

SCARY IRAN PLOT: BIPOLAR DISORDER AND OTHER REASONS TO DISMISS

As the NYT and TPM have reported, Manssor Arbabsiar—the accused plotter in the Scary Iran Plot—has moved to have his indictment dismissed because he is bipolar. His lawyers are basing that motion on the diagnoses of Clinical Neuropsychologist Joel Morgan and Psychiatrist Michael First. First cites six passages from his interrogation (all redacted) to support his assertion that Arbabsiar was likely cycling in and out of manic episodes during his confession.

And while I highly doubt a judge is going to dismiss the case against the Scary Iran Plotter because he is bipolar, it is worth noting that the confession given—First says—while he was probably manic, is central to four out of five charges against Arbabsiar.

But I'm more interested in the other documents filed in the last few days. In addition to the doctors' declarations, there are declarations addressing the other reasons—Arbabsiar's team argues—why some of the evidence and possibly the entire indictment against him should be thrown out. A declaration from his public defender, Sabrina Shroff, references 5 exhibits (all redacted) describing why the judge should “dismiss the Indictment, or, in the alternative, to suppress statements made by Mr. Arbabsiar and other evidence improperly obtained by the government.” And then there's a declaration from Arbabsiar himself, though its 29 paragraphs remain entirely sealed; it's unlikely that Arbabsiar would submit a declaration to support his own bipolar diagnosis (and the declarations don't reference any comments he made, though it does reference comments from his family). So it must offer other reasons to throw out the charges or some of the evidence.

So it's not just that Arbabsiar's lawyers are saying he's mentally ill, and that illness influenced both his decision to waive his Miranda rights but also the confession that is critical to most of the charges against him. But there seem to be around 5 other reasons or pieces of evidence that Arbabsiar's team alleges were improperly collected.

Of course, we're not allowed to know what they are, cause that would make it more clear whether the government invented Scary Iran Plot entirely or just made a big deal out of another aspirational plot.