.”

Biden said the United States’ engagement in the world is more critical now than ever, even as he warned that “the international order that we painstakingly built after World War II” is fraying.

Biden said that the administration has found ways to stand up to Russian President Vladimir Putin without putting U.S. troops on the ground, and claimed the U.S. has stalled Russia in the Ukraine, where large parts of the country are controlled by pro-Russian rebels.

“We don’t want Russia to collapse, we want Russia to succeed,” Biden said.

“But Putin has to make a choice.”

Herald wire services contributed to this report.

Herald wire services contributed

Caption:

ROSY PORTRAIT: Vice President Joseph Biden, speaking at Harvard's Kennedy School of Government, said last night President Obama's foreign policy initiatives are working against ISIS and Russia's involvement in Ukraine.

STAFF PHOTO BY JOHN WILCOX

Copyright (c) 2014 Boston Herald

Record Number: 23216966

Boston Herald (MA)

October 5, 2014

Edition: ALL

Section: News

Page: 7

Volume 32, Issue 278

Topics:

Index Terms:

Columnists

Blame the bad, not their tools

Author: *ADRIANA COHEN*

Article Text:

Guns don't kill people. People kill people. It's not just a slogan, it's the truth.

Need proof? Just look at the ISIS beheadings. What weapon has been used to barbarically kill two American journalists and innumerable other terror victims? A knife.

What weapon was used at the **Boston Marathon** finish line? A bomb.

What weapon was used during 9/11 to massacre Americans? Airplanes. You see the point. People kill people. The weapon is just a tool.

Why aren't gun control lobbyists and advocates going after knives, airplanes or bombs? It's because they know they can't. There is no way to legislate knives that billions of people use all over the world to cook and for other purposes. They can't ban airplanes or stop terrorists from getting materials to make a homemade bomb.

But what they can do is stop their misguided attack on the Second Amendment and use that energy to go after radical Islamist terrorists who are engaged in a Holy War to kill Americans and anyone else who doesn't subscribe to their extremist religious ideology.

Gun control advocates would be doing a greater public service if they lobbied Congress to shut the border — to stop terrorists, criminals and drug-runners from coming in.

They should also bang on Congress' door about protecting Americans from foreigners who bring contagious diseases into our country.

Why hasn't the President banned travel to the U.S. from Ebola-stricken countries? Britain has. Other countries have. Why not America?

Again, if gun-control advocates want to protect innocent civilians from being killed, they should use their time to stop Ebola from entering our country and infecting Americans. Will Ebola be a new form of bioterrorism used by ISIS or other enemies?

The reality is, violence is the root of the problem, not the weapon of choice.

And let's not forget how an American gun owner, Mark Vaughan, saved a woman's life when an Islamist convert allegedly beheaded a woman and then stabbed another at Vaughan Foods in Oklahoma. Had the president of Vaughan Foods not come along with a gun and shot the suspect, the stabbing victim would have died. A gun, handled by a responsible and law-abiding American, saved her life.

Mark Vaughan is a hero.

Bottom line: Guns aren't the problem. Radical Islamist terrorists who want to kill us are. In an age of ISIS, now is the time to strengthen the Second Amendment, not weaken it.

Adriana Cohen is Herald columnist and radio host on Boston Herald Radio. Go to adrianacohen.com, and follow her on Twitter @AdrianaCohen16.

— adriana.cohen@bostonherald.com

Caption:

MISSING THE POINT: Today's radicals are using more than guns to threaten and terrorize the U.S. and the world.

STAFF FILE PHOTO BY CHITOSE SUZUKI, ABOVE; AP PHOTO, TOP

Copyright (c) 2014 Boston Herald

Record Number: 23237795

Boston Herald (MA)

October 7, 2014

Edition: ALL

Section: News

Page: 5

Volume 32, Issue 280

Topics:

Index Terms:

Local

Impartial attorney says of weed plea: ‘It could work in this case’

Author: *BOB McGOVERN*

Article Text:

Dzhokhar **Tsarnaev**’s buddy may have hit on a primo legal defense.

If Robel Phillipos’ lawyers can get jurors to believe that the UMass Dartmouth student was too stoned on April 18, 2013, to remember what he and his friends were doing, he could walk away from federal charges.

“It could work in this case,” said Peter Elikann, a criminal defense attorney who is not involved in the case. “If they’re trying to say that he was just a nervous teenager, the idea that he was smoking marijuana might enhance that argument, and it would be one more thing for the jury to consider.”

Phillipos, then 19, is charged with repeatedly lying to FBI interviewers during their investigation into the 2013 **Boston Marathon** bombings. Authorities say Phillipos was present when Kazakh exchange students Azamat Tazhayakov and Dias Kadyrbayev worked together to conceal evidence in order to help **Tsarnaev**. Tazhayakov was found guilty in July, and Kadyrbayev later pleaded guilty.

All that’s left is Phillipos, and now he’s saying that marijuana clouded his memories of the night. That could be enough to convince jurors that he’s just a dumb kid and not a criminal worth putting away for up to 16 years.

“If there are jurors who want to be lenient, you have to give them a door to walk through,” said Edward Schwartz, a Boston-based jury consultant who is not involved in the case. “This defense could be that door. It provides a legal opportunity — with legal language and instructions — that a juror can point to and say, ‘Here’s my way out.’”

To be guilty under federal law, Phillipos would have to be found to have “knowingly and willfully” lied to federal investigators. Unlike other crimes — like murder — there are no degrees of guilt.

If he didn’t knowingly lie, Phillipos is innocent.

“It’s all or nothing here. Either he did it knowingly and willfully, or he honestly couldn’t remember,” said Brad Bailey, a criminal defense attorney not involved in the case. “He’s either guilty or not guilty here.”

This isn’t a novel defense. Attorneys use the diminished capacity defense in a lot of cases, and sometimes it’s accepted as a way to reduce charges. Phillipos is hanging his hat on his stoner defense — but will a jury believe that a night of smoking pot left a blank?

Prosecutors also may have given him an out by saying it took five interviews with Phillipos before he confessed to being in **Tsarnaev**’s dorm room the night of April 18, 2013. Jurors could see that as instructive — that Phillipos was too stoned to know for sure and eventually cracked because he was scared.

The image of a nervous stoner, too far gone to understand the seriousness of his predicament, is exactly what defense attorneys want jurors to see.

“If they are trying to convince the jury that this wasn’t a thought-out scheme — it was just that he wasn’t thinking clearly and was nervous on top of that — this can only enhance that argument,” Elikann said. “I think it’s a smart move by the defense. It’s clear that they want to paint him as a kid who wasn’t thinking clearly, and not a diabolical schemer out to throw the police off the track.”

— bob.mcgovern@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23260787

Boston Herald (MA)

October 7, 2014

Edition: ALL

Section: News

Page: 4

Volume 32, Issue 280

Topics:

Index Terms:

Columnists

Tsarnaev pal's defense is pure reefer madness

Author: *PETER GELZINIS*

Article Text:

It's a pathetic excuse for a defense. But then, Robel Phillipos had to say something.

So why not blame his alleged connection to last year's horrific **Marathon** bombings attack on weed.

“This is a case about a kid high out of his mind, saying, ‘I don't remember.’ ”

Yeah, that's the ticket.

That line was the cornerstone of defense lawyer Derege B. Demissie's opening statement in defense of his client, the 20-year-old UMass burnout, who is charged with lying to investigators about his involvement in a plot to dispose of evidence allegedly linking his high school and college buddy, Dzhokhar **Tsarnaev**, to the **Boston Marathon** bombings.

Robel Phillipos is the last of the so-called three UMass Dartmouth stooges, the friends of Dzhokhar, to face justice.

When the surveillance photos of Dzhokhar **Tsarnaev** and his brother Tamerlan went viral back in April 2013, Phillipos is accused of accompanying Dias Kadyrbayev and Azamat Tazhayakov to **Tsarnaev**'s UMass dorm room and disposing of a backpack containing a laptop and bomb ingredients.

Tazhayakov was found guilty of obstructing justice last spring. Kadyrbayev quickly followed suit and copped a guilty plea. Now the feds intend to call him as a witness to testify against Robel.

Most of the people who came to court yesterday were there to offer support for Phillipos' "high out of my mind defense."

They came to root for the kid dressed in a banker's suit, who claimed that the reason he couldn't remember anything about the day he hooked up with his two UMass obstructionist buddies was because he was "fishbowling," or smoking weed inside a car with the windows closed.

He was "high out of his mind."

What Dwight Schwader, a special investigator with the U.S. Office of Transportation's Inspector General's office, recalled when he questioned Robel several times is "how he seemed to lack any emotion about the severity of events we were questioning him about."

Yesterday afternoon, I never really got the chance to brief Celeste Corcoran on any of this, because she wasn't interested in having her afternoon ruined.

Sixteen months ago, Celeste lost both her legs, and her daughter, Sydney, nearly bled to death when a lovely April afternoon turned into a nightmare on Boylston Street.

"I have made the decision that these people have already taken too much of my life and my family's life," Celeste Corcoran told me. "I refuse to let them take any more.

"All my of focus now is directed toward my family and on the positive energy of healing."

I can't help thinking that Robel Phillipos could spare the more than 260 victims of this homegrown jihad the needless pain of being ambushed by all that negative energy if he just followed his pal Kadyrbayev's lead and threw himself on the mercy of the court.

But apparently that's not going to happen.

— peter.gelzinis@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23260773

Boston Herald (MA)

October 7, 2014

Edition: ALL

Section: News

Page: 4,5

Volume 32, Issue 280

Topics:

Index Terms:

Local

Victims' mom: Phillipos' pot excuse 'sickening'

Author: *LAUREL J. SWEET and JOE DWINELL*

Article Text:

The mother of two **Boston Marathon** bombing victims said it's "sickening" that a college buddy of accused terrorist Dzhokhar **Tsarnaev** could coldly brush off his alleged ties to the attempted cover-up of the horrific attack because he was stoned "out of his mind."

Robel Phillipos, 20, of Cambridge went on trial yesterday in federal court, where his lawyer told the jury the case is about a kid who was too high on marijuana to know what he was doing.

"This is a case about a kid high out of his mind, saying, 'I don't remember.' They're not saying he destroyed evidence. They're not saying he touched evidence. He committed no crime," defense attorney Derege B. Demissie said in his opening statement.

Phillipos, who's accused of lying to investigators, smoked pot for hours, according to his lawyer — including in a smoke-filled, closed-up car that created a "fishbowl" effect — the day he was in **Tsarnaev**'s University of Massachusetts Dartmouth dorm room when two other pals, Azamat Tazhayakov and Dias Kadyrbayev, removed evidence in the bombings.

"I just can't imagine this. How does he go to court and say he was stoned all day? This was terrorism," Liz Norden told the Herald last night.

Her sons, J.P. and Paul Norden, each lost a leg in the bombings on Boylston Street on April 15, 2013, and were among the more than 260 injured in the blasts. Killed in the bombings and subsequent manhunt were Martin Richard, 8, Lingzi Lu, 23, Krystle Campbell, 29, and MIT officer Sean Collier, 26.

“I can’t believe someone wouldn’t realize what was going on, no matter how high they were. You can’t be so stoned you don’t know a little kid was killed; women were killed; a cop was killed,” Norden said. “It’s sickening. It’s absolutely foolishness to say you were too high to understand what you were doing. This is an insult to the jury’s intelligence.”

Prosecutors, meanwhile, told jurors they will hear from Tazhayakov, found guilty in July of obstruction of justice charges for helping remove a backpack stuffed with a laptop and fireworks from **Tsarnaev**’s room three days after the bombings.

Tazhayakov, 20, who faces up to 20 years in federal prison when he’s sentenced Nov. 19, could get a reduced sentence in return for his testimony. Kadyrbayev, 20, pleaded guilty in August to tossing the backpack and its contents in a dumpster.

Phillipos, the son of a social worker for the state Department of Transitional Assistance, confessed to being in **Tsarnaev**’s dorm room the night of April 18, 2013, immediately after the FBI first went public with photographs of **Tsarnaev** and his older brother Tamerlan as their bombing suspects, officials say. When Kadyrbayev asked what he should do about the backpack, Assistant U.S. Attorney John Capin said Phillipos told him, “Do what you have to do.”

Phillipos hung out with **Tsarnaev** earlier that day, Capin said, and later “bragged about it being kind of fun” in text messages. He allegedly texted in one: “I was the last person to see the terrorist alive.”

— laurel.sweet@bostonherald.com

Caption:

OUTRAGED: Liz Norden, the mother of two **Boston Marathon** bombings victims, told the Herald she couldn’t ‘believe someone wouldn’t realize what was going on, no matter how high they were.’

STAFF FILE PHOTO BY CHITOSE SUZUKI

HANGING OUT: This photo, a government exhibit in the trial of Robel Phillipos, shows Dias Kadyrbayev, Phillipos and Azamat Tazhayakov in Times Square in New York City.

STAFF PHOTO BY ANGELA ROWLINGS

DAY IN COURT: Robel Phillipos, left, leaves federal court with an unidentified man yesterday. Phillipos is claiming he was too high to have willingly aided accused **Boston Marathon** bomber Dzhokhar **Tsarnaev**.

Copyright (c) 2014 Boston Herald

Record Number: 23260777

Boston Herald (MA)

October 8, 2014

Edition: ALL

Section: Inside Track

Page: 14

Volume 32, Issue 281

Topics:

Index Terms:

The Inside Track

Affleck bro takes on 'Boston Strong'

Author: *GAYLE FEE / INSIDE TRACK*

Article Text:

Hollywood is hot for “Boston Strong,” a film about the manhunt for the **Boston Marathon** bombers, and Cambridge homey Casey Affleck has signed on to star and produce.

Based on the book by local writer Casey Sherman and former Herald reporter Dave Wedge, the script has been attracting some big-name attention on the Left Coast, reportedly including Hollywood heavyweights Tom Hanks and Liam Neeson.

Yesterday, Variety reported that Affleck — who is currently in Quincy filming “The Finest Hours,” another flick based on a Sherman book — was attached to the project. But Sherman and Wedge told us they had nothing definitive to report.

Word is, Affleck hopped aboard after he and his agent read a spec script by Eric Johnson and Paul Tamasy, the same scribes who penned “The Finest Hours” and the Mark Wahlberg flick “The Fighter.”

“He read it last weekend, loved it and said he wanted to do it,” said Someone Who Knows.

Word is, Casey would likely play Boston Police Sgt. Detective Danny Keeler, who was at the finish line when the bombs went off and helped lead the manhunt for the bombers.

“He’s an awesome character, a flawed hero like Casey played in ‘Gone Baby Gone,’” said our spy. “He’s had kind of a roller-coaster career, and this was his biggest case.”

Affleck will produce the flick alongside his partner John Ridley and Watertown's Dorothy Aufiero, who also produced "The Fighter." Variety reports they will be taking it out to studios next week. The book "Boston Strong" is due in early 2015.

File Under: Strong Man.

Caption:
CASEY AFFLECK

HERALD FILE PHOTO

Copyright (c) 2014 Boston Herald

Record Number: 23271314

Boston Herald (MA)

October 8, 2014

Edition: ALL

Section: News

Page: 16

Volume 32, Issue 281

Topics:

Index Terms:

Local

Other Tsarnaev bud may smoke pot claim

Author: *LAUREL J. SWEET*

Article Text:

Federal prosecutors will try today to douse a Cambridge man's claim he was too high from smoking pot to remember if he helped two college buddies dispose of evidence that could tie their friend Dzhokhar **Tsarnaev** to the **Boston Marathon** bombings.

Robel Phillipos, who has claimed he was too stoned to know what was happening, will face former co-defendant Azamat Tazhayakov, 20, again today in U.S. District Court as part of Tazhayakov's surprise post-conviction pact with prosecutors.

"As long as I tell the truth, it might help with my sentence," Tazhayakov briefly testified yesterday, telling jurors prosecutors have made no promises. Phillipos is charged with making false statements in a terrorism investigation.

FBI agent Michael C. Delapena, to whom Phillipos, 20, gave a two-page signed confession on April 26, 2013, testified yesterday that Phillipos told him it wasn't until 11 p.m. on April 18, 2013 — six hours after the FBI began broadcasting photos of **Tsarnaev** and his late brother and 30 minutes after MIT police Officer Sean Collier was found fatally shot in his cruiser — that he accepted his friend of two years was one of the bombing suspects.

"In retrospect, I should have notified the police once I knew (Dzhokhar) was the bomber," Phillipos' confession reads. "Further, I should have turned over the backpack to the authorities."

Prosecutors say Phillipos was with Dias Kadyrbayev and Tazhayakov on April 18, 2013, when they took a backpack with emptied fireworks and a laptop from **Tsarnaev's** UMass

Boston Herald articles (7/26/2014—11/15/2014) 57

Dartmouth dorm room, and when Kadyrbayev asked if he should get rid of the backpack, Phillipos said, “Do what you have to do.”

Tazhayakov was found guilty in July of conspiring to obstruct the investigation. He faces up to 20 years at sentencing Nov. 19.

— laurel.sweet@bostonherald.com

Caption:

HANGING OUT: From left, Dias Kadyrbayev, Azamat Tazhayakov, Robel Phillipos and Dzhokhar **Tsarnaev** kick back in their New Bedford crash pad in March 2013, one month before the **Boston Marathon** bombings.

PHOTO COURTESY OF U.S. ATTORNEY’S OFFICE DISTRICT OF MASSACHUSETTS

Copyright (c) 2014 Boston Herald

Record Number: 23270755

Boston Herald (MA)

October 9, 2014

Edition: ALL

Section: News

Page: 10

Volume 32, Issue 282

Topics:

Index Terms:

Local

Pal a possible witness against Tsarnaev

Author: *O'RYAN JOHNSON*

Article Text:

The lawyer for Azamat Tazhayakov, convicted of dumping evidence in the marathon bombing case, said his client has been in talks with federal prosecutors about testifying to “things that might be helpful” in the Jan. 5 trial of accused terrorist Dzhokhar **Tsarnaev**.

“He knew him for the better part of a year. You’re going to have a lot of interactions in that time. They’re both Muslims. They were fairly close friends. They socialized together. They went to the gym together. My client has a familiarity with **Tsarnaev** that few others might have,” said attorney Matthew Myers. “They discussed numerous things throughout the course of the year. Some of those things might be helpful to the prosecution.”

Myers said he expects to hear back from Boston U.S. Attorney Carmen Ortiz’s office in the next two weeks about whether they would include Tazhayakov as a witness in exchange for prosecutors recommending a reduction in sentence. He said Tazhayakov’s sentencing is set for Nov. 19. Tazhayakov was convicted in July and faces up to 25 years in prison.

Myers was in Boston yesterday for the trial of Robel Phillipos, whom Tazhayakov also testified against. Phillipos — a longtime friend of **Tsarnaev**’s — is charged with lying to investigators in the days following the April 15, 2013, marathon bombings.

— oryan.johnson@bostonherald.com

Caption:

TRIAL TALK: Robel Phillipos, right and above center with Dias Kadyrbayev, left, and

Azamat Tazhayakov, leaves court yesterday. Phillipos is charged with disposing evidence that allegedly ties Dzhokhar **Tsarnaev**, inset, to the marathon bombings.

STAFF PHOTO, RIGHT, BY MARK GARFINKEL

Copyright (c) 2014 Boston Herald

Record Number: 23281142

Boston Herald (MA)

October 9, 2014

Edition: ALL

Section: News

Page: 10

Volume 32, Issue 282

Topics:

Index Terms:

Columnists

Phillippos must take high road and testify

Author: *PETER GELZINIS*

Article Text:

Had he chosen to go to Hollywood instead of UMass Dartmouth, Robel Phillippos could have made a fortune as a second banana on “The Big Bang Theory.”

Instead, this geek is now defending himself against charges he lied about his part in a lame attempt to cover up for accused terrorist Dzhokhar **Tsarnaev**.

Yesterday one of Phillippos’ former friends, and fellow conspirators, chose to rat him out and testify against him. Now he has no choice but to take the stand and try to sell a jury on why he was “too high” to do the right thing in the investigation of the **Boston Marathon** bombings.

And he has to pray they believe him. Otherwise, this sad sack in the slim-fit suit and crisp shirt is going to jail for a long time.

The son of a hardworking Ethiopian woman from Cambridge, Phillippos, who became friends at Cambridge Rindge and Latin with **Tsarnaev**, is now looking at a possible 25 years in federal prison.

Phillippos’ defense for joining fellow UMass Dartmouth buddies Azamat Tazhayakov and Dias Kadyrbayev in disposing of evidence that allegedly ties **Tsarnaev** to the carnage of Boylston Street is that he had been smoking weed practically all day on April 18, 2013.

Phillippos says he was stoned — “high out of his mind,” in his lawyer’s words — when **Tsarnaev**’s backpack, containing fireworks and a laptop, was being dumped by his buddies.

But if he hoped the stoned defense was believable enough to fly on its own, reality, in the form of Azamat Tazhayakov, put an end to that yesterday.

Like Phillipos, Tazhayakov, the son of a Russian oil magnate, figured he could beat the rap last summer. Instead, he emerged from his trial looking at the prospect of spending the next quarter century in jail.

So yesterday, Tazhayakov returned from his cell to the same courtroom where the same judge, U.S. District Court Judge Douglas P. Woodlock, plans to sentence him next month.

Tazhayakov came back as a witness for the government and wasted no time rolling on his friend, while essentially conceding that everything he strenuously attempted to deny last summer was a lie.

Tazhayakov admitted he was cooperating with the government in exchange for shaving years off his sentence. His lawyer also indicated Tazhayakov might offer testimony in the January trial of Dzhokhar **Tsarnaev**, in the hopes of lopping off even more time.

Tazhayakov even made a point of telling the government prosecutor that in the middle of that fateful evening, when Phillipos claimed he was “too stoned” to remember anything, he engaged Phillipos in an Xbox game ... and lost to him.

More than a third of the people who have attended Robel Phillipos’ trial are the Cambridge friends and teachers who have rushed to embrace him.

Now, it’s up to the wispy kid in a gray suit to convince a jury that he was too stoned to notice his pals were trying to cover up an atrocity. If he can’t, all those teachers and friends will soon be writing to beg the judge for leniency.

— peter.gelzinis@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23281133

Boston Herald (MA)

October 12, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 285

Topics:

Index Terms:

Local

Tsarnaev's lawyers seek evidence from 2011 triple homicide tied to late brother

Author: *OWEN BOSS*

Article Text:

Accused terrorist Dzhokhar **Tsarnaev**'s high-powered legal team wants federal prosecutors to hand over evidence related to a grisly 2011 triple homicide in Waltham that authorities believe his older brother, Tamerlan, took part in, according to a new motion filed in federal court.

“Information and evidence tending to show that Tamerlan **Tsarnaev** participated in a triple homicide in 2011, and information depicting the brutality of those murders, is critical to the defense team,” read the motion that was filed Friday in U.S. District Court in Boston. “Such evidence would tend to corroborate Tamerlan’s dominant role in the charged offenses and would place the brothers’ respective personal characteristics and relative culpability into stark relief.”

Although prosecutors shot down a previous effort to obtain the evidence on the grounds that it could hurt an investigation into the Waltham crime by the Middlesex District Attorney’s Office, **Tsarnaev**'s lawyers argued that the request is “ripe for renewed examination as the trial nears.”

“Even the government has conceded that evidence concerning Tamerlan’s participation in (the) Waltham murders might be relevant if Dzhokhar were aware of it,” the motion read.

Prosecutors already have said they have a witness who is prepared to testify that Dzhokhar **Tsarnaev** knew about his brother’s alleged role in the Sept. 11, 2011, murders.

The victims of the triple homicide, identified as Brandon Mess, 25, of Waltham; Erik Weissman, 31, of Cambridge; and Raphael Teken, 37, of Cambridge, were found dead

Sept. 12, 2011, in an apartment on Harding Avenue in Waltham. All three were stabbed in the neck in exactly the same manner, the state's medical examiner's office said.

At some point before he was shot to death in a confrontation with the FBI on May 22, 2013, Tamerlan **Tsarnaev**'s pal, Ibragim Todashev, tied him to the triple homicide, prosecutors say.

The elder **Tsarnaev** was killed during a shootout with cops several days after the April 15, 2013, **Boston Marathon** bombings that killed three and injured 260.

Dzhokhar **Tsarnaev** was captured later and has since pleaded not guilty to 30 federal charges. He is slated to go on trial Jan. 5 and if convicted, he could be put to death.

— owen.boss@bostonherald.com

Caption:

DEFENSE REQUEST: Tamerlan **Tsarnaev** in a Cambridge District Court booking photo. Lawyers for accused **Boston Marathon** bomber Dzhokhar **Tsarnaev** want authorities to hand over evidence from a 2011 triple homicide in Waltham in which Tamerlan was a suspect.

DZHOKHAR TSARNAEV

Copyright (c) 2014 Boston Herald

Record Number: 23319434

Boston Herald (MA)

October 14, 2014

Edition: ALL

Section: Inside Track

Page: 15

Volume 32, Issue 287

Topics:

Index Terms:

The Inside Track

Tracked down

Author: *GAYLE FEE / INSIDE TRACK*

Article Text:

Katie Campbell (wife of Bruin Gregory Campbell) leading a yoga class at the Brae Burn Country Club in Newton, part of the Home For Little Wanderers annual Home in One: Women Connect for a Cause fundraiser ... Katie's hubby and his teammates Tuukka Rask, Milan Lucic and Patrice Bergeron hanging out postgame with Ice Bucket Challenge inspiration Peter Frates, his wife, Julie, and new baby Lucy at the Garden. (The whole B's team did the Ice Bucket Challenge this past summer to support Frates and the fight against ALS) ... B's Jordan Caron, Reilly Smith and Matt Fraser doing dinner at Antico Forno in the North End ... **"Boston Strong"** screenwriters Paul Tamasy and Eric Johnson having a working brunch with film producers Dorothy Aufiero and Stephen Stapinski ... Ice- T and his lovely bride, Coco, partying at Avalon at Mohegan Sun ... "Real Housewives of New Jersey's" Kathy Wakile and her hubby, Rich, also doing Mohegan, where Kathy signed books, ate at Michael Jordan's and pressed the flesh with fans at the casino's "Reality Check" event ... Soccer superstar Kristine Lilly and a pack of Boston Breakers putting 100 kids through their paces at The Cooperative Bank of Cape Cod's annual "Positively Different Soccer Clinic" on the Cape ... Locomotion lead singer Ashley Tucker performing Whitney Houston's "I Will Always Love You" for the annual Una- Via One Way Treatment "Life is but a Dream" event against domestic violence at Bond at the Langham Hotel ...

Caption:

Yoga instructor Katie Campbell leads a yoga class at the Brae Burn Country Club in Newton at a fundraiser for the Home For Little Wanderers.

PHOTO BY MELISSA OSTROW

Copyright (c) 2014 Boston Herald Record Number: 23342190

Boston Herald (MA)

October 15, 2014

Edition: 3RD

Section: News

Page: 6

Volume 32, Issue 288

Topics:

Index Terms:

Local

Pal, text support claim Phillipos was stoned

Author: *LAUREL J. SWEET*

Article Text:

Prosecutors are expected to rest their case today against Robel Phillipos, a day after several text messages and their star witness backfired on them by seemingly supporting the former UMass Dartmouth student's claim he was so high on pot he couldn't recall cleaning evidence out of marathon bombing suspect Dzhokhar **Tsarnaev**'s dorm room.

Quan Le Phan, 21, a senior at the University of Massachusetts Dartmouth, testified he knew of at least four occasions on April 18, 2013 — four days after the bombings — when Phillipos smoked marijuana with him or with others. The potfest started at noon when the two of them took bong hits just before Phillipos was to meet with a school official about his problem with weed.

Hours later, after the FBI posted photos of **Tsarnaev** and his late brother, Tamerlan, as suspects, prosecutors say Phillipos helped convicted classmates Dias Kadyrbayev and Azamat Tazhayakov remove a laptop and a backpack stuffed with fireworks from Dzhokhar's room.

"He had a marijuana hearing. He was speaking to an administrator on campus about his marijuana use," said Phan, who admitted he himself had toked up "plenty of times."

Phan told jurors, "We smoked a bong." But when asked by assistant U.S. Attorney John Capin to elaborate, he sleepily muttered, "I don't know how to describe a bong."

While Phan never actually said Phillipos was stoned, he did say, "He was quiet," and repeatedly answered "correct" when defense attorney Susan Church pressed him on cross-examination if his pal appeared to be high.

Church then pointed out that one text — from 28 pages' worth prosecutors had presented as evidence — was sent by Phillipos to another friend after his first meeting with federal agents the following night.

“It was kinda funny,” Phillipos texted from his iPhone. “They asked me what I was doing all day when I was hanging out with people. I told them smoking on so many occasions that they just started to laugh. ... These guys only cared for the bombs and guns.”

Phillipos texted a different friend about the encounter: “They were pretty cool ass dudes. We talked about smoking for like 10 minutes.” He told still another pal, “I know that mad(sic) the interrogation more like a fun ass interview. I’m not gonna lie it was kinda fun.”

Phan also testified about a dinner on campus with classmates. “All of them” knew **Tsarnaev** and suspected he might be the bomber pictured in the FBI photos.

“No one” picked up the phone and called police, he said.

Killed in the attack were Martin Richard, 8, Boston University graduate student Lingzi Lu, 23, and Krystle Campbell, 29, while more than 260 others were maimed or injured.

— laurel.sweet@bostonherald.com

Caption:

WITNESS: Quan Le Phan leaves federal court yesterday after testifying in the case of Robel Phillipos, accused of cleaning evidence out of marathon bombing suspect Dzhokhar **Tsarnaev**'s dorm room.

STAFF PHOTOS, LEFT, BY STUART CAHILL; AND ABOVE, BY MARK GARFINKEL

ROBEL PHILLIPOS

Copyright (c) 2014 Boston Herald

Record Number: 23356145

Boston Herald (MA)

October 16, 2014

Edition: ALL

Section: News

Page: 24

Volume 32, Issue 289

Topics:

Index Terms:

Local

Pal says Phillipos ‘extremely out of it’ night things tossed

Author: *LAUREL J. SWEET*

Article Text:

On the stoner yardstick for measuring dazed and confused, Robel Phillipos was a perfect 10 the night his UMass Dartmouth classmate Dzhokhar **Tsarnaev** became the FBI’s Most Wanted terrorist, a close pal of the pair testified yesterday.

“Ten,” Lino Rosas, 21, answered when asked by defense attorney Susan B. Church to rate Phillipos’ level of intoxication April 18, 2013, after he and Phillipos, 20, lit up joints and then “fishbowed” — putting up a car’s windows and inhaling marijuana smoke for what Rosas said “seemed like ... hours.”

“He seemed extremely out of it — high, gone, just sitting there, no worries,” said Rosas, who admitted he wasn’t in much better shape that day.

Phillipos’ lawyers declined to say yesterday whether they plan to put their client on the stand to bolster their argument he was too stoned to recall cleaning out evidence in **Tsarnaev**’s dorm room with already convicted classmates Dias Kadyrbayev and Azamat Tazhayakov. Phillipos is charged with two counts of making false statements in a terrorism investigation.

Rosas was the first of two friends of Phillipos called by the defense after assistant U.S. Attorneys B. Stephanie Siegmann and John Capin rested their case with lead investigator FBI Special Agent Timothy Quinn.

Rosas became rattled under cross-examination by Siegmann, who asked how he could be so certain of what happened 18 months ago if he was as out of it as Phillipos.

“It’s like trying to open a treasure box that I haven’t looked inside for years,” Rosas stammered. “It’s very difficult.”

Quinn testified, “Mr. Phillipos said he was stoned at the time” **Tsarnaev**’s room was rifled and a laptop and a backpack stuffed with fireworks taken.

It took the FBI nearly two weeks, but when Phillipos finally opened up Quinn suggested he offered to help in **Tsarnaev**’s prosecution.

“He wanted to nail the (expletive),” Quinn remembered Phillipos telling him. But when asked if he thought Phillipos was sincere, Quinn replied, “No.”

— laurel.sweet@bostonherald.com

Caption:

GOT VERY HIGH: A friend of Robel Phillipos, above leaving court yesterday, testified Phillipos smoked a lot of marijuana the night Dzhokhar **Tsarnaev** made the FBI’s Most Wanted list.

STAFF PHOTO BY MARK GARFINKEL

Copyright (c) 2014 Boston Herald

Record Number: 23360990

Boston Herald (MA)

October 17, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 290

Topics:

Index Terms:

Local

Duke too late to help Dzhokhar pal

Author: *PETER GELZINIS*

Article Text:

Genet Bekele, the mother of Robel Phillipos, waited too long to reach out to her friend, Michael Stanley Dukakis. She should have made the frantic call at least a year before that Saturday in April 2013.

This Ethiopian woman and single mom — who trained as a social worker with Kitty Dukakis and whose young son once romped around the Dukakis house on Perry Street in Brookline — should have reached out to the Duke when her boy first began to lose himself in a marijuana cloud.

Perhaps then things might have been different.

But Genet Bekele waited until after the bombs had gone off on Boylston Street and the pictures of the **Tsarnaev** brothers were flashed around the world ... and after her son suddenly stopped calling for a couple of days.

She waited until the FBI had already grilled her boy, until Phillipos kept saying he was “too stoned” to remember watching a couple of friends get rid of bomb ingredients from Dzhokhar **Tsarnaev**’s dorm room.

Yesterday, the witnesses who preceded Michael Dukakis talked about bongs, blunts, marijuana vaporizers and getting high in cars with the windows shut tight.

The Duke walked in looking 10 years younger than 80 in a navy blue blazer and charcoal slacks. He never said a word about weed, but told the jury that the Robel Phillipos he’d known for years “was a very responsible kid, a terrific boy” who he took to the

Democratic Convention in 2004 as his guest, “because the kid was so interested in politics.”

Phillipos listened, head down and tears filling his eyes.

Dukakis explained how Bekele reached out to him in a panic during that fateful week last year.

“She was very concerned that she hadn’t heard a word from her son in a couple of days right after the bombing.

“I asked if Robel had a cellphone. She said yes. I told her to give it to me and I called him. When he answered, my first words were, ‘Robel, what’s going on?’ He told me that he’d been questioned by the FBI. When I asked him what he said, he told me, ‘I was so confused I don’t know what I told them.’

“That’s when I told him, ‘Hey, your mother’s been trying to reach you for two days. Call her, will you?’ And he did.”

The college professor, three-time governor and one-time presidential candidate stood up for a boy in a huge mess as a favor to his mother. On the witness stand for about 15 minutes, the Duke said no more than he was asked.

Outside, I asked if he was aware of Robel’s appetite for weed and how it had nearly cost him his place at UMass.

“No,” he answered, “I didn’t know.”

That’s a shame. Because there’s where Duke’s loyalty might have saved this kid from himself.

— peter.gelzinis@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23374014

Boston Herald (MA)

October 18, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 291

Topics:

Index Terms:

Local

Judge denies Tsarnaev bid to toss out seized evidence

Author: *BOB McGOVERN*

Article Text:

A federal judge denied a motion by attorneys for accused **Boston Marathon** bomber Dzhokhar **Tsarnaev** to throw out evidence found during searches of his apartment, dorm room and laptop computer — a ruling that will potentially allow hundreds of pieces of evidence in the blockbuster trial.

Judge George O'Toole Jr. ruled yesterday that while **Tsarnaev** had standing to challenge the April 19, 2013, search of his family's Cambridge apartment, authorities obtained a proper warrant and seized about 100 items that may come forward at trial. O'Toole also ruled that the searches of **Tsarnaev**'s University of Massachusetts Dartmouth dorm room, his computer and email accounts were constitutional.

He also denied a request for an evidentiary hearing on whether items were seized outside "the scope of the warrants."

"The defendant has failed to make the necessary showing of a need for an evidentiary hearing," O'Toole wrote.

O'Toole also denied **Tsarnaev**'s motion to dismiss based on a faulty grand jury selection.

Tsarnaev's attorneys argued that a clerk did not send replacement summonses to cover the 19 that were undeliverable. O'Toole, however, ruled that this did not run afoul of the Jury Selection and Service Act — a federal law that dictates the plan for jury selection.

Tsarnaev's lawyers argued that the jury selection plan used in the case was unconstitutional because it did not represent a fair cross-section of the population. O'Toole disagreed with that argument as well.

Defense attorneys argued that blacks and the elderly were not fairly represented.

— bob.mcGovern@bostonherald.com

Caption:

DZHOKHAR TSARNAEV

Copyright (c) 2014 Boston Herald

Record Number: 23386038

Boston Herald (MA)

October 18, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 291

Topics:

Index Terms:

Local

Phillipos trial slated to wrap up Tuesday

Author: *O'RYAN JOHNSON*

Article Text:

Closing arguments are set for Tuesday in the trial of the man accused of lying to agents investigating the 2013 **Boston Marathon** bombings.

Robel Phillipos, who allegedly lied about being in accused bomber Dzhokhar **Tsarnaev's** room when two other men disposed of evidence related to the attack, did not testify.

The last person to take the stand in the case in U.S. District Court in Boston was Alan Wartenberg, a doctor who specializes in addiction. He testified that based on the amount of marijuana Phillipos says he smoked on April 18, 2013 — when the three entered **Tsarnaev's** room to remove a backpack and laptop — his understanding of when events happened and his memories of what happened may not be clear. Prosecutors say Phillipos saw the men remove the backpack and later said, “Do what you have to do,” when one of them said he thought he should get rid of it.

Under cross-examination, Wartenberg said he only talked briefly to Phillipos and could not say precisely how much marijuana he smoked or how it would affect him.

Later in the day prosecutors filed a motion to have Wartenberg's testimony excluded.

“His testimony should therefore be excluded because it is unreliable, unhelpful to the jury, not connected to the facts in this case, and misleading to the jury,” the filing states.

Phillipos spoke to the FBI in the days after the bombing, but former Gov. Michael Dukakis testified Phillipos was confused and not sure about what he told them.

Caption:

ACCUSED: Robel Phillipos, right, is accused of helping dispose of evidence in the probe of Dzhokhar **Tsarnaev**, shown with brother Tamerlan, above, at the site of the marathon bombings.

STAFF PHOTO, RIGHT, BY MARK GARFINKEL; AP PHOTO, ABOVE

Copyright (c) 2014 Boston Herald

Record Number: 23385434

Boston Herald (MA)

October 21, 2014

Edition: ALL

Section: News

Page: 8

Volume 32, Issue 294

Topics:

Index Terms:

Local

Striding toward marathon memorial: Mayor in talks for permanent tribute to victims

Author: *ERICA CORSANO and RICHARD WEIR*

Article Text:

Six months after his administration staged a moving, one-year anniversary tribute to the marathon bombing victims and survivors, Mayor Martin J. Walsh said yesterday a permanent memorial to honor them is on his radar.

“The BAA has been talking about the memorial ... so we are going to see what we are going to do for a memorial,” Walsh told the Herald, noting that Ken Brissette, the mayor’s tourism, sports and entertainment director, and his soon-to-be arts chief, Julie Burros, will collaborate with the BAA on the effort.

Burros, head of cultural planning for the city of Chicago, will join the Walsh administration as the city’s first Cabinet-level arts chief in mid-December.

“We are committed to being responsive to the wishes of survivors, the Back Bay neighborhood and the Boston community as a whole as it relates to a permanent memorial. The city of Boston continues to work very closely with the survivor community and continues to serve as a resource for those impacted by last year’s event,” said Walsh spokeswoman Kate Norton, who added the city has been in discussions about the memorial with the Massachusetts Office of Victim Assistance and The One Fund Boston.

While there have been tributes marking the April 2013 attack, few details have emerged about where a monument might be erected and what it will look like.

Boston Herald articles (7/26/2014—11/15/2014) 67

Once a memorial is built, it will help victims and their families heal “by bringing their community together and reducing feelings of isolation that commonly follow a mass tragedy,” said MOVA executive director Liam Lowney.

“It is like a tombstone,” added Dr. Kermit Crawford, head of the Massachusetts Resiliency Center, which provides assistance to victims of the **Boston Marathon** tragedy. “You can go and reflect and honor, and there is a certain amount of comfort and reassurance in it.”

The idea of a permanent memorial was news to some, though.

BAA executive director Tom Grilk said yesterday his organization has not had any meetings with the Walsh administration on building a monument.

“We stand ready to be of assistance to the city in any way that we can. It’s not something we would presume to organize. It was, after all, back in April 2013, an attack on Boston,” Grilk said.

Grilk said he was not aware of any progress in getting the project off the ground since former Mayor Thomas M. Menino announced the creation of a Remembrance Committee in June 2013 to oversee plans for a permanent memorial.

Dot Joyce, spokeswoman for The One Fund, which has collected and distributed millions to the bombing victims and their families, said the organization “is not playing a role in (the memorial) effort.”

— richard.weir@bostonherald.com

Caption:

‘COMMITTED’: Mayor Martin J. Walsh, shown above right with Carlos Arredondo and far right with 2014 **Boston Marathon** winner Meb Keflezighi, said he’s looking into building a memorial for bombing victims.

STAFF FILE PHOTOS BY NANCY LANE

Copyright (c) 2014 Boston Herald

Record Number: 23421210

Boston Herald (MA)

October 22, 2014

Edition: ALL

Section: News

Page: 13

Volume 32, Issue 295

Topics:

Index Terms:

Local

Phillipos case sent to jury for deliberation

Author: *MARIE SZANISZLO*

Article Text:

Jury deliberations began yesterday in the case of Robel Phillipos, the self-described stoner who is charged with lying to investigators in the attempted cover-up of evidence against accused **Boston Marathon** bomber Dzhokhar **Tsarnaev**.

Phillipos is accused of aiding two of **Tsarnaev**'s other friends, who took a backpack containing fireworks and a laptop from his University of Massachusetts Dartmouth dorm room days after the attack.

“He watched as his friends obstructed the **Boston Marathon** bombing investigation,” Assistant U.S. Attorney Stephanie Siegmann told jurors during her closing argument in federal court in Boston. “He eventually admitted it during his fifth interview (with the FBI).”

But defense attorney Derege Demissie said Phillipos, who turned 21 last Saturday, was a scared “kid” whose memory was impaired because he had been smoking marijuana for between 12 and 16 hours on April 18, 2013, and whose confession was coerced by an FBI agent who “knows how to break the most hardened criminal.”

— marie.szaniszlo@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23432282

Boston Herald (MA)

October 23, 2014

Edition: ALL

Section: Opinion

Page: 14

Volume 32, Issue 296

Topics:

Index Terms:

Letters

Letters To the Editor

Article Text:

New way on sentencing

The Herald is to be commended for its common sense editorial on mandatory minimum sentences for drug offenses (“Drugs and the courts,” Oct. 18). This follows after Bob McGovern’s thoughtful coverage of Chief Justice Ralph Gants’ call for doing away with ineffective drug sentencing laws.

The terrible irony of our current approach to sentencing is that, too often, judges are barred from sending to treatment those drug offenders whose crimes are driven by addiction. Mandatory minimum sentencing laws require judges to incarcerate addicts who break the law the same as the drug kingpins. A few addicts might get treatment behind bars, but that’s due to the luck of the draw, not any comprehensive policy. For everyone else, it’s prison without treatment. As a result, taxpayers shell out a bundle to warehouse prisoners with addictions without ever getting to the root of the problem.

As Gants pointed out, judges frequently give dangerous drug offenders sentences that are far longer than the mandatory minimum required. If the worst offenders can get sentences that fit the crime, then why not addicts and nonviolent offenders, too?

— Barbara J. Dougan, Mass. project director, Families Against Mandatory Minimums, Boston

Pay tribute in schools

Mayor Marty Walsh wants to build a memorial to the **Boston Marathon** bombing victims and survivors (“Striding toward marathon memorial,” Oct. 21). I do not agree. We have the One Fund, which brought in millions of dollars for the victims and their

families. We have the slogan Boston Strong, which has resonated not only all over this country but all over the world.

The city faces very serious quality-of-life issues which, no matter who is mayor, are swept under the table. At the head of the list is public education. Would it not be more fitting if one or more of the city's elite stepped up and endowed programs in the Boston Public Schools? We need to make sure that our schoolchildren know things like American history and civics so that they are aware of how this great country — warts and all — was founded and built. Such an endowment could be given in memory of what Boston Strong truly represents.

— Mike Arnold, Dorchester

Driven mad by policy

I am shocked at the idea of giving illegal immigrants licenses (“An end run around Homeland Security,” Oct. 16). This idea comes as the state tries to meet the standards of a tougher federal ID law. Now officials say the state has designed “compliant and noncompliant” licenses and ID documents. Implementing this would allow illegal immigrants to get licenses. I’m outraged by this.

— Marie DeMeo, Boston

Park rangers need guns

I disagree with Peter Gelzini's column in the wake of the two park rangers getting stabbed in Boston Common (“Giving park rangers guns not the answer,” Oct. 16). If park rangers James Lunnin and Albert Hurd had guns, they wouldn't have suffered the stab wounds.

— Ned Byrne, Weymouth

Copyright (c) 2014 Boston Herald

Record Number: 23431004

Boston Herald (MA)

October 23, 2014

Edition: ALL

Section: Opinion

Page: 14

Volume 32, Issue 296

Topics:

Index Terms:

Editorials

John Chapman in the 9th

Article Text:

Voters in the 9th Congressional District — which includes Cape Cod and the Islands and parts of the South Shore and South Coast — have an opportunity to elect a congressman much more closely aligned with their views. John Chapman has public, private and nonprofit experience and brings to the race common sense positions on matters of both fiscal and national security policy. The Herald is pleased to endorse him.

Chapman rightly criticizes the burdensome new taxes and regulations of Obamacare — indeed the very notion that the nation needed a top-down solution to the problem of inadequate insurance coverage at all. We certainly didn't need it in Massachusetts, where the state had covered 98 percent of the population under the plan pitched by Chapman's onetime boss, Mitt Romney.

Chapman, a lawyer, worked in economic development under Romney and went on to serve as general counsel at the Joslin Diabetes Center. Earlier in his career he worked in the Reagan White House and at the U.S. Securities and Exchange Commission. He rightly places the economy at the top of his priority list, supporting the Keystone XL energy pipeline and the jobs it would create (if it's not too late to save that).

Incumbent Rep. William Keating deserves credit for his response to the **Boston Marathon** bombing; he publicly criticized the federal handling of pre-bombing reports of Tamerlan **Tsarnaev**'s radicalization. But on other major issues he inspires far less confidence. The 9th went for the Republican candidate for U.S. Senate in each of the last two elections. Chapman's brand of fiscal conservatism is a far better fit for the district.

Copyright (c) 2014 Boston Herald

Record Number: 23430481

Boston Herald (MA)

October 24, 2014

Edition: 2ND

Section: Sports

Page: 60

Volume 32, Issue 297

Topics:

Index Terms:

Hockey-Bruins

Attack in Ottawa stirs emotions

Author: *STEVE CONROY / BRUINS NOTEBOOK*

Article Text:

The Ottawa connections in the Bruins organization run deep. Coach Claude Julien is a native and has some immediate family in Canada's capital city, as does general manager Peter Chiarelli. Captain Zdeno Chara and Chris Kelly also played a good chunk of their careers there.

And when they watched the terror that unfolded in that picturesque downtown and on Parliament Hill yesterday, they could not help but be jarred.

"Ottawa is home for me, so I spent a good portion of the afternoon looking up at the CNN station and trying to find out as much as I could. It's unfortunate," Julien said yesterday. "It just goes to show that these tragedies don't just happen in the USA but also in other countries, and there are other countries in Europe that that have been faced with that.

"It's unfortunate but this is the life we're facing right now, and these are the things that we should all be aware that are out there. We have to be vigilant and we have to be on toes and pay attention to what's around us."

Prior to last night's 3-2 loss to the Islanders, the Bruins' organization played both the U.S. and Canadian national anthems and held a moment of silence for the slain Canadian soldier, Cpl. Nathan Cirillo, who was gunned down by a Quebec-born shooter who had allegedly become a radical Muslim.

Much of what went on in Ottawa yesterday was reminiscent to what happened here on the day of the **marathon bombings** in 2013. Julien expected Ottawa to rally much like Boston did.

“I imagine it will. Every city rallies around its own city and I’ve talked to a few people, including my family that’s still back there,” Julien said. “My parents and brothers and sisters, it’s affected them even if they weren’t around that area. It affects the whole city like the bombing affected us here. They’ll have to get used to it in a way where that’s reality, unfortunately, and it’s happening.”

Chara spent five years in the Ottawa organization.

“It was very shocking, especially for that area. It’s a capital city but it’s fairly quiet and not a busy area, so to see something like that happening is very shocking, very surprising,” said the captain. “Obviously, you’re feeling for everybody in the city and in the country. I know when it happened here we received so much support from everywhere around the league, across the country and around the world, so for sure it’s something we’re thinking about and people in Ottawa and Canada are in our thoughts and prayers.”

Kelly was drafted by the Sens and spent the better part of nine years in the Ottawa organization.

“The Sens have an opportunity to help that city. That’s how we felt in Boston (after the marathon bombings),” said Kelly. “When you’re part of the community, it affects you more so.

“That was a sad day in Ottawa. I hope the team can help the community and I’m sure they will.”

Top line struggling

The line of Brad Marchand, Patrice Bergeron and Reilly Smith is going through some unusually rough times. One of the best two-way units in the league, the trio doesn’t have it going at either end of the ice right now.

Bergeron, last year’s Selke Trophy winner, was minus-2 last night and is minus-3 for the season, while Smith (minus-3) and Marchand (minus-2) are also poor. There’s not much going offensively, either. Bergeron hasn’t scored since the second game of the season, while Smith hasn’t scored in four games and Marchand scored his only goal of the season on Tuesday against San Jose, and that was on the power play.

“It’s definitely something I take a lot of pride in and something that can’t happen. I’m here to, on both sides of the ice, help the team, and you can’t be on the ice for that many goals,” said Bergeron.

Asked if he wasn’t feeling like himself, he said: “It’s one of those things that the bounces are just not going your way. Like we just talked about, the puck has got to get out, and we’ve got to figure it out from there. That’s it. Tonight, we had our chances to put the puck in the back of the net, and we’ve got to do the job as well.”

Boston Herald articles (7/26/2014—11/15/2014) 71

After going 2-for-7 in the faceoff circle in the first period, Bergeron rebounded to win 10-of-11 the rest of the way . . .

David Krejci had a strong night in the circle, winning 15-of-19 draws. . . .

Milan Lucic's game continues to come around. He not only scored his first goal, he led the B's with six hits. . . .

With the loss of Chara in the first period due to injury, Dennis Seidenberg led the B's with 24:12 of ice time.

Twitter: @conroyherald

Caption:

JUST OUT OF REACH: Brad Marchand watches the puck pop in the air during the Bruins' 3-2 loss to the Islanders.

STAFF PHOTO BY MATT STONE

Copyright (c) 2014 Boston Herald

Record Number: 23461776

Boston Herald (MA)

October 25, 2014

Edition: ALL

Section: News

Page: 4

Volume 32, Issue 298

Topics:

Index Terms:

Local

Ex-mayors share special bond

Author: *Ray Flynn*

Article Text:

Sitting with Tom Menino in his hospital room yesterday was the best day we ever had together.

We were two old mayors reliving the moments that defined the city we love.

It's a special bond that's almost impossible to explain. We didn't talk politics. We spoke about the moments in office that became history. For Tom, it was the **marathon bombings**. It's a day he said he'll never forget. I thought he handled it well. I kept the conversation on him and his success.

All he wants is to be respected. That's all any former mayor desires.

You work night and day with the city in your heart. Tom never gave up. He never quit. He put it all into the city of Boston.

That's what we spoke about.

His doctor at the Brigham came in and tried to break up the discussion between two former mayors.

"Doctor, when two old Boston mayors start telling stories, it's not something we want a respected person like you listening to," I joked.

The doctor said he hadn't seen Tom smiling so much in days, and told us to keep talking.

Boston Herald articles (7/26/2014—11/15/2014) 72

Tom and I recalled the time when we started together in politics and the secret to our success. He is the son of Italian parents, as I am of Irish parents, and we worked harder than everybody else.

Yes, we had our differences of opinion over the years, but we never stopped respecting each other.

I always admired his toughness and his love for the city — it's a bond of loyalty about the people of Boston that every mayor shares.

I felt a deep sense of pride being with the man who never stopped fighting for the city and I know he won't stop fighting for himself now.

Tom Menino has too much to live for, a wonderful family and the admiration of the people of Boston.

His determination is legendary. His courage, too.

“Fight for yourself,” I told him in that hospital room. He choked up a bit.

It's time now for Tom to worry about himself. It's his turn. He's always put himself last in line. It comes with the territory.

The job stays with you. Terms end. Elections come and go. But once a mayor, always a mayor. This city owes so much to Tom Menino because he gave Boston all he had.

Raymond L. Flynn is a former mayor of Boston and a former U.S. ambassador to the Vatican.

Caption:

TIED BY LOVE OF HUB: Former Mayors Raymond L. Flynn, left, and his successor Thomas M. Menino are seen shaking hands in 1993.

STAFF FILE PHOTO

Copyright (c) 2014 Boston Herald

Record Number: 23468001

Boston Herald (MA)

October 26, 2014

Edition: ALL

Section: Sports

Page: 7

Volume 32, Issue 299

Topics:

Index Terms:

Hockey-Bruins

Griffith sizes things up early

Author: *STEVE CONROY / BRUINS NOTEBOOK*

Article Text:

TORONTO — Seth Griffith will never be an imposing player. At 5-foot-9, 192 pounds, he certainly doesn't fit into the mold that was set by Nathan Horton and Jarome Iginla before him.

But as he entered into last night's game on a modest two-game point streak, the 21-year-old rookie is trying his best to overcome his size disadvantage while playing against top lines and defense pairs, and with David Krejci and Milan Lucic. And battling along NHL walls might be the toughest challenge for a player Griffith's size.

"I think I'm getting better at it every night," said Griffith yesterday morning. "Some of my favorite players are guys like Daniel Briere. I watch how he's done it for years, playing on the top line and he's facing top (defensemen), so it's just a matter of getting the puck out. But you don't want give it away too easy. You want to keep possession of it. It's just little tricks and body positioning that I've been working on to stay stronger along the wall."

Of course, you don't have to be huge to be effective. Though his line has hit a bit of a rut lately, 5-9, 183-pound Brad Marchand has been part of one of the best second lines in hockey for the past four years.

"When I'm sitting on the bench waiting for my shift, he's one of the guys I'm watching to see how he does along the wall," said Griffith. "It also helps that Krech and Looch are always in good position, so that makes it a lot easier."

How long Griffith lasts as the top-line right winger is anyone's guess, as general manager Peter Chiarelli has been looking to shore up that spot through the trade market. But at

least Griffith now seems to be over the understandable jitters he had initially on his call-up.

“I think when you first come into the league, you have to have a couple of games to adjust,” said Griffith. “The first few games I was obviously pretty nervous, but I’m starting to settle down. It just takes time and Krech and Looch take to me a lot, so I think that helps settle me down a little bit.”

A strong contingent of family members were expected to make the trek from Griffith’s native Wallaceburg in western Ontario over to the game last night.

United ceremony

There was a coordinated ceremony planned last night between the rinks in Toronto, Ottawa and Montreal so that the crowds in all three cities could simultaneously sing “O Canada” in honor of slain Canadian soldier, Cpl. Nathan Cirillo, who was murdered in Ottawa Wednesday outside the Canadian parliament.

“I think it’s important and I certainly support the fact that they’re doing it,” said Julien. “I’m from Ottawa so it did hit home. I’ve seen it in Boston. It’s not the first time I’ve experienced those situations and it doesn’t get any easier. It’s unfortunate and you hope we can somehow down the road make these things disappear. It’s obviously easier said than done. But I think it’s important to recognize our people for what they do and what they stand for. We have a soldier that certainly didn’t deserve that.

“In watching the news (Friday) night and seeing how people rallied around and stood by the (Highway) 401 and the overpasses, it was really touching, and I get shivers talking about it. It just shows the solidarity of people that believe in the countries and believe in standing together.”

Said Dougie Hamilton: “It’s obviously for our country and it’s pretty special to be a part of it and honor the soldiers. We went through it with the **Boston bombing** and it was pretty tough to sit there and see all the people and I think this will be the same. But I think as a Canadian, it touches you and it will be a special moment for sure.”

Iron man

Zdeno Chara missed just his 12th game to injury as a Bruin, and the Maple Leafs were certainly glad not to have to play against him. He is a career plus-31 in 81 games against Toronto. . . .

Both Krejci and Chris Kelly entered the game on five-game point streaks. For Kelly, it tied a career long. . . .

Patrice Bergeron earned his 500th career point on Carl Soderberg’s first-period goal, while Loui Eriksson was searching for his 400th.

Twitter: @conroyherald

Caption:

HOMEcomings NIGHT: Seth Griffith — shown during the preseason — took a two-game point streak into last night's Bruins game in Toronto, not far from where the 21-year-old grew up.

STAFF FILE PHOTO BY CHRISTOPHER EVANS

Copyright (c) 2014 Boston Herald

Record Number: 23444729

Boston Herald (MA)

October 28, 2014

Edition: ALL

Section: News

Page: 12

Volume 32, Issue 301

Topics:

Index Terms:

Local

Long deliberations good for Phillipos: Stoner defense may be resonating with jury

Author: *BOB McGOVERN*

Article Text:

The drawn-out jury deliberations over whether Robel Phillipos lied to the feds could signal that his too-stoned-to-remember defense is resonating with jurors.

Jurors are back behind closed doors for a seventh day today. Phillipos' lawyers tried to convince them at the 11-day trial that the UMass Dartmouth student was too stoned on April 18, 2013, to remember what he and his classmates — Dias Kadyrbayev and Azamat Tazhayakov — were doing.

“It seems to me that the defense that they have put forth has already been an effective one,” said David Yannetti, a criminal defense attorney not involved in the case. “Going into this case, as a defense attorney, you would be very nervous that the jury would not pay attention to the particular facts of this case and base it on other factors. It appears the defense is working in some capacity.”

“I think the defense is probably feeling good at this particular point,” said Brad Bailey, a defense attorney and former federal prosecutor also not involved in the case. “Once they got through the first day, I think the defense is probably taking the perspective that, the longer they are out, there could be a mistrial — and a mistrial is a victory for them.”

For that to happen, all Phillipos needs is one juror who doesn't believe he made false statements to authorities during the **Boston Marathon** bombing investigation. Often, a delayed verdict means a juror is holding to a strong conviction of a defendant's guilt or innocence.

The delay in Phillipos' case means, at the very least, that jurors did not consider him guilty by association alone for being buddy-buddy with accused bomber Dzhokhar **Tsarnaev**.

“The defense appears to be an effective one even if it doesn't carry the day, and it's also a proud day for the jury system,” Yannetti said. “This was not something where the jurors went in and decided to make a snap judgment because no one will question us. They are clearly taking time to go through everything and do it the right way.”

At some point Judge Douglas P. Woodlock could try to force the jury's hand with what's called an “Allen Charge” — a strong push to reach a verdict. If the jury still can't reach a unanimous decision, Woodlock would eventually declare a mistrial and U.S. attorneys will have to decide whether to try the case again.

In July, a federal jury took 14 hours over three days to convict Tazhayakov of obstructing a terrorism investigation by concealing a backpack containing fireworks belonging to **Tsarnaev**.

That jury didn't buy his attorneys' claim that Tazhayakov was a “good kid” who made a bad decision.

The Phillipos jury has now been out more that twice that long.

— bob.mcGovern@bostonherald.com

Caption:

NO DECISION: Robel Phillipos, left, a friend of **Boston Marathon** bombing suspect Dzhokhar **Tsarnaev**, leaves federal court in South Boston yesterday with his lawyer. No verdict was returned after a sixth day of the jury deliberations.

STAFF PHOTO BY MATT WEST

Copyright (c) 2014 Boston Herald

Record Number: 23502999

Boston Herald (MA)

October 29, 2014

Edition: ALL

Section: News

Page: 32

Volume 32, Issue 302

Topics:

Index Terms:

Local

Dumbbell Phillipos' excuse a big waste

Author: *PETER GELZINIS*

Article Text:

After a federal jury took six days to convict Robel Phillipos of two counts of lying to federal agents investigating the **Boston Marathon** bombings, the judge sent him back home to live with his mother in Cambridge yesterday.

Obviously, U.S. District Court Judge Douglas P. Woodlock did not view this self-admitted pothead as either a flight risk, or a sufficient enough threat to the homeland to scrap a house arrest order and ship the 21-year-old off to jail to await sentencing in January.

Unlike his two UMass Dartmouth pals, Dias Kadyrbayev and Azamat Tazhayakov, who have already been convicted of the more serious obstruction of justice charges and are cooling their heels in jail, Phillipos was essentially convicted of being a dumbbell.

But when a dumbbell strays as close to a crime as malicious and atrocious as the terrorist bombings, an excuse like being too "high out of my mind" on weed to remember anything is not going to get you out of a huge mess.

After the verdict, U.S. Attorney Carmen Ortiz said Phillipos "concealed when he could have assisted. He lied to agents when he could have helped."

Indeed, that is what Phillipos, who was 19 at the time and had no run-ins with law enforcement, should have done ... if he had not already been suspended from school for smoking his brains out.

Ortiz was talking about the duty of conscientious citizens stepping forward to do the right thing. Hell, even a kid who had a little more street smarts would have understood the

Boston Herald articles (7/26/2014—11/15/2014) 75

potential mess he was in once he recognized Dzhokhar **Tsarnaev**, another UMass buddy, was the most wanted man in America, along with his big brother Tamerlan.

But what did Phillipos do instead? He jumped in a car, rolled up all the windows and smoked himself into a stoned stupor.

It's no excuse, of course. Yet Phillipos was not charged with, or convicted of, anything directly related to the bombings. He was hooked for lying to the feds about sitting in a room where two friends were planning to get rid of a backpack, a laptop and some empty fireworks tubes — incriminating evidence in the case against **Tsarnaev**.

Like a lot of other people, I'd like to believe that Robel Phillipos could have altered the tragic arc of fate just enough to have possibly prevented the death of MIT police officer Sean Collier.

But that assumes a 19-year-old kid, who'd smoked himself out of school, was not too scared, too stoned or too stupid to recognize what was right.

And, sadly, that may be assuming quite a bit.

— peter.gelzinis@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23514018

Boston Herald (MA)

October 29, 2014

Edition: ALL

Section: News

Page: 7

Volume 32, Issue 302

Topics:

Index Terms:

Local

Lawyers: Phillipos ‘happy’ to discuss deal to testify

Author: *LAUREL J. SWEET*

Article Text:

With Robel Phillipos facing the prospect of 16 years in federal prison for hindering a terrorism investigation, his lawyers say they would be “happy” to discuss a deal for him to testify against his pal Dzhokhar **Tsarnaev**, although prosecutors haven’t yet asked.

Phillippos, 21, was convicted yesterday of two counts of making false statements to FBI agents investigating last year’s deadly **Boston Marathon** bombings.

Defense attorney Derege Demissie said prosecutors have not broached the subject of having Phillipos testify against **Tsarnaev**.

“He wasn’t asked to testify. That’s something that would have been discussed. And obviously, he has something important to offer. That is something we are happy to discuss,” Demissie said.

In brief remarks after the verdict yesterday, U.S. Attorney Carmen Ortiz did not discuss the prospect of Phillipos flipping, but welcomed the verdict: “He lied to agents when he could have helped. He concealed when he could have assisted. Mr. Phillipos made a choice. He chose to lie to law enforcement, and with the verdict today the jury got it exactly right.”

Ortiz noted that Phillipos had misled federal agents investigating “an event that left four young people dead, including a child, and many more injured.”

Phillipos is the third college pal of **Tsarnaev** to be convicted in connection with an effort to get rid of evidence after the April 15, 2013, bombings in Copley Square. **Tsarnaev** is

facing trial on murder and terrorism charges Jan. 5. U.S. Attorney General Eric Holder has said prosecutors will seek the death penalty if he's convicted.

With yesterday's verdict, jurors dismissed Phillipos' defense that he was too "high out of his mind" on marijuana to remember the night of April 18, 2013, when he joined buddies Dias Kadyrbayev and Azamat Tazhayakov as they removed a backpack stuffed with fireworks and other evidence from **Tsarnaev**'s University of Massachusetts Dartmouth dorm room.

"I don't believe that Robel Phillipos has ever been more angry at a person than he is angry at Dzhokhar **Tsarnaev**," defense attorney Susan Church said yesterday. "When Robel found out that Dzhokhar **Tsarnaev** did what he did in this case, he was absolutely mortified. It was an unbelievable feeling of shock and betrayal that somebody that he knew could commit such atrocious, horrible acts."

Phillipos was expressionless when the verdicts were read after more than six days of deliberations, but then sat, shaking his head. Kadyrbayev and Tazhayakov, convicted of obstruction of justice, will be sentenced next month. Phillipos is due to be sentenced Jan. 29.

— laurel.sweet@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23512243

Boston Herald (MA)

October 29, 2014

Edition: ALL

Section: News

Page: 7

Volume 32, Issue 302

Topics:

Index Terms:

Local

Youth has been no excuse

Author: *BOB McGOVERN*

Article Text:

Jurors didn't buy Robel Phillipos' too-stoned defense or Azamat Tazhayakov's argument that he was a "good kid" — and that could be bad news for the **Tsarnaev** defense team's anticipated argument that accused marathon bomber Dzhokhar was an impressionable youth controlled by his now-deceased older brother Tamerlan.

When it comes to cases related to the bombings that left two young women and a small boy dead, with scores maimed and seriously injured and that led to the subsequent killing of an MIT police officer, it doesn't look like Boston juries are willing to buy claims of youthful indiscretion.

"It would absolutely be a concern for his attorneys," said Peter Elikann, a defense attorney not involved in any of the **Boston Marathon** cases. "The juries seem to believe that while these may be young, impressionable men, they still should take responsibility for their actions. The fact that they made dumb choices does not seem to win them a pass."

That is most likely to spell trouble for **Tsarnaev**, who will likely try to pull at jurors' heartstrings if he enters the death-penalty phase of his upcoming trial.

"Once he is found guilty, he might get some consideration if he was just a foolish, impressionable dupe," Elikann said. "However, the public and the juries don't really seem to look at these young men as just foolish dupes. The juries and the public seem to think that they are old enough to be responsible."

Sometimes immaturity will fly with jurors in more run-of-the-mill cases that you would see in state court — underage drinking, a bar fight and the like. However, those charged

with doling out verdicts in the marathon bombing cases are being presented with greater consequences.

“The defense is going to have a very uphill battle based on the nature of these charges, and the fact that deaths and serious physical injury occurred,” said Brad Bailey, a criminal defense attorney and former prosecutor, also not involved in any of the cases. “**Tsarnaev**’s defense has to realize that interjecting the issue of terror really gets the jury’s attention.”

Tsarnaev’s defense team will likely run their potential defenses by focus groups to gauge public reactions, according to Edward Schwartz, a Boston-based jury consultant not involved in the case.

“If you are going to use a defense which hinges on reduced culpability based on being under the influence of another, you need to do it in a way that respects the intelligence and the understandable skepticism of the jury,” Schwartz said. “If the jurors feel that they’re being insulted or disrespected by the theory, they’re not going to listen.”

— bob.mcGovern@bostonherald.com

Caption:

FOR THE DEFENSE: The lawyers for Robel Phillipos, from left, Derege Demissie and Susan Church, speak to the media outside of Moakley federal courthouse yesterday.

STAFF PHOTO BY MARK GARFINKEL

Copyright (c) 2014 Boston Herald

Record Number: 23514009

Boston Herald (MA)

October 30, 2014

Edition: ALL

Section: News

Page: 13

Volume 32, Issue 303

Hernandez lawyers say DA lifted venue change words

Author: *O'RYAN JOHNSON*

Article Text:

Attorneys for disgraced former Patriots tight end Aaron Hernandez — who are set to argue in court today to move his trial — yesterday accused Bristol County prosecutors of lifting long passages of arguments against a change in venue from those used by federal prosecutors in the case against accused **Boston Marathon** bomber Dzhokhar **Tsarnaev**.

“As one reads the commonwealth’s opposition, it becomes apparent that sentences, paragraphs and indeed entire pages have been reproduced without attribution from the opposition filed by the United States to contest a motion for change of venue that was recently filed in federal court by accused **Boston Marathon** bomber Dzhokhar **Tzarnaev**,” lawyers for Hernandez wrote in yesterday’s court filing.

The Bristol District Attorney’s Office said in a statement: “We do not respond to personal attacks, especially where the very issue before the court is the extent of media sensationalism surrounding the present case. However, it is fair to say generally that parties are required to cite the controlling case authority in court pleadings. To the extent that both the **Tsarnaev** and Hernandez change of venue motions raise the same basic legal issues, we were required to cite the same Supreme Court cases setting out the governing law as the U.S. Attorney’s Office. Any experienced legal observer would understand that this is a standard practice.”

Hernandez has pleaded not guilty to first-degree murder in the June 2013 slaying of Odin Lloyd of Dorchester.

Hernandez’s defense team is in Fall River Superior Court today to try to move the trial to Worcester or Hampden county. In an earlier motion, they cited a poll that found more than 7 in 10 Bristol County residents see Hernandez as “definitely or probably guilty.”

Federal prosecutors managed to keep the **Tsarnaev** trial in Boston, despite a similar polling effort by his defense team.

— oryan.johnson@bostonherald.com

Caption:

COPYCATS: Accused murderer Aaron Hernandez, left, is seen with lawyer Charles Rankin in court earlier this month. His attorneys are accusing Bristol County prosecutors of lifting passages from arguments used by federal prosecutors against a change of venue for accused **Boston Marathon** bomber Dzhokhar **Tsarnaev**.

HERALD POOL FILE PHOTO

Copyright (c) 2014 Boston Herald

Record Number: 23528109

Boston Herald (MA)

October 31, 2014

Edition: ALL

Section: Sports

Page: 58

Volume 32, Issue 304

Topics:

Index Terms:

Other

Menino beloved by Hub sports figures

Author: *SCOTT LAUBER*

Article Text:

Pedro Martinez made his Red Sox debut on April 1, 1998, tossing seven scoreless innings to beat the Oakland A's.

A few days later, he met Mayor Thomas M. Menino — and felt like a full-fledged Bostonian.

Menino offered Martinez advice on all things Boston, including tips for where to live and the best places to eat. The relationship only grew, reaching a point where Martinez described the former mayor as “one of my dearest friends.”

It was vintage Menino, who understood the connection between the city and its professional athletes, the civic pride generated by the sports teams. He served 20 years — five terms — including a glorious 76-month span in which the Red Sox, Patriots, Celtics and Bruins each won championships.

Suffice it to say, few mayors were better at throwing a parade — or as it came to be known here, a rolling rally — even if he was good-naturedly teased for his mispronunciation of players' names (“Wes Wekler” and “KJ and Hondo”) and other sports malaprops.

And so, as the news broke yesterday that Menino died at age 71 after a battle with cancer, the sports community mourned right along with the rest of the city.

“The transformation of the city since he was around was unbelievable,” Bruins coach Claude Julien said. “All the things he did to transform the city into what it is today, I

Boston Herald articles (7/26/2014—11/15/2014) 79

think he was so respected by the people of Boston. No doubt he'll be missed. He deserves a lot of accolades for what he did with the city of Boston.”

Said Bruins forward Patrice Bergeron: “I think he was a huge influence in the changes of the city and the way it has become now, the looks of it. It's beautiful. I think it's truly one of the nicest cities in America, and a lot of that is due to him.”

Menino opposed the Patriots' plan to build a stadium in South Boston in the mid-1990s. But in a statement, Pats owner Robert Kraft recalled Menino's congratulatory phone calls after each Super Bowl victory.

The Celtics and the Boston Athletic Association issued similar statements, with the B.A.A. noting Menino's leadership after the **marathon bombings**. Indeed, the mayor memorably left the hospital on a broken leg in order to help ensure the city's safety.

Menino had a strong relationship with the current Red Sox ownership group, with whom he worked closely to preserve Fenway Park. Team president Larry Lucchino said Menino was “like a big brother to me.”

“He was an incredibly effective mayor,” Sox owner John Henry said via email. “While he always talked about how lucky he was to have his job, Boston was clearly more fortunate. His legacy resides in every corner of this city in some way.”

Via Twitter, David Ortiz called Menino “a good man and a personal friend.”

And then there was Martinez, who seemingly spoke for everyone when he tweeted that Menino was “a big reason why I enjoyed Boston so much.”

Twitter: @ScottLauber

Caption:

IN THE HUDDLE: Mayor Thomas M. Menino meets with Patriots owner Robert Kraft and quarterback Tom Brady during an event at Henry Grew Elementary in 2010.

STAFF FILE PHOTO BY MARK GARFINKEL

FENWAY FAVORITE: David Ortiz and the crowd applaud after Mayor Thomas M. Menino threw out the first pitch before the 2013 AL Division Series.

STAFF FILE PHOTO BY MATT WEST

Copyright (c) 2014 Boston Herald

Record Number: 23542939

Boston Herald (MA)

October 31, 2014

Edition: ALL

Section: News

Page: 22

Volume 32, Issue 304

Topics:

Index Terms:

Local

Hub's mayor gained national respect

Author: *KIMBERLY ATKINS*

Article Text:

WASHINGTON — Political leaders from across the country honored former Hub Mayor Thomas M. Menino yesterday for being the epitome of Boston strong for his tireless work for the city.

Secretary of State John F. Kerry said Menino had “the big, bold beating heart of a street politician,” focusing as much on making sure the streetlights were lit and the streets plowed of snow as he did on cultivating Boston’s national and international reputation.

“Others talked, Tommy worked,” Kerry said. “Crime fell, population rose, the skyline became world-class, schools got better, the financial, academic and medical sectors thrived, and neighborhoods became more diverse.

“He knew what built community,” Kerry added. “He felt the city and the neighborhoods in his bones.”

Vice President Joe Biden recalled Menino’s determination in the days after last year’s **Boston Marathon** bombings, when he checked himself out of a hospital after undergoing surgery on his broken leg.

“Tommy was heroic,” Biden said in a statement. “Even as he should have been in bed, Tommy stood tall, marching through the streets of Boston with a Louisville Slugger for a walking stick. He was determined to protect the people of his city.”

Former President Bill Clinton said in a statement that he and former Secretary of State Hillary Clinton “were blessed to be able to say goodbye to Tom last week.”

“He believed with all his heart that at the end of the day, if things weren’t getting better in every corner of Boston, the job wasn’t done,” Clinton said. “And nobody knew better than Tom how to get things done.”

Former Gov. Mitt Romney called Menino “a giant” who “leaves behind a city grateful for his leadership and vision.”

— kimberly.atkins@bostonherald.com

Caption:

BIG LEAGUE: Then-U.S. Sen. John F. Kerry and Mayor Tom Menino talk at a 2007 Martin Luther King Day event.

HERALD FILE PHOTO

Copyright (c) 2014 Boston Herald

Record Number: 23540082

Boston Herald (MA)

October 31, 2014

Edition: 2ND

Section: News

Page: 18

Volume 32, Issue 304

Topics:

Index Terms:

Local

Tom taught kids to strive, care

Author: *ANTONIO PLANAS*

Article Text:

Boston's schoolkids — who knew their former mayor well from his many visits and TV appearances — recalled the late Thomas M. Menino yesterday as a man who inspired them to reach for the stars and give something back to the city he loved.

“It’s sad to see him go because he was so involved. I feel bad for all the mayors that come after him. They have a lot of work to do to match the work he did. He left a big legacy. I don’t know if he can be outdone.”

— Imani Lennon, 17, John D. O’Bryant School of Math & Science

“He didn’t glorify the fact that he was the boss of Boston. He acted like all of us. He grew up like us. He didn’t make a big deal about the title.”

— Christina Demard, 12, Boston Latin Academy

“‘Greatness doesn’t come once in your life. It comes every time you try hard.’ ... He helped a lot of people — he helped me, too.”

— Matthew Ruiz, 13, of Jamaica Plain, recalling what Menino told his youth baseball team at Fenway Park

“He was, like, famous, so I was like, ‘Oh, snap — I’m actually meeting him.’ It did stick with me. I wasn’t that good of a kid — I was sort of distracted easily. He was trying to give me a good future.”

Boston Herald articles (7/26/2014—11/15/2014) 81

— Steven Banks, 13, UP Academy Charter School of Boston, recalling a field trip as a fifth-grader to City Hall

“He used to say important words that inspired us — like how much he cared about us. And how he wanted to put more police officers on the street. ... Even though some died from the bomb — he didn’t want others to die.”

— Jazmarie Ayala, 11, Mather Elementary School, recalling watching Menino on TV, especially after the **Boston Marathon** bombings

“He made Boston a really good city for everybody to live in. Everybody loved him. I don’t think anyone could hate him.”

— Reanna Bhagwandeem, 11, Pope John Paul II Catholic Academy

— antonio.planas@bostonherald.com

Caption:

INSPIRATION: Students — clockwise from top left, Matthew Ruiz, Reanna Bhagwandeem, Christina Demard and Steven Banks — reflect yesterday on the mark former Mayor Thomas M. Menino made on their lives.

STAFF PHOTOS BY JOHN WILCOX

Copyright (c) 2014 Boston Herald

Record Number: 23546290

Boston Herald (MA)

October 31, 2014

Edition: 3RD

Section: News

Page: 3,2

Volume 32, Issue 304

Topics:

Index Terms:

Local

Hub legend built a stronger city: Beloved mayor remembered for giving back

Author: *RICHARD WEIR*

Article Text:

From the White House to Government Center, Thomas Michael Menino was remembered yesterday as a “bold, big-hearted” mayor who fought to make his beloved Boston a prosperous and inclusive city that would host a national Democratic convention at the TD Garden and an LGBT prom at City Hall.

“He was a mayor for all Boston — those he worked with, the schoolchildren and their parents, the homeless to the hungry, the college students and the new immigrants,” Mayor Martin J. Walsh said of his predecessor. “He had a heart big enough for everyone in our city.”

Menino, the son of a factory worker from Hyde Park, who rose from a humble start as a political aide driving his boss around town to become the city’s longest-serving and its first Italian-American mayor, died yesterday at age 71 after a long battle with cancer.

President Obama, who shared the stage of the 2004 Democratic Convention in Boston with Menino and then joined him to help rally the city after the 2013 **Boston Marathon** bombings, called him “bold, big-hearted and Boston strong.”

“Tom was the embodiment of the city he loved and led for more than two decades,” Obama said. “Tom helped make his hometown the vibrant, welcoming, world-class place it is today.”

Cardinal Sean O’Malley said, “Mayor Menino placed family, faith and public service above all else. His passing is a great loss to the city of Boston, the commonwealth, our country and to his family, who were the center of his life. ... Under Mayor Menino’s

leadership, the city of Boston achieved world-class status while he always remained keenly focused on the needs and concerns of the city's neighborhoods and its people."

As Menino himself put it in his 2005 State of the City address: "I am committed to making our city work for all Bostonians. I know this city. I love this city. And I am prepared to move our city forward."

His body will lie in state starting at 10 a.m. Sunday at Faneuil Hall. A private funeral Mass will be held at noon Monday at Most Precious Blood Church in Hyde Park, his childhood parish where his parents worshipped and where he was baptized.

Menino, who ran the city with an iron fist and a common man's touch, forging a political juggernaut that handily defeated his opponents, reshaped the Hub in both sweeping and small ways that will long serve as monuments to his historic 20-year, five-term run.

Under the man famously known as the "Urban Mechanic," the industrial wasteland of the old Seaport area morphed into the booming Innovation District, where cranes continue today to erect trendy hotels and high-rises; formerly downtrodden and dangerous neighborhoods became revitalized; and Dudley Square was put on course for resurgence as the once-boarded-up Ferdinand Furniture building is transformed into a \$115 million school department headquarters and tech startup incubator.

The city's fiscal footing strengthened; racial tensions ebbed; Beantown became Greentown; and a wounded city rallied after the **Boston Marathon** bombings shook its soul.

"There are very few people whose lives have not been impacted by the mayor. It is a function of his longevity. I think history will be kind to Tom Menino. History is not kind to all mayors," said Larry DiCara, a former City Council president and mayoral candidate. "The city is a better place than when he became mayor almost 21 years ago."

One of Menino's defining moments was his decision in 1995 to boycott the St. Patrick's Day Parade in South Boston because it excluded openly gay marchers — an "act of great political courage" that DiCara likened to President Jimmy Carter giving draft dodgers amnesty.

City Councilor Michael Flaherty, who ran against Menino in 2009, recalled him opening the doors of City Hall in 1996 to welcome a prom for gay, lesbian and transgender students, starting an annual tradition.

"He always made it his point that, no matter who you are, if you are in Boston, you will be treated like everyone else. It stems from who he was as a person. He was a neighborhood guy. And he wanted to be a mayor for everybody," Flaherty said.

But perhaps Menino's finest hour came when he checked himself out of the hospital, "against his doctors' wishes," to steer the city through the aftershocks of the 2013 marathon bombings, recalled his former school superintendent, Carol Johnson.

“He felt the city needed him,” Johnson said. “The city needed assurance and he was there to give it to them.”

He was born in Hyde Park in 1942 to Carl Menino, a foreman at Westinghouse Electric, and his wife, Susan, both of Italian ancestry. A 1960 graduate of St. Thomas Aquinas High School in Jamaica Plain, Menino initially shunned college — disappointing his father — and took a job at Metropolitan Life Insurance.

“Truman didn’t go to college,” the younger Menino once told his dad, referring to his idol, President Harry S. Truman, whose portrait once hung behind his desk in his City Hall office overlooking Faneuil Hall. Menino would eventually earn his bachelor’s degree at the University of Massachusetts Boston in 1988.

Menino met his wife, Angela Faletta, on a tennis court after coaxing her and a friend into a mixed doubles match. They married three years later in 1966. He also leaves behind his son, Thomas Menino Jr., a Boston police detective; his daughter, Susan Fenton; and six grandchildren.

Menino cut his political teeth as the longtime driver and chief aide of Dorchester state Sen. Joseph F. Timilty, who ran for mayor and lost three times between 1971 and 1979.

He got his start as an elected official in 1983 when he won the newly created District 5 City Council seat, a post he would hold for nine years until March 1993, when President Bill Clinton appointed then-Mayor Raymond L. Flynn to be the United States Ambassador to the Holy See.

As City Council president at the time, Menino automatically became acting mayor — or as some dubbed him, the “accidental mayor” — until he defeated former state Rep. James Brett in the general election in November 1993.

Never a great orator, Menino charmed voters by making self-deprecating jokes about his legendary gaffes, and he was a tireless campaigner. Even in nonelection years he spent weekends hopping from senior centers to block parties to ribbon cuttings — shaking hands with half of the city’s residents, according to city folklore. All the while, he assembled a political machine that crushed his opponents.

After running unopposed for mayor in 1997, he trounced Peggy Davis-Mullen in 2001, garnering 76 percent of the vote, and topped Maura Hennigan in 2005 with 67 percent of the vote. His toughest victory came against Flaherty in the bruising 2009 mayoral race, which Menino won by only 15 percent — a landslide by most measures — after being blasted by his rivals for using the shadowy Boston Redevelopment Authority to bestow favors on his developer friends and punish his enemies.

The criticism of some controversial BRA moves dogged Menino’s last months in office, but in a city where another popular legendary mayor, James Michael Curley, served time on corruption charges while in office, Menino managed to dodge major scandals.

He famously ruled City Hall with a tight grip that made city councilors and others reluctant to cross him. But he also had a caring and affable side, particularly when it came to matters of family.

“Every time I saw Tom Menino he would ask how’s your daughter, how’s your family. That’s how he wanted to start talking to you,” said former City Councilor Paul Scapicchio, who attended Boston Latin School with Menino’s daughter Susan. “Family was very important to him.”

— richard.weir@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23546653

Boston Herald (MA)

October 31, 2014

Edition: ALL

Section: Opinion

Page: 30

Volume 32, Issue 304

Topics:

Index Terms:

Editorials

The Menino legacy

Article Text:

For 20 years Tom Menino led this city through times of unparalleled growth and inconceivable sorrow.

Having won the only job he ever really wanted — and how rare is that in politics? — he served this city and its people 24/7 for each and every one of those years.

He was, in the beginning, the accidental mayor — in the right place at the right time when then-Mayor Ray Flynn opted for a Vatican ambassadorship. He soon became the Urban Mechanic, tending to the city's basic needs — making sure the phones were answered and potholes filled. He rose before dawn, walked the streets of the city, listened to complaints and basked in the compliments.

And over the years he became the inevitable mayor — the man who would remain in the job as long as he still wanted the job.

The Tom Menino we remember could be a curmudgeon — and often he relished that role. He was a man who never forgot his friends and never forgave his enemies. He was loved and he was feared — but most of all he was respected for his work ethic and his utter devotion to this city.

No more was that in evidence than on April 15, 2013. When two **pressure cooker bombs** went off in the heart of the city — in the heart of his city — Tom Menino checked himself out of the hospital, where he had undergone surgery to repair a broken leg, to lead and to be that steady presence people expected.

At a prayer service days later for those killed and wounded in the bombings, the mayor rose from his wheelchair at the podium and spoke these words: “We are one Boston. No

adversity, no challenge, nothing can tear down the resilience in the heart of this city and its people.”

For two decades he embodied that heart and that resilience. He held the hands of those who lost family members to senseless violence, he cared deeply about the plight of the homeless and worked hard to tackle those issues. He watched as elegant towers came to dot the downtown landscape and boutiques and cafes opened in neighborhood squares. He was a part of that change.

Now he is gone, but the monuments to his accomplishments are everywhere — not just in bricks and mortar but in the hearts and memories of those privileged to have known him.

Copyright (c) 2014 Boston Herald

Record Number: 23512863

Boston Herald (MA)

November 1, 2014

Edition: ALL

Section: News

Page: 5

Volume 32, Issue 305

Topics:

Index Terms:

Local

Survivors say thanks, Tom: Led city through bombing crisis

Author: *JOE DWINELL and ERIN SMITH*

Article Text:

When the city was on its knees after the marathon bombings, former Mayor Thomas M. Menino climbed out of his wheelchair to be by the bedsides of survivors in a courageous show of support some say carried them through those dark days.

“The mayor had a tear roll down his eye. He felt so bad for my boys,” said Liz Norden, whose two sons both lost their right legs in the attacks.

“He helped us every step of the way. What a guy.”

The Stoneham mom said Menino came to the hospital to help her cope with the heartache and he was only a phone call away in the difficult weeks to come.

“I have the utmost respect for that man. He looked to be in pain himself,” Norden said.

“He vowed to me in that hospital room, ‘We’ll get them.’ He gave me a sense of hope. A lot of people said they’d do things, but he was the only one who did.”

Menino helped create The One Fund Boston along with Gov. Deval Patrick. The fund has given out nearly \$61 million to bombing victims.

Menino was at press conferences and briefings following the attack after checking himself out of Brigham and Women’s Hospital just hours after the bombings as he recovered from an operation for a broken leg.

Menino later appeared with President Obama, arriving at an interfaith service at the Cathedral of the Holy Cross in a wheelchair with his right fibula broken. In an iconic

moment, he made the painful and bold decision to stand to address the crowd of 2,000, saying, “Nothing can defeat the heart of this city, nothing.”

Carlos Arredondo, who said he first met Menino in 1994 through his activist work, said he wasn’t surprised to see the mayor put his concern for the city and its residents before his own health.

“When he stood that day in front of everybody — at the time, that was showing all of us the power of unity. It gave us honor and pride,” said Arredondo, who was famously captured on film in a cowboy hat rushing to help Jeff Bauman, who lost both of his legs at the finish line.

“He was embracing everyone he could that day, and grieving. Even in his condition, he was really showing us leadership and strength. It really impacted so many people in so many ways. He touched a lot of people.”

Adrienne Haslet-Davis, who became a symbol of Boston Strong when she made good on her vow to dance again in a front-page Herald story after losing part of her lower left leg in the bombings, said yesterday it was difficult to talk about Menino so soon after his death. He meant that much to her, she added.

“I have so many memories. I’m so thankful he was as brave as he was,” Haslet-Davis said.

“He was an amazing guy.”

MBTA officer Richard “Dic” Donohue, who nearly bled to death after being shot in a fire April 19 that killed Tamerlan **Tsarnaev** — and led to the arrest of accused bomber brother Dzhokhar **Tsarnaev** — said his injuries left him with memory loss, but he’ll never forget how Menino was there to the end for the Hub.

“If you attacked the city of Boston, it was like an attack on his family,” Donohue told the Herald. “The whole city of Boston was his family.”

— joed@bostonherald.com

Caption:

COURAGE: Carlos Arredondo, far left, believes Mayor Thomas M. Menino, bottom left at a memorial service after the bombings, gave the city pride when he stood at the service. Liz Norden, above, says the mayor helped her and her family through the aftermath.

STAFF PHOTO BY STUART CAHILL; HERALD PHOTO, LEFT, BY JIM MICHAUD; STAFF FILE PHOTO, BELOW LEFT, BY MARK GARFINKEL

Copyright (c) 2014 Boston Herald

Record Number: 23553602

Boston Herald (MA)

November 2, 2014

Edition: ALL

Section: News

Page: 7

Volume 32, Issue 306

Topics:

Index Terms:

Local

Champion for city: Biz leaders say Menino's legacy is varied, assured

Author: *CHRIS CASSIDY*

Article Text:

Late Mayor Thomas M. Menino left a deep and wide-ranging legacy that includes creating **The One Fund Boston**, developing the Seaport, reducing gun violence and championing gay rights, Hub business leaders told the Herald.

“With all my experience in designing and administering other funds — including 9/11 — I’ve never seen anything like what the mayor did in terms of the amount or getting the money out to people in record time,” said One Fund administrator Kenneth Feinberg, who has overseen relief funds for victims of the Sept. 11 terror attacks, the BP Gulf oil spill and the Aurora, Colo., movie theater shootings. “He made it happen. ... It was like the culmination of a lifetime of a commitment to the city.”

Feinberg said it was Menino who insisted on a unique stand-alone fund under a central control where donors could contribute money to the victims of the **marathon blasts**. He also personally lobbied executives across the country to donate, and promoted concerts and other events, Feinberg said.

Ed Kane, the owner of Empire — among the first restaurants in the now-hopping Seaport — said Menino’s strong vision and dedication for developing the once-vast, industrial no-man’s land helped convince him to take a chance on the area.

“He gave us the sense the city was going to be behind the Seaport,” Kane said. “In my business, you can feel like you’re lost among the developers. I never felt that way when I dealt with the city on the Empire project. It was like we were equally as important as the Vertex building.”

Developer John Rosenthal — the founder of Stop Handgun Violence, whose eye-catching anti-gun signs have hung near Fenway Park for years — credited Menino with founding Mayors Against Illegal Guns in a bipartisan effort with former New York City Mayor Michael Bloomberg in 2006.

He didn't just speak out against gun violence, he provided police with the funding to reduce it, Rosenthal said.

“Mayor Menino and Gov. Patrick supported law enforcement and gave them the resources — even in the poorest communities — to put police on the street in the face of federal cutbacks,” Rosenthal said. “As a result, Boston is one of the safest cities in the country, and as a result of that, Massachusetts is the safest state when it comes to gun violence.”

Eastern Bank awarded Menino its Social Justice Award last year, and CEO Richard Holbrook remembered seeing Menino watching the Pride Parade in June as he and a team from the bank marched by.

“He was always a spokesperson for someone who needed a spokesperson,” Holbrook said. “It boils down to someone who had genuine respect for the dignity of all folks. ... He knew each of them had a story and respected and listened to that story better than most people will ever do.”

— chris.cassidy@bostonherald.com

Caption:

ACCOMPLISHMENTS: Thomas M. Menino will be remembered for many things, including the way he reshaped the Seaport District, top, and for his devotion to causes such as The One Fund Boston and gay rights.

STAFF PHOTO, TOP, BY STUART CAHILL; STAFF FILE PHOTO, ABOVE, BY ANGELA ROWLINGS

Copyright (c) 2014 Boston Herald

Record Number: 23553829

Boston Herald (MA)

November 2, 2014

Edition: 2ND

Section: News

Page: 4,5

Volume 32, Issue 306

Topics:

Index Terms:

Columnists

Son cherishes moments of humor, compassion

Author: *JOE FITZGERALD*

Article Text:

The speakers will be regaling the congregation with colorful tales of Tom Menino's 20-year run as mayor when they bid him goodbye at his funeral tomorrow at Most Precious Blood Church in Hyde Park, high above Cleary Square.

But in a front pew, the man who bears his name, Tom Menino Jr., a Boston police detective, will be cherishing moments far removed from City Hall.

"One of the biggest things I'm going to miss are his calls," he said. "My phone would ring on a morning when I could have stayed in bed until 9. He'd tell me, 'Tommy, you've got to take better care of yourself; you've got to get more sleep!'

"I'd say, 'Dad, I'm OK. By the way, what time is it?' And I'd find he had called me at 7 to say I needed to sleep more."

It made him laugh. The world saw his old man as a political legend, but Tom Jr. just saw Dad.

"Everyone in Hyde Park worked at the old Westinghouse plant," he said. "Even my father, for a short while. My grandfather was a foreman there and, so I've been told, he was the one who finally let my father go because he was terrible at fixing things.

"We'd show him something around the house that was broken and he'd say, 'It's not my job to fix it. I don't want anyone taking my job, so I'm not taking their job.' That was him."

But sitting in the catbird seat of municipal leadership, the senior Menino batted a thousand, fully in command of the controls, as he was the day of the **marathon bombings**, though holed up in a hospital with a broken leg.

“He was on my phone right after it happened,” young Tom recalled. “He wanted to know where I was. I said, ‘I’m in the middle of Boylston Street and it isn’t good.’ He asked, ‘What do you mean?’ I told him, ‘Dad, I’m seeing things no one should ever see. I’ve got to go.’ And I hung up on him.”

The man who failed to cut the mustard at Westinghouse immediately got out of his bed, to his doctors’ horror, and stoically made his way to the first news conference; three days later he rose from a wheelchair to address a prayer service at the Cathedral of the Holy Cross in the South End.

“No adversity, no challenge, nothing can tear down the resilience in the heart of this city,” he declared.

And no one ever personified it better than he did that day.

Yet the trappings of power never trumped what he saw as the higher calling of being his family’s patriarch.

“Kids’ birthdays, holiday gatherings, he made sure he never missed them,” Tom Jr. marveled. “I think the only day he ever planned to leave early was Halloween because he wanted to be sitting on his front steps when all the kids came by for candy. He loved talking with them.

“Last Thursday morning as we were gathered around his bed, someone said, ‘This might be the day he’ll go because he wouldn’t want to wreck Halloween.’

“He died just after 9 that morning.”

Barbra Streisand called them “misty, water-colored memories,” and they’ll be flowing through the front pews tomorrow.

“I’m 45 and still not ready to lose my dad,” Tom Jr., said. “But on what will be the saddest day of my life, I’m going to keep remembering what a lucky guy I’ve been.”

Caption:

STRENGTH: Thomas M. Menino attends an interfaith service in a wheelchair following the marathon bombings last year, above, one of the proud memories that son Thomas Jr., left, a police officer, has of his father.

STAFF FILE PHOTOS, ABOVE, BY NANCY LANE; LEFT, BY ARTHUR POLLOCK

Boston Herald articles (7/26/2014—11/15/2014) 86

TRIBUTE: Candles and flowers honor the late Mayor Thomas M. Menino at a memorial in Downtown Crossing Saturday. Diane Buckley of Braintree, top, tries to hold back tears. Workers, right, protect memorial flowers from the rain.

HERALD PHOTO, ABOVE, BY JIM MICHAUD; STAFF PHOTOS, BELOW LEFT AND RIGHT, BY PATRICK WHITTEMORE

Copyright (c) 2014 Boston Herald

Record Number: 23572367

Boston Herald (MA)

November 3, 2014

Edition: ALL

Section: News

Page: 18

Volume 32, Issue 307

Topics:

Index Terms:

Local

Mass includes prayers for mayor

Author: *ANTONIO PLANAS*

Article Text:

Cardinal Sean P. O'Malley led a Mass at Cathedral of the Holy Cross in the South End yesterday where he offered prayers for the late Mayor Thomas M. Menino, saying the city's longest-serving executive chief cared deeply for all its residents.

"He was a man devoted to his family and to his extended family — the people of Boston," O'Malley told churchgoers at the service that was also attended by Mayor Martin J. Walsh and Police Commissioner William B. Evans.

O'Malley said the Mass on All Souls Day was meant for the "dearly departed," including Menino, whose devotion to public service was the reason Boston is mourning today.

"He cared deeply about people, especially the poor and disenfranchised. He was very close to the people, especially in times of trouble or tragedy like the **marathon bombings**," O'Malley said.

"Mayor Menino cared deeply about Boston and its very diverse population, and worked tirelessly to make this city the very best. ... He was especially committed to the young people of our community and gave so much on their behalf. We are all grateful for the many good things that he accomplished."

Many in attendance said they came to the Mass to give something back to a man who gave the city everything he had.

"I came because I just wanted to pay my respects to someone who had done so much for this city," said Cam Naimi, 45, of the South End.

Boston Herald articles (7/26/2014—11/15/2014) 87

“He worked so hard to make people’s lives better. I think that’s what a mayor’s job is, and he really exemplified that.”

After the service, O’Malley told the Herald he was moved by the genuine concern he saw in Menino at a holiday event for the homeless.

“At the homeless shelter one Thanksgiving, just to see the kindness and the real concern he expressed for people.

“I was very moved by it because it wasn’t a politician going through some kind of a ritual,” O’Malley said.

“It was someone who recognized the homeless, brother and a sister, and was truly concerned. ... He had that humanity — the touch.”

O’Malley added that Menino’s energy was legendary.

“He was omnipresent,” O’Malley said.

“It’s quite a challenge. ... I think he would be at three or four churches every Sunday. So, he did so much good for the city.”

Caption:

‘WE ARE ALL GRATEFUL’: Cardinal Sean P. O’Malley offers prayers for the late Mayor Thomas M. Menino yesterday at the Cathedral of the Holy Cross. Mayor Martin J. Walsh, below, also attended the All Souls Day Mass for the ‘dearly departed.’

HERALD PHOTOS BY CHRIS CHRISTO

Copyright (c) 2014 Boston Herald

Record Number: 23581925

Boston Herald (MA)

November 3, 2014

Edition: ALL

Section: News

Page: 6

Volume 32, Issue 307

Topics:

Index Terms:

Local

City's people pay respects

Article Text:

Faviola Cardenas, 60, of Brookline, who met Mayor Thomas Menino at a One Fund Boston event for **Boston Marathon** bombing victims: "He's the mayor of the people — he was always for us. We really lost a good man," Cardenas said. "He was telling us, 'Thank you for what you've done for the victims.' You could see he's a very good person, a very good soul."

* * *

Former Boston TV reporter Linda Ergas, with her daughter Lucy Spear, 4, and son Jack Spear, 2: "I covered things like this before. You weren't allowed to really be emotional, even though you had personal relationships with these people. You were just working your deadline, working your deadline. It is bittersweet. He was so good to me. When it was Sunday night and you had no story, I could call the mayor, go up to his house, say 'Give me a sound bite,' and he'd make my story."

* * *

Inga Jancewicz of East Boston, with her son Erik, 8, a student at the Eliot School of Fine and Applied Arts in Jamaica Plain, of which Menino was a big supporter: "He asked me to come here, so I had to come."

* * *

John Healey, 67, South Boston: "He was a personal friend of mine ... If you were his friend, you were his friend for life. I have nothing but admiration for him."

* * *

Boston Herald articles (7/26/2014—11/15/2014) 88

Fred Maloney, 70 of Brighton: “I always liked the mayor. He really transformed the city. People feel much better about the city after four terms of prosperity and growth. He really did wonders for the city.”

* * *

Michael Hager, 75, of Winchester, a lawyer who works in the city: “I wish he had more time to enjoy his retirement. He’s a real gentleman, amiable. I can’t think of one negative word said against him. He had a good record, a very good record. May God rest his soul.”

— LAUREL J. SWEET and ANTONIO PLANAS

Caption:

EMOTIONAL DAY: Former Mayor Thomas M. Menino’s granddaughter, Giulia Fenton, above right, is embraced during his wake at Faneuil Hall yesterday. At left, state Sen. Anthony Petrucci sits under a portrait of Menino while serving as an honor guard.

STAFF PHOTOS BY ANGELA ROWLINGS

‘The line was very long. It’s a great tribute. The fact they stood out there in this weather, in the snow, just shows how much they thought about him.’

— POLICE COMMISSIONER WILLIAM B. EVANS

Copyright (c) 2014 Boston Herald

Record Number: 23582852

Boston Herald (MA)

November 5, 2014

Edition: ALL

Section: News

Page: 48

Volume 32, Issue 309

Topics:

Index Terms:

Local

Tsarnaev sis pleads guilty: Faces no jail time in counterfeit cash case

Author: *LAUREL J. SWEET*

Article Text:

Marathon bombing suspect Dzhokhar **Tsarnaev**'s older sister will serve no jail time and pay no fines after she agreed to plead guilty yesterday to misleading police in a counterfeit money investigation in Dorchester four years ago.

Ailina Tsarnaeva, 24, of New Jersey faced up to 21/2 years in jail.

Instead, Judge Michael Bolden will keep her guilty plea to witness intimidation on file for 30 days, during which she must stay out of trouble to avoid the threat of jail and fines.

"Her admission of guilt ensures that a conviction will appear on her criminal record and eliminates any appellate challenges to the charge," said Jake Wark, spokesman for Suffolk District Attorney Daniel F. Conley.

Tsarnaeva appeared in South Boston Municipal Court carrying an infant. She left, refusing to answer questions about her infamous brother, and climbed into the back of a sedan with Virginia plates with two older women, one of whom said to reporters, "Don't you have anything better to do?"

Police said that on April 16, 2010, while Tsarnaeva was living in Cambridge, counterfeit money was used to pay a restaurant tab and her car was used by the suspects in the case. Tsarnaeva told police she was out with friends but didn't know their names.

Defense attorney George Gormley said the trouble started when Tsarnaeva went to the mall to meet a girlfriend for dinner and they were joined by a man.

“Unknown to her, something had occurred inside the restaurant. One of the people who was having dinner with (Tsarnaeva and her friend) was suspected of passing a counterfeit bill. When the police found out about this, they had the plates of Miss Tsarnaeva’s car,” Gormley told Bolden.

Gormley said his client “did mislead police officers. Her motivation had nothing to do with the individual who was suspected of passing the counterfeit bill. Her motivation was protecting the privacy of her female friend.”

Gormley said he has since given to police the name of the man who bought dinner with counterfeit money.

Tsarnaeva was arrested in New York City in August on separate charges of aggravated harassment for allegedly telling her husband’s ex-girlfriend over the phone she’d “put a bomb on” her. She pleaded not guilty in September and is free on \$5,000 cash bail.

Her brother, Dzhokhar **Tsarnaev**, 21, could face the federal death penalty when he goes on trial in January for the April 15, 2013, twin bombings on Boylston Street that killed three marathon spectators, including an 8-year-old boy, and injured more than 260 others.

— laurel.sweet@bostonherald.com

Caption:

MORE CHARGES PENDING: Accused **Boston Marathon** bomber Dzhokhar **Tsarnaev**’s sister, Ailina Tsarnaeva, smiles while holding an infant after appearing in South Boston Municipal Court. Tsarnaeva pleaded guilty to misleading police investigating a counterfeit money case, but faces harassment charges in a separate case in New York City.

STAFF PHOTO BY FAITH NINIVAGGI

Copyright (c) 2014 Boston Herald

Record Number: 23606057

Boston Herald (MA)

November 6, 2014

Edition: ALL

Section: News

Page: 21

Volume 32, Issue 310

Topics:

Index Terms:

Local

Tsarnaev lawyers seek evidence about Tamerlan

Author: *LAUREL J. SWEET*

Article Text:

Lawyers for accused **Boston Marathon** bomber Dzhokhar **Tsarnaev** are arguing it's "critical" prosecutors be ordered to disclose what they know about his late brother Tamerlan's alleged involvement in an unsolved triple homicide in Waltham.

"The government is simply mistaken to think that actual participation of Tamerlan in the Waltham homicides is not relevant," the public defenders said in a court filing Tuesday. "Evidence of Tamerlan's past participation in an unusually brutal triple homicide, in contrast to Dzhokhar's nonviolent reputation and lack of a prior record of violence, is mitigating with respect to Dzhokhar's relative role."

The two sides are scheduled to appear before U.S. District Court Judge George A. O'Toole Jr. next Wednesday for a status conference. Dzhokhar **Tsarnaev**, 21, is set to go on trial Jan. 5 and faces the death penalty if convicted of last year's terrorist attack in Copley Square that killed three and injured more than 260 others.

Federal prosecutors have told Dzhokhar **Tsarnaev**'s attorneys they have "no evidence" of his brother's involvement in the gruesome deaths of Raphael Teken, 37, and Erik Weissman, 31, both of Cambridge, and Brendan Mess, 25, of Waltham. The men's bodies were found in Mess's apartment Sept. 12, 2011.

Tamerlan **Tsarnaev** was allegedly implicated in the murders by a friend one month after prosecutors say he and his younger brother carried out the deadly bombings — and Tamerlan was killed in Watertown during a firefight with police. The friend, Ibragim Todashev, was himself shot to death in Florida by an FBI agent in May 2013.

— laurel.sweet@bostonherald.com

Copyright (c) 2014 Boston Herald Record Number: 23621296

Boston Herald (MA)

November 9, 2014

Edition: ALL

Section: Features

Page: 25

Volume 32, Issue 313

Topics:

Index Terms:

Television-Television News

Sorkin's scold news: 'Newsroom' rehashes marathon bombings

Author: *JENNA SCHERER*

Article Text:

The first thing you should know about the **Boston Marathon**-bombings-centric season premiere of "The Newsroom" is that everyone keeps pronouncing Watertown "Waterton." And that's not the only thing that's not quite right about this episode, which tonight kicks off the truncated final season of Aaron Sorkin's critically divisive drama with an indignant little huff.

It goes without saying that the events of April 2013 were inherently dramatic, from the bombings themselves to the areawide lockdown and manhunt — and, of course, the media's breathless, botched coverage of the situation. Sorkin is only really interested in the last thing. "Boston" doesn't so much tell a story as deliver a series of finger-wagging scoldings that amount to a boring, airless hour of television.

"The Newsroom" has been criticized in the past for its self-righteous tendencies, and this episode finds Sorkin astride the highest of horses. When reports of an explosion at the marathon begin to circulate, newsman Will McAvoy (Jeff Daniels) and the rest of the Atlantis Cable News team are cautious with their coverage; cue lots of listless time-lapse sequences of Will behind the anchor desk, reporting news we already heard last year.

Maggie (Alison Pill) and Don (Thomas Sadoski) actually do head to Boston to do some on-the-ground reporting, but we never see any of it. Captions across black screens count down the days "24"-style, but there's nothing to feel tense about; the entire episode operates at a remove. Sorkin is telling a story about how ACN stood back and did everything right, while everyone else in the media got it all wrong.

You could make a drinking game out of how many times Will and the rest of the ACN team grumble or speechify about something another news outlet mishandled, or about

how the Internet and social media are ruining everything. “Crowdsourcing law enforcement — that went off without a hitch in Salem,” senior producer Jim (John Gallagher Jr.) remarks, when someone suggests that the Twitterverse could identify the perps.

Yes, it’s true that the New York Post and CNN screwed up their coverage, and that the wolves circling false suspects on Reddit was deeply shady business. But hearing a fictional news anchor bloviate about it a year down the line is neither useful nor interesting.

There’s B-plot here, too. Will and MacKenzie (Emily Mortimer) are making plans for their wedding, in which Diane Sawyer will be a bridesmaid. Economics reporter Sloan (Olivia Munn) is tracking a dull private-equity story that ends up having surprising repercussions. And tech whiz Neal (Dev Patel) is fielding communications from an Edward Snowden–esque mystery person feeding him classified documents, setting up an arc that will likely last the rest of the season.

Director Anthony Hemingway shuttles back and forth between these disconnected plotlines with little success. There’s nothing to tie all the goings-on together, other than that they’re all happening in the same building.

“We need to get the trust of the audience back,” Will declares early in the episode, and it may as well be Sorkin talking. With only five episodes left to go and mixed reaction to last season, he’s worried he’s losing us. And at this rate, he is.

Caption:

HUB THEME: Above, the season premiere of ‘The Newsroom’ centers on the **Boston Marathon** bombings. From left, John Gallagher Jr., Olivia Munn and Dev Patel.

Memo:

TELEVISION REVIEW

“The Newsroom”

Tonight at 9 p.m. on HBO

Grade: C

Copyright (c) 2014 Boston Herald

Record Number: 23650446

Boston Herald (MA)

November 10, 2014

Edition: ALL

Section: Features

Page: 24

Volume 32, Issue 314

Topics:

Index Terms:

Music

The Palmer method: Unpredictable musician/author does things her way

Author: *JED GOTTLIEB*

Article Text:

Amanda Palmer doesn't fear much. She'll use Twitter to find a stranger's couch on which to crash while touring or play naked on stage or write a poem about Dzhokhar **Tsarnaev**.

But how about penning a 300-page book in three months? How about knowing your husband, world-famous writer Neil Gaiman, had first crack at editing the book?

"I was the polar opposite of nervous," Palmer said from Bard College, where she was teaching a theater workshop. "I was blessed to live in a support system perfect for writing. I implicitly trust the guy. Even though I had to clench my teeth when he said, 'You need to cut this story and that story and this story.'"

Out tomorrow, Palmer's "The Art of Asking" grew out of her TED talk about crowdfunding her art, and her life, which may be the same thing. While her unique financial and emotional relationship with her fans is the starting point, the book goes many places: her days in the Dresden Dolls, her marriage, abortion, gigs done during a layover in Iceland.

What it doesn't do is tear down other artists or their approach to making money.

"People want me to ride in and lop off Taylor Swift's head with my crowdsourcing sword and I won't do it," she said. "Taylor Swift, U2, Radiohead, Trent Reznor, I will defend any of these people to choose their particular path. We got into this line of work because we wanted to be creative and experiment. That's what we're doing."

Boston Herald articles (7/26/2014—11/15/2014) 92

While Palmer has become the poster girl of modern, wired DIY, her approach embraces mainstream and fringe methods of spreading her art. Case in point, publishing giant Hachette put out “The Art of Asking.”

“There’s a misunderstanding about what it means to be an indie artist,” she said. “It’s not possible to be truly independent. You’re dependent on your audience to look at, to engage with, your art. There’s always dependence.”

A problem with innovative releases or funding strategies is they can get in the way of the art. People were so focused on U2’s iTunes giveaway, they mostly ignored the music.

Palmer has cycled through so much controversy about her approach (and personality and opinions), she actually misses the days when people picked apart her art.

“Funny enough, nobody seems to be down on my music anymore,” she said. “ ‘She can’t sing, she can’t play piano, what’s up with this band’s gay mime makeup?’ Those criticisms were problems I understood.”

So when will we get some new music the world can gush over or abjectly reject?

“I’m going to finish this book tour, go home and sleep, clean the (expletive) out of my apartment and start listening to old Depeche Mode,” she said. “When I listen to Depeche Mode I know it’s time to write new songs.”

Tonight at midnight, Palmer hosts a book signing at Porter Square Books in Cambridge. Tomorrow night she presents a book party extravaganza at Royale in Boston with guests Neil Gaiman, musician Jason Webley, writer Laurie Penny and Harvard researcher Amy Cuddy. Tickets: \$20; ticketmaster.com.

— jgottlieb@bostonherald.com

Caption:

A WORK OF ‘ART’: Musician Amanda Palmer decided to step into her well-known author husband Neil Gaiman’s arena and penned ‘The Art of Asking’ in just three months.

Copyright (c) 2014 Boston Herald

Record Number: 23619380

Boston Herald (MA)

November 11, 2014

Edition: 2ND

Section: News

Page: 10

Volume 32, Issue 315

Topics:

Index Terms:

Local

‘Inspiration to all of us’: For bombing survivor, amputation a ‘new beginning’

Author: *JOE DWINELL*

Article Text:

Marathon bombing survivor Rebekah DiMartino woke from her surgery to remove her lower left leg yesterday “courageous” and already talking about her recovery, her surgeon told the Herald last night.

“She’s awake already with a positive attitude,” Dr. William McGarvey said from Memorial Hermann Katy Hospital outside Houston.

“She’s talking of the next steps. She’s an inspiration to all of us,” he said.

DiMartino, 27, joined at least 16 others who have undergone amputations since the April 15, 2013, terrorist bombings on Boylston Street.

She endured 17 surgeries before yesterday’s removal of her left leg below the knee.

“She went through a courageous year and a half to maintain that leg and be whole. The individual surgeries were successful, but the end product wasn’t something she could live with,” said McGarvey, adding the “significant” pain in her leg never went away.

She needed pain medication, a cane, crutches and even a wheelchair to get around, he said. Now she has a chance at a better life.

DiMartino said goodbye to her left leg the day before on Facebook.

“We have seen a lot of places, done a lot of things, and you have helped me through some of the toughest steps thus far. ... And I’m not saying this isn’t hard for me. It is. But as tough as it may be, I feel like our time together has come to an end.”

Yesterday, before the surgery, she posted a thank you note to supporters.

“I want more than anything for people to know that while tears may fall, this is NOT a sad day,” she wrote. “This is my new beginning. So instead of concentrating all your prayers on me, save most of them for my family so that they may have peace. God and I made this deal a long time ago. So I’m good.”

DiMartino, her then-boyfriend and now husband, Peter DiMartino, and her son, Noah, now 7, were at the finish line when the pressure-cooker bombs went off. They were all hurt, but Rebekah suffered the worst injuries.

The survivor community has rallied around Rebekah and she has become a motivational speaker. She lives in Texas.

Her doctor said she could be fitted for a prosthesis in three to four months and be ready to move more freely.

“She’s a 27-year-old with a family and aspirations of being active,” McGarvey said. “She’s a symbol of overcoming not just adversity, but tragedy.”

— joed@bostonherald.com

Caption:

PAINFUL JOURNEY: **Boston Marathon** bombing survivors Rebekah DiMartino and her husband, Peter DiMartino, at Fenway Park, top, and this year’s Tribute run, above, were both injured in the blasts. Yesterday, Rebekah DiMartino said she was looking forward to a ‘new beginning’ after having part of her leg amputated yesterday since enduring 17 surgeries.

AP FILE PHOTO, TOP; STAFF FILE PHOTO BY FAITH NINIVAGGI

Copyright (c) 2014 Boston Herald

Record Number: 23692154

Boston Herald (MA)

November 11, 2014

Edition: ALL

Section: News

Page: 9

Volume 32, Issue 315

Topics:

Index Terms:

Local

Tsarnaev prosecutors: He can't keep secrets

Author: *LAUREL J. SWEET*

Article Text:

Prosecutors are imploring a federal judge not to grant accused terrorist Dzhokhar **Tsarnaev** a “tactical advantage” in his looming blockbuster trial by letting him keep his witness list and exhibits secret.

“**Tsarnaev** does not deserve special treatment and the court should not rewrite the rules on his behalf,” assistant U.S. Attorney William D. Weinreb said in his eight-page legal memorandum to U.S. District Court Judge George A. O’Toole Jr.

The 21-year-old accused terrorist, whose trial begins Jan. 5 with the screening of thousands of jurors, has a status conference scheduled tomorrow but is not expected to attend. The imprisoned former University of Massachusetts Dartmouth student has not been seen publicly in well over a year.

Last month, **Tsarnaev**’s attorneys proposed O’Toole permit them to hide the names of defense witnesses from the feds until the day before they’re called to testify, and that they not have to disclose their exhibit list until a month after the trial starts. The prosecution’s case could last a month.

Prosecutors asked O’Toole yesterday to order both sides to produce preliminary witness and exhibit lists Dec. 15, and finalized lists Dec. 29 to keep the playing field level.

Tsarnaev, they said, seeks only to gain “a tactical advantage to which he is not entitled. **Tsarnaev** does not deserve special treatment.”

The April 15, 2013, twin pressure-cooker bomb blasts in Copley Square killed marathon spectators Martin Richard, 8, Krystle Campbell, 29, and Lingzi Lu, 23, and injured more

than 260 others. MIT Police Officer Sean Collier, 26, was later executed by **Tsarnaev** and his late brother Tamerlan, prosecutors allege.

Weinreb said if witness intimidation is what the defense is concerned about, there's no evidence any has occurred.

“Securing the voluntary cooperation of witnesses can be a challenge for both parties,” he said. “Many victims of the marathon bombings, for example, are afraid, if not unwilling, to testify against the man accused of dismembering or traumatizing them in a terrorist attack.”

Tsarnaev is accused of 30 federal counts in the bombing case, with 17 carrying the death penalty.

— laurel.sweet@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23689062

Boston Herald (MA)

November 13, 2014

Edition: ALL

Section: News

Page: 20

Volume 32, Issue 317

Topics:

Index Terms:

Local

Ex-cop: Bomber search violated Constitution

Author: *Kimberly Atkins*

Article Text:

WASHINGTON — A former Boston police lieutenant-turned-academic slammed the police response in the aftermath of the **Boston Marathon** bombings on Capitol Hill yesterday, saying civil liberties were ignored in the tense search for the suspects that brought the city to a halt — and the failure to hold anyone accountable helped lead to other over-militarized police responses such as the one seen this year in Ferguson, Mo.

Tom Nolan, now a criminology professor at Merrimack College, spoke during a panel on the militarization of police hosted by the American Constitution Society that I moderated.

“What we saw in that aftermath was the unilateral suspension of the United States Constitution, and particularly the Fourth Amendment,” Nolan said. He said the house-to-house searches and use of military equipment in the April 2013 manhunt for Dzhokhar and Tamerlan **Tsarnaev**, unprecedented in recent U.S. history, “was violative of the Constitution and we failed to object.” He noted that Dzhokhar **Tsarnaev** was ultimately apprehended not through door-to-door searches but when a resident spotted him in a boat and called 911.

“When you fail to object to what is going on now, we forfeit our right to do so in the future,” Nolan said. “Ferguson brought that into the glare of the public spotlight.”

Former Boston Police Commissioner Ed Davis called Nolan’s assertion “outrageous.”

“The comparison (to Ferguson) is actually insulting,” said Davis. “There have been no complaints filed, so the claim that there was some sort of constitutional violation is unsupported. It just isn’t logical.”

Davis noted police were seeking men suspected not only of killing three marathon spectators, but also executing an MIT police officer and engaging in a gunfight, with explosives, that critically injured an MBTA cop.

“They were throwing bombs at us,” Davis said. “The amount of force used by police had to be commensurate with the resistance that they are facing.”

— kimberly.atkins@bostonherald.com

Copyright (c) 2014 Boston Herald

Record Number: 23709646

Exhibit 2 (Vidmar Declaration)

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
 v.) **Crim. No. 13-10200-GAO**
)
)
)
 DZHOKHAR A. TSARNAEV,)
 Defendant)

Declaration of Neil Vidmar, Ph.D

I, NEIL VIDMAR, declare as follows:

1. I am the Russell M. Robinson II Professor of Law at Duke University School of Law. My qualifications are attached to this Declaration as Appendix A.
2. I have been conducting research and testifying as an expert in pretrial publicity cases for more than three decades. This experience includes not only testimony in the United States but also in Canada, Australia and New Zealand. I have written several books dealing in part with this subject and a number of articles in leading law related academic publications, including a frequently cited article: Vidmar, N. *Case Studies of Pre-and Midtrial Prejudice in Criminal and Civil Litigation*. 26 Law and Human Behavior, 73 (2002). That article was updated last year: Vidmar, N., Media Impact on Trial by Jury, in Andrew Taslitz, ed., *A Criminal Practitioner's Guide to Managing the Media in Client Representation*, ABA Press, 2013
3. I have been asked to assess the Declaration and materials submitted by Edward J. Bronson re the Defendant's Motion for a Change of Venue and the Government's response to the Motion, all of which I received only Wednesday, August 27, 2014.
4. Although only receiving these materials on August 27, I have reviewed them and am in a position to offer a preliminary opinion regarding the validity of Professor Bronson's venue study and the government's criticisms of his work and conclusions.

5. In my opinion, based on the documentation provided, Professor Bronson's assessment of the likely prejudicial effects of the pretrial publicity and the salience of the case within the District of Massachusetts is correct.
6. I have reviewed the survey and associated materials, and find that Professor Bronson's opinion is based upon sound social science methodology.
7. If given more time to complete the project, Professor Bronson could have conducted a more robust investigation which would have produced more refined outcomes. However, the differences found here are sufficient to indicate excessive prejudice in the District of Massachusetts and provide adequate support for the proposition that the venue should be changed.
8. Further analysis of the details of the survey are required, but at this time I am confident that the results for each city or area surveyed are representative and strongly indicate that the case is far more salient to the residents of Massachusetts than to residents of the other areas surveyed.
9. In addition, despite the Government's claims, I am unable to detect evidence of bias in Professor Bronson's survey methodology or in his conclusions from the gathered data.
10. I have also reviewed Professor Bronson's media study and find that it reasonably supports his opinion concerning the existence of a presumption of prejudice in the District of Massachusetts, where the salience of the case is particularly great.
11. While the media study was limited by time constraints, Professor Bronson's investigation reveals differences between the media coverage of the areas studied that is extreme enough to indicate that that deeper inquiry will likely *widen* the gap of salience and prejudice among the areas studied, not narrow it.
12. The Government's attempt to discredit Professor Bronson's methodology appears to reflect a misunderstanding of basic research methodology. Of course basic search terms were used to identify relevant articles. However, it is inappropriate to assume, as the government apparently does, that whatever emerged from a basic search was automatically considered relevant. Obviously, articles were identified and reviewed, at least in a cursory fashion, before being included in the study.
13. The Government's attempt to "replicate" Professor Bronson's method by listing the top 50 articles produced using innocuous search terms is both

misleading and at variance with standards used in social science research.

14. The next stage of a full media analysis, not performed due to time constraints, would normally have involved specific coding and quantitative analysis of detailed article contents. However, this next step appears unnecessary here because the sheer volume of articles produced by just one major Massachusetts paper renders it practically superfluous – it is clear that Massachusetts residents had far more exposure to details, opinions, and updates on this case than either Manhattan or DC.
15. In my opinion, the top-level media study was performed adequately given time constraints, and produced scientifically acceptable results that indicate an extremely high and consistent level of exposure. This level of exposure greatly increased the salience of the case to the residents of Massachusetts, particularly in comparison with other areas.
16. The Government's Surreply to the Defendant's Motion for Change of Venue is ill-informed. To respond to it line by line would require more time than is available to me, but in short there are a number of critical inaccuracies that should be addressed:
 - a. *Attacks on methodology.* In addition to the issues addressed above, the Government's discussion of Professor Bronson's work contains serious errors. These include the assertion that the method of media analysis "captures all sorts of articles that are barely related to this case at all," and the listing of random results as if these were representative of the articles considered in the media study. Further, the Government's attempt to discredit the survey by labeling one survey question as a "baseline" (which it is not) appears to reflect lack of awareness of the standards of social science research. Again, a full response to the Government's methodological attacks can be produced and supported with more time than is available for this declaration.
 - b. *Professor Bronson's prior high-profile cases.* Assuming that these cases were attacked in response to Professor Bronson's comparisons with this case, the attempt to paint them as proof that change of venue is always unnecessary is misleading. There are significant details omitted in each that contradict the arguments contained in the Government's surreply. In addition, extrapolating from Professor Bronson's qualified comparisons to suggest that he was equating all factors of the cases is also misleading. All were complicated cases involving significant media exposure and salience in the community, but the similarities end there. I will be happy to delineate these differences, if needed.

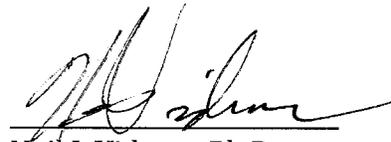
c. *Personal attacks on Professor Bronson's character.* The Government also attempts to discredit Professor Bronson through what appear to me to be unwarranted and inaccurate personal attacks. In my more than four decades of working in closely related fields, and on occasion working opposite Professor Bronson, I have observed him to display great professionalism, acuity, and capability as a researcher and consultant. He has earned the respect of colleagues and judicial officers throughout the country and abroad. Several of the purported quotes about Professor Bronson's personal views were apparently collected from unreliable sources, as they were both inaccurate and out of context.

17. It is my overall opinion that the conclusions stated by Professor Bronson and the methods he used to reach those conclusions are sound and appropriate for the case at hand.
18. Finally, I need to address another issue that is likely to arise in this controversy about a change of venue, namely whether an extended voir dire might be a sufficient remedy for the public prejudice that appears to be extant in the greater Boston area. Would allowing a detailed voir dire be sufficient to offset the problem of many potential jurors being biased?
19. Let me first draw attention to the fact that change of venue exists primarily because experience dating far back in American common law led to the conclusion that sometimes voir dire is an insufficient remedy for pre-trial and trial prejudice in a particular venue. Without reviewing the whole history of the issues, I draw attention to the fact that preliminary analyses of pretrial publicity by Professor Bronson strongly suggest that the Tsarnaev case is roughly similar to the Oklahoma City Bombing trial, *U.S. v. McVeigh*, 918 F. Supp. 1467 (1996); *U.S. v. McVeigh*, 955 F. Supp. 1281 (1997). In that case Judge Maitch concluded that the whole state of Oklahoma was so tainted that the trial should be moved to another location, namely Denver. These and other cases which are discussed in my articles cited in Paragraph 2, *supra*. The problem here, as it was in Oklahoma is not just the media coverage but the personal experience of many potential jurors and other people in their social networks, see generally Vidmar (2013), *supra*, paragraph 2.
20. As further support to my opinion about the occasional ineffectiveness of voir dire I draw this Court's attention to an important article by Judge Gregory Mize in the District of Columbia Superior Court involved post-*voir dire* interviews with jurors, who remained silent when the judge asked questions directed to the panel. A number of the jurors who had not responded to the questions were subsequently questioned informally and disclosed information suggesting they did have biases bearing on their impartiality. See GREGORY E. MIZE, *On Better Jury Selection: Spotting*

UFO Jurors Before They Enter the Jury Room, CT. REV., Spring 1999, pp. 10-15. Individual, sequestered voir dire may correct some of the deficiencies in the situation Judge Mize studied, but for reasons stated above in my professional opinion the massive publicity and the direct and indirect experiences of many members of any jury pool chosen from the Boston area are unlikely to be overcome by voir dire.

21. As time permits, I am prepared to further develop my analyses regarding these and other significant matters regarding the change of venue issue in the *Tsarnaev* case.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 29th day of August, 2014 at Durham, North Carolina.



Neil J. Vidmar, Ph.D.

Date: Aug. 29, 2014

APPENDIX A

Qualifications of Professor Neil Vidmar

CURRICULUM VITAE

Durham, North Carolina



August, 2014

NEIL JOSEPH VIDMAR
Russell M. Robinson II Professor of Law
Professor of Psychology, Duke University
Research Director, Center for Criminal Justice and Ethical
Responsibility, Duke Law
Duke University School of Law, Box 90360
210 Science Drive (at Towerview Road), Room 3183
27708-0360

Telephone (919) 613-7090 • Facsimile (919) 613-7231
E-mail: vidmar@law.duke.edu • Home: (919) 489-7729

EDUCATION

- Ph.D.** Social Psychology, University of Illinois. Urbana, Illinois, June, 1967
Secondary study in: Sociology and Experimental Psychology.
- M.A.** Psychology, University of Illinois. Urbana, Illinois, October, 1965.
- A.B.** Psychology, *cum laude*, MacMurray College, Jacksonville, Illinois June, 1962,
Minor in Sociology.

AREAS OF SPECIALIZATION

My early research was on conflict and group decision-making. Since about 1970, my scholarly efforts have been directed primarily at the interface of social science and law. I conducted a three-year field study of dispute resolution in a small claims court, undertook a number of in-depth field studies of grievance and dispute behavior, and conducted a study of the Ontario Business Practice Act. For almost two decades I have been studying medical malpractice litigation and continue with that subject. I was co-principal investigator of the Arizona Jury Project that taped and analyzed the actual deliberations of 50 civil juries. Additionally, I have conducted research on procedural justice and the social psychological dynamics of justice behavior. A special interest is the social psychology of retribution. Other projects have involved experts, the empirical behavior of the tort system and research bearing on the accuracy of eyewitness identification. I am starting research on legal malpractice.

My scholarly interests also extend to criminal law. I have published articles pertaining to the death penalty and on jury behavior in criminal cases and have drafted amicus briefs on criminal matters before the U.S. Supreme Court and elsewhere. I have conducted research and published articles in leading journals on the topic of pre- and mid-trial prejudice in the United States, Canada, England, New Zealand and Australia. I have also edited *World Jury Systems*

(2000), a book that involves a comparative study of the jury systems of Australia, Canada, England, Ireland, New Zealand, Russia, Scotland, Spain, the United States and other countries.

TEACHING INTERESTS

Social Science Evidence in Law, Negotiation and Mediation, Psychology of the Litigation Process, American Jury, Social and Psychological Context of Law (Law and Society), Conflict and Dispute Resolution, Social Psychology.

POSITIONS/EXPERIENCE

- 1989- Russell M. Robinson, II Professor of Law, Duke University School of Law and Professor of Psychology, Duke University, Durham, North Carolina. Research Director , Duke Law School's Center for Justice and Professional Responsibility (2009); Member of Duke Institute for Brain Sciences (2009)
- 1987-1988 Visiting Professor of Law and Social Science, Duke University School of Law, Durham, North Carolina.
- 1989-1996 Professor of Social Science and Law, Duke University School of Law; Vice President and Research Director, the Private Adjudication Center, Durham, North Carolina.
- 1986-1987 Vice President for Research, Private Adjudication Center of Duke University School of Law, Durham, North Carolina.
- 1986 Visiting Professor of Law, Osgoode Hall Law School, York University, Downsview, Ontario, Canada.
- 1984 On leave as Visiting Professor, Osgoode Hall Law School, York University, Downsview, Ontario, Canada.
- 1981-1990 Professor of Psychology and Professor of Law, University of Western Ontario, London, Canada.
- 1974-1975 On leave as Visiting Research Fellow, Battelle Seattle Research Center, Seattle, Washington.
- 1973-1974 On leave as Russell Sage Resident in Law and Social Science, Yale Law School, New Haven, Connecticut.
- 1971-1980 Associate Professor, Department of Psychology, University of Western Ontario, London, Canada.
- 1967-1971 Assistant Professor, Department of Psychology, University of Western Ontario, London, Canada.
- 1967 (*Summer*) Research Associate, Danville Veterans Administration Hospital, Danville, Illinois.

POSITIONS/EXPERIENCE

- 1966-1967 Research Associate, Department of Psychology, University of Illinois, Urbana.
- 1963-1966 Teaching and/or Research Assistant, Department of Psychology, University of Illinois, Urbana.
- 1962-1963 USPHS Fellow, University of Illinois, Illinois.
- 1962 Certificate of Competency of Coal Miner, State Miner's Examining Board, Department of Mines and Minerals, State of Illinois, March 1962.

FELLOW

Fellow of the Association for Psychological Science

ACADEMIC SERVICE

LAW AND SOCIETY REVIEW, Editorial Board
JOURNAL OF EMPIRICAL LEGAL STUDIES, Academic Advisory Board
Roscoe Pound Foundation, Academic Advisory Board
Grant Sawyer Center for Justice Studies, University of Nevada Advisory Board
PSYCHOLOGY, PUBLIC POLICY AND LAW, Editorial Board
Section Chair: Law and the Social Sciences, Association of American Law Schools
LAW & SOCIAL INQUIRY, Editorial Board
LAW AND HUMAN BEHAVIOR, Editorial Board
LEGAL AND CRIMINOLOGICAL PSYCHOLOGY, Editorial Board
PSYCHOLOGY, CRIME, AND LAW, Editorial Board
CANADIAN JOURNAL OF LAW AND SOCIETY, Advisory Board
National Research Council, Law and Justice Committee
Law and Society Association Treasurer
Law and Society Association Trustee
JOURNAL OF APPLIED SOCIAL PSYCHOLOGY Editorial Board
Canadian Law and Society Association, Board of Directors

LEGAL CONSULTING AND TESTIMONY

Law and Justice Committee of the National Research Council, Washington, D.C.
Law Reform Commission of Ontario; Ontario Ministry of the Attorney General
Consultant for Solicitor General of Canada on Firearms Control Legislation
Implementation

Ontario Ministry of the Attorney General: Access to Justice Project ; Ontario Ministry of Consumer and Commercial Relations: Expert Panel on Guiding Principle for Consumer Protection/Business Practices Strategies; Consultant for Canadian Law Information Council ; Consultant for Committee on Statistics in the Courts: (U.S.) National Academy of Sciences; Consultant for Police Powers Project, Law Reform Commission of Canada; Advisory Committee on the Jury, Law Reform Commission of Canada; NAACP Legal Defense Fund's Capital Punishment Project (U.S.)

Expert Testimony and Consulting (partial listing):

United States of America: Supreme Court of the United States, California, Connecticut, Florida, Illinois, Indiana, Kentucky; Louisiana; Missouri; North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, West Virginia ; and also re North American Free Trade Agreement dispute.

Canada: Supreme Court of Canada, British Columbia, New Brunswick, Newfoundland, Ontario, Prince Edward Island, and Saskatchewan,

New Zealand; Australia; England and Wales; Hong Kong

RESEARCH GRANTS

National Science Foundation; Robert Wood Johnson Foundation; State Justice Institute;

Russell Sage Foundation; Ontario, Ministry of the Attorney General; Social Sciences and Humanities Research Council of Canada; Ontario Ministry of Transportation and Communication; Solicitor General of Canada ; The Donner Canadian Foundation; Social Sciences and Humanities Research Council of Canada; Law and Society Association; Canada Council.

PUBLICATIONS

Books:

Vidmar, N. and Hans, V. P., AMERICAN JURIES: THE VERDICT, Prometheus Books (2007).

Vidmar, N. (Ed.) WORLD JURY SYSTEMS, Oxford England: Oxford University Press (2000). [Translated into the Korean Japanese with a foreword by Vidmar, 2007 and into the Georgian language, 2010.]

Vidmar, N. MEDICAL MALPRACTICE AND THE AMERICAN JURY: CONFRONTING THE MYTHS ABOUT JURY INCOMPETENCE, DEEP POCKETS, AND OUTRAGEOUS DAMAGE AWARDS, University of Michigan Press (1995).

Hans, V, and Vidmar, N. JUDGING THE JURY. Plenum Press (1986). [Translated into Japanese, (2000).]

Bermant, G., Nemeth, C. and Vidmar, N. (Eds.) PSYCHOLOGY AND THE LAW: RESEARCH FRONTIERS: Lexington, Massachusetts: Lexington Books (1976).

Articles, Legal Submissions and Reviews:

Vidmar, N. & Griffin, L. *Amicus, Warger v. Schauers* U.S. Supreme Court No. 13-517, filed June 2014 Re historical rule re dishonesty during voir dire in voir dire.

Vidmar, N.J. and Coleman, James E., *The American Adversary System: Sources of Error in the Criminal Adjudication Process*, in James Acker et al. *Examining Wrongful Convictions: Stepping Back, Moving Forward*. Carolina Academic Press (2014).

James E. Coleman and Neil Vidmar (authors) Amicus brief for North Carolina Conference of the NAACP in *State of North Carolina v. Golphin et al.* No. 139PA13-1 Supreme Court of North Carolina (January 10, 2014). re NC Racial Justice Act litigation.

Kritzer, H. Liu, G., & Vidmar, N. An Exploration of “Non-economic” Damage Awards, 55 *William & Mary L. Rev.* 971-1027 (March 2014).

Vidmar, N., *Media Impact on Trial by Jury*, in Andrew Taslitz, ed., *A Criminal Practitioner’s Guide to Managing the Media in Client Representation*, ABA Press, 2013.

Vidmar, N. (Principal Drafter) Amicus Brief, *State of North Carolina v. Marcus Reymond Robinson*, Supreme Court of North Carolina, 12 th District, Cumberland county No. 411A94-5 (August 9, 2013) re North Carolina Racial Justice Act

Neil Vidmar, principal drafter of amicus brief: *Larry E. Mann v. State of Florida on petition for Writ of Certiorari In the Supreme Court of the United States*, James E. Coleman, Counsel of Record, April 8, 2013. (re death penalty appeal)

Vidmar, Testimony re “Excessive Litigation’s Impact on America’s Global Competitiveness” before the Judiciary’s Subcommittee on the Constitution and Civil Justice, United States Congress, March 5, 2013.

Vidmar, N., *The North Carolina Racial Justice Act: An Essay on Substantive and Procedural Fairness in Death Penalty Litigation*, 97 (2012 *Iowa Law Review* 1969.(Tribute to David Baldus),

James E. Coleman, Jr., Theresa A. Newman, Neil Vidmar, & Elizabeth Zoeller, Don’t I Know You? The Effect of Prior Acquaintance/Familiarity on Witness Identification, 2012 *The Champion* 52-56 (April 2012) .

Vidmar et al. *Watts v. Cox Medical Centers* Supreme Court of Missouri , No. 91867 (filed October 20, 2011). [Medical Malpractice Litigation]

Vidmar et al. *McCall v. United States*, Supreme Court of Florida, SC 11-1148 Case # 09-16375J [Medical Malpractice litigation] (Filed August 20, 2011).

Schuller, R. and Vidmar, N. The Canadian Criminal Jury, 86 *Chicago-Kent Law Review* 487 (2011)

Vidmar, N. The Psychology of Trial Judging. 20 *Current Directions in Psychological Science* 58 (2011).

Holman, M., Vidmar, N. and Lee, P. Most Claims Settle: Implications for Alternative Dispute Resolution from A Profile of Medical Malpractice Claims in Florida, 74 *Law & Contemporary Problems* 103 (2011).

Vidmar, Coleman, & Newman, Rethinking Reliance on Eyewitness Confidence, 94 *Judicature* 16-19 (2010).

Vidmar et al., , Amicus on eyewitness identification, in *State of Connecticut v. Brady Guilbert* Supreme Court of Connecticut, No. 17948, November 1, 2010. [Court decision: <http://www.jud.ct.gov/external/supapp/Cases/AR0cr/CR306/306CR211.pdf> ; concurrence <http://www.jud.ct.gov/external/supapp/Cases/AR0cr/CR306/306CR211A.pdf>

Vidmar, N. et al, Drafter of amicus for scholars in support of litigants in capital punishment litigation under the North Carolina Racial Justice Act, August 2010. Brief of *Jatiyah al Bayyind*; and brief of *Guy Tobias LeGrande*

Vidmar, N. Lay Persons in the Legal Process, in P. Cane and H. Kritzer, *The Oxford Handbook of Empirical Legal Studies*, Oxford University Press (2010).

Vidmar, N. and Holman, M., The frequency, predictability and proportionality of jury awards of punitive damages in 2005: a new audit, Vol. XLIII *Suffolk Law Review* 101-138 2010.

Vidmar, N., Coleman, J, and Newman, T., Rethinking reliance on eyewitness confidence, 94 *Judicature* , No.1, July-August, 2010

Vidmar, *Law & Politics Book Review*, Vol. 20 No. 2 (February, 2010) *Overcoming Historical Injustices: Land Reconciliation in South Africa*, by James L. Gibson. New York and Cambridge: Cambridge University Press, 2009 .

Vidmar, N. and Wolfe, M.W. Punitive Damages. 5 *Annual Review of Law and Social Science*, 179-199 (2009). Vidmar, N. The Competence of Juries, in eJournal USA U.S. State Department 2009.

Michaels,D. and Vidmar, N., eds., *Conventions in Law and Science*, 72 *LAW & CONTEMPORARY PROBLEMS* (Winter 2009).

Saks et al. Amicus brief supporting Petition for Writ of Certiorari in *Gonzalez v. Florida*, No. 08-6833, United States Supreme Court (November 9, 2008).

Vidmar, N., Affidavit and Testimony (via video-link) on behalf of Solicitor General in *Solicitor-General of New Zealand v. Fairfax New Zealand Publications and Pankhurst*, High Court of New Zealand, Wellington Registry, September 16, 2008.

Vidmar, N. Affidavit on behalf of Plaintiff in *Klotz v. St Anthony's Medical Center* , in the Circuit Court of the County of St. Louis, Division No.:13,Cause No.:06CC-4826, September 15, 2008.

Baker, Tom, Kritzer, Herbert M. and Vidmar, Neil, Jackpot Justice and the American Tort System: Thinking Beyond Junk Science (July 1, 2008). Available at SSRN: <http://ssrn.com/abstract=1152306> or <http://dx.doi.org/10.2139/ssrn.1152306>

Vidmar , N, principal drafter, and 23 other signatories: Amicus brief on behalf of plaintiff in *Lebron v. Gottlieb Memorial Hospital et al*, Supreme Court of Illinois , Case No. 2006 L. 12109 (2008) (regarding claims of doctor flight from Illinois).

Vidmar, N., *Comment: Juries and Testimony from Medical Experts*, in John Spendorfer et al., PROFESSIONALISM IN MEDICINE: THE CASE-BASED GUIDE FOR MEDICAL STUDENTS (Cambridge University Press)

Vidmar, N., *Juries and Medical Malpractice: Facts versus Claims* , CLINICAL ORTHOPAEDICS AND RELATED RESEARCH , Springer Open Access DOI 10.1007/s11999-008-0608-6 (published November 2008). Available at <http://dx.doi.org/10.1007/s11999-008-0608-6>

Hans, N. and Vidmar, N., *The Verdict on Juries* 91 JUDICATURE 226 (2008).

Vidmar, N., *Civil Juries in Ecological Context: Methodological Implications for Research* , in CIVIL JURIES AND CIVIL JUSTICE (Brian Bornstein, et al., eds.) (2008).

Vidmar, N. and Wolfe, M.W., *Fairness through Guidance: Jury Instruction on Punitive Damages After Philip Morris v. Williams*, 2 CHARLESTON LAW REVIEW 307 (2008). (Reprinted in M.N. Bhavani, ed., PUNITIVE DAMAGES: NEW DIMENSIONS, Amicus Books , India (2008))

Vidmar, N., Beale, S., Chemerinsky, E. & Coleman, J.E., Jr. , *Was He Guilty as Charged? An Alternative Narrative Based on Circumstantial Evidence from Twelve Angry Men*, 82 CHICAGO-KENT LAW REVIEW 691 (2007).

Vidmar et al. Amicus Brief on behalf of Respondent in *Mason. v. Home Hardware* CASE NO. S07A1486 before the Supreme Court of Georgia (December 2007)

- Vidmar, N. et al., Amicus Brief (regarding juries and punitive damages) submitted on behalf of Respondent in *Philip Morris v. Williams*, Supreme Court of the United States, No. 05-1256 (September 2006); *Williams v. Phillip Morris*, 127 S.Ct. 1057 (2007).
- Vidmar, N. Affidavit submitted in *Fowler v. Dowland*, Case # S07A0342, in the Supreme Court of Georgia, March 29, 2007)
- Vidmar, N., MacKillop, K. and Lee, P. *Million Dollar Medical Malpractice Cases in Florida: Post-verdict and Pre-suit Settlements*, 59 VANDERBILT LAW REVIEW 1343 (2006).
- Vidmar, N. and MacKillop, K. "Judicial Hellholes," *Medical Malpractice Claims, Verdicts and the "Doctor Exodus" in Illinois*, 59 VANDERBILT LAW REVIEW 1309 (2006).
- Vidmar, N. *Trial by Jury Involving Persons Accused of Terrorism or Supporting Terrorism*, in Belinda Brooks Gordon and Michael Freeman, (Eds.), LAW AND PSYCHOLOGY, page 318, Vol. 9, Oxford University Press (2006).
- Vidmar, N. et al., Amicus Brief (regarding eyewitness identification) on behalf of petitioner in *LaQuan Ledbetter v. State of Connecticut*, on petition for Writ of Certiorari to the Supreme Court of Connecticut , No. 05-9500. *Ledbetter v. Connecticut*, 126 S.Ct. 1798 (2006).
- Vidmar, N. *Medical Malpractice Litigation in Pennsylvania*, Pennsylvania Bar Association, (May 2006).
- Vidmar, N. *Expert Evidence, The Adversary System, and the Jury*. 95 American Journal of Public Health S137-S143 (Suppl. 1, July 2005). (Reprinted in V. Raghuram, ed., EXPERT OPINION: EVIDENTIARY VALUE (Amicus Books, 2007).
- Vidmar, N. *Medical Malpractice and the Tort System in Illinois*. 93 Illinois Bar Journal 340 (2005).
- Vidmar, N. *When Jurors Talk About their Verdict*. In John Kleinig, (Ed.), JURY ETHICS, Paradigm Press (2005).
- Vidmar, N. *Medical Malpractice Lawsuits: An Essay on Patient Interests, the Contingency Fee System, Juries and Social Policy*. 38 Loyola Los Angeles Law Review 1217 (2005).
- Vidmar, Lee, MacKillop, McCarthy and McGwinn. *Uncovering the "Invisible" Profile of Medical Malpractice Litigation: Insights from Florida*. 54 DePaul Law Review 315 (2005).
- Vidmar, N. *First, Do No Harm: The Cure for Medical Malpractice* (Book Review). 352 The New England Journal of Medicine 521 (February 2005).
- Vidmar, N. *Juries Around the Globe*. 5 ABA Insights on Law and Society 7 (2005).
- Vidmar, N. *Experimental Simulations and Tort Reform: Avoidance, Error and Overreaching in Sunstein et al.'s Punitive Damages*. 53 Emory Law Journal 1359 (2004).
- Hans, V. and Vidmar, N. *Jurors and Juries*. In Sarat (Ed.) THE BLACKWELL COMPANION TO LAW AND SOCIETY, 195-211. Blackwell Publishing, Malden, Massachusetts (2004).

- Diamond, Vidmar, Rose, Ellis and Murphy. *Inside the Jury Room: Evaluating Juror Discussions During Trial*. 87 *Judicature* 54 (September-October 2003). [Reprinted in V. Hans (Ed.) *THE JURY SYSTEM: CONTEMPORARY SCHOLARSHIP*, Ashgate (in press).]
- Vidmar, N. *When All of Us Are Victims: Juror Prejudice and "Terrorist" Trials*. 78 *Chicago-Kent Law Review* 1143 (2003).
- Saks and Vidmar. *Asserted but Unproven: A Further Response to the Lindgren Study's Claim that the American Bar Association's Ratings of Judicial Nominees Are Biased*. 19 *Journal of Law and Politics* 177 (2003).
- Diamond, Vidmar, Rose, Ellis and Murphy. *Juror Discussions During Trials: Studying an Arizona Innovation*. 45 *Arizona Law Review* 1 (2003).
- Vidmar, N. *The American Civil Jury for Auslander (Foreigners)*. 13 *Duke Journal of Comparative and International Law* 92, Special Issue honoring Herbert Bernstein (2003). (Reprinted in, Papke et al. *Law and Popular Culture : Text, .Notes and Questions*. Lexis Nexis ,2012
- Vidmar, N. *Case Studies of Pre-and Midtrial Prejudice in Criminal and Civil Litigation*. 26 *Law and Human Behavior*, 73 (2002). <http://www.law.duke.edu/pub/vidmar/pretrialpublicity.pdf> [Reprinted in V. Hans (Ed.) *THE JURY SYSTEM: CONTEMPORARY SCHOLARSHIP*, Ashgate Publishing, Aldershot, United Kingdom (in press).]
- Vidmar, N. and Brown, L. A. *Tort Reform and the Medical Liability Insurance Crisis in Mississippi: Diagnosing the Disease and Prescribing a Remedy*. 22 *Mississippi College Law Review* 9-46 (2002).
- Eisenberg and Vidmar (drafters). *Brief Amici Curiae of Certain Leading Social Scientists and Scholars in Support of Respondents in State Farm Mutual Automobile Company v. Campbell*. Supreme Court of the United States, No. 01-1289 (October 2002).
- Vidmar, N. *Listening to Jurors and Asking Them Questions*. *Trial Briefs* 9 (August 2002).
- Rose and Vidmar. *"Bronx Bronx Juries": A Profile of Jury Awards in New York Counties*. 80 *Texas Law Review* 1889 (2002).
- Sanders, Diamond and Vidmar. *Legal Perceptions of Science and Expert Knowledge*. 8 *Psychology, Public Policy and Law* 139 (2002).
- Diamond, Vidmar, et al. *Juror Discussion During Civil Trials: A study of Arizona's Rule 39(f) innovation*. American Bar Foundation (April 2002). Available at: <http://www.law.duke.edu/pub/vidmar/Arizonacivildiscussions.pdf>.
- Vidmar, N. *Juries*. In Kritzer (Ed.) *LEGAL SYSTEMS OF THE WORLD: A POLITICAL, SOCIAL, AND CULTURAL ENCYCLOPEDIA*. ABC-CLIO, Santa Barbara, California (2002)
- Vidmar, N. *Juries and Lay Assessors in the Commonwealth of Nations*. 13 *Criminal Law Forum* 385 (2002).
- Vidmar, N. and Diamond, D. *Juries and Experts*. 66 *Brooklyn Law Review* 1123-1182 (2001).

- Saks and Vidmar. *A Flawed Search for Bias in the American Bar Association's Ratings of Judicial Nominees: A Critique of the Lindgren / Federalist Society Study*. 17, No. 2 *Journal of Law and Politics* 219-254 (2001).
- Vidmar, N. *Review of Jury Systems Abroad Can Provide Helpful Insights Into American Practices*. 73 *New York State Bar Association Journal* 23 (2001).
- Vidmar, N. *Retributive Justice: Its Social Context*. In M. Ross and D.T. Miller (Eds.) *THE JUSTICE MOTIVE IN EVERYDAY LIFE*, 291 Cambridge University Press (2001).
- Vidmar and Rose. *Punitive Damages; In Terrorem and in Reality*. 38 *Harvard Journal on Legislation* 489-511 (2001).
- Diamond, S. and Vidmar, N. *Jury Room Ruminations on Forbidden Evidence*. 87 *Virginia Law Review* 1857 (2001).
- Vidmar and Schuller. *The Jury: Selecting Impartial Peers*. In R. Schuller and J. Ogloff (Eds.) *PSYCHOLOGY AND LAW: CANADIAN PERSPECTIVES*. University of Toronto Press, Toronto, ON, Canada (2001).
- Vidmar, N. *Retribution and Revenge*. In J. Sanders and V. L. Hamilton (Eds.) *HANDBOOK OF JUSTICE RESEARCH IN LAW*. Springer Press, New York, New York (2001).
- Vidmar, N. *Jury's Comprehension of Scientific Evidence*. In *NATIONAL CONFERENCE ON SCIENCE AND THE LAW NCJ 179630*. United States Department of Justice and National Institute of Justice (July, 2000).
- Vidmar, N. *The Origin and Outcome of the Kumho Amicus Brief (plus brief itself)* 24 *Law and Human Behavior* 383-400 (2000).
- Corbin, R. M. and Vidmar, N. *Survey Research Goes to Court*. In C. Chakrapani (Ed.) *MARKETING RESEARCH: STATE OF THE ART PERSPECTIVES*. American Marketing Association, Chicago, Illinois (2000).
- Vidmar, N. *Juries don't make legal decisions! And other problems: A critique of Hastie et al. on punitive damages*. 23 *Law and Human Behavior* 705 (1999).
- Vidmar, N. *Maps, Gaps, Socio-legal Scholarship and the Tort Reform Debate*. In Sarat, A. et al. (Eds.) *SOCIAL SCIENCE, LEGAL SCHOLARSHIP AND THE LAW*. Russell Sage Foundation, New York, New York (1999).
- Vidmar, N., Gross, F. and Rose, M. *Jury Awards for Medical Malpractice and Post-verdict Adjustment of Those Awards*. 48 *DePaul Law Review* 265 (1998). [Partially reprinted in S. Salvin et al., *CIVIL PROCEDURE: DOCTRINE, PRACTICE, AND CONTEXT*, 2nd Ed. Aspen Publishers, New York, New York (2004).]
- Vidmar, N. Principal author, amicus brief on behalf of respondent in *Kumho Tire Company v. Patrick Carmichael et al.* No. 97-109 Supreme Court of the United States, October 1998 (on the subject of how juries evaluate expert testimony).
- Vidmar, N. *The Performance of the American Civil Jury: An empirical perspective*. 40 *Arizona Law Review* 849 (1998).

- Vidmar, N., Beale, S., Rose, M. and Donnelly, L. *Should We Rush to Reform the Criminal Jury? Consider Conviction Rate Data*. 80 *Judicature* 286-290 (May-June 1997).
- Vidmar, N. *Generic Prejudice and the Presumption of Guilt in Sex Abuse Trials*. 21 *Law and Human Behavior* 5 (Feb 1997).
- Vidmar, N. *Pap and Circumstance: What jury verdict statistics can tell us about jury behavior and the tort system*. XXVII *Suffolk University Law Review* 1205 (1994/1996).
- Vidmar, N. *Pretrial Prejudice in Canada: A comparative perspective on the criminal jury*. 79 *Judicature* 249 (1996).
- Vidmar, N. *Making Inferences About Jury Behavior from Jury Verdict Statistics: Cautions about the Lorelei's lied*. 18 *Law and Human Behavior* 599 (1994).
- Ogloff, James R. P. and Vidmar, N. *The Impact of Pretrial Publicity on Jurors: A study to compare the relative effects of television and print media in a child sex abuse case*. 18 *Law and Human Behavior* 507 (1994).
- Vidmar, N. *An Antidote To Anecdotes* (Book review of Frank A. Sloan, et al., *SUING FOR MEDICAL MALPRACTICE*, 1993) 77 *Judicature* 330 (1994).
- Vidmar, N. *Are Juries Competent to Decide Liability in Tort Cases Involving Scientific/ Medical Issues? Some Data from Medical Malpractice*. 43 *Emory Law Journal* 885 (1994).
- Ellis, R., Ravindra, G., Vidmar, N. and Davis, T. *The Reversal Arbitration Board: An ADR model for resolving intra-corporate disputes*. 93 *Journal of Dispute Resolution* (1994).
- Vidmar, Lee, Cohen, and Stewart. *Damage Awards and Jurors' Responsibility Ascriptions in Medical vs. Automobile Negligence Cases*. 12 *Behavioral Sciences and the Law* 149 (1994).
- Vidmar, N. *The Unfair Criticism of Medical Malpractice Juries*. 76 *Judicature* 118 (1992). [Reprinted in 27 *Trial Lawyers Forum* 5 (1993); 42 *Trial Talk* 5 (1993); 23 *Trial Lawyers Quarterly* 9 (1993).]
- Vidmar, N. *Empirical Evidence on the "Deep Pockets" Hypothesis: Jury awards for pain and suffering in medical malpractice cases*. 43 *Duke Law Journal* 217 (1993).
- Fischer, Vidmar and Ellis. *The "Culture of Battering" and the Role of Mediation in Domestic Violence Cases*. 46 *Southern Methodist University Law Review* 2117-2174 (1993).
- Vidmar, N. and Rice, J. *Assessments of non-economic damage awards in medical negligence: a comparison of jurors with legal professionals*. 78 *Iowa Law Review* 883 (1993).
- Ellis, Ravindra, Vidmar, and Davis. *Toyota's Arbitration Board: A conflict resolution model for intra-corporate disputes*. 11 *Alternatives* 44 (1993).
- Vidmar, N. *Verfahrensgerechtigkeit und Alternative Konfliktbewältigung*. 14 *Zeitschrift für Rechts-Soziologie* 35-46 (1993).
- Vidmar, N. *How Many Words for a Camel? A Perspective on Judicial Evaluation of Social Science Evidence*. Canadian Institute for the Administration of Justice (Ed.), *FILTERING AND ANALYZING EVIDENCE IN AN AGE OF DIVERSITY* (1993).

- Vidmar, N. *Comparative Lessons from the Hong Kong Jury Study*. (Book Review), 2 *Asia Pacific Law Review* 110 (1993).
- Vidmar, N. *Procedural Justice and Alternative Dispute Resolution*. 3 *Psychological Science* 224 (1992).
- Schuller, R. and Vidmar, N. *Battered Woman Syndrome Evidence in the Courtroom: A review of the literature*. 16 *Law and Human Behavior* 273 (1992).
- Kritzer, H., Vidmar, N. and Bogart, W.A. *To Confront or Not to Confront: Measuring claiming rates in discrimination grievances*. 25 *Law and Society Review* 875 (1991).
- Kritzer, H., Bogart, W.A. and Vidmar, N. *The Aftermath of Injury: Cultural factors in compensation seeking in Canada and the United States*. 25 *Law and Society Review* 499 (1991).
- Hans, V. and Vidmar, N. *The American Jury: Twenty-five years later*. 16 *Law and Social Inquiry*, 401 (1991).
- Vidmar, N. and Rice, J. *Jury Determined Settlements And Summary Jury Trials: Observations about ADR in an adversary culture*. 19 *Florida State Law Review* 89 (1991). (reprinted in E. Wendy Trachte-Huber, & Stephen K. Huber, *Mediation and Negotiation: Reaching Agreement in Law and Business*, LexisNexus, 2007).
- Vidmar, N. and van Koppen, P. J. *Gedragwetenschappelijk bewijs: een overzicht*. In P. J. van Koppen and H. F. M. Crombag (Eds.) *DE MENSELIJKE FACTOR: PSYCHOLOGIE VOOR JURISTEN*. Gouda Quint BV, Arnhem, Netherlands (1991).
- Vidmar, N. *Social Science Evidence and Data*. In G. M. Chayko, E. D. Gulliver and D. V. MacDougall (Eds.) *FORENSIC EVIDENCE IN CANADA*. Canada Law Book, Aurora, ON, Canada (1991).
- Vidmar, N. *Medical Malpractice Juries*. 8 *Duke Law Magazine* 8 (1991).
- Vidmar, N. *The Origins and Consequences of Procedural Fairness* (Book Review and Essay) 15 *Law and Social Inquiry*. 877-892 (1990).
- Bogart, W.A. and Vidmar, N. *Problems and Experience with the Ontario Civil Justice System*. In A. Hutchinson (Ed.) *ACCESS TO JUSTICE: BRIDGES AND BARRIERS*. Carswell, Toronto, ON, Canada (1990).
- Vidmar, N. and Feldthusen, B. *Exemplary Damages in Ontario: An empirical study*. 16 *Canadian Business Law Review* 262-268 (1990).
- Vidmar, N. (Editor/ Author) *Is The Jury Competent? Law and Contemporary Problems*. 52 *Whole Issue* 4 (1989).
- Vidmar, N. *The Impact of Statistical Evidence in the Legal System*. In *THE EVOLVING ROLE OF STATISTICAL ASSESSMENTS AS EVIDENCE IN THE COURTS*. National Research Council, Commission on Behavioral and Social Science and Education. Springer-Verlag, New York, New York (1989).

- Vidmar, N. and Shuller, R. *Juries and Expert Evidence: Social Framework Testimony*. 52 *Law and Contemporary Problems* 133-176 (1989).
- Rowe, T. and Vidmar, N. *Empirical Research on Offers of settlement: A preliminary report*. 51 *Law and Contemporary Problems* 13-39 (1988).
- Vidmar, N. *Seeking and Finding Justice: An empirical map of Canadian consumer problems and responses*. 26 *Osgoode Hall Law Journal* 757-798 (1988).
- Vidmar, N. (Ed.) *The Common Law Jury*. 62 *Law and Contemporary Problems* (1988) [Issue translated into Georgian (2005).]
- Vidmar, N. *Assessing the Contributions of Case Characteristics and Settlement Forums on Dispute Outcomes and Compliance*. 21 *Law and Society Review* 155-164 (1987).
- Samuels, J. and Vidmar, N. *Consumer Complaints and the Ontario Business Practices Act: An empirical study*. 24 *University of Western Ontario Law Review* 83-101 (1987).
- Vidmar, N. and Schuller, R. A. *Individual Differences and the Pursuit of Legal Rights: A preliminary inquiry*. 11 *Law and Human Behavior* 299-317 (1987).
- Vidmar, N. *The Mediation of Small Claims Disputes: A critical perspective*. In M. Bazerman, R. Lewicki, and B. Sheppard (Eds.), *RESEARCH ON NEGOTIATION IN ORGANIZATIONS, VOL. 1*. JAI Press, Greenwich, Connecticut (1986).
- Vidmar, N. *The Legal System as Social: A review of Lempert and Sanders' "An Invitation to Law and Social Science"*. 234 *Science* 93-94 (1986).
- Vidmar, N. and Flaherty, D. *Concern for Personal Privacy in an Electronic Age*. 35 *Journal of Communication* 91-103 (1985).
- Vidmar, N. *An Assessment of Mediation in a Small Claims Court*. 41 *Journal of Social Issues* 127-144. Also in Earn, B., and Towson, S. (Eds.), *READINGS IN SOCIAL PSYCHOLOGY: CLASSIC AND CANADIAN CONTRIBUTIONS*. Broadview Press Ltd., Peterborough, Canada (1985).
- Vidmar, N. and Melnitzer, J. *Juror Prejudice: An empirical study of a challenge for cause*. 22 *Osgoode Hall Law Journal* 487-511 (1984).
- Vidmar, N. *The Small Claims Court: A reconceptualization of disputes and an empirical investigation*. 18 *Law and Society Review* 515-550 (1984.)
- Vidmar, N. *Social Psychology and the Legal Process*. In Kahn, A. S. (Ed.) *SOCIAL PSYCHOLOGY*. W. C. Brown and Co., Dubuque, Iowa (1984.)
- Vidmar, N. and Short, J. *Social Psychological Dynamics in the Settlement of Small Claims Court Cases*. In D. Muller, D. Blackman, and A. Chapman (Eds.) *PERSPECTIVES IN PSYCHOLOGY AND LAW*. John Wiley & Sons, London, England (1984).
- Vidmar, N. and Laird, N. *Adversary social roles: Their effects on witnesses' communication of evidence and the assessments of adjudicators*. 44 *Journal of Personality and Social Psychology* 888-898 (1983).

- Saunders, D., Vidmar, N. and Hewitt, E. *Eyewitness Testimony and the Discrediting Effect*. In S. Lloyd-Bostock and B. Clifford (Eds.) *EVALUATING WITNESS EVIDENCE*. John Wiley & Sons, London, England (1982).
- Vidmar, N. and Miller, D. T. *Social Psychological Motives Underlying Punishment Reactions*. In H. Hiebsch (Ed.) *SOCIAL PSYCHOLOGY: XXIIND INTERNATIONAL CONGRESS OF PSYCHOLOGY 195-202*. VEB DeutscherVerlag, Berlin, Germany (1982).
- Vidmar, N. *Justice motives and other psychological factors in the development and resolution of disputes*. In M. Lerner and S. Lerner (Eds.) *THE JUSTICE MOTIVE IN SOCIAL BEHAVIOR*. Plenum, New York, New York (1981).
- Miller, D. T. and Vidmar, N. *The Social Psychology of Punishment Reactions*. In M. Lerner and S. Lerner (Eds.) *THE JUSTICE MOTIVE IN SOCIAL BEHAVIOR*. Plenum, New York, New York (1981).
- Vidmar, N. and Judson, J. *The Use of Survey Research in a Change of Venue Motion: A case study*. 59 *Canadian Bar Review* 76-102 (1981).
- Hans, V. and Vidmar, N. *Jury Selection*. In N. Kerr and R. Bray (Eds.) *THE PSYCHOLOGY OF THE COURTROOM* 39-82. Academic Press, St. Louis, Missouri (1981).
- Vidmar, N. and Dittenhoffer, A. *Canadian Public Opinion and the Death Penalty: The effects of knowledge on attitudes*. 23 *Canadian Journal of Criminology* 43-56 (1981).
- Vidmar, N. *Observations on dispute dynamics and resolution hearing outcomes in a small claims court*. In S. Lloyd-Bostock (Ed.) *LAW AND PSYCHOLOGY*. Oxford University Centre for Socio-legal Studies Proceedings, Oxford, United Kingdom (1980).
- Sheppard, B. and Vidmar, N. *Adversary Pretrial Procedures and Testimonial Evidence: Effects of lawyers' role and Machiavellianism*. 39 *Journal of Personality and Social Psychology* 320-332 (1980).
- Vidmar, N. and Miller, D. T. *Social Psychological Processes Underlying Attitudes Toward Legal Punishment*. 14 *Law and Society Review* 401-438 (1980).
- Vidmar, N. *The Other Issues in Jury Simulation Research: A commentary with particular reference to defendant character studies*. 3 *Law and Human Behavior* 95-106 (1979).
- Vidmar, N. *Social Science and Jury Selection*. In *PSYCHOLOGY AND THE LITIGATION PROCESS*. Law Society of Upper Canada, Springer, Netherlands (1977).
- Vidmar, N. *Choosing, Finding and Evaluating Methods of Obtaining Legal Justice: A review of Thibaut and Walker's Procedural Justice*. 21 *Contemporary Psychology* 773-774 (1976).
- Sarat, A. and Vidmar, N. *Public Opinion, the Death Penalty, and the Eighth Amendment: Testing the Marshall hypothesis*. *Wisconsin Law Review* 171-206 (1976). [Reprinted in H. Bedau and C. Pierce (Eds.) *CAPITAL PUNISHMENT IN THE UNITED STATES*. AMS Press, New York, New York (1976); V. Streib (Ed.) *A CAPITAL PUNISHMENT ANTHOLOGY*. Anderson, Springfield, Illinois (1993).]

- Berg, K. and Vidmar, N. *Authoritarianism and recall of Evidence About Criminal Behavior*. 9 *Journal of Research in Personality* 147-157 (1975). [Reprinted in R. Krivoshey (Ed.) *READINGS IN TRIAL ADVOCACY AND THE SOCIAL SCIENCES*. Garland Publishing, New York, New York (1993).]
- Vidmar, N. and Ellsworth, P. *Public opinion and the death penalty*. 26 *Stanford Law Review*, 1245-1270 (1974). [Reprinted in H. Bedau and C. Pierce (Eds.) *CAPITAL PUNISHMENT IN THE UNITED STATES*. AMS Press, New York, New York (1976); H. Bedau (Ed.) *THE DEATH PENALTY IN AMERICA* (3rd Ed.) Oxford, New York, New York (1982).]
- Vidmar, N. *Retributive and Utilitarian Motives and Other Correlates of Canadian Attitudes Toward the Death Penalty*. 15 *Canadian Psychologist* 337-356 (1974).
- Sorrentino, R., Vidmar, N. and Goodstadt, M. *Opinion Change in a Crisis: Effects of the 1970 Canadian kidnapping crisis on political and ethnic attitudes*. 6 *Canadian Journal of Behavioural Science* 199-218 (1974). [Reprinted in W. E. Mann and L. Wheatcroft (Eds.) *CANADA; A SOCIOLOGICAL PROFILE*. Copp Clark, Toronto, ON, Canada (1976).]
- Sorrentino, R. and Vidmar, N. *Research Note: The short-term and long-term effects of a crisis*. 38 *Public Opinion Quarterly* 271-279 (1974).
- Vidmar, N. and Crinklaw, L. *Attributing Responsibility for an Accident: A methodological and conceptual critique*. 6 *Canadian Journal of Behavioural Science* 113-130 (1974).
- Vidmar, N. and Rokeach, M. *Archie Bunker's Bigotry: A study in selective perception and exposure*. 24 *Journal of Communication* 36-47 (1974). [Reprinted in A. Wells (Ed.) *MASS MEDIA AND SOCIETY* (1975); C. Wilson (Ed.) *MIND OVER MESSAGE* (1976); P. Adler (Ed.) *ALL IN THE FAMILY: A CRITICAL APPRAISAL* (1979).]
- Vidmar, N. *Effects of Group Discussion on Category Width Judgments*. 29 *Journal of Personality and Social Psychology* 187-195 (1974).
- Rokeach, M. and Vidmar, N. *Testimony Concerning Possible Jury Bias in a Black Panther Murder Trial*. 3 *Journal of Applied Social Psychology* 19-29 (1973).
- Vidmar, N. *Effects of Decision Alternatives on the Verdicts and Perceptions of Simulated Jurors*. 22 *Journal of Personality and Social Psychology* 211-218 (1972). [Reprinted in Kaufmann and Solomon (Eds.) *READINGS IN SOCIAL PSYCHOLOGY* (1973).]
- Jackson, D., Hourany, L. and Vidmar, N. *A Four-Dimensional Interpretation of Risk Taking*. 40 *Journal of Personality* 483-501(1972).
- Vidmar, N. and Burdeny, T.C. *Effects of Group Size and Item Type in the "Group Shift" Effect*. 4 *Canadian Journal of Behavioral Science* 393-407(1971).
- Vidmar, N. and Hackman, J.R. *Inter-Laboratory Generalizability of Small Group Research: An experimental study*. 83 *Journal of Social Psychology* 129-139 (1971).
- Vidmar, N. *Effects of Representational Roles and Mediators on Negotiation Effectiveness*. 17 *Journal of Personality and Social Psychology* 48-58 (1971).

- Ferguson, D.A. and Vidmar, N. *Effects of Group Discussion on Estimates of Culturally Appropriate Risk Levels*. 20 *Journal of Personality and Social Psychology* 436-445 (1971).
- Vidmar, N. and McGrath, J. E. *Forces Affecting Success in Negotiation Groups*. 15 *Behavioral Science* 154-163 (1970).
- Vidmar, N. *Group Composition and the Risky Shift*. 6 *Journal of Experimental Social Psychology* 153-166 (1970).
- Hackman, J.R. and Vidmar, N. *Effects of Size and Task Type on Group Performance and Member Reactions*. 33 *Sociometry* 37-54 (1970). [Reprinted in Ofshe, *INTERPERSONAL BEHAVIOR IN SMALL GROUPS*. Prentice Hall (1973); Marlowe, *BASIC TOPICS IN SOCIAL PSYCHOLOGY*. Holbrook Press (1972); Cummings and Scott *READINGS IN ORGANIZATIONAL BEHAVIOR AND HUMAN PERFORMANCE* (1973); Cathcart, Samovar, and Lustig. *SMALL GROUP COMMUNICATION: A READER*, 4TH ED. (1978).]

Papers and Conferences:

- Vidmar, N. Commentator; Vanderbilt Law School, May 6 &7 2013.
- Vidmar, N. and Nuzzum, Evaluation of MJS and Ph.D. Judicial Studies and MS degree in Criminal Justice Studies , University of Nevada, Reno. April 22-23 2013.
- Vidmar, N. *Juries and Expert Evidence: An Empirical Perspective*, at Conference on Expert Forensic Evidence in Criminal Proceedings, Osgoode Hall Law School Professional Development, Toronto, Canada, October 12, 2012.
- Vidmar, N. *Commentary on Procedural and Cultural Factors Involving Lay Persons Role in Inquisitorial versus Adversary Legal Systems* Conference on the Future of Jury Research, John Jay College of Criminal Justice, New York, NY, September 28th and 29th, 2012.
- Vidmar, N. *Juries in Ecological Context: Alternative Methods of Investigation*. Presentation at Society of Personality and Social Psychology, San Diego, CA. Jan 26, 2012
- Vidmar, N. *Social Science Applied in Legal Contexts*, Department of Psychology ,York University , Canada , January 28, 2011
- Vidmar, N. and Holman, M. *Legal Malpractice: Ordinary Claims, Mega-payments and Punitive Damages*, Presented at the Annual Law & Society Meetings, Chicago, IL , May 25, 2010.
- Vidmar, N. *Tort Reform and Medical Malpractice*, Congressional Budget Office Mini-Conference, Washington, D.C. October 20, 2009.

Vidmar, N. and Holman ,M., Punitive Damages , 2005: Who Asks? Who Gets? How Much? and Why (or Why Not)? Northwestern Law School, Psychology and Law Colloquium October 7, 2009.

Vidmar, N., Holman M and Lee P. , The Medical Malpractice Crisis of 2000: Data from Florida. Presented at the 2009 Annual Meeting of the Law & Society Association , Denver Colorado May 29, 2009.

Vidmar, N. Jury Selection in the Canadian Context, Criminal Lawyers Association , Toronto, Canada, November 29, 2008.

Vidmar, N. Panelist on “The Social Costs of Dangerous Products,” Conference on Dangerous Products: From Lead Toys to Tainted Drugs, American University Washington College of Law, Washington, DC Nov 14, 2008.

Vidmar, N. and Hans, V. How Juries Decide Civil Cases, Conference on Successful Strategies for Jury Trials, Thomas Lambert Conference, Suffolk Law School Boston MA, Oct 24, 2008.

Ellis, L. and Vidmar, N. Trial Consultants: What They Can and Cannot Do, Conference on Successful Strategies for Jury Trials, Thomas Lambert Conference, Suffolk Law School Boston MA, Oct 24, 2008.

Vidmar, N. Holman , M . and Lee, P. Trends in Medical Malpractice Litigation: Claims Arising from Surgical Treatment in Outpatient Offices, Conference on Empirical Legal Studies , Cornell Law School, Ithaca , NY , August 12, 2008.

Vidmar, N. Legal Behavior: Free Will, Witnesses and Decision-makers, Workshop on “From Brain to Society,” Duke Institute for Brain Sciences , Duke University ,May 7, 2007.

Vidmar, N. The Role of the Jury in Medical Malpractice Litigation, Conference on Shaping the Future of Medical Malpractice: Legal and Ethical Considerations, Temple University School of Law, Philadelphia , PA, February 22, 2008

Vidmar, N and Holman, M. Juries in Asbestos Cases: 2001 and 2006. Conference on Perspectives on Asbestos Litigation, Southwestern University Law School, Los Angeles, CA, January 18, 2008.

Vidmar, N. Jury Guidance following *Philip Morris v. Williams*, presented at conference on “Punitive Damages, Due Process, and Deterrence: The Debate after *Philip Morris v. Williams*, Charleston School of Law, Charleston , SC, September 7, 2007.

Vidmar, N., How Juries Decide: Expert Evidence, Presentation to Joint Meeting of the Australian and New Zealand Association of Psychiatry, Psychology and Law;

The Australian and New Zealand Forensic Science Society and the Criminal Lawyers Association of WA, Inc., Perth Australia, June 28, 2007.

- Vidmar, N. Judging the Jury: What We Know and What Might be Done, Lecture to the Biannual Conference of Australian and New Zealand County and District Court Judges Conference, Freemantle, Western Australia , June 27, 2007.
- Vidmar, N. Judging the Jury. Presentation to Supreme Court Judges of Western Australia, Perth, Australia, June 26, 2007.
- Vidmar, N. Participant, Conventions in Science and the Law, Coronado Conference IV, Mt. Washington Resort, Bretton Woods, NH, May 3-4, 2007.
- Vidmar, N., Discussant, Symposium on Genuine Tort Reform, Papitto School of Law, Roger Williams University, Bristol Rhode Island, April 20, 2007.
- Vidmar, N., Theory, Data , and Ecological Validity, Conference on Law and Mind Sciences, Harvard Law School, Cambridge ,MA, March 10, 2007.
- Vidmar, N., Juries and Punitive Damages, presentation to the AEI-Brookings First Annual Judicial Symposium on Civil Justice Issues , Washington DC, Georgetown Law School , December 7, 2006.
- MacKillop, K. and Vidmar, N., Legal Malpractice: A Preliminary Inquiry, presented at First Annual Conference on Empirical Legal Studies, U. of Texas School of Law , Austin TX, Oct 27-28, 2006.
- Vidmar, N., Discussant on Avraham and Schanzenbach, Tort Reform and Private Health Insurance Coverage, at First Annual Conference on Empirical Legal Studies , U. of Texas School of Law , Austin TX, Oct 27-28, 2006.
- Vidmar, N. Participant, Panel on *Philip Morris v. Williams* sponsored by American Constitution Society at National Press Club, Washington , D.C. October 24, 2006
- Vidmar, N. Participant, Citizen Participation in East Asian Legal Systems, Cornell Law School, Ithaca , N.Y., Sept 21-22, 2006.
- Vidmar, N. Testimony before The Senate Committee on Health, Education, Labor and Pensions; Hearing on Medical Liability: *New Ideas for Making the System Work Better for Patients*. Washington, DC, June 22, 2006.
- Vidmar, N. Participant, Conference: *Truth and Advocacy: The Quality and Nature of Regulation and Regulatory Science*. Coronado Conference III, San Diego, March 9-10, 2006.
- Vidmar, N. Comments on *Duncan v. Louisiana*. Conference on Criminal Procedure Stories, Harvard Law School, April 21-22, 2006.
- Vidmar, N. Participant, Conference: *Medical Malpractice: Has the Research Helped or Hindered Our Search for Solutions?* Invitational meeting sponsored by Robert Wood Johnson Foundation, Washington , DC, May 3, 2006.

- Vidmar, N. Presented: *Civil Juries in Ecological Context: Methodological Implications for Research*. Conference on Civil Juries and Civil Justice, University of Nebraska, Lincoln, May 15-17, 2006.
- Vidmar, N. Presented: *Medical Malpractice Litigation in Pennsylvania*. Pennsylvania Bar Association, May 2006
- Vidmar, N. Presented: *The Promise and Perils of Archival Data for Tort Reform Research*. Annual Meeting of the Association of American Law Schools. Washington, DC, January 5, 2006.
- Vidmar, Lee and MacKillop, Presented: *Million Dollar Medical Malpractice Cases in Florida: Post-Verdict Adjustments and Pre-Suit Settlements*. Conference on Medical Malpractice, Vanderbilt Law School. Nashville, Tennessee, October 21, 2005.
- Vidmar, N. Presented: *Jury Reforms and Jury Performance*. Annual Conference of the American Judges Association, Anchorage, Alaska September 20, 2005.
- Vidmar, N. Presented: *A Transnational Perspective on Pretrial Prejudice*. Conference on Psychology and Law, Law and Psychology Colloquium, Faculty of Law, University of London. London, England, July 14-15, 2005.
- Vidmar, N. Responses to Session: *A Ten-year Perspective on Vidmar Medical Malpractice and the American Jury (1995)*. Annual Law and Society Meeting. Las Vegas, Nevada, June 3, 2005.
- Vidmar, N. Presented: *Medical Malpractice and the Tort System in Illinois*. Annual Law and Society Meetings, Las Vegas, Nevada, June 3, 2005.
- Vidmar, N. Testimony: *Research on Medical Malpractice Litigation in the United States and Tort Reform*. Before the Committee on the Judiciary of the Connecticut General Assembly. Hartford, Connecticut, April 8, 2005.
- Vidmar, N. Testimony: *Medical Malpractice Litigation and Tort Reform: The Tort System and the Missing Discussion of Negligently Injured Patients*. Before the Maryland Senate Special Commission on Medical Malpractice Liability Insurance Briefing. Annapolis, Maryland, October 27, 2004.
- Vidmar, N. Presented: *Medical Malpractice Litigation: Doctors, Lawyers, Patients and Insurers*. Conference on Access to Justice: Can Business Co-exist with the Civil Justice System? Loyola, Law School. Los Angeles, California, October 1-2, 2004.
- Vidmar, N. Presented: *Sequestered Science: The Consequences of Undisclosed Knowledge*. Coronado Conference 2, Project on Scientific Knowledge and Public Policy. New York, New York, October 14-15, 2004.
- Vidmar, N. Presented: *Medical Malpractice Litigation: An Empirical Rather than Anecdotal Perspective*. Maryland State Bar Association Annual Meeting. Ocean City, Maryland, June 17, 2004.
- Vidmar, N. Presented: *Potential Jury Prejudice: A Cross-National Perspective*. Colloquium, School of Psychology, University of New South Wales. Sydney, Australia, May 5, 2004.

- Vidmar, N. Presented: *Coffee Spill at McDonalds: The American Civil Jury for Foreigners*. Colloquium, Department of Law, University of New South Wales. Sydney, Australia, May 25, 2004.
- Vidmar, Lee and McGwin, Presented: *Seeking the "Invisible" Profile of Medical Malpractice Litigation: Insights from Florida*. Tenth Annual Clifford Symposium: "Starting Over? Redesigning the Medical Malpractice System," DePaul University School of Law. Chicago, Illinois, April 15-16, 2004.
- Vidmar, N. Presented: *Experimental Simulations and Tort Reform: Avoidance, Error and Over-reaching in Sunstein et al.'s Punitive Damages (2002)*. 2004 Randolph W. Throver Annual Symposium: The Future of Tort Reform: Reforming the Remedy, Rebalancing the Scales, Emory Law School. Atlanta, Georgia, February 19, 2004.
- Vidmar, N. Presented: *Potential Jury Prejudice in Criminal (and Civil) Litigation*. 19th Annual Criminal Law Update Seminar of the South Carolina Bar, Charleston, South Carolina, January 23, 2004.
- Vidmar, N. Testimony: *Tort reform and medical malpractice*. North Carolina House Blue Ribbon Task Force on Medical Malpractice. Raleigh, North Carolina, January 7, 2004.
- Vidmar, N. Presented. *Research meeting on Implications of Daubert in Practice*. Sponsored by Tellus Institute. Washington, DC November 20, 2003.
- Vidmar, N. Participant/commentator, *Conference on Jury Ethics: Juror Conduct and Jury Dynamics*. John Jay College of Criminal Justice. New York, New York, September 12-13, 2003.
- Vidmar, N. Panelist, (with Steve Penrod) *Sources of Variability in the Relations between Pre-trial Publicity and Pre-trial Bias*. International Interdisciplinary Conference on Psychology and Law. Edinburgh, Scotland, July 7-12, 2003.
- Vidmar, N. Panelist. *Application of Jury Research: A Debate on the Selection of Research Questions and Methods*. International Interdisciplinary Conference on Psychology and Law. Edinburgh, Scotland, July 7-12, 2003.
- Vidmar, N. Presented: *Medical Malpractice Litigation in North Carolina*. North Carolina Senate Select Committee on Insurance and Civil Justice. Raleigh, North Carolina, May 13, 2003.
- Vidmar, N. Expert Evidence: *The Adversary System and the Jury*. The Coronado Conference on Scientific Evidence and Public Policy. San Diego, California, March 13-14, 2003.
- Vidmar and Brown, Presented: *Tort Reform and the Medical Malpractice Crisis in Mississippi: Diagnosing the Disease and Prescribing a Remedy*. Symposium on Tort Reform, Mississippi College of Law. Jackson, Mississippi, November 15, 2002.
- Vidmar, N. Presented: *Medical Malpractice and the Tort System*. Governor's Select Task Force on Healthcare Professional Liability Insurance, University of Miami Medical Center. Miami, Florida. November 4, 2002.

- Vidmar, N. Panelist: *Something New Under the Sun: Innovations in Civil Jury Trials*. Annual Meeting of the American Bar Association. Washington, DC August 11, 2002.
- Vidmar, N. Organizer/Panelist: *Studying Real Juries – The Arizona Civil Jury Videotaping Project*. Annual Law and Society Association Meetings. Vancouver, BC, Canada, May 30-June 1, 2002.
- Vidmar, N. Organizer/Panelist: *Jury Trials in Inuit and Other Aboriginal Communities: Conversations with a Canadian Judge*. Annual Law and Society Association Meetings. Vancouver, BC, Canada, May 30-June 1 2002.
- Vidmar, N. Organizer/Panelist: *The Arizona Jury Project*. Presented at the American Psychology and Law Society Bi-Annual Meeting. Austin, Texas, March 9, 2002.
- Vidmar, N. Panelist: *Symposium on the Criminal Jury*. St. Louis University School of Law. St. Louis, Missouri, February 8, 2002.
- Vidmar, N. Participant: *Juries, Judges and Civil Justice*. Roscoe Pound Institute's 2001 Forum for State Court Judges. Montreal, QC, Canada, July 14, 2001.
- Vidmar, N. Presented: *Lay Participation in the Administration of Justice in the Commonwealth of Nations*. Law and Society Association Meetings. Budapest, Hungary, July 5, 2001.
- Vidmar, N. Keynote Speaker: *Pre-trial and Mid-trial Prejudice*. American Society of Trial Consultants. Williamsburg, Virginia, June 2, 2001.
- Vidmar and Rose, Participants: *Punitive Damages: In Terrorum and In Reality*. Conference: Reforming Punitive Damages. Harvard Law School. Cambridge, Massachusetts, March 13, 2001.
- Diamond and Vidmar, Participants. *Jury Room Ruminations on Missing Evidence*. Conference on New Perspectives on Evidence. University of Virginia School of Law. Charlottesville, Virginia, February 23-24, 2001.
- Vidmar, N. Lecture: *World Jury Systems*. Jury Summit 2001 conference sponsored by New York State Unified Court System and National Center for State Courts, New York, New York, January 31-February 3, 2001.
- Vidmar, N. Presentation: *Problems of Jury Bias, Jury Selection, Jury Competence: A Cross-National Perspective*. New Zealand Ministry of Justice. Wellington, New Zealand, November 22, 2000.
- Vidmar, N. Presentation: *Problems of Jury Bias, Jury Selection, Jury Competence: A Cross-National Perspective*. Victoria University of Wellington. Wellington, New Zealand, November 21, 2000.
- Vidmar, N. Presentation: *Problems of Jury Bias, Jury Selection, Jury Competence: A Cross-National Perspective*. University of Auckland School of Law and New Zealand Legal Research Foundation. Auckland, New Zealand, November 7, 2000.
- Vidmar and Diamond, Participants: *Juries and Expert Evidence*. The Jury in the Twenty-first Century: An Interdisciplinary Conference. Brooklyn Law School. Brooklyn, New York, October 6, 2000.

- Vidmar, N. Participant: *Assessing Civil Jury Reforms in Arizona*. Annual Conference of Chief Justices of State Supreme Courts and State Supreme Court Administrators. Rapid City, South Dakota, July 31, 2000.
- Vidmar, N. Participant: *Performance of the American Civil Jury*. Bench Bar Conference of the Supreme Court of Delaware. Wilmington, Delaware, June 7, 2000.
- Vidmar, N. and Mary Rose. Participants: *Product Liability Awards and Post-Verdict Adjustment of Those Awards*. Law and Society Association, Miami Beach, Florida, May 28, 2000.
- Joseph Sanders, Shari Diamond and Neil Vidmar, Participants: *Trial Lawyers' Perceptions of Science*. Law and Society Association. Miami Beach, Florida, May 28, 2000.
- Vidmar, N. Presented: *Judging Social Science*. Judging Science Program, Duke University. Durham, North Carolina, May 25, 2000.
- Vidmar and Diamond, Presented: *Preliminary findings of the Pima County civil jury project*, Continuing Legal Education Course, Tucson, Arizona, April 24, 2000.
- Vidmar, N. Presented: *The "Scandalized" American jury*. Grant Sawyer Center for Justice Studies. Reno, Nevada, April 20, 2000.
- Vidmar, N. Presented: *Jury systems around the world: a comparative perspective*. Grant Sawyer Center for Justice Studies, Reno, Nevada, April 20, 2000.
- Vidmar, N. Presented: *Procedural Justice and Pro Se Claimants in Dalkon Shield Trust Resolution Hearings*.
- Vidmar, N. Presented: *Retribution in Law and Life*. Colloquium, University of California Law School. Los Angeles, California, December 3, 1999.
- Vidmar, N. Instructor: *The Performance and functioning of juries in medical malpractice cases*. ALI and ABA Course: Litigating Medical Malpractice Claims. San Francisco, California, November 11-13, 1999.
- Vidmar, N. Lecture: *Evaluating scientific expert evidence*. Invited lecture, Supreme Court of British Columbia Education Seminar. Vancouver, BC Canada, November 5, 1999. Also posted on the Judicial Affairs Information Network (JAIN) and Provincial Judges Net (PJPNet)].
- Vidmar, N. Presented: *Witnesses in Adversary versus Inquisitorial modes of criminal procedure*. International Conference on Psychology and Law. Dublin, Ireland, July 6-9, 1999.
- Vidmar, N. Panel Chair: *Designating evidence as science, technical or specialized knowledge*. International Conference on Psychology and Law. Dublin, Ireland, July 6-9, 1999.
- Vidmar, N. Presented: *Civil jury verdicts v. judgments and other post-verdict adjustments*. International Conference on Psychology and Law. Dublin, Ireland July 6-9, 1999.

- Vidmar, N. Presented: *The Canadian Jury System: Attempting to Balance Conflicting Goals and Seek Legitimacy in a Complicated World*. Lay Participation in the Criminal Trial in the 21st Century Conference, International Institute of Higher Studies in Criminal Sciences. Siricusa, Italy, May 26-29, 1999.
- Vidmar, N. Presented: *Expert Evidence and the Jury: An Overview*. National Conference on Science and Law, Sponsored by National Institute of Justice and other institutions. San Diego, California, April 15-16, 1999.
- Vidmar, N. Lecture: *Roberta Williams Lecture*. Psychology and Law Program. University of Nebraska. Lincoln, Nebraska, March 8, 1999.
- Vidmar, N. Presented: *Pretrial Prejudice: A Comparative Perspective on Common Law Jury Systems*. School of Law, University of Nebraska. Lincoln, Nebraska, March 8, 1999.
- Vidmar, N. Panelist: *Research Examining Scientific Evidence: Daubert and Beyond*. Annual Meeting, Law and Society Association. Aspen, Colorado, June 4-7, 1998.
- Vidmar, N. Panelist: *Lay Participation in Courts*. Annual Meeting, Law and Society Association. Aspen, Colorado, June 4-7, 1998.
- Vidmar, N. Workshop Participant: *Teaching Judges About Science*. Planning Conference, National Judicial College. Reno, Nevada. April 7-8, 1998.
- Vidmar, N. Presented: *The Performance of the American Civil Jury: An Empirical Perspective*. Courts on Trial Conference, University of Arizona College of Law. Tucson, Arizona, April 17-18, 1998.
- Vidmar, Gross and Rose, Presented: *Jury Awards in Medical Malpractice: A profile of Awards, Proportions for General Damages, and Post-Verdict Adjustments*. Fourth Annual Clifford Symposium on Tort Law and Public Policy, DePaul University College of Law. Chicago, Illinois, April 3-4, 1998.
- Vidmar, N. Presented: *Peremptory Challenges*. Jury Reform: Making Juries Work Symposium, University of Michigan Journal of Law Reform. Ann Arbor, Michigan, March 20-21, 1998.
- Vidmar, N. Presented: *Retribution, Revenge and Aggression*. Annual Meeting of the Law and Society Association. St. Louis, Missouri, May 29, 1997.
- Vidmar, N. *Gaps, Maps, Socio-legal Scholarship and the Tort Reform Debate: Medical Malpractice Litigation*. Social Science, Legal Scholarship and the Law: A Symposium in Honor of Stanton Wheeler, Yale Law School. New Haven, Connecticut, April 11-12, 1997.
- Vidmar, N. Response to keynote address and panelist: *Arbiters or Arbitrary? Redefining the Role of the Jury*. Cornell Journal of Law and Public Policy Symposium, Cornell Law School. Ithaca, New York, March 7-8, 1997.
- Vidmar, N. Presented: *Medical malpractice, frivolous litigation, jury verdicts, and settlement*. Georgetown University Law Center. Washington, DC, February 5, 1997.

- Vidmar, N. Presented: *Empirical research on the Jury*. Improving Jury Selection and Juror Comprehension Workshop, Co-sponsored by the Federal Judicial Center and the NYU Institute of Judicial Administration. New York University School of Law. New York, New York, December 11-13, 1996.
- Vidmar, N. Presented: *A comparative perspective on the Canadian criminal jury*. Law and Society Association Annual Meeting. Glasgow, Scotland, July 13, 1996.
- Vidmar, N. Presented: *Claims about medical malpractice in Illinois' tort reform amendments (1995): a reality check*. Law and Society Association Annual Meeting. Glasgow, Scotland, July 11, 1996.
- Vidmar, N. Presented: *Generic prejudice and the presumption of guilt in sex abuse trials: some data from Canada*. Law and Society Association Annual Meeting. Glasgow, Scotland, July 10, 1996.
- Vidmar, N. Presented: *Understanding Social Science Evidence*. Nova Scotia Judicial Education Seminar of the National Judicial Institute. Halifax, NS, Canada, June 6, 1996.
- Vidmar, N. Presented: *Survey Evidence*. Judging Science Workshop, Duke Law School. Durham, North Carolina, May 24, 1996.
- Vidmar, N. Presented: *Survey Evidence*. Judging Science Conference, Texas Center for the State Judiciary. Dallas, Texas, May 16, 1996.
- Vidmar, N. Moderator/Participant: *Planning meeting on terrorism, hate crime, and anti-governmental violence*. Committee on Law and Justice: National Academy of Sciences and National Research Council. Washington, DC, March 20, 1996.
- Vidmar, N. Presented: *Symposium on Empirical Research on the Tort System*. National Press Club; at U.S. Capitol briefing of legislative aids. Washington, DC, March 12, 1996.
- Vidmar, N. Participant: *Forum: Juries, Justice and the Media - After O. J. Annenberg* Washington Program. Washington, DC, January 23, 1996.
- Vidmar, N. Presented: *Empirical Research on Juries: A Very Critical Perspective*. "The Role of the Jury in a Democratic Society Conference, Georgetown University Law Center. Washington, DC, October 28, 1995.
- Vidmar, N. Presented: *Medical Malpractice Litigation*, "Conference on Consumers in the Civil Justice System, Suffolk University Law School. Boston, Massachusetts, October 20, 1995.
- Vidmar, N. Participant: *Planning Conference on Scientific Experts*. Duke University, Private Adjudication Center. Durham, North Carolina, September 15-16, 1995.
- Vidmar, N. Presented: *Six versus Twelve and All versus Some: Considerations in Changes to The Jury System*. Commission for the Future of Justice and the Courts in North Carolina, Pinehurst, North Carolina, September 14, 1995.
- Vidmar, N. Faculty Presentation: *Judging Psychological Predictions*. The Intensive Study Program, 1995 of the National Judicial Institute. Cornwall, ON, Canada, May 9, 1995.

- Vidmar, N. Testimony: *Common Product and Legal Reform Act of 1995*. Hearing on the Costs of the Legal System, Subcommittee on Administrative Oversight and the Courts of the Committee of the Judiciary, United States Senate. Washington, DC, May 2, 1995.
- Vidmar, N. Presented: *Medical Malpractice and The American Jury*. Colloquium, DePaul University School of Law. Chicago, Illinois, March 15, 1995.
- Vidmar, N. Panelist: *Jury Selection in the Post-Parks era*. Criminal Lawyers Association of Ontario, Canada. Toronto, ON, Canada, November 11-13, 1994.
- Vidmar, N. Panelist: *Law, State and Society in India*. Symposium, North Carolina State University. Raleigh, North Carolina, October 29-30, 1994.
- Vidmar, N. Participant: *Medical Malpractice Juries and the Tort Reform Debate*. Colloquium, Department of Psychology and the Woodrow Wilson School of Public and International Affairs, Princeton University. Princeton, New Jersey, September 16, 1994.
- Vidmar and Landau, Presented: *How do juries and legal professionals treat corporate and individual defendants?* Law and Society Association. Phoenix, Arizona, June 15-19, 1994.
- Vidmar, N. Panelist: *Gender, Voice and Legal Consciousness*. Law and Society Association. Phoenix Arizona, June 15-19, 1994.
- Vidmar, N. Lecturer: *Judging Psychological Predictions*. National Judicial Institute, Canada: Intensive Study Program. Cornwall, ON, Canada, May 9, 1994.
- Vidmar, N. Panelist: *Cross-examining the Sex Abuse Expert*. Criminal Lawyers Association, Ontario. Toronto, ON, Canada, April 9, 1994.
- Vidmar, N. Organizer and Presented: *Are They Competent? New Research on Major Issues Involving Contemporary Criminal and Civil Juries*. American Psychology and Law Association Symposium. Santa Fe, New Mexico, March 10-12, 1994.
- Vidmar, N. Panelist: *The Impact of Science and Technology on the Courts*. Emory University Law School. Atlanta, Georgia, February 24, 1994.
- Vidmar, N. Panelist: *Human Memory and Sex Abuse Cases: The Misuse and Abuse of Science*. Criminal Lawyers Associations Conference. Toronto, ON, Canada, November 5-7, 1993.
- Vidmar, N. Presented: *How Many Words for a Camel? A Commentary on Judicial Evaluation of Social Science Evidence*. Canadian Institute for the Administration of Justice Conference: Filtering and Analyzing Evidence in an Age of Diversity. Vancouver, ON, Canada, October 13-16, 1993.
- Vidmar, N. Participant: *Broadening the Tort Liability Debate: Toward a Research Agenda*. Conference sponsored by NSF and Rand Corporation: Santa Monica, California, October 10-12, 1993.

- Vidmar, N. Presented: *Juries and The "Deep Pockets" Hypothesis in Medical Malpractice*. Annual Meeting of the Law and Society Association. Chicago, Illinois May 26-30, 1993.
- Fischer, Vidmar, and Ellis, Presented: *The Culture of Battering and the Role of Mediation in Domestic Violence Cases*. Annual Meeting of the Law and Society Association. Chicago, Illinois, May 26-30, 1993.
- Vidmar, N. Faculty Presentation: *Juries and Alternative Dispute Resolution in Medical Malpractice*. Fourth Annual Risk Management Symposium, East Carolina School of Medicine. Greenville, North Carolina, March 17, 1993.
- Vidmar, N. Round Table Participant: *The Courtroom and Public Culture*, Duke University Department of History. Durham, North Carolina, November 13-14, 1992.
- Vidmar, N. Lecturer: *Juries and Medical Negligence*. University of North Carolina School of Law. Chapel Hill, North Carolina, November 12, 1992.
- Vidmar, N., Bogart, W.A. and Kritzer, H. Presented: *Complaining and Compensation Seeking in Three Modern Cultures*. International Congress of Psychology. Brussels, Belgium, July 20, 1992.
- Vidmar, N. Presented: *Procedural Justice and Alternative Dispute Resolution*. Conference on Procedural Justice, International Institute for the Sociology of Law. Onati, Spain, June 8-11, 1992.
- Vidmar, N. Round Table Discussion Participant: *Methodological Approaches to Jury Research*. Law and Society Association. Philadelphia, Pennsylvania, May 30, 1992.
- Vidmar, N., Rice, J. and Ellis, R. Presented: *Jury Determined Settlements and Alternative Dispute Resolution*. Law and Society Association Meeting. Philadelphia, Pennsylvania, May 29, 1992.
- Vidmar, N. Faculty Member: Second Annual Conference on Resolving Commercial Disputes Without Trial, School of Law, University of Texas at Austin. Houston, Texas, March 28-29, 1992.
- Vidmar, N. Presented: *Medical malpractice litigation: Jury awards for non-economic damages*. American Psychology-Law Society Biennial Meeting. San Diego, California, March 1992.
- Ogloff, J.R. P., Vidmar, N. and Green, J.D. Presented: *The impact of pretrial publicity on jurors: a study to compare the relative effect of print and video pretrial publicity*. American Psychology-Law Society Biennial Meeting. San Diego, California, March 1992.
- Kritzer, H., Vidmar, N., Bogart, W. and Zahorik, K. Presented: *Legal Mobilization in Canada and the United States: Consumer Problems in North America*. Presented at the Midwest Political Science Association. Chicago, Illinois, April 18-20, 1991.
- Rice, J. A. and Vidmar, N. Presented: *Assessing Non-economic Damages: Lawyers versus Laypersons*. Annual Law and Society Meeting. Amsterdam, Netherlands, June 26-29, 1991.

- Kritzer, A., Vidmar, N. and Bogart, W. Presented: *Context, Context, Context: Claiming Behavior in Two Countries*. Annual Law and Society Meeting. Amsterdam, Netherlands, June 26-29, 1991.
- Vidmar, N. Participant: *Towards a Research Agenda for the 1990's and Beyond*. Conference on Civil Discovery, Federal Judicial Center. Washington, DC, September 20, 1991.
- Kritzer, H., Vidmar, N. and Bogart, W.A. Presented: *The genesis of discrimination litigation: Comparing Canada and the United States*. Southern Political Science Association. Atlanta, Georgia, November 8-10, 1990.
- Vidmar, N. Panelist: *The Use of Psychology in the Teaching of Trial Advocacy*. ABA Conference on Trial Advocacy Training in the '90s. Chicago, Illinois, October 26-27, 1990.
- Bogart, W.A. and Vidmar, N. Presented: *Independent Paralegals in Ontario*. Annual Law and Society Meeting. Berkeley, California, June 1990.
- Kritzer, H., Bogart, W.A. and Vidmar, N. Presented: *The Aftermath of Injury: Compensation Seeking in Canada and the United States*. Annual Law and Society Association Meeting. Berkeley, California, June 1990.
- Vidmar, N. Panelist: *Empirical Research on Juries*. Ad Hoc Committee of the National Science Foundation. Washington, DC, May 12, 1990.
- Vidmar, N. Panelist: *Juries and Pre-Trial Prejudices*. Northwestern University, Annenberg Washington Conference on Juries and Prejudice. Washington, DC May 11, 1990.
- Vidmar, N. Presented: *An Update on the Jury*. Judicial Administration Program, University of Nevada-Reno. Reno, Nevada, January 18, 1990.
- Vidmar, N. Presented: *An Empirical Profile of Punitive Damages in Ontario*. International Symposium on Remedies, University of Windsor Law School. Windsor, ON, Canada, October 1989.
- Vidmar, N. Presented: *The Role of the Jury in Medical Malpractice Cases in North Carolina*. Conference on Medical Malpractice, Duke University. Durham, North Carolina, September 15, 1989.
- Vidmar, N. and Donnelly, L. Presented: *Implementation of the North Carolina Pre-Trial Management Statute*. Conference on Medical Malpractice, Duke University. Durham, North Carolina, September 15, 1989.
- Metzloff, T. and Vidmar, N. Presented: *The Dynamics of Litigation Settlement in Medical Malpractice*. Annual Law and Society Meeting. Madison, Wisconsin, June 9, 1989.
- Vidmar, N. Presented: *Claim Making and Outcomes in Ontario*. Annual Law and Society Meeting. Madison, Wisconsin, June 9, 1989.
- Vidmar, N. Presented: *An Empirical Perspective on Procedure in Medical Malpractice Cases*. Kellogg Center for Dispute Resolution and Program on Social Science and Law, Northwestern University. Evanston, Illinois, May 5, 1989.
- Vidmar, N. Presented: *Integrating Social Science*. Transforming the Law School Curriculum Conference, Osgoode Hall Law School. Toronto, ON, Canada, April 6, 1989.

- Vidmar, N. Panelist: *Can They Prosper in Law School? Can Social Scientists Survive in Law School?* Panel, Social Science and Law Section, Association of American Law Schools. New Orleans, Louisiana, January 7-9, 1989.
- Vidmar, N. and Bogart, W. A. Presented: *Access to Justice in Canada*. Institute for Legal Studies, University of Wisconsin. Madison, Wisconsin, December 2, 1988.
- Bogart, W.A. and Vidmar, N. Presented: *Problems and Experience with the Ontario Civil Justice System*. Ontario Ministry of the Attorney General, Conference on Access to Justice, Toronto, June 20-22, 1988.
- Vidmar, N. Invited Speaker: *Jury Decision-making*. Cleveland-Marshall College of Law. Cleveland, Ohio, November 2, 1987.
- Vidmar, N. Conference Consultant: *Legal Education and Work in a Changing Society*. University of Windsor Law School. Windsor, ON, Canada, September 9, 1987.
- Schuller, R. and Vidmar, N. Presented: *Determinants of Procedural Choice*. Annual Meeting, Canadian Psychological Association. Vancouver, BC, Canada June 18-21, 1987.
- Vidmar, N. and Schuller, R. Presented: *Individual differences and the pursuit of legal rights: A preliminary inquiry*. Law and Society Association Meeting. Washington, DC, June 11, 1987.
- Vidmar, N. Presented: *On libel and civil juries*. Law and Society Association Meeting, June 10-14, 1987.
- Vidmar, N. Presented: *Conceptualizing the data problem in medical malpractice cases*. Developing Information Bases for Medical Malpractice Claims Studies Conference, Duke University. Durham, North Carolina, May 29, 1987.
- Vidmar, N. Presented: *Understanding dispute resolution: An empirical approach to problems of law*. Theoria Seminar of Windsor Law School, Windsor, ON, Canada, April, 1987.
- Vidmar, N. Presentation: *Social science and juries in Canada*. Canadian Criminal Lawyers' Association, Toronto, ON, Canada, November 1986.
- Vidmar, N. Presented: *A critique of "scientific jury selection."* Litigation Section of the American Bar Association, October, 1986.
- Vidmar, N. Presented: *Claims Consciousness: Individual Differences in the Pursuit of Justice*. Law and Society Association Meeting. Chicago, Illinois, May 28-June 1, 1986.
- Vidmar, N. Presented: *Jury Experts: A Critical Perspective*. Association of American Law Schools. New Orleans, Louisiana, January 6, 1986.
- Vidmar, N. Invited Panelist: *Future directions of procedural justice research*. Procedural Justice Symposium, Law and Society Association. San Diego, California, June 6, 1985.
- Vidmar, N. and Samuels, J. Presented: *Unfair trade practices legislation: A study of compliance, administrative response, and impact*. Law and Society Association, San Diego, California, June 6, 1985.

- Vidmar, N. Presented: *An empirical map of minor dispute behavior in Canada*. Canadian Law and Society Association, Montreal, QC, Canada, May 31, 1985.
- Samuels, J. and Vidmar, N. Presented: *Unfair trade practices legislation: A study of impact*. Canadian Law and Society Association, Montreal, QC, Canada, May 31, 1985.
- Vidmar, N. Presented: *Mediation of small claims disputes*. Conference on Negotiation in Organizations, Duke University. Durham, North Carolina, March 21, 1985.
- Vidmar, N. Presented: *Dispute resolution in a small claims court*. University of Waterloo. Waterloo, ON, Canada, November 1984.
- Saunders, D. and Vidmar, N. Presented: *Liability insurance, judicial admonitions, and the verdicts of mock juries*. Canadian Psychological Association Meeting. Ottawa, ON, Canada, June 1, 1984.
- Vidmar, N. Presented: *Assessing household problems, claims and disputes: A Canadian survey*. Law and Society Association Meeting. Boston, Massachusetts, June 1984.
- Vidmar, N. Presented: *Some myths about the small claims court*. Department of Psychology, York University. Toronto, ON, Canada, April 1984.
- Vidmar, N. Presented: *The expert witness in court*. Symposium on the Expert Witness, London Psychiatric Hospital. London, ON, Canada November 1983.
- Vidmar, N. Invited Lecturer: *Myth and reality about "everyman's court": An empirical investigation of the small claims process*. American Psychology-Law Society. Chicago, Illinois, October 6, 1983.
- Vidmar, N. Presented: *Recent developments in our understanding of the disputing process*. Psychology-Law Research Center, St. Louis University. St. Louis, Missouri, June 1983.
- Vidmar, N. Presented: *Consumers avoid it; defendants lose--and other myths about the small claims court*. Law and Society Association Meeting. Denver, Colorado, June 2-5, 1983.
- Vidmar, N. Presented: *Jury selection: Two Canadian cases*. Department of Psychology, University of Windsor, Windsor, ON, Canada, March 1983.
- Vidmar, N. Presented: *Jury selection: Two Canadian cases*. Institute for Criminology, University of Toronto. Toronto, ON, Canada, February 1, 1983.
- Vidmar, N. Presented: *Jury selection: Two Canadian cases*. Department of Psychology, University of Guelph. Guelph, ON, Canada, January 1983.
- Vidmar, N. and Short, J. Presented: *Changes in disputant motives and perceptions in a Canadian small claims court*. International Congress on Psychology and Law. Swansea, Wales, July 19-23, 1982.
- Vidmar, N. and Short, J. Presented: *Social psychological aspects of the small claims resolution*. International Conference on Psychology and Law, Swansea, Wales, July 1982.
- Vidmar, N. Presented: *Dispute resolution in a small claims court*. Law and Society Association. Toronto, ON, Canada, June 1982.

- Vidmar, N. Presented: *Alternatives to judges: Referees in a small claims court*. Canadian Psychological Association Symposium. Montreal, QC, Canada, June 11, 1982.
- Vidmar, N. Presented: *A research perspective on evaluation of community mediation*. Institute of Public Affairs, Dalhousie University. Halifax, NS, Canada, June 10, 1982.
- Vidmar, N. Presented: *A limited defense of simulation research*. American Psychology-Law Association Meeting. Boston, Massachusetts, October 16, 1981.
- Vidmar, N. Presented: *Jury selection in Canada*. American Psychology-Law Association Meetings. Boston, Massachusetts, October 15, 1981.
- Saunders, D., Hewitt, E. and Vidmar, N. Presented: *Discredited eyewitness testimony, judicial instructions, and juror decisions*. Canadian Psychological Association. Toronto, ON, Canada, June 1981.
- Sheppard, B. and Vidmar, N. Presented: *Comparative procedure: A psychological perspective*. Law and Society Association Meetings, Amherst, Massachusetts, June 1981.
- Saunders, D. and Vidmar, N. Presented: *Discredited eyewitness testimony and mock jury deliberations*. Midwestern Psychological Association. Detroit, Michigan, May 1981.
- Sheppard, B. and Vidmar, N. Presented: *A taxonomy of procedure*. Annual Law and Psychology Conference, Centre for Socio-legal Studies, Oxford University. Oxford, England, April 1981.
- Vidmar, N. Presented: *Legal applications of survey research in the U.S. and Canada*. Law Seminar, University of Osnabruck. Osnabruck, West Germany, July 11, 1980.
- Vidmar, N. and Miller, D. T. Presenters: *Social psychological motives underlying punishment reactions*. XXII International Congress of Psychology. Leipzig, East Germany, July 9, 1980.
- Vidmar, N. Presented: *Social psychological considerations in the development and resolution of small claims disputes*. SSRC Law and Psychology Seminar, Oxford University. Oxford, England, March 25-26, 1980.
- Vidmar, N. Presented: *The transformation of disputes in a small claims court*. Law and Society Association. May 11, 1979.
- Vidmar, N. Presented: *Creating access: Alternative dispute forums, conflict, and justice*. American Psychological Association Symposium "How the law affects us: Entrapping problems and liberating possibilities." Toronto, ON, Canada, August 28, 1978.
- Vidmar, N. Presented: *Effects of adversary versus non-adversary investigative procedures on testimonial evidence*. Law and Society Association, Minneapolis, Minnesota, May 19, 1978.
- Vidmar, N. Chair: *The role of psychology in the criminal justice system*. Law and Society Association Symposium. Minneapolis, Minnesota, May 18, 1978.

- Vidmar, N. Presented: *Outcome, offense type, and retribution as factors in punishment reactions*. Eastern Psychological Association, Washington, DC, April 30, 1978.
- Vidmar, N. Presented: *Effects of degree of harm and retribution motives on punishment reactions*. Canadian Psychological Association. Vancouver, BC, Canada, June 8, 1977.
- Vidmar, N. Testimony: *Medical Malpractice Litigation*. Field Hearing of Energy and Commerce Committee: Oversight and Investigation Subcommittee of U.S. House of Representatives. Langhorne Pennsylvania, February 10, 2003.
- Sarat, A. and Vidmar, N. Presented: *Knowledge, retribution, and death penalty attitudes: a survey experiment*. Eastern Psychological Association. New York, New York, April 22-24, 1976.
- Stirrett, K. and Vidmar, N. Presented: *Authoritarianism and recall of evidence in formal sanctioning settings*. Eastern Psychological Association Convention. Philadelphia, Pennsylvania, April 18, 1974.
- Vidmar, N. Presented: *Retribution and utility as motives in Canadian attitudes toward the death penalty*. Canadian Psychological Association Convention, Victoria, BC, Canada, June 10, 1973.
- Vidmar, N. and Crinklaw, L. D. Presented: *Retribution and utility as motives in sanctioning behavior*. Mid-Western Psychological Association Convention. Chicago, Illinois, May 10-12, 1973.
- Vidmar, N. and Rokeach, M. Presented: *Archie Bunker's bigotry: perceptions in the eye of the beholder*. Eastern Psychological Association Convention. Washington, DC, May 3-5, 1973.
- Vidmar, N. Presented: *Effects of decision alternatives on the verdicts and social perceptions of simulated jurors*. Eastern Psychological Association Convention. New York, New York, April 1972.
- Vidmar, N. Presented: *Effects of group discussion on category width judgments*. Eastern Psychological Convention. Boston, Massachusetts, April 1972.
- Vidmar, N. and Crinklaw, L. D. Presented: *Attributing responsibility for an accident: some integrative attempts*. Conference on Attribution of Responsibility, William and Mary College. Williamsburg, Virginia, July 1971.
- Vidmar, N. Symposium Paper: *Student reactions to the 1970 Canadian political crisis*. Canadian Psychological Association Convention. St. John's, NL, Canada, June 1971.
- Crinklaw, L. D. and Vidmar, N. Presented: *Attributing responsibility for an accident: More empirical confusion but methodological insights*. Mid-Western Psychological Association Convention. Detroit, Michigan, May 1971.
- Hourany, L., Jackson, D. and Vidmar, N. Presented: *A four-dimensional interpretation of risk taking*. Mid-Western Psychological Association Convention. Detroit, Michigan, May 1971.
- Vidmar, N. Presented: *Group induced shifts in simulated jury decisions*. MidWestern Psychological Association. Cleveland, Ohio, 1970.

- Ferguson, D. A. and Vidmar, N. Presented: *Familiarization-induced risky and cautious shifts: a replication of sorts*. Midwestern Psychological Association Convention. Cincinnati, Ohio, May 1970.
- Vidmar, N. and Burdeny, T. C. Presented: *Effects of item type and group size in the "group shift" effect*. Mid-western Psychological Association Convention. Cincinnati, Ohio, May 1970.
- Ferguson, D. A. and Vidmar, N. Presented: *Effects of group discussion on estimates of culturally appropriate risk levels*. Eastern Psychological Association Convention, Atlanta City, New Jersey, April 1970.
- Vidmar, N. Presented: *Group composition and risk taking*. Eastern Psychological Association Convention, New York, April, 1968.
- Vidmar, N. and Hackman, J. R. Presented: *Effects of group size, task type and subject population on group satisfaction*. Canadian Psychological Association Convention. Calgary, AB, Canada, June 1968.
- Vidmar, N. and McGrath, J. E. Presented: *Role conflict and leadership in negotiation and other decision-making groups*. Midwestern Psychological Association Convention. Chicago, Illinois, May 1967.
- McGrath, J. E. and Vidmar, N. Presented: *Role assignment and conflict in decision-making groups: partial test of a model of negotiation*. Midwestern Psychological Association Convention. Chicago, Illinois, May 1966.

SELECTED RESEARCH REPORTS

- Vidmar, N., Donnelly, L., Metzloff, T. and Warren, D. *An Empirical Examination of a Legislated Procedural Reform: Court-based Management of Medical Malpractice Litigation*. The Private Adjudication Center, Inc., Duke University School of Law, Durham, North Carolina (1992).
- Kritzer, H., Bogart, W.A. and Vidmar, N. *The Aftermath of Injury: Compensation Seeking in Canada and the United States*. Institute of Legal Studies, University of Wisconsin Law School, Madison, Wisconsin (1990).
- Vidmar, N. and Lawrence, C. *The Impact of Statistical Evidence on the Legal System*. U.S. National Research Council of the National Academy of Sciences (1985).
- Vidmar, N. *Privacy and Two-way Cable Television: A Study of Canadian Public Opinion*. Ontario Ministry of Transportation and Communication (1983).
- Vidmar, N. and Short, J. A. *The Effects of Criminal Justice Issues on Voting Behavior*. Federal Ministry of the Solicitor General of Canada (1982).
- Vidmar, N. *Implementing the information/education campaign on firearms control: A literature review*. Ministry of the Solicitor General of Canada (1978).
- Crinklaw, L. and Vidmar, N. *Inferential Sets, Locus of Control and Attribution of Responsibility for an Accident*. University of Western Ontario Research Bulletin #246 (1972).

Crinklaw, L. and Vidmar, N. *Attribution of Responsibility for an Accident*. University of Western Ontario Research Bulletin #186 (1971).

McGrath, J. E. Vidmar, N. and Weidemann, S. *Social and Psychological Factors in Human Stress*. Program Report: Phase I. AFOSR Conference on Human Stress, Monticello, Illinois (1967).

Vidmar, N. *Perceptions of Patient Behavior and Effects of Environmental Change*. .Report #601 Danville, Illinois: Danville Veterans Administration Hospital (1969).