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Hon. Judge Edward R. Korman
U.S. District Court
Eastern District of New York
225 Cadman Plaza E, Brooklyn, New York 11201
718-613-2470: courtroom Secretary
718-613-2476: courtroom Deputy

Re: Gregory Scarpa Jr. vs. U.S.
Case No. 1:02-cv-03953-ERK

November 15, 2012
Fed Ex

Dear Judge Korman,

By way of introduction I am attaching a copy of my bio and my Wikipedia entry. Also two copies of *Triple Cross*, my third book for HarperCollins Publishers.

I am a five-time Emmy-winning former investigative correspondent for ABC News now writing non-fiction investigative books. I have an M.S. from Columbia University's Graduate School of Journalism and a J.D. from Fordham University School of law. (Class of 1978).

After nearly five years I've just finished an exhaustive study of the FBI's 32 year relationship with Gregory Scarpa Sr. It's entitled "Deal With The Devil." See copy of the Introduction from my website. The book is based on 1,153 pages of heretofore secret FBI Airtels, teletypes and 209's on the Bureau's dealings with Scarpa Sr. a Top Echelon Criminal Informant. It will be published in early 2013.

As a result of the research I've done and with all humility, I believe that I know more about the life and times of Gregory Scarpa Junior than any other living journalist or historian. I am writing to you now on his behalf.

The purpose of this letter is to underscore the substantial assistance that Scarpa Jr. has rendered to the United States in his FBI-sponsored investigation of Ramzi Yousef and other convicted al Qaeda terrorists for 11 months in 1996-97 and his second astonishing revelation in 2005 which led directly to the FBI's discovery of a cache of explosives in a crawl space beneath the former home of convicted Oklahoma City bomber Terry Nichols.

Though many of the pleadings in Scarpa Jr.'s case accessible on Pacer are under seal, it's my understanding in speaking with him from prison and the few brief conversations I've had with his attorney Georgia J. Hinde that he is now before you with a 2255 motion to vacate, set aside or correct his sentence. I'm therefore writing to support his claim in any way that I can.

According to Pacer a status conference is set for November 20th, 2012. So time is of the essence in your consideration of the material in this submission.

In my new book I give high praise to you and the late Judge Charles P. Sifton in your handling of a series of EDNY prosecutions stemming from the third Colombo "war;" which I fully document was incited and waged by Scarpa Sr. with the advice and consent of various FBI agents and supervisors in the NYO.

I also document, as never before, the spectacular contributions rendered by Gregory Scarpa Junior in helping to expose the murderous plots of two world class terrorists: Ramzi Ahmed Yousef, whom I have proven in my previous books was the architect of BOTH attacks on the WTC – the 1993 bombing and the 9/11 attacks – which were executed by his uncle Khalid Shaikh Mohammed (KSM) -- and Terry Nichols, the convicted co-conspirator in the 1995 bombing of the Murrah Federal Building in Oklahoma City.

In both instances, in an effort to silence Scarpa Jr. and keep him behind bars, the Justice Department has waged an extraordinary campaign to discredit him. But I can prove to you, by a criminal standard -- beyond a reasonable doubt -- that Scarpa Jr. gave substantial assistance in 1996-97 during the FBI's sting of Yousef and in 2005 in revealing the specific location of explosives planted by Nichols.

THE FIRST STING: RAMZI YOUSEF

The so-called "Scarpa materials" relating to the Yousef initiative are self authenticating. Consider the attached copy of the schematic from Yousef for the Casio watch power IED (improvised explosive device) he used to try and blow up a Philippine Airlines 747 in 1994 in a precursor to "Bojinka," Yousef's fiendish plan to crash a dozen U.S. bound jumbo jets over the Pacific.

It was this plot for which Yousef was tried and convicted in the SDNY in the summer of 1996 along with two of his Manila cell cohorts, Abdul Hakim Murad and Wali Khan Amin Shah. However, beginning in March, 1996 and continuing until February, 1997 the FBI and various SDNY and EDNY prosecutors including Patrick Fitzgerald and Valerie Caproni, were a party to an extraordinary intelligence initiative in which Scarpa Jr. was furnished a camera by the FBI and photographed multiple notes or "kites" passed through Junior to Murad who was in the adjoining cell at the MCC.

This material not only confirmed the presence of an active al Qaeda cell in New York City but warned of a plot by al Qaeda to hijack planes to free the blind Sheikh Omar Abdel Rahman convicted in the Landmarks plot in 1995.

That same threat was considered such actionable intelligence that it turned up in the infamous Crawford Texas PDB (Presidential Daily Briefing) to President George W. Bush in early August 2001, just weeks before the 9/11 attacks.

Also, after the Feds put so much faith in Junior that they set up a phony Mafia front company called "Roma Corp." and allowed Yousef to make patch-through calls via a payphone on the MCC's 9th floor tier, the FBI was able to trace at least one call to Doha, Qatar, where Yousef's uncle KSM was hiding out perfecting what later became the "planes as missiles" plot on 9/11.

After the FBI sent its elite Hostage Rescue Squad (HRT) to the Qatari capital to apprehend KSM, he escaped to the Czech Republic only to go on and execute his nephew's "planes operation" on Sept. 11th, 2001.

But later, realizing that giving Junior credibility for this intelligence initiative might negatively impact the pending Colombo "war" cases, the Feds, conspired to discredit the 11 month Yousef sting (documented in dozens of FBI 302s) by calling it all a "hoax" and a "scam."

Apart from the 302's, much of this material is self-authenticating. In the attached copy of that schematic which Yousef passed to Scarpa Jr. and Junior gave to the FBI I've copied a picture of the same Casio powered IED seized by the FBI in Yousef's Manila bomb factory.

What the Feds termed Yousef's unique "signature" in that device was his use of a c106d semiconductor. Scarpa Jr. got that schematic in the spring of 1996 but that detail wasn't made public until Yousef's trial in August.

Thus it was only in the possession of the FBI and SDNY prosecutors. The evidence was incredibly inculpatory for Yousef and clearly Scarpa Jr. who had a tenth grade education could not have fabricated it. Thus the "hoax" and "scam" story concocted by the Feds to discredit Junior was entire specious.

THE SECOND STING: TERRY NICHOLS

Further, in 2005 Junior's actions led directly to the FBI uncovering a cache of dangerous explosives which the Bureau had missed initially during a 1995 search of Nichols' former home in Herrington Kansas. See A.P. stories attached.

In one of my conversations with Junior he told me that AUSA Patricia Notopoulos has actually disputed that he was the source of the Nichols explosive discovery. Nothing could be further from the truth.

I would be prepared to come to any hearing and testify on Gregory Jr.'s behalf and back up my testimony with evidence if need be. But for your immediate consideration I'm referring you to *Triple Cross*.

I'm sending two signed first editions, one for you and one for your clerk.

The book contains a 32 page illustrated timeline of my findings over a seven year investigation – including evidence undermining the false “hoax” and a “scam” story proffered by the Feds.

The intelligence Scarpa Jr. generated over 11 months at great risk to his personal safety, was absolutely genuine and if properly vetted by the FBI and shared with other intelligence agencies may well have prevented the 9/11 attacks.

Further, I can prove that the discovery of the cache of Kinestik and other high explosives in the crawl space beneath Nichols' basement, was discovered as a direct result of Scarpa Jr.'s intelligence communicated to me by forensic investigator Angela Clemente. It is quite possible that additional violence on the 10th anniversary of the Murrah bombing by “others unknown” might have been prevented as a result of that discovery by the FBI a decade after its initial search.

At a minimum, the discovery of those high explosives served to protect the immediate neighbors in Nichols former Kansas suburb.

SCARPA JR.'S SUBSTANTIAL ASSISTANCE

As a veteran journalist covering organized crime, it is absolutely unprecedented in my experience, to find a “made” member of an LCN family who was so willing to risk his own life vs. terrorists in not just one instance, but two.

Further, many of the crimes that Junior was convicted of in 1998 were executed on his father's orders at a time when his father was operating as a virtual agent provocateur for the FBI.

So while the “authorization” defense may have been spurned by Judge Reena Raggi at Junior's trial in 1998, In *Triple Cross* I reveal compelling new evidence proving that John Napoli, the DOJ's principal source for the “hoax” story – patently denied that he told the FBI that the “Scarpa materials” were a fabrication.

Thus, I believe Scarpa Jr. deserves serious consideration for his 2255 motion. If you can examine this evidence your Honor, with the same objectivity you demonstrated during the Orena brothers trial in 1995 you could serve to help close one of the darkest chapters in the history of the FBI and the Justice Department – the period described by the late Judge Gustin Reichbach in his dismissal of murder charges vs. ex SSA Lin DeVecchio in 2007 as “a deal with the devil.”

It was an ends/means relationship in which the FBI conspired with a Mafia killer to fight the Mafia and in doing so aided and abetted Scarpa Sr. who was responsible for at least HALF of the deaths during the third Colombo “war.”

While I live in California I am prepared to travel back to Brooklyn at my own expense to testify for Gregory Jr. I’m certainly happy to put what I allege in this letter into the form of a sworn affidavit with documentary exhibits if necessary.

In the course of finishing my new book I’ve had the benefit of conducting a number of telephone interviews with Greg Jr. and I can say unequivocally that he has expressed abject remorse for any of the crimes he may have committed at his father’s insistence and he grieves for the victims and their families.

This is a man who has been redeemed and rehabilitated by his many years behind bars. If we are to believe, as Scripture tells us that “the sins of the father should not be visited upon the son,” then Gregory Scarpa Jr. deserves a chance to breathe the air as a free man.

Please let me know if I can be of any further assistance in realizing that goal.

Sincerely,

Peter Lance
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