Terrorist With Friends

The trials of Luis Posada Carriles are a disaster.

INSIDE A FESTOONED CLUBHOUSE IN WESTCHESTER, A HANDSOME 82-YEAR-OLD IN A DARK SUIT SMILES AND POINTS AN INDEX FINGER SKYWARD. THOUGH LIGHT IS DIM, HIS BLUE EYES, BUSHY GRAY BROWS, AND ESTIMABLE PARCHES ARE EVIDENT. SPEAKING QUIETLY TO A FEW SYCOPHANTS, HE APPEARS A TYPICAL SENESCENT GUAJIRO, WITH ONE EXCEPTION: HIS ARMS, CHEST, AND JAW ARE COVERED WITH SCARS, THE RESULT OF ASSASSINS’ BULLETS.

He’s Luis Posada Carriles, Cuban exile hero, ex-CIA agent, and legendary terrorist.

The alleged murderer of at least 74 innocents will go on trial soon in Texas, though a judge last week delayed the case. Watch for it. If he’s found innocent, it will signal the government’s ineptitude, hypocrisy, and corruption. And even if there’s a conviction, the penalty will likely be minimal, and the effect on the upcoming trial of the 9/11 killers could be significant.

“The bottom line is that the Justice Department is trying to hold him accountable for horrible acts of terrorism,” says Peter Kornbluh, a spokesman for Washington D.C.’s National Security Archive. “But this case, as they say in Spanish, is a vergüenza — a disgrace.”

There’s ample evidence Posada tried to assassinate a world leader, hatched a plot that killed scores, and dismembered a tourist in a hotel bombing. Yet he is not being tried for any of those offenses, because the government botched the case and shredded critical evidence. In the end, Posada is being accused of lying to authorities, a slap on the hand that would outrage the nation if he were, for instance, an Arab. But he’s Cuban, and that makes all the difference.

(Posada couldn’t be reached for comment, and his attorney, Arturo Hernandez, would say only, “We are uniformly turning down media requests.”)

Posada was born in Cienfuegos, studied chemistry, and worked in Akron, Ohio, before the 1959 Cuban revolution. He returned to the island but, like many Miami exiles, quickly became enshrouded with Fidel Castro’s vision. So he moved to the United States. His sister, a colonel in the Cuban army, stayed put.

Then, with the help of millions of American tax dollars, Posada began a bloody, half-century-long campaign against the Castro government. He set off pencil bombs in the island’s capital and coordinated the 1961 Bay of Pigs attack from Central America. After the invasion failed, he was among exiles who attended an elite Army academy in Georgia; he graduated two years later as a spy and lieutenant.

He then tried to kill Castro using a gun disguised as a camera and plastic explosives stuffed into a Prell shampoo bottle. In 1976, he masterminded the downing of Cubana Flight 455 with 73 people onboard. Six years later, pressured by the United States, a Venezuelan court cleared him; then it bizarrely changed course and decided on a retrial. But the wily spy bribed guards, escaped, and, and two decades later bombed Havana hotels, causing millions of dollars in damage and killing an Italian tourist.

“It’s a war,” he told author Ann Louise Bardach during a 2006 interview described in her book Without Fidel: A Death Foretold in Miami, Washington, and Havana, “a bad war.”

Of course, Posada has strong supporters both in and out of government. In a few days, backers gathered thousands of dollars for his defense during what they termed a “radio marathon” on Radio Mambí (710 AM). “Luis Posada is a great man,” proclaimed one of about a dozen elderly exiles who spoke on his behalf. “His war will make Cuba free.”

Incredibly, this sentiment has swayed prosecutors and Congress. Even the FBI, which spent millions of dollars over several decades probing Posada’s spy work, inexplicably shredded most of its evidence. What’s more, the Reagan administration hired Posada as part of the Iran-Contra scandal.

U.S. pressure has even had an effect abroad. A Panamanian court convicted Posada of plotting to kill Castro during an Ibero-American Summit. Then, in 2004, President Mireya Moscoso pardoned Posada. He left just before the Central American nation’s supreme court annulled her decision.

The soon-to-be-tried case against Posada began after he sailed illegally into the United States and applied for political asylum. In March 2005, likely after getting wind of trouble from friends in high places, he announced to reporters he would leave. But after the show was over, agents arrested him. His crime wasn’t killing the 73 people aboard the Cubana airliner or the tourist in Havana; it was lying to immigration agents about his trip to the States and illegally crossing the border. He had arrived on a boat named the Santrina, not on a bus as he had told the government during interviews. He also deceived them about his passport, prosecutors allege.

In 2006 and 2007, both a congressional subcommittee and a grand jury in Newark considered Posada’s murder spree. Bardach’s reportage was a key to the case against him. He virtually admitted his guilt, saying the murder of the Italian tourist “was a freak accident, but I sleep like a baby.” The government subpoenaed the author’s notes and tapes. Supported by the New York Times, which had published her story (co-written by Larry Rohter), Bardach refused, and a long legal battle ensued. (She declined to comment for this story.)

Then the case against Posada almost fell apart. Under the sway of President George W. Bush and a Republican, manically anti-Communist Congress, the subcommittee and U.S. Attorney General Michael Mukasey did nothing. And on May 8, 2007, U.S. District Judge Kathleen Cardone freed Posada, criticizing prosecutors for “fraud, deceit, and trickery.”

“The government’s tactics in this case are so disgraceful and scandalous that they violate the universal sense of justice,” she wrote.

The next year, an appeals court threw out Cardone’s decision and ordered a new trial. This time, though, Posada wouldn’t be charged with illegally entering the country — only with lying to federal agents. A wrinkle was added when Bardach’s notes were obtained, and he was charged with lying about the Havana bombing.

Worse, in the leadup to the trial, the court has buckled to prosecutors and sealed almost all the investigative documents related to Posada. Last July 10, the Miami Herald and the Associated Press tried to intervene in the case. Their idea: The government cannot haphazardly seal documents unless they are classified “secret.” But the court has essentially rebuffed the attempt, sealing more than 300 documents just this year.

“Badly done,” says Adolfo Jimenez, lawyer for the Herald and the AP. “The whole case is essentially being kept from the public.”

Cardone recently announced the trial would probably last two months. A wacky group of Leftists, the National Committee for the Free the Cuban Five, has announced it will protest during the trial. And last October, Kornbluh’s National Security Archive published declassified government documents showing Posada even betrayed the exile community. Under the code name Pete, he informed the CIA about the activities of leaders including the now-departed Jorge Mas Canasa.

So here we are. The government destroyed much of the evidence. A respected federal judge declared prosecutors guilty of fraud. And while letting a rather important case melt away, the government is battling not with its enemies, but with the press (Bardach, the Herald, and the AP). Prosecutors might even lose the pathetically limited remaining case they have against one of the most dangerous ideologues in the Western Hemisphere. But Kornbluh remains hopeful. “This trial can confirm what everybody already knows,” he says. “Luis Posada is a leading purveyor of terrorism.”

Writing fellow Erik Mazza contributed to this report.

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School of Hard Knocks

Administrators knew old buildings threatened tykes but did almost nothing. BY CHUCK STROUSE

A GRASSY YARD WHERE ROWDY 6-YEAR-OLDS SQUEALED AT PLAY THREE WEEKS AGO IS A GHOST TOWN. A GRAY CHAINLINK FENCE AND BLOODRED "RESTRICTED ACCESS" SIGNS BLOCK ENTRY TO DINGY, HALF-CENTURY-OLD CONCRETE BUILDINGS THAT NEARLY COLLAPSED LIKE SPRING ICICLES ON TINY HEADS.

Two schools that share a North Miami-Dade campus were abruptly shuttered this month after an architect warned that behemoth cement walkways “could fall without warning.” More than 1,000 kids were removed from their classrooms at North Dade Middle School and the Center for Modern Languages and forced to study elsewhere. It happened fast. Many children had no time to retrieve books.

Miami-Dade schools superintendent Alberto Carvalho’s decision to close most of a campus that includes one of the county’s top elementary schools just days before state testing didn’t draw much notice. It should have. Carvalho’s choice threw scores of lives into chaos. It’s a sign not only of school administrators’ incompetence, but also of lethal disasters ahead.

Through public documents and interviews, I’ve learned two things: (1) Leaders knew of severe problems at the two schools more than three years ago and did almost nothing. (2) “Critical” construction deficiencies are ballooning throughout county schools and now total more than $167 million.

“They put the kids in danger and the faculty too,” Helen Ampie, mother of a second-grader, said recently as she walked through the weirdly deserted campus on NW 157th Street. “It’s just not fair.”

Carvalho — who was appointed in September 2008 — declined to speak with me for this column but issued the following statement through a spokesman: “Decidedly, the previous administration should have taken more action, [but when] we received word that there were imminent safety concerns related to the schools, we took immediate action in the name of student safety and relocated students at once.”

Until their closure, the two schools were located just across a murky canal from one of America’s poorest and most troubled cities, Opa-locka. It was a largely African-American campus of hard-working students and parents.

I’ve sent two of my kids to the Center for Modern Languages, an elementary school called CML for short, for the past four years. I love the place. Teachers are smart and engaged. Students adore the flamboyant polyglot principal. Last year, I helped them prepare a lengthy study of the four buildings that were recently closed as dangerous and complex construction algorithms show the kind of danger kids faced.

A.D. Engineering Inc. cited four of the buildings that were recently closed as particularly problematic. They included “structural deficiencies requiring immediate attention due to potential safety concerns.” The firm recommended that the school “avoid the congregation of students and staff in the second-floor hallway.”

In an elementary school? Really?

At least part of the reason, wrote an engineer named Alfredo Quintero, was that the slab underneath was in “critical condition” and included “large cracks.” It was “UNDERDESIGNED to bearing the soliciting loads,” he wrote. And, yes, the underlining and bold type are his.

The engineering firm then laid out solutions to the many problems in a two-page spreadsheet. Windows should be replaced, concrete patched, and stairways fixed up. The overall cost: $75 million.

So how did the school board react? In the three and a half years since the report came out, the board spent $160,000 — in large part to replace hand railings. That is about 2 percent of what the architects recommended. This past October, when it appeared that a fixup just wouldn’t work very well, the school board approved a new building. It’s planned for completion in 2011.

In preparation for that project, a new firm, Eastern Engineering Group, turned up even deeper problems. The firm prepared a lengthy study of the four buildings that had been cited four years ago. About a week after that study was submitted, on February 22, architect Antonio Rosabal (who didn’t return three calls seeking comment) emailed the county about the chance of imminent collapse. “Mobilize as soon as possible,” he wrote. “This situation is serious and deserves an immediate response.”

That’s when the county decided to move the nearly 700 kids from North Dade Middle to the old North Miami Senior High, about 20 minutes away. That school had been abandoned because it had become decrepit. The 400 CML students would remain in newer, safer buildings on the NW 157th Street campus.

“If they knew the school had all this damage, why didn’t they move the kids a long time ago?” says Gabriela Vitali, whose two children studied at the campus before the buildings were fenced off. “Something is not right.”

Vitali’s older child, a sixth-grader, now must ride two buses to attend classes at the old North Miami Senior High. A day-care worker of modest means, she continues sending her daughter there. She wants her to learn French.

Wilbert Holloway, the school board member who represents the area, is rather, well, contradictory in his response to the situation: “This really opened our eyes,” he says. “Of
Almost 10 percent of that was considered county buildings were in need of $1.9 billion in money from property taxes. Just a few years ago, Torrens explains, millions of dollars were diverted from construction to pay building components and other corrections. The largest chunk of the $167 million, $100 million, was related to fire safety systems that need immediate attention. While the county shores up these problems as well as it can with inspections and site work, the figure is growing by 5 percent per year, says the county’s chief facility officer, Jaime Torrens, the bright but beleaguered man in charge of dealing with mammoth construction/maintenance problems.

Because of falling tax revenues, the county has had to cut $850 million from its budget over the past 18 months. And the district is projecting a 14.5 percent drop in money from property taxes. Just a few years ago, Torrens explains, millions of dollars were diverted from construction to pay teachers and other operational expenses.

Moreover, because of arcane funding formulas, Miami-Dade County — the nation’s fourth largest school district and the most urban in Florida, receives far less per student than other districts in the state. “Even when times were good, we used the money to address increasing enrollment, not fix existing facilities,” Torrens says. “Now we have less money coming in.”

All of this should alarm every taxpayer and any parent who has a child in a Miami-Dade public school. North Dade Middle might well be just the beginning of far deeper problems across the area. In the end, construction concerns are perhaps the most insidious effect of the real estate bust that has paralyzed South Florida’s formerly dynamic economy.
Forgotten War Hero, Part 1
Jay Maxwell’s murder raises big questions about American strategy in Afghanistan. BY CHUCK STROUSE

THE SAILOR IS FIVE-FOOT-TEN, HANDSOME, AND MUSCULAR, WITH A SIZZLING SMILE. BUT ON THIS DAY IN KABUL, AFGHANISTAN, HE’S WOUNDED AND CRAWLING IN THE DUSTY, RUTTED ROAD NEXT TO A BLACKENED, BURNING BUILDING. HE STRUGGLES TO STAND BEHIND AN OLIVE-COLORED HUMVEE.

THEN, SUDDENLY, A UNIFORMED FIGURE NEARBY LOWERS HIS RIFLE AND TAKES AIM.

A shot sounds. The sailor falls.

The gunman fires again, and after a slight pause, twice more.

Louis Maxwell Jr. — ace trumpet player, jujitsu black belt, and new dad — is dead. It’s October 28, 2009, and inside the flaming guesthouse, three United Nations officials also lay lifeless. Maxwell and an older colleague from Ghana, Laurance Mefful — also killed — had been guarding them, as well as others who had fled. United Nations Secretary General Ban Ki-moon hailed the 27-year-old from Miami Gardens and his fellow sentry as heroes.

“They fought through the corridors of the building and from the rooftop,” he told the UN General Assembly. “They held off the attackers long enough for their colleagues to escape, armed only with pistols against assailants carrying automatic weapons and grenades and wearing suicide vests.”

It wasn’t over. A week later, the UN pulled half its workers from the country. Then, this past spring, a German newspaper released a cell-phone video that revealed an ugly truth. Our corrupt allies had murdered a local hero. A UN investigation partially confirmed this finding.

Now all evidence has been handed over to the Afghans. Yet there has been no attempt to find the killers — only a slew of bureaucratic buck-passing. In addition, the U.S. government has refused to pressure Afghan President Hamid Karzai, according to two UN officials. The FBI, one of the officials said, has been propping the matter for at least six months but apparently has achieved nothing.

The failure to find Maxwell’s killers raises questions about the U.S. strategy and resolve in Afghanistan. The attack was very possibly revenge for the UN’s conclusion, now widely forgotten, that Karzai’s election was a fraud.

The reason no one cares to find the truth, I believe, lies with the Obama administration’s chaotic and inept approach to the war there. Karzai’s recent rapprochement with the Taliban, combined with the firing last month of U.S. Army Gen. Stanley McChrystal, have left U.S. leaders in a quandary about their next step.

“There’s a lack of integrity both on the part of the U.S. government and the [United Nations] on this,” says Matthew Lee, an attorney and blogger who has followed the matter. “They want to sweep it under the rug. No one’s following up, no one’s holding anyone accountable.”

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Forgotten War Hero, Part 1 from p10

recalls Chipman, now a professor at Florida Agricultural and Mechanical University in Tallahassee. “His ability to keep working and not get discouraged made him unique.”

But music wasn’t enough. Jay’s oversized sense of adventure and desire to serve his fellow man led to an infatuation with the military. From his early teens, he trained with Lutalo, who married Aijalon in 2002. Sometimes they’d go to a shooting range together in Broward. Or they’d run and do heavy calisthenics at Amelia Earhart Park in Hialeah.

“It was competition,” recalls Aijalon’s gox mother, Flora Ray. “They would run up and down a hill again and again, then do 25 push-ups. It wouldn’t stop until one surrendered.”

At age 17, Jay visited a Navy recruiter, who said the young man would need his mom’s permission to sign up. Sandra was unsure, but he begged. In December of his senior year, she relented and signed. Though Jay’s talent as a trumpet player drew a scholarship offer from FAMU, he shipped off to basic training after graduating and turning 18 that summer.

No one in Jay’s family will discuss his six-year stint in the Navy, which wouldn’t provide records on his service. He wasn’t, as other media outlets have reported, a Navy SEAL. But he did spend time in Bahrain and San Diego. And he served during the invasions of Iraq and Afghanistan. “There are things we haven’t told my parents,” Aijalon says. “There are things I can’t tell you.”

In 2006, Jay retired from the Navy and briefly returned to Miami. He settled uncomfortably into domestic life. He’d had a son at age 19, and the boy looked much like his dad with close-cropped hair and a bright smile. Though Jay had split from the boy’s mother and settled in with a new girlfriend from Alabama named Angel, the families remained close.

Early in 2008, Angel became pregnant, and he charted plans to buy a home. He didn’t tell his mother, who was preparing to retire as an assistant principal at Richmond Heights Middle School. “It was going to be a surprise,” Aijalon recalls. “He was going to say, ‘Look what’s in my name. You decorate it, mom.’”

Jay worked briefly as a personal trainer, but adventure beckoned again like a Siren. The handsome, buff South Floridian applied to follow his older sister’s husband and guide, Lutalo, into the United Nations security force. The money, which was good, would help propel his new life.

After brief training, he shipped off to Beirut, where, according to his sister, he watched for suicide bombers who threatened a tribunal investigating the 2005 murder of Lebanese ex-Premier Rafik Hariri. It was Jay’s first assignment, and it provided a taste of international intrigue.

Then one day in 2009, he received orders to pack his bags and head for Kabul. It was just a few months before critical elections would determine Afghanistan’s relationship with the United States and the Muslim world. He would guard elections monitors. He would di...
Louis Maxwell’s heroism was unparalleled. Then came the bullets. **By Chuck Strouse**

Ajjalon Muhammad quietly sobs and shudders while recalling the moment her baby brother’s corpse arrived in the cargo hold near Miami International Airport. The pretty 41-year-old with deep brown eyes and a neat square jaw stood beside her dad and two others as a forklift carried a long, light-brown box across the scrubbed concrete. When it halted, two business-suited men tugged the box into a hearse.

Then she spotted the black-stenciled letters: Maxwell, Louis.

“We wanted to be there when his body touched back into Miami,” she says, emotion contorting her features like waves rippling from a skipped stone, “when he came home.”

Maxwell, whom friends and family called Jay, was shot repeatedly with an AK-47 on a muddy road in Afghanistan last October after he saved more than a dozen lives. (For details of his time before Afghanistan, see Part 1, July 15.) Though authorities first announced he had been killed by crazed terrorists, it now appears the 27-year-old trumpeter and martial artist fell victim to a poorly manned and undertrained security force riven with corruption. Since then, Ajjalon Muhammad and her family have become pawns in the complex politics of a war that President Barack Obama has pledged to end. And questions raised by the murder lead all the way to the White House.

Maxwell was assigned to Kabul in July 2009 after serving in the U.S. Navy and then as a United Nations bodyguard in Lebanon. A month later, American-backed Afghan President Hamid Karzai was to face an election that would threaten both the nation’s stability and the international war effort. His challenger was Abdullah Abdullah, an eye doctor-turned-guerrilla-turned-candidate who was running strongly against Karzai’s corruption, including alleged family ties to the booming opium trade.

The young American would provide security for 34 election monitors led by Kai Eide, a Norwegian diplomat. Henry Meza, another security guard, recalls picking him up at the Kabul airport. The two immediately established a rapport based on mutual ribbing. “I said, ‘I don’t know...the name Maxwell. I just kind of figured you were bigger; you’re kind of small, dude!’” Meza remembers saying. “I started laughing.”

Over the next few months, the two became close. “I was making fun of him being in a marching band,” he recalls. “In this line of work, you make bonds pretty quick — strong bonds... He was a great guy. He looked after me, and I looked after him.”

The men played dominos and soccer to pass the time. Maxwell slept in a white stucco building in central Kabul where the election monitors were staying. By day, he wore a UN uniform with a nametag around his neck.

When time came for the August 20 vote, the monitors fanned out around the mountainous country. Abdullah’s campaign had been picking up steam. He was supported by the Afghan version of the Muslim Brotherhood, a radical group, and favored distributing more power to local leaders. That didn’t sit well with the American command.

At first, Karzai was reported to have garnered 54 percent of the vote, enough to win the presidency outright. But claims of vote tampering began pouring into UN headquarters. Karzai ran the voting machinery. Videos and pictures surfaced of the incumbent’s supporters stuffing ballot boxes. More than 200 precincts’ results were thrown out altogether.

On October 19, a special commission backed by the United Nations ruled that as many as one in every five votes had been faked. If Karzai were to be a credible leader, the commission ruled, there had to be a runoff. “There is no end to the misery,” an Abdullah spokesman said at the time.

That set the stage for the October 28 attack on the Bakhhtar guesthouse where Louis Maxwell and the monitors were staying. To this day, no one knows exactly what happened. This much is clear, though: Very early that morning, rocket attacks were launched on two other locations in Kabul — the presidential palace and the luxury Serena Hotel, which was popular with foreigners.

Maxwell was awakened around 5:45 a.m. by a call from someone named Ali. The soldier didn’t have time to put on his UN uniform, but he threw identification around his neck and grabbed his German assault rifle, an HK G36 that can fire as many as 100 bullets a minute.

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Maxwell was唤醒了清晨5:45，由一个人称为Ali的电话。士兵没有时间穿上他的UN制服，但他在脖子上扔了身份证明，并抓起了他德国的突击步枪，HK G36，可以每分钟发射100多发子弹。

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When time came for the August 20 vote, the monitors fanned out around the mountainous country. Abdullah’s campaign had been picking up steam. He was supported by the Afghan version of the Muslim Brotherhood, a radical group, and favored distributing more power to local leaders. That didn’t sit well with the American command.

At first, Karzai was reported to have garnered 54 percent of the vote, enough to win the presidency outright. But claims of vote tampering began pouring into UN headquarters. Karzai ran the voting machinery. Videos and pictures surfaced of the incumbent’s supporters stuffing ballot boxes. More than 200 precincts’ results were thrown out altogether.

On October 19, a special commission backed by the United Nations ruled that as many as one in every five votes had been faked. If Karzai were to be a credible leader, the commission ruled, there had to be a runoff. “There is no end to the misery,” an Abdullah spokesman said at the time.

That set the stage for the October 28 attack on the Bakhhtar guesthouse where Louis Maxwell and the monitors were staying. To this day, no one knows exactly what happened. This much is clear, though: Very early that morning, rocket attacks were launched on two other locations in Kabul — the presidential palace and the luxury Serena Hotel, which was popular with foreigners.

Maxwell was awakened around 5:45 a.m. by a call from someone named Ali. The soldier didn’t have time to put on his UN uniform, but he threw identification around his neck and grabbed his German assault rifle, an HK G36 that can fire as many as 100 bullets a minute.

The young American would provide security for 34 election monitors led by Kai Eide, a Norwegian diplomat. Henry Meza, another security guard, recalls picking him up at the Kabul airport. The two immediately established a rapport based on mutual ribbing. “I said, ‘I don’t know...the name Maxwell. I just kind of figured you were bigger; you’re kind of small, dude!’” Meza remembers saying. “I started laughing.”

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rounds in seconds. He might have snapped on a scope, purchased with his own money as an upgrade; then he sprinted to the roof. Chaos ensued. Explosions and fires erupted in the building. Some of the attackers, including three suicide bombers, were dressed as Afghan security forces. Maxwell provided cover while some of the UN staffers escaped out a back door. Inside, the attackers threw hand grenades and blew themselves up.

Soon, flames shot up outside the building. At one point, Maxwell fell or jumped from the roof. A woman named Josie cried for help. He pushed his way past the flames and helped her to safety. Then, at 7:20 a.m., Maxwell radioed Ali, the man who had awakened him: “Ali, Ali I am shot,” he said. The radio operator answered, “Click on the walkie-talkie if you are wounded.” There was no response.

When the shooting was over, Maxwell’s body turned up lifeless outside the guesthouse. Four other UN employees were also found dead, including fellow guard Laurance Mafful. At least two of those dead were election monitors. Nine people were wounded.

On television, the Afghan people heard a man who said he was a Taliban spokesman claim credit for the attacks. An Afghan soldier was quoted as saying he had killed an Arab terrorist, whom some would later think was Louis Maxwell.

Paul O’Hanlon, a UN security specialist, told London’s Daily Mail that Maxwell “engaged numerous attackers inside the guesthouse for a considerable period of time. He conserved his ammunition. He was lucid. If he hadn’t done his job, the attackers would have pursued [the monitors] and we’d have had a line of bodies.”

On November 5, UN Secretary General Ban Ki-moon also addressed Maxwell’s heroism in a speech before the general assembly. He announced that half the UN staff in the country — about 600 people — would be withdrawn because of safety concerns, and he railed against Afghan security forces for taking too long to appear.

Two days later, Maxwell was buried at Vista Memorial Gardens on Red Road. Trumpeters from his old band played a fanfare. Pastor Joy Jackson, a family friend and mentor, gave the eulogy: “Mission Accomplished” was her theme. Jackson was a positive and mighty pillar of strength that day. But soon it would emerge that Maxwell was likely killed by Karzai’s forces. Theories would surface, some with substantial evidence: Soldiers murdered him to steal his gun. Karzai ordered the attack to seek revenge for the corruption claims.

Maxwell was shot from afar by poorly trained officers who thought he was a terrorist. And the United Nations would probe his death but refuse to release the report detailing that probe. The FBI would also become involved. Maxwell’s relatives have received many visits and details, but so far they aren’t satisfied.

“It’s beyond words what this family has been through,” Pastor Jackson says. “You try to trust, but you don’t know whom to believe. You don’t know who’s covering up or why.”

Next week: Maxwell’s murder is investigated.

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Forgotten War Hero, Part 3
Afghan President Hamid Karzai likely killed UN guard Louis Maxwell. **BY CHUCK STROUSE**

**The Most Logical Explanation Is That The Karzai Administration Orchestrated The Attack That Killed Maxwell.**

Though the United Nations bodyguard and new dad was surrounded by Afghan soldiers, no one moved to help him. Nobody looked at the apparent killer just across the way. Not a soul searched distant buildings or streets for a sniper who might have fired the shot. They just stood there.

But authorities have attributed Maxwell's death to “friendly fire,” claiming he was killed accidentally by our Afghan allies. “That’s nonsense. He was murdered. I can’t understand why anyone would call it ‘friendly fire,’” says his older sister, Aijalon Muhammad. “It’s obvious what happened. Yet neither the United Nations [nor anyone else] wants to confront the Afghans on this.”

Though about 1,200 soldiers have died in Afghanistan since 2001, Maxwell's case is particularly alarming. He was shot dead defending a UN team of monitors that had declared President Hamid Karzai's election a fraud. It’s possible Karzai himself engineered the attack as payback.

The United Nations, which at first aggressively searched for the killer, has been dawdling for months. And the United States has done less. U.S. Secretary of State Hillary Clinton visited Afghanistan last week but said nothing publicly about Maxwell's case. After nine months of investigation, the FBI has made no arrests. Even Democratic U.S. Rep. Kendrick Meek, who represents the district where Maxwell's family lives, is indifferent.

And the Afghans? They’re too corrupt to care. President Karzai’s brother is reportedly a kingpin in the opium trade (and is represented by Miami lawyer and plagiarist Gerald Posner). The U.S.-backed leader has shielded cronies who are likely stealing as much as $1 billion in American aid per year. He clearly orchestrated his own election by faking tens of thousands of votes. And tens of thousands of pages leaked by the New York Times this week show collusion between the Taliban and the Afghan government.

“Louis Maxwell was a martyr to a particular moment of election fraud,” says Matthew Lee, a blogger and activist who for months has been hounding the United Nations. “The problem is that the United States and the UN are in bed with Karzai for better or worse.”

It’s difficult to nail exactly what’s been done to probe the murder. (For more about Maxwell’s life and death, see “Forgotten War Hero,” Parts 1 and 2.) The United Nations declines to release its report as a matter of policy, according to spokesman Nicholas Burnbach. And the FBI won’t comment.

Many details can be pieced together from a news conference that UN Under-secretary General Susana Malcorra gave in New York this past April and interviews with two UN officials who decline to be named as well as other sources.

Last December, the international organization appointed a former Australian top cop who is head of peacekeeping police, Andrew Hughes, to review the matter. Even before officially starting in January, he obtained the gruesome cell phone video that shows Maxwell was shot dead defending a UN team of monitors that had declared Karzai's election a fraud.

**Uncle Luke, the man whose booty-shaking madness once made the U.S. Supreme Court stand up for speech, gets as nasty as he wants to be for Miami New Times. This week, Luke revisits the ongoing saga of suspended Miami Commissioner Michelle Spence-Jones.**

Turns out Michelle Spence-Jones was telling the truth. And the evidence clearing her of using a forged letter to obtain $50,000 in county grants was sitting inside one of 52 boxes that Assistant State Attorney Richard Scruggs reviewed before he decided to charge Spence-Jones with grand theft. This makes me believe more than ever that the suspended city commissioner was targeted for political reasons. To recap: Scruggs’s star witness, Barbara Carey-Shuler, says she authorized releasing the funds to a company owned by Spence-Jones and her family. The former county commissioner previously denied doing so but changed her testimony after Spence-Jones’s attorney showed her drafts of the letter. They were written by Carey-Shuler, who blames Scruggs for the foul-up. She forgot writing them; then the prosecutor neglected to show her the documents during two meetings.

So how is it that a veteran prosecutor, who spent many years as an assistant U.S. attorney, overlooked the drafts? His job is to seek the truth. Instead, he presented Carey-Shuler and everyone else with only half of the facts.

Sometimes it is about seeking the truth. Sometimes it is about destroying a person’s character in the court of public opinion. Dallas Cowboys great Michael Irvin once told reporters who were covering his legal troubles to write about his vindication with the same intensity they had described accusations against him. When you are a public figure and you are accused of wrongdoing, the media puts the spotlight on you. They splash you on the front pages of newspapers and make you the top story on the evening newscast.

When Spence-Jones was arrested, every local news outlet crucified her. The Miami Herald ran a front-page story the day before she was formally arrested. Yet when Carey-Shuler’s deposition was made public this past July 14, WPLG 10’s Michael Putney and Miami New Times were the only ones to report it. The Herald waited two days to catch up, publishing a story this past July 16, on a Saturday, the day no one reads the paper. News stations such as Telemundo 51, Univision 23, WSVN 7, and NBC 6 didn’t report it at all.

In my mind, there is no doubt the two criminal cases brought against Spence-Jones are bogus and meant to keep her out of office. That way, her enemies can capitalize on all the money that is pouring into the Overtown and Omni community redevelopment agencies. They are sitting on close to $60 million that is supposed to be used to redevelopment those blighted neighborhoods. With Spence-Jones out of the way, her greatest enemy, Miami Commissioner Marc Sarnoff, can now dictate what happens with that money. He is now chairman of the Omni CRA.

And don’t expect Rev. Richard Dunn, the man appointed by the city commission to sit in Spence-Jones’s seat, to oppose Sarnoff. If he wants to win the November election, Dunn has to be down with the commissioners who got rid of this lady. Or else they are going to get rid of him too.

Follow Luke on Twitter: @unclelukereal1.
July 29 - August 4, 2010

Many's someone shot him. In the video, which Ger-
nered out into the street and approached
trapped in the flames. Finally, when he lum-
roof and ran back inside to rescue a woman
cape. He was wounded, but not mortally.

Two unnamed UN officials blame the
Afghan government for not forcing the
Afghans to probe the death. After all, the
monitors’ complaints had triggered scheduling a runoff.

Atma not long after the United Nations deliv-
ered findings of the Maxwell investigation.

Obama administration for not forcing the
Afghans — not suicide bombers —
had killed Louis Maxwell. The visit was

The Afghan government responded to
the FBI, but nobody said anything for weeks.

But Karzai fired interior minister Hanif
Atmar not long after the United Nations publicly
acknowledged its existence, three shots
are clearly heard before Maxwell falls.

He thought he was out, that he was free,
Muhammad says. “Then they killed him.”

At Dover Air Force Base in Delaware,
military doctors autopsied the body. They
found he had been killed by an AK-47. There
was a discrepancy between the video and the
forensics, though, according to the
UN’s Macorra. “He was surrounded by
people, and he was shot from the distance,”
she told reporters. “That is exactly what
caused his death — a long-distance shot.”
This could mean he was shot by mistake.

Pressed, though, she declined to give a
distance, saying only it was “more than five
meters.” That means officers just outside the
frame might have killed him. Even perhaps
the man across the street shown in the video.

News reports seemed to confirm the kill-
ing was at relatively close range. NBC News,
the only media outlet besides New Times
(and blogger Matthew Lee) to significantly
cover Maxwell’s killing, hired retired U.S.
Army Col. Holmida Leonard of Honor win-
ner Jack Jacobs in April to study the video
this past spring. He concluded, “Two Af-
ghan security soldiers ran across the road
to where Maxwell was and shot him.”

The Afghan government responded to
the claim with an enigmatic denial. “We have
accepted that there was a bomber wearing a
police uniform and he was shooting everyone
in front of him,” Zemarai Bashary, a spokes-
person for the Afghan Interior Ministry, told
NBC. “Perhaps he shot the security guard.”

Indeed, Karzai fired interior minister Hanif
Atmar not long after the United Nations deliv-
ered findings of the Maxwell investigation.

The Obama administration for not forcing the
Afghans to probe the death. After all, the
Karzai government arrested several al-
leged terrorists who “allow[ed] these at-
tackers to come to Kabul and attack the
house,” according to Macorra. So with
the right pressure, more could be done.

“Because the UN just doesn’t want to push this,
and the U.S. is doing nothing,” blogger Lee
says. “And the Afghans won’t investigate.”

Nobody from the U.S. government,
which has spent $285 billion on the war so far,
wants to talk about the Maxwell shoot-
ing. This is odd. Usually leaders rush to
discuss American heroes. “The FBI is cur-
rently investigating the death, and I can’t
comment any further,” State Department
spokesman Noel Clay told me last week.

“I can confirm it is a Washington field
office investigation,” FBI spokeswoman
Katherine Schweit said. “Nothing more.”

Even Congressman Meek, who visited
the family after the murder, speaks only in
platitude about his dead constituent. “His
memory will not be forgotten,” the Senate
candidate responded in a written state-
ment when he was asked whether he had
pressured the Afghans to investigate.

The most logical explanation for all of
this reticence, I believe, is that the Karzai
administration — which the United States
supports and needs — orchestrated the attack
that killed Maxwell. After all, the monitors’
complaints had triggered scheduling a runoff.

And the attack worked. Not only did the
United Nations immediately pull half of its
del egation from the country, but also Karzai’s
intimidated opponent, Abdullah Abdullah, quit
the race after Western leaders suggested his
further involvement would spur more violence.

“They sacrificed this guy,” Lee says.
“Every day, I get up and cry,” she says. “I don’t
understand why no one is pushing the Afghan
government to turn over his killers. I just
don’t understand how they are doing this.”