

WHAT HAPPENED TO ZAZI'S BEAUTY PRODUCT PURCHASING ASSOCIATES?

The House Judiciary Committee is going into a classified briefing tomorrow at which, if history is any judge, the Administration will tell them about ongoing terrorist investigations that require the gutting of the Fourth Amendment.

When the members go into that meeting, there are a number of questions I hope they ask. But one of those is, whatever happened to the three Zazi associates described as having purchased acetone and hydrogen peroxide in the government's detention motion against Zazi?

As you'll recall, one piece of evidence the government presented to the Court to justify holding Zazi without bail pertained to the actions of "individuals associated" with Zazi:

The evidence will further establish that individuals associated with Zazi purchased unusual quantities of hydrogen and acetone products in July, August, and September 2009 from three different beauty supply stores in and around Aurora. One person purchased a one-gallon container of a product containing 20% hydrogen peroxide, as well as an eight ounce bottle of acetone. A second person purchased an acetone product in approximately the first week of September. A third person purchased 32-ounce bottles of Ion Sensitive Scalp Developer, a product containing high levels of hydrogen peroxide, on approximately three occasions during the summer of 2009.

Now, frankly, I don't know how these purchases

add to the case to deny Zazi bail (there was already far more damning, more relevant information in the motion). Zazi's more likely, more dangerous potential co-conspirators would seem to be people in NY, where the alleged attack was planned and where his mosque-related affiliates had a history of sympathy for extremists. And it's not the associates' purchase of these items, per se, that makes Zazi a threat if he's out on bail; it would be the possession of these materials by someone who had both instructions akin to Zazi's on turning the materials into an explosive and the intent to do so. If the associates already have those things, that's not going to change whether or not Zazi is in custody.

The government's implication in the detention motion was that these were potential co-conspirators of Zazi—otherwise, why would they be relevant to Zazi's bond hearing at all???

Only, more than a month after this motion was submitted, we've had no reports of arrests, and the attention at least publicly seems to be focused on NY, not on CO.

So what happened to these three people who bought beauty products in Aurora, CO?

Before I pursue that question, look what the government claims about them. The government represents that these are "unusual" quantities of these products. By what measure? All of these purchases are far, far less than Zazi purchased himself (6 bottles of one product and 12 of another, in one purchase). Would a beauty salon that uses Ion Sensitive Scalp Developer [warning: clicking that link may make you a terrorist suspect] go through three bottles of the stuff in three months? Given that the stuff is sold in a gallon-sized bottle as well, how does purchasing one 32-oz. bottle a month qualify as "unusual"? Were the acetone and hydrogen peroxide purchased together? If not, is an 8-oz. bottle of acetone really "unusual"? Note the vagueness surrounding the second person—the person who purchased an acetone

product in approximately the first week of September, suggesting the product was purchased after Zazi's last known attempts to allegedly cook up TATP in August, and potentially even after Zazi left for NY. How can the government assert this is an unusual quantity if it doesn't even, apparently, know what it was, when it was purchased, and in what volume?

And when the government says these people are "associated with Zazi," what does it mean? Were they members of the same mosque (with which, public reports suggest, Zazi was not that closely involved, unlike his mosque in Flushing, NY)? Were they also airport drivers at DIA, perhaps working for the same company but not socializing with Zazi at all? Were they neighbors of one of the residences at which Zazi briefly lived in the eight months he lived in CO?

So now return to the question of what happened to these people. What has happened to them in the last month or so, then? Have they been wiretapped, and if so, under FISA or under criminal statutes? Have their houses been searched, perhaps using a sneak and peek search so they wouldn't know? Has the government asked their bank, their internet provider, their credit card companies, and credit rating agencies for reports on their actions? If so, did a judge review the government's request to do so? Has their mosque been watched? Have investigators started asking these people's neighbors and employers if these people are good upstanding citizens or maybe instead South Asian immigrants who might secretly be terrorists?

And if any or all of those things have happened, then what? Are they still under investigation? Or has the government discovered that they are, instead, a patriotic, law-abiding handyman and beauty salon owner and home-owner who bought products that millions of Americans use every day? And if the latter, then have their neighbors and employers started treating them differently since the time the FBI came and

asked a bunch of questions about them?

The FBI is not going to tell me or you the answers to these questions. But it would, presumably, be willing to answer them in tomorrow's briefing.

If one of your Representatives serves on the House Judiciary Committee (I've included numbers for the Dems below), call them and ask that they get answers to those questions tomorrow, before they decide whether to make such fishing expeditions based on the purchase of every day items easier for the government.

John Conyers: 202-225-5126

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