2 Jumādā II 1435
2 April 2014

Dear Mr. Harvey:

I humbly apologize for the delay in getting the enclosures off to you. Your other questions will be, God willing, answered and mailed to you by Sunday night.

Due to my high-profile status, there were many critical things that happened in my case; however, I have chosen the most important one to talk about — the death of Corrections Officer Robert Vallandingham and the secretly recorded meeting. I did my best to simplify things in a way others can comprehend what happened.

Enclosed is a photo and letter from Greg Curry. We would like for you to send everyone in the photo two copies of this photo. Thank you in anticipation.

Inclosing, please return all my legal enclosures and press cutting.

Sincerely,

S. A. Hasan

In the Name of Allah, Most Gracious, Most Merciful

Siddique Abdullah Hasan, R130-559
Ohio State Penitentiary
878 Coitsville-Hubbard Road
Youngstown, Ohio 44505-4635

24 Jumada 1 1435
25 March 2014

Andrew K. Harvey, Esq.
ACLU of Ohio Foundation
4506 Chester Avenue
Cleveland, Ohio 44103-3621

Re: Lucasville Anniversary Project

Dear Mr. Harvey:

I am in receipt of your letter dated March 14, 2014, along with enclosures, and note contents. Thank you for your letter as well as the work you and Atty. Freda J. Levenson are doing to assist us in getting our thoughts and messages out to the public.

The answers to your questions are as follows:

ACLU: What are the most critical things you want the public to know about the Lucasville uprising?

HASAN: Contrary to the lies and half-truths the prosecutors told my jury, I did not mastermind the Lucasville uprising nor did I have anything to do with the prison's guard murder nor the other charges fabricated against me in order to secure my conviction. It's a known fact that if you throw enough waste on the wall, some of it is bound to stick. This is exactly what happened to me. Please allow me to explain.

In the aftermath of the uprising, the state of Ohio was under enormous political pressure to both investigate the largest crime scene ever in Ohio and to bring to justice those responsible for certain violent crimes, especially the senseless murder of Corrections Officer Robert Vallandingham. If the truth must be told, the State was primarily interested in obtaining a swift conviction for the guard's murder, so much so that it was willing to cut corners and fabricate evidence. The political pressure became even more extremely intense after a local citizens' committee sought to ensure that indictments be handed down for Vallandingham's murder and that the perpetrators be put to death. This same committee also drafted a petition to then-Governor George Voinovich and to members of the Ohio State Legislature--in particular, to the President of the Ohio Senate and the Speaker of the Ohio House--calling on them to <u>USE the Death Penalty!</u> While this petition was drafted by citizens in Scioto County, the county in which the uprising happened, it was circulated throughout Ohio and was signed by more than 26,000 persons.

When no prisoners initially came forward with any credible information pointing to the guard's killer or killers, the State capitulated to political pressure

and decided to lay the blame at the doorsteps of the prisoner leaders and spokespersons. Because of my leadership position within the Islamic community, as well as the fact that it was the planned inoculation which inadvertently caused the uprising, I became the prime scapegoat and, by implication, the bogeyman who controlled what others did and the Islamic figure who the rest of the world can hate. As the prayer leader and spiritual head of the Sunni Muslims, I certainly had some level of influence over those people who practiced that faith. But, we were a distinct minority of the inmates in Lucasville and in the uprising area in particular. The vast majority of the inmates who stayed in the uprising (over 400) were completely beyond my ability to control and so I do not agree with the fact that I was a "leader" makes me morally responsible for the death of a guard. The spokeswoman for the Ohio Department of Rehabilitation and Correction (ODRC), Tessa Unwin, who publicly provoked prisoners by calling their bluff to kill a guard if their demands were not met, has far more liability for his death than I do. Nonetheless, I was a perfect target and the investigation was conducted in such a way that made me the focus of his murder, notwithstanding there is not a shred of physical evidence to support the preposterous assertion that I ordered his execution.

On the other hand, there is physical evidence showing that Special Prosecutor Mark Piepmeier, Sgt. Howard Hudson of the Ohio State Highway Patrol (OSHP), and my prosecuting attorneys--Richard Gibson and Gerald Krumpelbeck--knowingly conspired to make me the scapegoat for the guard's murder. This assertion may sound far-fetched to someone standing on the sideline who doesn't understand the political ambitions of opportunistic law-enforcement agents, but the proof is in the pudding.

To be more specific, there is tangible evidence that these agents solicited perjured testimonies from suspects that said I had chaired the meeting where an alleged order, or vote, came down for a guard to be murdered and that I was the ringleader of the uprising. There is an audiotape, however, which exonerates me of these preposterous allegations. It's interesting to note that the audiotape in discussion has been dubbed "Tunnel Tape 61" and was used as the smoking gun to secure the convictions of other prisoners. However, in a last minute ditch to secure my conviction the State reneged on its promise to play this scientific piece of evidence, but only after my defense disclosed to the judge it was a "fake." Keep in mind that during the course of my trial the prosecutors had already both authenticated and stipulated to the Court that Tunnel Tape 61 was a tape recording of a meeting among "inmate leaders" that was held just hours before the guard's murder, but then they later tried to recant their own stipulation. Be as it may, the tape is spliced--that is, recordings of events which happened after the guard's murder were skillfully blended with recordings of events which happened before his murder. This deliberate and diabolical scheme was concocted to make events appear to follow in a particular sequence when they in fact did not. My observation was confirmed by Steve Cain, a forensic scientist who had over 30 years of experience in examining both audio and video tapes for the U.S. Department of Justice, the U.S. Attorney's Office, the U.S. Secret Service, and others. (Note: This is the same expert the Government had routinely used in authenticating the voices of Osama bin Laden and his second in command, Ayman al-Zawahiri.) So, plain and simple, the

recantation was an ingenious maneuver to conceal an immeasurable governmental conspiracy. But, in spite of this spliced tape not being played during my trial, it is still relevant because it shows several things. For starters, it shows the malicious intent of the investigators and prosecutors--that is, if they maliciously went to such breadth and length to fabricate this piece of evidence, one can only imagine how much more evidence they fabricated and/or how many inmates they coerced to lie in order to secure convictions. In fact, it's exactly what they did. The testimony of Kenneth Law is a perfect example, where he admits in a second affidavit that **prosecutors, including Prosecutor Breyer; Highway Patrol troopers, including Trooper McGough; and even his own lawyer, put tremendous pressure on him to lie on me**, James Were and Alvin Jones, **or else he would be sent to death row.** Against his better judgement, while up against an avalanche of pressure and fear for his own life, Law opted to take the easy way out by falsely testifying.

Next, this spliced tape was used to refresh various witnesses's recollections and served as substantive evidence in my trial and subsequent convictions. A case in point is that of the testimony of Anthony Lavelle, the leader of the Black Gangster Disciples, who was the State's key witness to an alleged "second meeting" where a vote was allegedly taken to kill a guard. In Lavelle's initial interview with Special Prosecutor Doug Stead, he told Mr. Stead that there was only "one meeting" where there was a discussion about killing a guard **if prisoners' demands were not met**, and that that meeting took place on April 14, 1993. He also told Mr. Stead that there was supposed to be a "second meeting" to decide if inmates were to carry out their threat to kill a guard, but that meeting was never conducted. However, after Lavelle listened to the spliced audiotape which the State had been provided him, he suddenly came to the realization that there was a "second meeting" that was held on the morning of April 15. It should come as no surprise when I tell you Lavelle's testimony coincided with the spliced tape in almost every respect.

Finally, the affidavit of prisoner Gregory Durkin corroborates Lavelle's initial interview that there was no meeting on the morning of April 15. Equally important, Mr. Durkin's affidavit does not name me as one of the participants who were involved in the discussion to kill a guard. Thus, Lavelle's testimony, as well as the other witnesses who listened to the tape and subsequently testified against me, should be dismissed because their testimonies are based on a fabricated piece of evidence that fall under the "**Fruit of the Poisonous Tree Doctrine**." The U.S. Supreme Court not only held that the evidence obtained through unconstitutional police conduct must be suppressed, but also held that the fruits of illegally obtained evidence must be suppressed. Illegal fruits include not merely physical objects, statements of identifications, but witnesses at trial who are discovered because of the illegal police misconduct. But even if someone is skeptical to believe that the State would stoop so low in doctoring Tunnel Tape 61, we still have some of the following problems in my case:

- The State's key witness against me, Kenneth Law, who failed a polygraph and who the State believed to be the hands-on murderer of the guard has since recanted his lying testimony that I ordered the killing of Vallandingham.

- The State had indicted Law for the capital murder and kidnapping of Vallandingham, and told his jury--in both opening and closing statements--he needed to be put to death for his actions. Law was found guilty of the kidnapping but received a hung jury on the capital offense. His lawyer, along with his prosecutors, informed him that if he did not agree to testify against me, Were and Jones, then he would be retried for capital murder. He agreed to testify to their conditions--that is, to the truth of his statement, and if he deviated from it or tried to absolve anyone from their involvement in the guard's murder, then his conditional plea agreement would be off the table. Mind you, this is the same statement they had believed to be a lie. How scandalous was this agreement? If they thought his statement was truth, then why did they try to put him on death row? On the other hand, if they thought his statement was a lie, then why am I on death row? Needless to say, they cannot have their cake and eat it, too.

- According to Law, he seen who and how Vallandingham was murdered. In brief, I supposedly gave an order to Were to kill a guard, and then Were gave it to two other prisoners. With his hands tied, two inmates put a 45-pound weight bar over the front part of Vallandingham's neck and then rocked back and forth like a seesaw until he died. When my lead counsel cross-examined the State's expert witness, Dr. Patrick M. Fardal, the chief forensic pathologist and deputy coroner for Franklin County, who conducted nearly 4,000 autopsies, about Law's testimony, Dr. Fardal stated under oath that he could "**state to a reasonable degree of medical certainty or scientific certainty that what [Law] described about the weight bar did not occur.**" Simply put, Law was telling a blatant lie.

- Inmate Rodger Snodgrass testified that I "**chaired the meeting**" where a vote or decision was made to kill a guard; however, Sgt. Howard Hudson, the lead investigator both during and after the uprising, has reluctantly conceded under oath that my voice is not heard on Tunnel Tape 61.

- In a recent interview with filmmaker Derrick Jones, Common Pleas Court Judge Daniel Hogan, a former prosecutor who successfully secured capital convictions against two men charged with Vallandingham's murder, said: "**I don't know that we will ever know who hands-on killed the Corrections Officer Vallandingham.**" Well, that's not what he and his colleagues told our juries. In each cases they named hands-on killers.

- During this same interview Judge Hogan also said: "**The decision was made among the leaders of this riot [that] if the water wasn't restored and if the electricity wasn't turned back on, they were going to kill a guard.**" If this decision was made by the "**leaders**" and then implemented, and I was not in this meeting, why am I on death row? Is being Muslim a capital crime in Ohio?

- The State's case against me is premised upon bargained for, self-interested statements, by parties that deflected attention from themselves and on to others. My trial transcript will reflect that at least five of the inmates that testified against me had committed crimes that made them eligible for the death penalty if convicted; however, by falsely testifying against me and

- others, they avoided the ultimate punishment: DEATH!

- The killing of Vallandingham was a rogue action. When a reporter asked Tessa Unwin about bed sheets prisoners had hung outside their windows with messages saying they will kill a guard if their demands were not met, she replied: "It's a standard threat. It's nothing new 'we're going to kill a hostage.'" Lavelle became extremely upset by her remarks and then took the liberty himself, in a rogue action, to have the officer executed.

- My trial judge, Fred J. Cartolano, a former prosecutor from the same office that was prosecuting my case, denied our "MOTION FOR APPOINTMENT OF EXPERT" to examine the original copy of Tunnel Tape 61. In fact, he denied several key motions of ours which directly assisted his former office in securing my convictions.

Exhibit F-1

COMMON PLEAS COURT
HAMILTON COUNTY, OHIO

STATE OF OHIO.
PLAINTIFF

V.

SIDDIQUE ABDULLAH HASAN
F/K/A CARLOS SANDERS
DEFENDANT

CASE NO. B95 3105

JUDGE CARTOLANO

MOTION FOR APPOINTMENT OF EXPERT

Defendant moves the Court for an Order appointing an expert to perform analysis of tape recordings, R.C. § 2929.024. Defendant asserts that the services are necessary for the preparation of his defense.

As a matter of equal protection, a State must provide indigent prisoners with the basic tools of an adequate defense, when these tools are available for a price to others, *Britt v. North Carolina* (1971), 404 U.S. 26; *State v. Broom* (1988), 40 Ohio St.3d 277.

> Few rights are more fundamental than the right of an accused to present witnesses on his behalf. Taylor v. Illinois (1988), 484 U.S. 400, 408, 108 S.Ct. 646, 652, 98 L.Ed.2d 798, 810.

State v. Brown (1992), 64 Ohio St.3d 649.

> the right to offer the testimony of witnesses, and to compel their attendance, if necessary, is in plain terms the right to present a defense, the right to present the defendant's version of the facts as well as the prosecution's to the jury so it may decide where the truth lies. Just as an accused has the right to confront the prosecution's witnesses for the purpose of challenging their testimony, he has the right to present his own witnesses to establish a defense. This right is a fundamental element of due process of law.

Washington v. Texas, 388 U.S. 14, 19, 87 S.Ct. 1920, 1923 (1967).

EXHIBIT C

> The right to compel the presence and present the testimony of witnesses provides the defendant with a sword that may be employed to rebut the prosecution's case. The decision whether to employ it in a particular case rests solely with the defendant. The very nature of the right requires that its effective use be preceded by deliberate planning and affirmative conduct.

Taylor v. Illinois (1988), 484 U.S. 400, 409.

An indigent defendant has the initial burden of establishing the reasonableness of his request, *State v. Scott* (1987), 41 Ohio App.3d 313, 315. In determining whether to grant an indigent defendant's request for experts paid by the state, a trial court must make an informed decision whether the services are 'reasonably necessary for the proper representation,' of his defense, and the availability of other means to satisfy the need, *State v. Smith* (1991), 61 Ohio St.3d 284, 288; *State v. Jenkins* (1984), 15 Ohio St.3d 164, 193.

Defendant contends that alternative means of providing the analysis sought are not available; the services of such an expert are essential to presenting a defense. Defendant appends a preliminary report regarding a tape recording furnished by the state in the course of discovery. This report provides compelling reasons for further analysis of this and other tape recordings. The tape analyzed in this report has been introduced into evidence in a number of Lucasville prosecutions, and has been a key piece of evidence in inducing pleas and agreements to testify for the state, as well as guilty verdicts.

Wherefore, defendant prays an Order appointing Steve Cain of

Applied Forensic Technologies, Inc. as an expert, and authorizing payment of fees for the services.

Respectfully submitted,

Timothy A. Smith 0032087
119 East Court St. Nº 406
Cincinnati, Ohio 45202
513-632-5333

R. David Otto 0038053
119 East Court Street Nº 303
Cincinnati, Ohio 45202
513-632-5303

-- Attorneys for Defendant --

I certify that a copy of this document was served on Richard Gibson and Gerald Krumplebeck by (personal service) (delivery to the Prosecuting Attorney's office, Hamilton County Court House Room 411), on the day of filing.

Exhibit P-2

AFTI

Applied Forensic Technologies Int'l., Inc.

STEVE CAIN and ASSOCIATES

STEVE CAIN
President/C.E.O.
Forensic Scientist
M.F.S., M.F.S.A.

CORPORATE HEADQUARTERS
IN WISCONSIN:
346 W. Main St.
Suite 203
Lake Geneva, WI 53147
Tel: 414/248-3404
Fax: 414/248-9556

IN ILLINOIS:
20 N. Clarke St., 36th Floor
Chicago, IL 60602
Tel: 312/759-AFTI

February 2, 1996

AFTI File # 96-09

Mr. David Otto
Attorney at Law
119 E. Court Street, Suite 303
Cincinnati, OH 45202

RE: State v. Hasan - B95 3105

PRELIMINARY LAB REPORT
DRAFT ONLY

1. Exhibits Examined

Q-1 One TDK D90 cassette tape identified as a copy recording with label marked "Q-1, dated 1/31/96," with name "Tunnel Tape."

Q-2 One TDK D90 cassette tape identified as an enhanced copy of Exhibit Q-1, dated 2/1/96.

2. Results of Examination

An aural, waveform, and spectrographic examination of the submitted exhibits disclosed a number of anomalies (suspicious record events), which are noted below:

SIDE A

Counter #	Spectrogram #	Anomaly (Suspicious Record Event)
1. 003	1	Audio begins on leader. No start mark. On-going speech present.
2. 352	1A	Apparent stop/re-start discontinuity during on-going speech.
3. 665	2, 3	Change in background signature.

SIDE A

Counter #	Spectrogram #	Anomaly (Suspicious Record Event)
4.596	4, 4A	Abrupt end of audio during on-going conversation. No stopping of recorder present.
5.603-608	5, 6	Multiple transients indicating later stopping of original or copy recorders.

SIDE B

6.008	7	Start of audio.
7.021	8	Additional start of audio/change in background.
8.036,057	9, 10	Faint speech signal involving different speakers.
9.612	11	End of audio without apparent stopping of recorder.

3. Remarks

The above results were telephonically provided on 2/1/96 to Attorney Otto, who requested an enhanced copy of Q-1 be made as the Q-2 tape was improperly manufactured. Further, task descriptions for tape tampering examinations were provided Attorney Otto.

The original Q-1 and Q-2 tapes are being retained at AFTI. It is essential that all of the original recordings, recording equipment, and recording protocol be obtained for definitive opinions concerning the possible editing/tampering analysis of Q-1 and any other tape recording at issue in this case.

Sincerely,

Steve Cain
President AFTI

Note: Dictated but not signed or reviewed in final format.

Exhibit F-3

Cinti. Enq. 2.21.96

Tape used in Lucasville convictions called fake

BY KRISTEN DELGUZZI
The Cincinnati Enquirer

Attorneys for the alleged mastermind of the 1993 Lucasville prison riot on Tuesday challenged the authenticity of a key piece of evidence that has helped prosecutors win death sentences against three inmates.


C. Sanders

Timothy Smith, attorney for Carlos Sanders, said a forensic technologist has found reason to believe that a secretly recorded conversation — during which nearly a dozen inmates discuss their plans to kill a guard — may be a fake. The defense asked the expert to review the tape.

Defense attorneys suspect the tape — which was not played at Mr. Sanders' trial — may be the product of pieced-together conversations that occurred throughout the 11-day riot and were recorded by microphones hidden in tunnels under the prison. Mr. Smith said he thinks the tape was made to strengthen the prosecution's case against his client and other inmates.

"There has been a conspiracy to get him," Mr. Smith said in court Tuesday. "Our position is that the fabrication of Tunnel Tape 61 ... does establish ... evidence of a conspiracy to frame him. It is a spliced-together tape."

Special Prosecutor Mark Piepmeier said the allegations are baseless.

"That's probably the most ridiculous one I've heard yet," said Mr. Piepmeier, who has coordinated and managed the highly successful prosecutions of the 50 inmates charged with riot-related

(Please see TAPE, Page A6)

Tape: Sanders' defense challenges recording of inmates' talks

CONTINUED FROM PAGE A1

crimes. "It's just another something you have to respond to. It's just another irritant, is what it is."

A preliminary analysis of the tape by Steve Cata, the president of a Wisconsin-based company that specializes in examining audio recordings used as evidence, revealed numerous "suspicious record events," according to documents filed in court by defense attorneys.

Among the questionable areas are changes in background noise, the abrupt end of sound during a continuing conversation and the appearance of the same inmate uttering two different sentences simultaneously, according to Mr. Cata's preliminary report.

"There are so many people talking on there, I don't know how they could tell if it's one or two," Mr. Piepmeier said.

Played at other trials

The tape was not played at Mr. Sanders' trial, which ends this morning with closing arguments. But it has been played at the trials of other inmates, who have been sentenced to death. And the tape may have been used to secure plea bargains from other inmates who have testified against Mr. Sanders.

Because the tape may have indirectly played a role in Mr. Sanders' case, the defense asked to have an expert further analyze the tape. Judge Fred Cartolano of Hamilton County Common Pleas Court refused to approve funding for the expert, and he has not allowed defense lawyers to raise the issue before the jury.

He did, however, let lawyers make their concerns a part of the court record, which would be reviewed by higher courts if Mr. Sanders is convicted.

'They had the chance to raise these issues at their trials, but they didn't — so tough luck.'

— Christo Lassiter, an assistant professor of criminal law, University of Cincinnati.

Christo Lassiter, an assistant professor of criminal law at the University of Cincinnati, said the tape — if it was manufactured — could benefit Mr. Sanders only indirectly because it was not played at his trial.

"If the convictions of others around him fall, then his could fall, too," he said.

Attorneys for inmates Jason Robb, James Were and George Skatzes — who can be heard on the tape — could try to raise the issue of the tape in their cases. But because the men have been convicted and sentenced to death, it likely would be difficult for them to introduce evidence of tape tampering, Mr. Lassiter said.

"They had the chance to raise these issues at their trials, but they didn't — so tough luck," he said.

The tape — one of dozens of recordings made with the underground microphones — was recorded in the early morning hours of April 15, 1993. Robert Vallandingham, the only guard killed during the riot, was strangled about an hour after the meeting ended.

Mr. Piepmeier said because the original recording is "unintelligible," prosecutors sent the tape to a lab in Northern Kentucky "to try to filter some of the background noise out." He said nothing was added to the tape. "What's there is what's there," he said.

Enhancing the audio portions of the tape does not rise to the level of fraudulent behavior, Mr. Lassiter said.

During the 45-minute conversation on the tape, numerous inmates discuss how they will kill an officer if the state does not meet their demands.

Sanders not heard

Mr. Sanders, who is charged with aggravated murder for allegedly authorizing the slaying of Mr. Vallandingham, and could be sentenced to death if convicted, does not speak on the tape.

"That's a great theory," Mr. Piepmeier said of the allegations, "but if we were going to do that, we would have him on the tape. It's just funny that the one person you would leave off the tape is the one you're out to get."

Exhibit # 6

Hudson testimony re: tunnel tapes
2-6-96

Q. All right, now. You indicated that you have Exhibit 61, the original of that tape, in your office?
A. Yes, sir.
Q. Now Mr. -- Agent Hopper told us that there

are two originals. Do you know where the other original is?
A. I believe the FBI has maintained a copy of their originals here in their office in Cincinnati.
Q. Why do you believe that?
A. Through the investigation, through contacts with the FBI.
Q. How did you get possession of what is purported to be an original tape?
A. They were given to us by the FBI at the conclusion of the riot.
Q. So you're saying that the FBI kept control of all of the tapes until the conclusion of the riot?
A. Yes.
Q. And do you know who was in charge of that with regard to from the FBI?
A. No.
Q. Do you have any idea?
A. I know Al Tolen, who is now retired from this office, was again the overall supervisor of the FBI investigations. I know a man named Ed Poor, P-o-o-r, was a technician from this local office that was involved as Agent Hopper was in the installation of types of equipment out there. I don't know who from their office down here actually oversaw the tapes at the time that they were being

made.
Q. Why do you believe that the FBI was overseeing the -- let me rephrase that.
Are you saying that the FBI had possession and control of all of the audiotapes from the beginning of the siege until the end of the siege?
A. Yes.
Q. And did you personally see them have possession of those?
A. Yes.
Q. And who did you see have possession of

those audiotapes?
A. There were several agents. The FBI had wired the hard wire microphones into place. Most of the microphones came out to an area in the tunnel where there were several tables and several agents monitoring tape recorders all lined up in a row.

At the end of this table was a duplicating machine. As someone would turn in a tape, they would make copies of it immediately and then store them. And they kept them there until the end of the riot.

I spent a considerable amount of time in the evening when there were no negotiations ongoing monitoring what was going on in the tunnels, briefing officers down there that had no idea what was going on with

the negotiations and other officers stationed throughout the prison. But I did spend some time down in the tunnels and saw this in operation.

I do not know the identity of the agents that were seated monitoring these tapes.

Q. So you don't know whether they were FBI agents?

A. They were identified to me as FBI agents. They're wearing the FBI rain jacket that we see all the time.

Q. Okay.

A. I did not check their personal ID, no, sir.

Q. And you're saying that the sound was coming in from a listening device into one tape recorder, and when a tape was completed, it was physically taken out of that tape recorder and transferred to another device where that was copied onto another tape?

A. Yes, sir.

Q. So that there were not two tapes being made at the same time by the equipment as it was coming in?

A. Not to my knowledge. Each microphone had a separate tape recorder. There were maybe microphones in close proximity to each other, but I'm not aware of any time that there were multiple tapes being made of one mike.

It is possible, but I'm not aware of it.

Q. All right. And you were given the original of how many tapes?

A. 591.

Q. 591. And you have all of the originals in your office?

A. Yes, sir.
Q. Do you have the original tape recorders?
A. No, that was FBI equipment. They took it with them.
Q. So the FBI took all of the equipment?
A. Yes, sir.
Q. Now who has the logs?
A. We have copies of those. The Department of Corrections also has copies.
Q. Do you have the copies here?
A. Here? No, sir.
Q. Where is the log?
A. Again, locked up in my office in Jackson.
Q. And do you have a copy of it here?
A. No, sir.
Q. Do you have a list of the people who listened to the conversations recovered through this intelligence devices?
A. No, there is no such list.

Q. So there is no way for us to find out who is listening at any given time to any conversation or any tape?
A. Most of the tapes have a name – or most of the logs have a name.
Q. And you're saying that there's a name written on the tapes?
A. On the log or the tape.
Q. And that would be in your office?
A. Yes, sir.

Q. And you looked up then the tape recorder, or two tape recorders?
A. Yes, sir.
Q. And also ear phones were hooked up as well?
A. Yes.
Q. Two sets of ear phones or tape recorders

taped and recorded each line?
A. Normally, because we only have one person monitoring each line.
Q. And the institution keeps records of who was monitoring and the numbers of the tapes, and they were kept in an order. And all that was done by the institution, not you?
A. Correct, not me. And not – not the technical support side of the FBI.
Q. Did you instruct them on how to do that?
A. No, sir; I did not.
Q. So the recordkeeping on each tape was made and that kind of thing, that was completely out of your hands?
A. Correct, correct.

Q. And you looked up then the tape recorder, or two tape recorders?
A. Yes, sir.
Q. And also ear phones were hooked up as well?
A. Yes.
Q. Two sets of ear phones or tape recorders

taped and recorded each line?
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Q. And the institution keeps records of who was monitoring and the numbers of the tapes, and they were kept in an order. And all that was done by the institution, not you?
A. Correct, not me. And not – not the technical support side of the FBI.
Q. Did you instruct them on how to do that?
A. No, sir, I did not.
Q. So the recordkeeping on each tape was made and that kind of thing, that was completely out of your hands?
A. Correct, correct.
Q. Okay. Now you have two tape recorders

hooked up to this line, and there would be two originals. Is that fair to say?

A. We document them, or label them as one original and one A copy or the backup, but we only list one as an actual original for court purposes.

Q. What else did you do?

A. I'm sorry, sir?

Q. What happens to the other one?

A. The other one is filed in a file.

Q. Where?

A. Normally, for an FBI investigation, one of them, the original, is turned back over to the court and the court maintains custody of the original. And the first copy or the -- or the A copy is maintained inside the FBI files.

Now this is unique in that this was not a federal wire tap where we had a federal judge signing off on it and we were turning it back over to the federal courts. These were turned over to the State as far as I know. I know that I had nothing to do with turning over the finished product.

3-31-14

CLERK ANDREW HARVEY,

SER I WAS HOPING THAT SENCE THES PECTURE IS "ONE OF A KEND" THAT HOLD ALOT OF VALUE TO US THAT YOUR OFFECE COULD MAKE THE COPEES SO THAT EACH OF US HAS TWO AND THE ACLU KEEP THE OREGENAL AS A POSSIBLE EXHIBIT IN OUR PENDING LETIGATEON.

COULD YOU SEND EACH OF US TWO COPEES INDEVEDUALLY (I.E. DERECT TO EACH OF US).

THANKS IN ADVANCE

Freedom First,
Greg Curry

GREG CURRY
213-159
878 COETSVELLE-H
YOUNGSTOWN, OHEO
44505