

TAMERLAN'S SEARCH ON REMOTE CONTROL CAR INFO

I want to do a quick post about details defense attorney Timothy Watkins snuck into today's testimony at the Dzhokhar Tsarnaev trial. FBI Supervisory Special Agent Edward Knapp testified at length about how he investigated the bombs used in the attacks. At the end of direct, the government had him show how closely the bombs – both the elbow pipe bombs used at Watertown and the pressure cooker bombs – resembled bomb instructions included in Inspire Magazine.

The effort was, as so much of this trial has been, a carefully scripted effort to tell a narrative that probably doesn't reflect the full truth of how the brothers got or made the bombs using what propaganda. Judge George O'Toole had, earlier in the trial, prevented the defense from entering evidence about the Russian bomb making materials on Tamerlan's hard drive. Knapp focused on the bombs that most closely resembled Inspire bombs (focusing on the elbow pipe bomb, for example, and not the straight one also used in Watertown). He didn't get into really big detail about the trigger used for the bombs used at the race. Knapp even focused on a green Christmas light in one of the bombs to show it was just like the green Christmas light in the Inspire recipe.

Ultimately, it was about how the bombs could have been made from the recipes in Inspire magazine.

In addition to trying, unsuccessfully, to get Knapp to reveal what fingerprint evidence had shown about the bomb materials (they almost certainly show that Tamerlan handled the bombs, not Dzhokhar), Watkins asked,

Watkins: Inspire Magazine doesn't mention RC cars as a bomb component, does it? Knapp: I don't think so.

In the midst of an objection, Watkins sneaks in question...did u know Tamerlan searched internet for RC car info? Objection, sustained.

The question, if permitted as evidence, would have shown several things: that Tamerlan didn't follow Inspire exactly for the bombs used at the race, that Tamerlan was the one putting them together, and – possibly – that Tamerlan was at least partly using a Russian model for the bomb, not Inspire's model. (One detail defense revealed yesterday is that there was nitroglycerine at the Cambridge apartment which was stronger than the firecrackers used in the pressure cookers.)

That, by itself is notable: once again, the government's pat narrative is almost certainly not a description of what actually happened.

But the detail also raised questions about why Tamerlan's searches for what ultimately were bomb parts were not found by the FBI or NSA.

There are several answers.

1) These were searches for toy parts, not bomb parts. While FBI might now trigger on remote controllers, they probably didn't then, even if they had a dragnet. FBI appears to keep expanding its dragnets as terrorists use certain tools.

2) While FBI should have done a back door search on Tamerlan when they did the assessment of him in 2011, nothing we know of would have triggered a new assessment in the interim, even if they did dragnet on remote controllers which I doubt.

3) I do strongly suspect that NSA had picked up the brothers' downloads of Inspire, which I suspect is triggered to the encryption codes included in the magazine and not to any key word content of the magazines or even the URL. If I'm right (and that's just a guess), then the NSA would have had data on the brothers. In fact, we know the NSA did have data on one or both of the

brothers that didn't get read until after the attack. If it was Inspire, I think they probably didn't attract attention because they weren't 2-degrees of someone interesting or hadn't been found in one of the more targeted chat rooms. It would also mean that FBI didn't then share Tamerlan's identifiers they identified during their 2011 assessment of him with NSA for future mapping (I don't necessarily think they should, but if they had, then NSA might have paid more attention to whatever data they did have on the brothers, potentially eliciting a second look once they collected it). Also remember, the brother may not even have been downloading Inspire until after the FBI stopped investigating Tamerlan.

4) While XKeyscore certainly has the ability to do searches on "remote car controllers" it's not clear that would pull off content collected in the US, so it would only show up if the server Tamerlan went to was overseas; they were probably local and Amazon. Who knows? Maybe now FBI has also started an Amazon dragnet on remote controllers. But again, you'd need something else to trigger interest in Tamerlan's identifier doing the search.

5) I suspect that what Watkins was referring to came from a subpoena to Tamerlan's ISP for all his web searches. So that they had the searches are themselves unsurprising.

Update: Here's the shipping bill for some of the remote control supplies he bought, from a site called NitroRCX which appears to be in the metro Los Angeles area. I believe the other one was from Amazon.