

JUDGE REJECTS PANETTA REVIEW FOIA BECAUSE REVIEW IS TRUE

Fresh off approving the phone dragnet for what might be the last time, Judge James Boasberg rejected Jason Leopold's FOIA for the Panetta Report. Ultimately, Boasberg upheld a broad Exemption 5 deliberative privilege claim.

But his discussion to justify that claim is pretty funny. Basically, he says CIA doesn't have to release the report because (presumably unlike everything else CIA has released on its torture) this report was frank and truthful.

[R]equiring disclosure of the Reviews would cause the sort of harm that the deliberative-process privilege was designed to prevent – *i.e.*, inhibiting frank and open communications among agency personnel.

[snip]

Had the SRT known that the Reviews could become public, its members would likely have been tempted to highlight on the information that would paint the agency's prior actions in a positive light and to avoid calling attention to information that could have embarrassed the agency or its officials.

Everyone knows the Panetta's CIA is only supposed to talk about torture in highly produced torture snuff like Zero Dark 30. God forbid citizens be able to balance that propaganda against the actual truth.