

N	Timecodes	Speaker	Text
1	00:00:00,000 00:00:04,100	Interviewer	if you could state your name for sound check?
2	00:00:04,100 00:00:08,480	Jesselyn Radack	Jesselyn Radack, I am with the government accountability project
3	00:00:08,980 00:00:17,340	Jesselyn Radack	One, two, three, four, five, six, seven, eight, nine, ten.
4	00:00:48,480 00:01:06,880	Interviewer	overview and Lind story
5	00:01:06,880 00:01:09,200	Jesselyn Radack	sure I think the Lind... I think my case
6	00:01:09,430 00:01:13,170	Jesselyn Radack	relates to what's going on now because as bad as my case was it's nothing
7	00:01:13,170 00:01:15,330	Jesselyn Radack	compared to what whistleblowers are going through now
8	00:01:15,330 00:01:19,430	Interviewer	no, I like you, you talked before about that it's...
9	00:01:19,430 00:01:24,780	Interviewer	that you feel in some way you experienced first stop something yeah
10	00:01:24,780 00:01:27,110	Interviewer	that was that was the first example in some way
11	00:01:27,110 00:01:31,159	Interviewer	and in some way also how I look at it also very much a clear example
12	00:01:31,159 00:01:37,819	Interviewer	So in some way I think your grasped in on a whole series of it?
13	00:01:38,020 00:01:41,600	Jesselyn Radack	I think my foreshadowed it I mean it was a federal criminal leak
14	00:01:41,619 00:01:45,970	Jesselyn Radack	investigation 'em... which they normally we're not doing
15	00:01:45,970 00:01:51,200	Jesselyn Radack	and began doing it 'em they had a task force under Ashcroft
16	00:01:51,200 00:01:56,000	Jesselyn Radack	'em... but really I think it wasn't until the Obama administration
17	00:01:56,000 00:01:58,860	Jesselyn Radack	that an an actual war on whistleblowers erupted
18	00:01:58,860 00:02:04,460	Interviewer	Can I ask mobiles are on silent?
19	00:02:26,160 00:02:30,120	Interviewer	Good, Jesselyn thank you
20	00:02:30,129 00:02:32,489	Interviewer	very much for being here and taking your time
21	00:02:32,489 00:02:36,829	Interviewer	Fist of all, I think it would be good if you could explain a bit about your

22 00:02:36,829 Interviewer background before actually working in the Department  
00:02:42,180 of Justice

23 00:02:42,180 Jesselyn I 'emm... it was college and law school  
00:02:44,999 Radack

24 00:02:44,999 Jesselyn I went to Brown 'em for undergrad and then Yale for  
00:02:49,340 Radack law school

25 00:02:49,340 Jesselyn and I went directly into the De... Department of  
00:02:55,329 Radack Justice through their Honors Program

26 00:02:55,329 Jesselyn and I did constitutional tort litigation for four years and  
00:03:01,279 Radack then I became

27 00:03:01,279 Jesselyn 'eh an ethics adviser  
00:03:03,179 Radack

28 00:03:03,179 Interviewer and you where specifically interested in ethics?  
00:03:06,899

29 00:03:06,900 Jesselyn I love the ethics parts  
00:03:08,820 Radack

30 00:03:08,829 Jesselyn I mean, I really felt like I had a knack for it and I had  
00:03:11,829 Radack done

31 00:03:11,829 Jesselyn some writing on those issues during law school and  
00:03:17,189 Radack so it

32 00:03:17,189 Jesselyn felt like a natural fit a good fit for me  
00:03:20,229 Radack

33 00:03:20,300 Interviewer can I ask you to... because my voice will... won't be in,  
00:03:25,800 in the end so can you paraphrase me if that is okay

34 00:03:31,020 Jesselyn so yes I I was offered a position to be  
00:03:33,879 Radack

35 00:03:33,879 Jesselyn an ethics attorney and that appealed to me for  
00:03:36,849 Radack

36 00:03:36,849 Jesselyn a number of reasons my had a longstanding interest  
00:03:44,520 Radack 'em... in legal ethics and had studied it

37 00:03:44,580 Interviewer and then  
00:03:47,900

38 00:03:47,900 Interviewer I like how it's been said that it could've been anyone  
00:03:51,150

39 00:03:51,150 Interviewer but you with that one to pick up the phone  
00:03:53,239

40 00:03:53,239 Jesselyn you know we... in my office in ethics office we took  
00:03:56,680 Radack

41 00:03:56,680 Jesselyn turns to being the duty attorney for the day  
00:04:00,269 Radack

42 00:04:00,269 Jesselyn and it was just random that I happened to be  
00:04:03,239 Radack

43 00:04:03,239 Jesselyn the ethics officer on desk when I got a call from 'em...  
00:04:09,169 Radack

44 00:04:09,169 Jesselyn the criminal division of the same justice department  
00:04:12,760 Radack

45 00:04:12,760 Jesselyn 'em... saying that the FBI was on the ground  
00:04:17,650 Radack

46 00:04:17,650 Jesselyn and wanted to interrogate an American who is being  
00:04:23,210 Radack called the American Taliban

47 00:04:23,210 Jesselyn ,it was all over the news. and wanted to interrogate  
00:04:26,610 Radack him

48 00:04:26,610 Jesselyn and I was told matter-of-factly that he had a lawyer  
00:04:30,500 Radack

49 00:04:30,500 Jesselyn so in accordance with the advice we always gave in  
00:04:34,630 Radack this kind of situation

50 00:04:34,630 Jesselyn 'em... I said you can't do that he's an American  
00:04:39,450 Radack

51 00:04:39,450 Jesselyn is represented by counsel but here are some other  
00:04:44,730 Radack ways you can properly 'em...

52 00:04:44,730 Jesselyn be able to do that 'em... you could do an undercover,  
00:04:49,960 Radack you could try

53 00:04:49,960 Jesselyn to get a waiver I mean they're different ways you  
00:04:52,270 Radack

54 00:04:52,270 Jesselyn you know, that you could properly do this 'em... in  
00:04:56,920 Radack different alternatives

55 00:04:56,920 Jesselyn to try to talk to him 'em.. and that was on a Friday  
00:05:05,980 Radack

56 00:05:05,980 Jesselyn the case happened to be a high-profile one  
00:05:08,170 Radack

57 00:05:08,170 Jesselyn but the advice was what I would normally give to any  
00:05:13,050 Radack Department attorney

58 00:05:13,050 Jesselyn who had an agent on the ground who wanted to do  
00:05:15,790 Radack something

59 00:05:15,790 Jesselyn 'em... and the same person who called me, called  
00:05:22,780 Radack back on Monday, two days later

60 00:05:22,780 Jesselyn saying 'ah well they interrogated him anyway  
00:05:26,550 Radack

61 00:05:26,550 Jesselyn despite your advice the FBI interrogated the American  
00:05:32,240 Radack Taliban John Walker Lindh

62 00:05:32,240 Jesselyn 'em... what should we do now'  
00:05:35,570 Radack

63 00:05:35,570 Jesselyn and again I said 'don't panic' I mean this happens that  
00:05:39,680 Radack people

64 00:05:39,680 Jesselyn disregard our advice or they make an ethical blunder  
00:05:42,950 Radack

65 00:05:42,950 Jesselyn and we need to help try to fix it so I said 'look you can  
00:05:48,100 Radack seal that interviewing

66 00:05:48,100 Jesselyn and you can use it for national security and  
00:05:52,480 Radack intelligence-gathering purposes

67 00:05:52,480 Jesselyn but not for criminal prosecution' and they seemed fine

00:05:59,740 Radack with that answer

68 00:05:59,740 Jesselyn and when they were going to communicate that to  
00:06:02,690 Radack 'em...

69 00:06:02,690 Jesselyn the military on the ground and the FBI agents  
00:06:06,200 Radack

70 00:06:06,200 Jesselyn who had interrogated him 'em... then sometime, you  
00:06:12,280 Radack know...

71 00:06:12,280 Jesselyn maybe a month or so later John Ashcroft who was the  
00:06:17,600 Radack Attorney General

72 00:06:17,600 Jesselyn at the time. He was very fond of these very  
00:06:20,970 Radack

73 00:06:20,970 Jesselyn dramatic press conferences and he gave one  
00:06:23,810 Radack

74 00:06:23,810 Jesselyn 'em... announcing that they were 'em... going to  
00:06:32,120 Radack charge John Walker Linh

75 00:06:32,120 Jesselyn and a reporter said 'I heard he had a lawyer was he  
00:06:37,840 Radack able the

76 00:06:37,840 Jesselyn have his lawyer with them' and Ashcroft said  
00:06:41,060 Radack

77 00:06:41,060 Jesselyn 'if we knew that he was represented by counsel he  
00:06:44,740 Radack would be allowed

78 00:06:44,740 Jesselyn to meet with that lawyer and I knew that was a flat out  
00:06:49,530 Radack lie

79 00:06:49,530 Jesselyn but again he was the Attorney General so it was his  
00:06:53,639 Radack prerogative to say what he wanted

80 00:06:53,639 Jesselyn 'em... and I kept my mouth shut and then a couple of  
00:06:59,560 Radack weeks later he had

81 00:06:59,560 Jesselyn another press conference on the same topic 'em...  
00:07:05,490 Radack and

82 00:07:05,490 Jesselyn by this point there were pictures circulating around the  
00:07:09,220 Radack world

83 00:07:09,220 Jesselyn of John Walker Lindh, naked, blindfolded bound to a  
00:07:15,360 Radack board, gagged with epithets

84 00:07:15,360 Jesselyn written all over his hea... his forehead and 'em...  
00:07:20,389 Radack

85 00:07:20,389 Jesselyn it looked very reminiscent of what we later would see  
00:07:25,120 Radack

86 00:07:25,120 Jesselyn at Abu Ghraib, it was clear that he was being tortured  
00:07:29,980 Radack

87 00:07:29,980 Jesselyn and so a reporter asked 'it looks like this guy is being  
00:07:35,000 Radack tortured

88 00:07:35,000 Jesselyn what's going on' and again the Attorney General said  
00:07:38,860 Radack that

89 00:07:38,860 Jesselyn his rights had been carefully, scrupulously guarded,

00:07:43,480 Radack again I knew that

90 00:07:43,480 Jesselyn was a complete lie because they had actually an  
00:07:46,110 Radack

91 00:07:46,110 Jesselyn committed ethics violation and it sure didn't look like  
00:07:50,230 Radack he was

92 00:07:50,230 Jesselyn being treated very well and... they filed a criminal  
00:08:00,590 Radack case

93 00:08:00,590 Jesselyn against him which I had advised to them not to do.  
00:08:05,860 Radack They did the exact opposite

94 00:08:05,860 Jesselyn 'em... but again, that's not my call that's above my  
00:08:11,150 Radack head

95 00:08:11,150 Interviewer what did it make you think in those times when you  
00:08:16,950 heard this direct

96 00:08:16,950 Interviewer lying you have been directly involved with this case  
00:08:19,830

97 00:08:20,000 Jesselyn you know, it made me...  
00:08:21,419 Radack

98 00:08:21,419 Jesselyn uncomfortable of course but again, I knew, in the  
00:08:24,840 Radack chain of command

99 00:08:24,840 Jesselyn that the Attorney General could take whatever  
00:08:30,480 Radack position he wanted to

100 00:08:30,480 Jesselyn and that it wasn't up to me to make those calls 'em...  
00:08:35,659 Radack

101 00:08:35,659 Jesselyn on whether to prosecute him or not. Obviously the  
00:08:39,300 Radack higher ups decided they

102 00:08:39,300 Jesselyn were going to go forward with this 'em... I was trying  
00:08:43,990 Radack to, you know, I would

103 00:08:43,990 Jesselyn here about the case and follow it and the thing that  
00:08:50,059 Radack bothered me

104 00:08:50,059 Jesselyn as the case progressed was... that it all came down to  
00:08:56,860 Radack

105 00:08:56,860 Jesselyn a suppression hearing that he was gonna have,  
00:08:59,589 Radack

106 00:08:59,589 Jesselyn the crux of the case was his confession during his  
00:09:03,569 Radack interrogation

107 00:09:03,569 Jesselyn the one I had advised against 'em... and on March  
00:09:10,730 Radack seventh, that was

108 00:09:10,730 Jesselyn a pivotal day for me 'em... because the prosecutor  
00:09:17,389 Radack himself

109 00:09:17,389 Jesselyn emailed me and say 'as you know there's a federal  
00:09:22,540 Radack court discovery order

110 00:09:22,540 Jesselyn for all Justice Department correspondence related to  
00:09:26,519 Radack John Walker Lindh's

111 00:09:26,519 Jesselyn interrogation I have two of your emails

	00:09:29,720	Radack	
112	00:09:29,720 00:09:33,019	Jesselyn Radack	and I wanted to make sure I have everything'
113	00:09:33,019 00:09:37,629	Jesselyn Radack	and at that point I was alarmed because I knew I had written way more
114	00:09:37,629 00:09:44,009	Jesselyn Radack	than two emails but... I was still naive about it
115	00:09:44,009 00:09:48,300	Jesselyn Radack	and I went up and checked the hard copy file
116	00:09:48,300 00:09:55,540	Jesselyn Radack	on that's when my heart really sank I checked the file and it was empty
117	00:09:55,540 00:09:58,899	Jesselyn Radack	except for two very innocuous pieces a paper and it had been
118	00:09:58,899 00:10:04,720	Jesselyn Radack	about an inch thick. and at that point I felt like 'okay'
119	00:10:04,720 00:10:10,350	Jesselyn Radack	'something really bad is going on' 'em... so I consulted with a Senior Attorney
120	00:10:10,350 00:10:14,829	Jesselyn Radack	who had been a US attorney for seven years 'em...
121	00:10:14,829 00:10:18,639	Jesselyn Radack	and I said what... what... what's going on here
122	00:10:18,639 00:10:21,329	Jesselyn Radack	and he just told me, you know, he look through the file
123	00:10:21,329 00:10:26,649	Jesselyn Radack	and said very matter-of-factly 'this file has been perched' and I'm like
124	00:10:26,649 00:10:30,360	Jesselyn Radack	'what?' that... it completely threw me for a loop
125	00:10:30,360 00:10:34,899	Jesselyn Radack	because we were simultaneously prosecuting Arthur Andersen and Enron
126	00:10:34,899 00:10:37,699	Jesselyn Radack	for destruction of evidence and obstruction of justice
127	00:10:37,699 00:10:41,779	Jesselyn Radack	and the idea that the department can actually get rid of evidence
128	00:10:41,779 00:10:46,999	Jesselyn Radack	'em... in violation of a court order, no less
129	00:10:46,999 00:10:54,089	Jesselyn Radack	was unthinkable to me 'em... at that point I confronted my boss
130	00:10:54,089 00:10:58,800	Jesselyn Radack	she came in and said 'Claudia, there's a discovery order
131	00:10:58,800 00:11:02,319	Jesselyn Radack	'em... and no one told me about it and apparently
132	00:11:02,319 00:11:05,559	Jesselyn Radack	it has not been complied with because a prosecutor
133	00:11:05,559 00:11:10,079	Jesselyn Radack	only has two of my emails' and she just glared at me
134	00:11:10,079	Jesselyn	and said very matter-of-factly 'I sent everything that

00:11:14,170 Radack

135 00:11:14,170 Jesselyn Radack was in the file and at that point, now she's  
00:11:19,610 Radack

136 00:11:19,610 Jesselyn Radack connecting herself... to this I mean, she is admitting  
00:11:23,540 Radack

137 00:11:23,540 Jesselyn Radack that she is involved in this and hav... have handled  
00:11:27,470 Radack the file

138 00:11:27,470 Jesselyn Radack 'em... and... I just said I wrote more emails then that  
00:11:35,529 Radack

139 00:11:35,529 Jesselyn Radack 'em... and I didn't quite know what to do but I  
00:11:39,230 Radack

140 00:11:39,230 Jesselyn Radack knew I didn't want to be a part of this and I was like  
00:11:46,999 Radack 'look something -

141 00:11:46,999 Jesselyn Radack really really really unseemly is going on here and  
00:11:51,730 Radack

142 00:11:51,730 Jesselyn Radack you need to get a perm... a permanent position  
00:11:55,179 Radack because I think I'm

143 00:11:55,179 Jesselyn Radack going to resign 'em... it's that bad, I mean, I don't want  
00:12:00,399 Radack to be a part of this

144 00:12:00,399 Jesselyn Radack and 'em... I mean it did feel monumental to me  
00:12:05,480 Radack

145 00:12:05,480 Jesselyn Radack and I called up technical support this is early in the  
00:12:10,490 Radack

146 00:12:10,490 Jesselyn Radack digital age in its infancy at the department  
00:12:13,559 Radack

147 00:12:13,559 Jesselyn Radack and I said 'look I had all these emails I, you know, put  
00:12:18,379 Radack them in the trash

148 00:12:18,379 Jesselyn Radack and emptied my trash on the computer and they'd  
00:12:22,790 Radack delete off

149 00:12:22,790 Jesselyn Radack the computer every 30 days so I probably can't get  
00:12:27,199 Radack them back, right?'

150 00:12:27,199 Jesselyn Radack and they're like 'oh no we can get them back nothing  
00:12:30,139 Radack disappears

151 00:12:30,139 Jesselyn Radack and we spent hours going through these different  
00:12:34,459 Radack ballet steps

152 00:12:34,459 Jesselyn Radack to try to recover them and I was able to recover  
00:12:37,040 Radack

153 00:12:37,040 Jesselyn Radack 'em... about a dozen emails 'em... I know, I had  
00:12:42,490 Radack written more

154 00:12:42,490 Jesselyn Radack than that but a dozen that had the documentation  
00:12:46,459 Radack

155 00:12:46,459 Jesselyn Radack that the FBI had screwed up and committed an ethics  
00:12:50,829 Radack violation in its

156 00:12:50,829 Jesselyn Radack interrogation of John Walker Lindh so I documented  
00:12:56,149 Radack the two pieces of

157 00:12:56,149 Jesselyn paper in the file and then put in order all of the other  
00:13:00,619 Radack emails and essentially

158 00:13:00,619 Jesselyn like a bullet about what they said 'em... and attach  
00:13:04,429 Radack copies,

159 00:13:04,429 Jesselyn wrote a memo to my boss 'em... to document that and  
00:13:09,129 Radack then

160 00:13:09,129 Jesselyn I xeroxed a copy of it to take home with me in case  
00:13:12,389 Radack

161 00:13:12,389 Jesselyn the emails disappeared... again and I...  
00:13:17,550 Radack

162 00:13:17,550 Jesselyn your know... took it to my boss and she seemed  
00:13:25,009 Radack infuriated

163 00:13:25,009 Jesselyn that I had done this, she's like 'why weren't these in  
00:13:29,209 Radack file'

164 00:13:29,209 Jesselyn I was kinda like .you tell me Claudia why weren't they  
00:13:33,939 Radack in the file'

165 00:13:33,939 Jesselyn and I said 'you know what, I... am not even gonna be  
00:13:39,100 Radack a part of whatever

166 00:13:39,100 Jesselyn game you're running here I... I'm resigning you have  
00:13:43,910 Radack two weeks... my two weeks notice

167 00:13:43,910 Jesselyn and 'em... I am resigning.'  
00:13:48,569 Radack

168 00:13:48,569 Jesselyn 'em... so I got a job at another... at another... at a law  
00:13:54,949 Radack firm, a private law firm

169 00:13:54,949 Jesselyn doing something totally unrelated to anything I was  
00:13:57,779 Radack trained in

170 00:13:57,779 Jesselyn I was doing affordable housing law but I thought okay  
00:14:00,589 Radack

171 00:14:00,589 Jesselyn socially redeeming work and a bigger paycheck 'em...  
00:14:05,699 Radack

172 00:14:05,699 Jesselyn but I continued on the radio to hear things about the  
00:14:09,679 Radack John Walker Lindh

173 00:14:09,679 Jesselyn criminal case, as it was progressing and the things I  
00:14:14,389 Radack was hearing

174 00:14:14,389 Jesselyn on the radio said to me that 'eh... that 'oh, John  
00:14:18,970 Radack Walker

175 00:14:18,970 Jesselyn Lindh never had counsel and statement said... 'oh, his  
00:14:23,499 Radack rights were

176 00:14:23,499 Jesselyn by the book, 'em... you know, followed things I knew  
00:14:28,910 Radack were patently untrue and

177 00:14:28,910 Jesselyn it told me if my email said had in fact made it to the  
00:14:33,100 Radack judge

178 00:14:33,100 Jesselyn I don't think the department would have the temerity  
00:14:36,550 Radack



to be making

179 00:14:36,550 Jesselyn  
00:14:41,220 Radack statements like that 'em... and it weight very heavily on me

180 00:14:41,220 Jesselyn  
00:14:46,079 Radack I mean I was raging insomniac I could not sleep I... it was...

181 00:14:46,079 Jesselyn  
00:14:50,899 Radack I mean, the guy, they had like three life counts on him and

182 00:14:50,899 Jesselyn  
00:14:56,379 Radack it was a feeling up like... 'ee... man... someone could be put to death

183 00:14:56,379 Jesselyn  
00:15:01,059 Radack because I... I kept my mouth shut and that...

184 00:15:01,059 Jesselyn  
00:15:06,189 Radack is a really... for me to that's a line I mean, that's something I couldn't

185 00:15:06,189 Jesselyn  
00:15:14,079 Radack live with, for me 'em... that was 'em... you know, my moment, 'em...

186 00:15:14,079 Jesselyn  
00:15:19,179 Radack my realisation, so... what... again one morning I heard Mike Issacov (check)

187 00:15:19,179 Jesselyn  
00:15:25,429 Radack of... then of Newsweek saying that 'oh, he never had counsel, that's not an issue'

188 00:15:25,429 Jesselyn  
00:15:29,459 Radack and I called Mike Issakov and I said I don't know who's

189 00:15:29,459 Jesselyn  
00:15:36,059 Radack telling you this line of bullshit but I have evidence to prove that it's wrong

190 00:15:36,059 Jesselyn  
00:15:39,239 Radack before that I had gone to the judge to try to give him the emails

191 00:15:39,239 Jesselyn  
00:15:42,549 Radack but I no longer worked at the department and I was told by his clerks

192 00:15:42,549 Jesselyn  
00:15:47,610 Radack I no longer had standing by the time I called Mike, I was just

193 00:15:47,610 Jesselyn  
00:15:52,360 Radack like you can keep saying this and I showed him the emails and he said

194 00:15:52,360 Jesselyn  
00:15:56,970 Radack he would write an article on it 'em... which he did he asked if

195 00:15:56,970 Jesselyn  
00:16:00,839 Radack I wanted to be named in the article, which I did not

196 00:16:00,839 Jesselyn  
00:16:04,799 Radack I wanted to be anonymous 'em... so he read a really good

197 00:16:04,799 Jesselyn  
00:16:09,649 Radack article that actually ended up causing the ultimate collapse

198 00:16:09,649 Jesselyn  
00:16:13,839 Radack of the John Walker Lindh case but meanwhile Newsweek put up

199 00:16:13,839 Jesselyn  
00:16:19,129 Radack all of my emails with my name on their new website

so it

200 00:16:19,129 Jesselyn Radack was like a big red arrow pointing right at me and 'em...  
00:16:25,649

201 00:16:25,649 Jesselyn Radack so that really... ended up by. I think by blowing  
00:16:30,249

202 00:16:30,249 Jesselyn Radack the whistle, I thought... it was over with, like okay  
00:16:34,259

203 00:16:34,259 Jesselyn Radack I've done my part I can sleep again, I can live with  
00:16:38,429 myself

204 00:16:38,429 Jesselyn Radack and whatever happens, happens, but I didn't realise I  
00:16:42,040 had just

205 00:16:42,040 Jesselyn Radack unleashed the full force of the entire executive branch  
00:16:46,319

206 00:16:46,319 Jesselyn Radack and they came and they told my new law firm that I  
00:16:49,730 was a criminal

207 00:16:49,730 Jesselyn Radack that I would steal new files... you know, files  
00:16:52,569

208 00:16:52,569 Jesselyn Radack 'em... protected files and that they should fire me  
00:16:56,470

209 00:16:56,470 Jesselyn Radack they leaned on a private law firm to fire me, which the  
00:17:00,819 law firm wouldn't do

210 00:17:00,819 Jesselyn Radack but they put me on this weird administrative, unpaid....  
00:17:05,839 'eh...

211 00:17:05,839 Jesselyn Radack indefinite administrative leave 'em... and  
00:17:12,079

212 00:17:12,079 Jesselyn Radack it was like being in purgatory 'em... meanwhile, you  
00:17:19,280 know, the justice

213 00:17:19,280 Jesselyn Radack department... I hire a lawyer and the justice  
00:17:22,880 department starts making noises

214 00:17:22,880 Jesselyn Radack about a criminal investigation and that they were  
00:17:25,780 putting me

215 00:17:25,780 Jesselyn Radack under criminal investigation 'em... for...  
00:17:30,620

216 00:17:30,620 Jesselyn Radack for leaking which is the first criminal leakk  
00:17:36,150 investigation I know of since

217 00:17:36,150 Jesselyn Radack 'em... maybe Ellsberg's 'em... for someone who didn't  
00:17:42,060 reveal, not you know spying, nom spy activity

218 00:17:43,820 Interviewer to say you had looked at  
00:17:48,540

219 00:17:48,540 Interviewer certain protective avenues before actually doing this  
00:17:52,650 can you explain

220 00:17:52,650 Interviewer what consideration you were taking, what law there  
00:17:56,350 were to protect you?

221 00:17:56,500 Jesselyn Radack yeah, I had 'em...  
00:17:57,740

222 00:17:57,740 Jesselyn done a research memo during my time working in the  
00:18:01,590 Radack ethics office on

223 00:18:01,590 Jesselyn whistleblower protection laws so I knew what they  
00:18:04,660 Radack said and I

224 00:18:04,660 Jesselyn new that going to the media was an option, going to  
00:18:10,430 Radack congress

225 00:18:10,430 Jesselyn was as an option I'd already been to my superior and  
00:18:14,570 Radack to the

226 00:18:14,570 Jesselyn prosecutor saying 'something fishy is going on'  
00:18:17,550 Radack

227 00:18:17,550 Jesselyn em... I knew that I had... you know, I met the  
00:18:23,410 Radack standard, I had a reasonable belief

228 00:18:23,410 Jesselyn that what I was witnessing evidenced fraud, waste,  
00:18:28,740 Radack abuse or illegality

229 00:18:28,740 Jesselyn or danger to public health and safety em... and so  
00:18:35,240 Radack within that understanding

230 00:18:35,240 Jesselyn I blew the whistle What didn't dawn upon me was  
00:18:38,880 Radack

231 00:18:38,880 Jesselyn that the Whistleblower Protection Act is a paper tiger,  
00:18:42,920 Radack it has no

232 00:18:42,920 Jesselyn enforcement mechanism so when the government  
00:18:45,780 Radack starts

233 00:18:45,780 Jesselyn retaliating against you and spits em... there's really  
00:18:50,370 Radack nothing

234 00:18:50,370 Jesselyn you can do to make it stop and the retaliation began  
00:18:55,380 Radack with them

235 00:18:55,380 Jesselyn trying to get me fired from my law firm the law firm  
00:19:01,100 Radack being you know, playing both

236 00:19:01,100 Jesselyn sides at the street cooperating with the government  
00:19:04,880 Radack yet at the same time

237 00:19:04,880 Jesselyn claiming I stole work there but not letting me do any  
00:19:07,790 Radack work

238 00:19:07,790 Jesselyn an then petty little things like the law... I mean, the  
00:19:15,530 Radack god.. the government actually

239 00:19:15,530 Jesselyn helped the law firm contest my receipt of  
00:19:20,010 Radack

240 00:19:20,010 Jesselyn my meagre, pathetic unemployment benefits which I  
00:19:24,040 Radack was

241 00:19:24,040 Jesselyn entitled to because I was no longer getting an income  
00:19:26,820 Radack

242 00:19:26,820 Jesselyn so I failed for uninsurance 'em... which was pretty  
00:19:35,760 Radack humiliating for me 'em...

243 00:19:35,760 Jesselyn but really you're gonna contest my, you know, big

00:19:39,030 Radack three hundred bucks a week

244 00:19:39,030 Jesselyn I get to buy gas and groceries that petty though and  
00:19:43,880 Radack

245 00:19:43,880 Jesselyn as soon as one thing ended, another one would begin  
00:19:48,820 Radack so finally once

246 00:19:48,820 Jesselyn the criminal law case ended on Sept 11th ironically...  
00:19:56,000 Radack of 2003

247 00:19:56,000 Jesselyn it ended with no charges being brought but within  
00:19:59,730 Radack days

248 00:19:59,730 Jesselyn the department had referred me to the state bars in  
00:20:03,080 Radack which I'm licensed as

249 00:20:03,080 Jesselyn an attorney in both Maryland and DC So now I had to  
00:20:09,350 Radack fight on another front

250 00:20:09,350 Jesselyn and all of these fights cost a lot of money because I  
00:20:13,630 Radack had a private attorney

251 00:20:13,630 Jesselyn who was billing at a very high rate you know, upwards  
00:20:18,000 Radack of a thousand dollars

252 00:20:18,000 Jesselyn then I had to have another attorney, an employment  
00:20:23,000 Radack attorney dealing with

253 00:20:23,000 Jesselyn the law firm which was giving me grief, which kept  
00:20:26,600 Radack

254 00:20:26,600 Jesselyn claiming that I was still employed there but was not  
00:20:29,740 Radack paying me

255 00:20:29,740 Jesselyn 'em.. so 'em... it, it, it was a mess and the,  
00:20:35,010 Radack

256 00:20:35,010 Jesselyn the bar referrels that was a whole other attorney  
00:20:38,400 Radack

257 00:20:38,400 Jesselyn I needed for that to deal with the DC and Maryland  
00:20:44,640 Radack bars 'em...

258 00:20:44,640 Jesselyn I thought the Maryland bar took a long time to hear  
00:20:47,310 Radack my case

259 00:20:47,310 Jesselyn they heard it in 2005 I thought two years was really  
00:20:51,140 Radack ridiculous

260 00:20:51,140 Jesselyn for hearing a case but... and they found that I  
00:20:54,310 Radack

261 00:20:54,310 Jesselyn done nothing wrong, that the charges was unfounded  
00:20:58,580 Radack and normally under

262 00:20:58,580 Jesselyn reciprocal discipline rules the DC bar should have  
00:21:03,110 Radack done the same thing

263 00:21:03,110 Jesselyn but the complaint against me in DC lasted until this  
00:21:08,120 Radack past summer

264 00:21:08,120 Jesselyn ten years before it got dismissed and that was only  
00:21:12,680 Radack because two of

265 00:21:12,680 Jesselyn the major players died emm... and also during that  
00:21:18,830 Radack time

266 00:21:18,830 Jesselyn I found that I was on the no fly list on the selected  
00:21:24,150 Radack portion of the no fly list

267 00:21:24,150 Jesselyn meaning you get, hassled and have to undergo  
00:21:26,870 Radack

268 00:21:26,870 Jesselyn secondary security screening every time you fly  
00:21:29,800 Radack

269 00:21:29,800 Jesselyn 'em... again that was just an inconvenience and a way  
00:21:34,520 Radack to

270 00:21:34,520 Jesselyn intimately and harass and delay and mess with you  
00:21:41,200 Radack basically

271 00:21:41,200 Jesselyn the government has amassing 'em... just a whole  
00:21:46,770 Radack panoply of options

272 00:21:46,770 Jesselyn they can use to screw with the whistle-blower  
00:21:49,770 Radack (doorbell ring)

273 00:21:49,770 Interviewer Can we take that sentence, right from that the  
00:21:54,880 government has..

274 00:21:56,040 Jesselyn the government has endless opportunities, a whole  
00:22:01,420 Radack panoply

275 00:22:01,420 Jesselyn 'em... of things it can do to screw with whistleblowers  
00:22:06,810 Radack 'em...

276 00:22:06,810 Interviewer you felt you got the full force of retaliation  
00:22:13,290

277 00:22:13,290 Jesselyn yeah I thought it was pretty, you know...  
00:22:15,110 Radack

278 00:22:15,110 Jesselyn its bad enough that I lost my job, was that not enough,  
00:22:19,260 Radack now you have to, like

279 00:22:19,260 Jesselyn interfere with my new job, now you have to start a  
00:22:22,640 Radack whisper

280 00:22:22,640 Jesselyn campaign in my synagogue that I'm, 'eh... terrible and  
00:22:27,570 Radack the

281 00:22:27,570 Jesselyn New York Times had an article calling me a traitor  
00:22:30,560 Radack and

282 00:22:30,560 Jesselyn turncoat and a terrorist sympathiser so that didn't help  
00:22:35,120 Radack because I was kinda

283 00:22:35,120 Jesselyn radio active to all the other soccer mom's and so  
00:22:40,270 Radack really yes I think they

284 00:22:40,270 Jesselyn try to not only hurt you but tried to disrupt your life and  
00:22:44,310 Radack your

285 00:22:44,310 Jesselyn friendships in your association all 'em... relationships  
00:22:53,980 Radack as much as possible so 'em...

286 00:22:53,980 Interviewer how did your case settle? and maybe also how did

00:22:57,820 Lindh's case settle?

287 00:23:01,120 Jesselyn Lindh ended up pleading guilty in a  
00:23:03,600 Radack

288 00:23:03,610 Jesselyn surprise plea bargain deal on the eve of the  
00:23:09,190 Radack suppression hearing that was

289 00:23:09,190 Jesselyn going to bring out in the open who did what to him  
00:23:12,510 Radack

290 00:23:12,510 Jesselyn and who broke what rules the stuff that I advised  
00:23:18,360 Radack about, 'em... so it collapsed

291 00:23:18,360 Jesselyn he pled guilty to two minor administrative infractions  
00:23:24,810 Radack and was over punished

292 00:23:24,810 Jesselyn with twenty years in jail for that a'em... so his case  
00:23:30,410 Radack ended, again I thought

293 00:23:30,410 Jesselyn okay the end of my ordeal but my ordeal  
00:23:33,270 Radack

294 00:23:33,270 Jesselyn continued for another three or four years 'em... and at  
00:23:38,930 Radack that point

295 00:23:38,930 Jesselyn I decided I was going to dedicate my life to  
00:23:42,580 Radack representing whistleblowers

296 00:23:42,580 Jesselyn 'em... because clearly they were a group that did not  
00:23:49,500 Radack have the protection that they needed

297 00:23:50,140 Interviewer How did you come to that conclusion  
00:23:55,260

298 00:23:55,260 Interviewer was it just from your personal experiences or  
00:23:58,190

299 00:23:58,190 Interviewer did you then also suddenly start being aware of what  
00:24:03,310 was going on?

300 00:24:03,500 Jesselyn I mean it was my personal experiences and and in...  
00:24:07,620 Radack

301 00:24:07,630 Jesselyn at the same time meeting a few other whistleblowers  
00:24:11,130 Radack who are going through

302 00:24:11,130 Jesselyn similar things and thinking okay I wanna do this kind  
00:24:15,810 Radack

303 00:24:15,810 Jesselyn of work because for better for worse I've learned it by  
00:24:19,200 Radack

304 00:24:19,200 Jesselyn going through what I've gone through 'em..  
00:24:22,080 Radack

305 00:24:22,080 Jesselyn I learn whistleblower law so I ended up working for  
00:24:26,660 Radack

306 00:24:26,660 Jesselyn Alan Grayson who is congressman now but at the  
00:24:32,620 Radack time working at his firm 'em Liddy

307 00:24:32,620 Jesselyn Rep (check) going after 'em... people who were  
00:24:36,730 Radack blowing

308 00:24:36,730 Jesselyn the whistle on reconstruction fraud in Iraq  
00:24:39,920 Radack

309 00:24:39,920 Jesselyn may did that for two years 'em... so that was sorta  
00:24:43,080 Radack

310 00:24:43,080 Jesselyn poetic justice and then I, I was elected to the DC bar  
00:24:49,130 Radack legal ethics committee so

311 00:24:49,130 Jesselyn that was more... justice me who doesn't no legal  
00:24:54,520 Radack ethics or

312 00:24:54,520 Jesselyn understand it got elected to that board and then 'em...  
00:24:58,760 Radack

313 00:24:58,760 Jesselyn an opening after Alan got elected to congress and on  
00:25:02,600 Radack

314 00:25:02,600 Jesselyn 'em... an opening occurred at the Government  
00:25:06,820 Radack Accountability Project

315 00:25:06,820 Jesselyn to head up a new... national security human rights  
00:25:12,190 Radack program

316 00:25:12,190 Jesselyn which was an ideal fit for what I was doing  
00:25:15,940 Radack

317 00:25:15,940 Jesselyn I was doing pro bono work on behalf of Guantanamo  
00:25:20,310 Radack detainees

318 00:25:20,310 Jesselyn and writing articles about legal ethics and  
00:25:23,200 Radack

319 00:25:23,200 Jesselyn on how it measures with the war on terrorism  
00:25:25,700 Radack

320 00:25:25,700 Jesselyn 'em... so it was great the bread and butter  
00:25:36,030 Radack whistleblower cases

321 00:25:36,030 Jesselyn we're people get demoted or they've been 'em... you  
00:25:42,120 Radack know... they've had

322 00:25:42,120 Jesselyn their security clearances pulled or 'em... you know, at  
00:25:46,890 Radack worst maybe

323 00:25:46,890 Jesselyn they've been fired 'em... and there were a number  
00:25:50,720 Radack

324 00:25:50,720 Jesselyn of cases I did like that at first but then I read about this  
00:25:56,480 Radack guy

325 00:25:56,480 Jesselyn Thomas Drake and everything I read described... I...  
00:26:01,490 Radack

326 00:26:01,490 Jesselyn him... behaviour as a whistleblower It described  
00:26:05,460 Radack exactly what

327 00:26:05,460 Jesselyn a whistleblower would do and he got indicted and at  
00:26:09,760 Radack that

328 00:26:09,760 Jesselyn point I knew we had crossed a Rubicon into a new  
00:26:14,270 Radack age, if we were

329 00:26:14,270 Jesselyn going to criminally prosecute whistleblowers and do  
00:26:19,050 Radack so for espionage

330 00:26:19,050 Jesselyn A law meant to go after spies, and not whistleblowers  
00:26:23,180 Radack

331 00:26:23,180 Jesselyn and so my practice has 'em... developed into you

00:26:29,280 Radack representing,

332 00:26:29,280 Jesselyn unfortunately a long list of people right now who has  
00:26:32,880 Radack been charged...

333 00:26:32,880 Jesselyn who have been investigated or charged under the  
00:26:37,900 Radack Espionage Act

334 00:26:37,900 Interviewer when when did you first see that was that the first  
00:26:41,650 case

335 00:26:41,650 Interviewer Was Tom Drake the first case were you saw that...  
00:26:43,920 (Espionage act)

336 00:26:43,920 Interviewer been used again after Ellsberg of course?

337 00:26:46,380 Jesselyn yes, it was the first one, 'em... forty years after  
00:26:51,400 Radack Ellsberg it was the first time I saw the Espionage

338 00:26:51,400 Jesselyn Act law being used against somebody for purely non-  
00:26:57,160 Radack spy activities

339 00:26:57,300 Interviewer maybe you can just briefly explain what

340 00:27:00,050 Interviewer what makes that law so no out of limit to use that act  
00:27:07,000 against a the public... ?

341 00:27:07,000 Jesselyn yeah... the Espionage Act is this long  
00:27:09,580 Radack

342 00:27:09,580 Jesselyn antiquated, over-broad, extremely big Act 'em... that...  
00:27:16,810 Radack I mean when it was written

343 00:27:16,810 Jesselyn in 1917 it didn't even.... that... that...  
00:27:20,930 Radack

344 00:27:20,930 Jesselyn thats decades before the word classified even entered  
00:27:25,050 Radack the lexicon

345 00:27:25,050 Jesselyn 'em... so they're talking about war materials and  
00:27:31,960 Radack designs and boat designs

346 00:27:31,960 Jesselyn and films and you know, it was completely antiquated  
00:27:38,360 Radack but really it was meant to go

347 00:27:38,360 Jesselyn after spies and 'em... not people who are  
00:27:43,210 Radack

348 00:27:43,210 Jesselyn trying to do great things so the fact that that was  
00:27:46,310 Radack being

349 00:27:46,310 Jesselyn used was very heavy-handed and very dangerous  
00:27:51,680 Radack 'em... certainly concern

350 00:27:51,680 Jesselyn me 'em... and I definitely worried about the  
00:27:54,250 Radack

351 00:27:54,250 Jesselyn fact that this had happened to Tom I was hoping it  
00:27:58,560 Radack was a...

352 00:27:58,560 Jesselyn just a serious one off and then it wouldn't happen  
00:28:03,260 Radack again but

353 00:28:03,260 Jesselyn now it's happened seven or eight times 'em... but



00:28:09,050 Radack because of my experience with Tom

354 00:28:09,050 Jesselyn I continued to represent other whistleblowers who had  
00:28:12,710 Radack

355 00:28:12,710 Jesselyn been charged under the Espionage Act on and  
00:28:19,720 Radack continue to do so today 'em...

356 00:28:19,720 Interviewer We can maybe talk a bit overall  
00:28:23,600

357 00:28:23,600 Interviewer about whistleblowing what would you say  
00:28:26,380

358 00:28:26,380 Interviewer in normal characteristics of whistleblowing is?  
00:28:33,970

359 00:28:33,970 Jesselyn which I know the media is quick to do I think  
00:28:39,950 Radack everybody in themselves has a squeal point  
(background noise)

360 00:28:39,950 Interviewer can I have you take that over  
00:28:45,140

361 00:28:45,140 Interviewer again and be careful with the microphone but that was  
00:28:48,230 really good and sorry to interrupt.

362 00:28:48,230 Jesselyn I think every person in themselves has a squeal point  
00:28:52,060 Radack

363 00:28:52,060 Jesselyn of something where its... they, they can no longer  
00:28:58,150 Radack endure witnessing

364 00:28:58,150 Jesselyn it Now... I mean, on a very basic level  
00:29:01,850 Radack

365 00:29:01,850 Jesselyn 'em... if you see an old lady being mugged you  
00:29:08,090 Radack probably dial 911 on your cell phone

366 00:29:08,090 Jesselyn and make a police report well thats whistleblowing,  
00:29:11,740 Radack

367 00:29:11,740 Jesselyn if it turns out that she didn't really get mugged,  
00:29:15,650 Radack

368 00:29:15,650 Jesselyn they were, they were really filming a scene of a  
00:29:19,890 Radack movie... that, that's

369 00:29:19,890 Jesselyn okay too because you had a reasonable belief that  
00:29:25,180 Radack she was being mugged

370 00:29:25,180 Jesselyn So sometimes people blow the whistle but then it  
00:29:28,710 Radack turns out not to be what

371 00:29:28,710 Jesselyn they thought it was but it is still whistleblowing and  
00:29:33,080 Radack 'em...

372 00:29:33,080 Jesselyn I don't know how whistleblowing has gotten such a  
00:29:38,450 Radack dirty name 'em...

373 00:29:38,450 Jesselyn of being people who are out for fame, or profit, or  
00:29:43,170 Radack revenge because

374 00:29:43,170 Jesselyn all the whistleblowers I've worked with have been  
00:29:48,090 Radack regular people

375 00:29:48,090 Jesselyn I wouldn't describe them as shrinking violets 'em...

00:29:53,080 Radack they're usually outspoken

376 00:29:53,080 Jesselyn  
00:29:57,230 Radack people 'em... who have a good sense of who they are

377 00:29:57,230 Jesselyn  
00:30:02,980 Radack and their place in an organisation and the limits of what an organisation

378 00:30:02,980 Jesselyn  
00:30:08,550 Radack can and should be doing 'em... so I don't know if that...

379 00:30:08,550 Interviewer  
00:30:14,980 no I mean, you are very focused on the situation in the

380 00:30:14,980 Interviewer  
00:30:19,360 US right now but would you also say international

381 00:30:19,360 Interviewer  
00:30:23,450 that this is also something you have awareness about?

382 00:30:23,450 Jesselyn  
00:30:27,550 Radack yeah absolutely I think the surveillance problem 'em...

383 00:30:27,550 Jesselyn  
00:30:32,980 Radack is not just the US, it definitely is global in scale and effect

384 00:30:32,980 Jesselyn  
00:30:36,190 Radack and we need to deal with it as a global problem, I we, I...

385 00:30:36,190 Jesselyn  
00:30:40,700 Radack people are starting to, Germany is building its own Internet architecture

386 00:30:40,700 Jesselyn  
00:30:45,740 Radack so they don't have to go through the US 'em... people here are encrypting,

387 00:30:45,740 Jesselyn  
00:30:50,410 Radack people are starting to do things to protect themselves and I think

388 00:30:50,410 Jesselyn  
00:30:52,920 Radack you know... it's a consciousness building and

389 00:30:52,920 Jesselyn  
00:30:59,340 Radack raising awareness to be able to get to a point to take steps but I think the other

390 00:30:59,340 Jesselyn  
00:31:03,610 Radack part of that is being very supportive of whistleblowers and

391 00:31:03,610 Jesselyn  
00:31:07,010 Radack you know, telling congress when you pass these reforms you need to have

392 00:31:07,010 Jesselyn  
00:31:11,030 Radack a whistleblower provisions in them because you do... you say you don't like

393 00:31:11,030 Jesselyn  
00:31:16,390 Radack these leaks but you deny whistleblower protection to national security and

394 00:31:16,390 Jesselyn  
00:31:19,530 Radack intelligence employees and then blame them for doing

395 00:31:19,530 Jesselyn  
00:31:23,010 Radack what Edward Snowden did which he did only after carefully

396 00:31:23,010 Jesselyn  
00:31:27,700 Radack studying the cases of two have my clients; Tom Drake and Bill Bennie

397 00:31:27,700 Jesselyn 'em... and he made a rational decision based on the  
00:31:34,120 Radack information that was out there

398 00:31:34,180 Interviewer If Snowden returned to the US to stand  
00:31:40,660

399 00:31:40,670 Interviewer trial, would he have a fair trial?  
00:31:43,370

400 00:31:43,460 Jesselyn No... I mean there's no fair trial possible under the  
00:31:49,480 Radack Espionage Act

401 00:31:49,480 Jesselyn as long as it's under the Espionage Act their is no  
00:31:56,570 Radack 'em... public policy defence

402 00:31:56,570 Jesselyn there's no public interest defence... that what you did  
00:32:01,770 Radack was in the public's interest.

403 00:32:01,770 Jesselyn There is no over classification defense that what you  
00:32:06,930 Radack are accused of

404 00:32:06,930 Jesselyn having given over 'em.. wasn't improperly over  
00:32:10,700 Radack classified

405 00:32:10,700 Jesselyn 'em... there are no defense issue you can raise  
00:32:15,300 Radack

406 00:32:15,300 Jesselyn 'em... and meanwhile the government is allowed to  
00:32:22,110 Radack show all the different

407 00:32:22,110 Jesselyn harm often mystical mythical harm  
00:32:27,050 Radack

408 00:32:27,050 Jesselyn you've done 'em... so I really feel like...  
00:32:31,950 Radack

409 00:32:31,950 Jesselyn you, you can't get a fair trial under the Espionage Act.  
00:32:35,510 Radack When people say

410 00:32:35,510 Jesselyn come back and face the music the music is the wrong  
00:32:40,920 Radack music 'em...

411 00:32:40,920 Jesselyn there's only one result in an Espionage... charge  
00:32:44,120 Radack

412 00:32:44,120 Jesselyn 'em... he hasn't have a chance of defending himself  
00:32:48,100 Radack

413 00:32:48,100 Interviewer national security, public interest these are the terms  
00:32:55,770 we hear all the time

414 00:32:55,770 Interviewer put across each other and not to fall into the line  
00:33:00,440

415 00:33:00,440 Interviewer of normal conversation but how can we take the  
00:33:08,850 discussion further then

416 00:33:08,850 Interviewer that? how  
00:33:09,540

417 00:33:09,540 Interviewer ...public interest is just as much national security in  
00:33:17,650 some way

418 00:33:20,860 Interviewer scrutiny as I see it, where do you see...  
00:33:25,840

419 00:33:26,060 Jesselyn yeah I think, I mean you can certainly rebel with small

00:33:32,480 Radack actions like adding a postscript

420 00:33:32,480 Jesselyn to your emails that the NSA maybe collecting  
00:33:35,540 Radack

421 00:33:35,540 Jesselyn 'em... and monitoring what is in this email things that  
00:33:40,980 Radack are dus (induce) rebellion

422 00:33:40,980 Jesselyn gentle rebellion you can help supporting  
00:33:44,300 Radack whistleblowers

423 00:33:44,300 Jesselyn 'em... in whatever way, setting up 'em... legal defense  
00:33:48,480 Radack funds for them

424 00:33:48,480 Jesselyn given moral support, encouraging them helping  
00:33:54,320 Radack network them to other people

425 00:33:54,320 Jesselyn has been incredibly important what I do introducing  
00:33:59,380 Radack Tom to Dan Ellsberg

426 00:33:59,380 Jesselyn who's the only other person who have gone through  
00:34:02,150 Radack this

427 00:34:02,150 Jesselyn now other whistleblowers go to Tom for support  
00:34:05,490 Radack

428 00:34:05,490 Jesselyn 'em... because the community is so tiny of people  
00:34:10,820 Radack who've had to go through this...

429 00:34:10,820 Jesselyn hor... horrific experience 'em... but I think there are a  
00:34:15,220 Radack lot of different

430 00:34:15,220 Jesselyn things you can do on lobbying for better whistleblower  
00:34:20,280 Radack protection reform...

431 00:34:20,280 Jesselyn call... even just calling your members of Congress  
00:34:24,490 Radack and say we need

432 00:34:24,490 Jesselyn whistleblower protection reform that works now  
00:34:27,560 Radack

433 00:34:27,560 Jesselyn because otherwise people are gonna keep leaking  
00:34:29,560 Radack

434 00:34:29,560 Interviewer corporate internal whistleblowing hotline, are they  
00:34:38,300 working (in short from N mumble)

435 00:34:38,300 Interviewer chatter... chatter...  
00:35:01,580

436 00:35:01,600 Jesselyn well in the United States we have a number of  
00:35:08,400 Radack inspector generals for every sgency

437 00:35:08,420 Jesselyn 'em... and sometimes 'a... they occasionally work but  
00:35:14,050 Radack the inspector

438 00:35:14,050 Jesselyn general's in the US... Obama didn't even apoint at  
00:35:17,860 Radack people to

439 00:35:17,860 Jesselyn run them until his seventh year in office thats how little  
00:35:22,820 Radack of a damn

440 00:35:22,820 Jesselyn 'em... he gave about whistleblowers and these  
00:35:27,860 Radack officers have 'ah...

441 00:35:27,860 Jesselyn double-crossed whistleblowers, they have done some  
00:35:32,070 Radack really horrible things

442 00:35:32,070 Jesselyn so... they're supposed to protect whistleblowers and I  
00:35:36,560 Radack have case after case

443 00:35:36,560 Jesselyn where they have sold the whistleblower down the line  
00:35:39,270 Radack

444 00:35:39,270 Interviewer critics of this might say, well Obama helped  
00:35:45,480 implement several

445 00:35:45,480 Interviewer whistleblower protections we've seen new  
00:35:48,869

446 00:35:48,869 Interviewer legislation being formed a lot from pressure from  
00:35:52,020

447 00:35:52,020 Interviewer the Government Accountability project... What would  
00:35:56,840 you say about that?

448 00:35:56,840 Jesselyn I would say 'em... the public policy directive that he  
00:36:01,350 Radack has 'em...

449 00:36:01,350 Jesselyn that he said was applicable to Snowden 'em... that  
00:36:05,210 Radack was a big lie

450 00:36:05,210 Jesselyn he 'em.. I... it was not applicable to contractors and in  
00:36:11,100 Radack fact, it wasn't even

451 00:36:11,100 Jesselyn in effect yet... so either he is incredibly misinformed  
00:36:15,180 Radack by his

452 00:36:15,180 Jesselyn underlings or he's lying I do not know why he had a  
00:36:18,100 Radack

453 00:36:18,100 Jesselyn press conference and said that 'em... he has a... a  
00:36:22,920 Radack civil service proposal now

454 00:36:22,920 Jesselyn that would make anything national security sensitive  
00:36:26,960 Radack

455 00:36:26,960 Jesselyn unable to have protection rights well... pretty much  
00:36:31,270 Radack anything you do in the

456 00:36:31,270 Jesselyn government, if you wanna make an argument that it  
00:36:35,280 Radack affects national security

457 00:36:35,280 Jesselyn you're gonna be able to come up with that argument  
00:36:38,140 Radack and it basically would

458 00:36:38,140 Jesselyn strip about 35 years of civil reform acts on and that  
00:36:45,630 Radack whole civil service reform system

459 00:36:45,630 Jesselyn so 'em... trying to wipe away protections in these  
00:36:51,390 Radack ways is really bad

460 00:36:51,390 Jesselyn I mena, corporate whistleblowers have a helluva lot  
00:36:55,770 Radack more protection than government... whistleblowers  
right now

461 00:36:58,160 Interviewer how do we go forward from here  
00:37:01,920

462 00:37:01,940 Jesselyn We go forward by insisting in the surveillance reforms

00:37:04,840 Radack

463 00:37:04,840 Jesselyn Radack that there be pro... 'em... whistleblower protection in them  
00:37:09,470 Radack

464 00:37:09,470 Jesselyn Radack in the USA freedom act and in Dianne Feinstein's improve america act or  
00:37:15,810 Radack

465 00:37:15,810 Jesselyn Radack whatever she's calling it today 'em.. demand that there be  
00:37:19,540 Radack

466 00:37:19,540 Jesselyn Radack whistleblower protection and that'd be meaningful  
00:37:23,060 Radack

467 00:37:23,060 Interviewer what is meaningful, what does it take from that paper tiger to the real tiger?  
00:37:32,260

468 00:37:32,720 Jesselyn Radack you need to have an enforcement  
00:37:34,000 Radack

469 00:37:34,000 Jesselyn Radack mechanism I would say jury trials I want jury trials for these cases  
00:37:39,860 Radack

470 00:37:39,860 Jesselyn Radack so people can see what goes on jury trials in federal court  
00:37:43,480 Radack

471 00:37:43,480 Jesselyn Radack not in Toy court, not in these made up little administrative  
00:37:47,670 Radack

472 00:37:47,670 Jesselyn Radack you know processes, they have... These joke... these toy courts are joke courts  
00:37:55,230 Radack

473 00:37:55,230 Jesselyn Radack I mean,.. you need... it needs to be in a real federal court 'em... that would be my suggestion  
00:38:01,370 Radack

474 00:38:01,400 Interviewer we see a lot of new organization  
00:38:05,040

475 00:38:05,040 Interviewer shootings up in American and on an International scale  
00:38:10,160

476 00:38:10,160 Interviewer supporting whistleblowing what is your opinion of that?  
00:38:14,150

477 00:38:16,200 Jesselyn Radack I'm thrilled that other organizations are springing out that are supporting him  
00:38:20,760 Radack

478 00:38:20,760 Jesselyn Radack I think it's great I would like to sort of... I mean, I would  
00:38:23,900 Radack

479 00:38:23,900 Jesselyn Radack like to try to coordinate a little bit better between these organizations because  
00:38:27,710 Radack

480 00:38:27,710 Jesselyn Radack we're repeating some of each others work and I think we could tie resources  
00:38:32,420 Radack

481 00:38:32,420 Jesselyn Radack and figure out okay, you know, if I need money  
00:38:35,350 Radack

482 00:38:35,350 Jesselyn Radack for this, who do I go to, which... organization do I go to  
00:38:40,020 Radack

483 00:38:40,020 Jesselyn Radack 'em... to get a reimbursement on something but I think it's good. The... the organization  
00:38:46,280 Radack

484 00:38:46,280 Jesselyn that made the 'Free Snowden' banners in Washington

00:38:50,060 Radack DC on the busses

485 00:38:50,060 Jesselyn 'thanks Snowden' - that's great... great different  
00:38:56,200 Radack organizations have different

486 00:38:56,200 Jesselyn roles to play, unfortunately a lot on the surveillance  
00:38:59,840 Radack organizations

487 00:38:59,840 Jesselyn in DC have been very conflicted about Snowden and  
00:39:06,820 Radack very uncomfortable about Snowden

488 00:39:06,820 Jesselyn and tat has been a big disappointment who have  
00:39:17,670 Radack witness the legality at

489 00:39:17,670 Jesselyn their workplaces. what would be an advice to be, how  
00:39:21,260 Radack to best protected?

490 00:39:21,260 Jesselyn yeah i think... I think if you witness  
00:39:24,170 Radack

491 00:39:24,170 Jesselyn something in your workplace thats wrong 'em... I  
00:39:29,520 Radack would first of all

492 00:39:29,520 Jesselyn documented it, the de... you know as soon as it  
00:39:32,650 Radack

493 00:39:32,650 Jesselyn happens like literally right after it happens  
00:39:36,010 Radack

494 00:39:36,010 Jesselyn and if it occurs more than one time or it is getting  
00:39:41,390 Radack more frequent,t document

495 00:39:41,390 Jesselyn it just to explore all the  
00:39:46,530 Radack

496 00:39:46,530 Jesselyn different ways that you could do that and stay safe  
00:39:50,180 Radack again if you're at the

497 00:39:50,180 Jesselyn USDA you have 'em.. a different  
00:39:53,250 Radack

498 00:39:53,250 Jesselyn mechanism to go through 'em... corporate  
00:39:58,280 Radack whistleblowers have great

499 00:39:58,280 Jesselyn programs 'em... but we could try to rout you in  
00:40:02,070 Radack

500 00:40:02,070 Jesselyn the correct direction maybe yours is more something  
00:40:05,190 Radack we should

501 00:40:05,190 Jesselyn take to a congressman who we know gives... a hoot  
00:40:09,330 Radack about

502 00:40:09,330 Jesselyn your particular issue 'em... with someone else's it  
00:40:13,140 Radack

503 00:40:13,140 Jesselyn may look like that we need to go to... do... do a  
00:40:17,780 Radack department of defence, reprisal

504 00:40:17,780 Jesselyn act and see what happens then...  
00:40:19,630 Radack

505 00:40:19,630 Jesselyn knowing it may not be that good but...  
00:40:22,290 Radack

506 00:40:26,150 Interviewer blabla  
00:40:34,340

507 00:40:40,680 Jesselyn  
00:40:43,560 Radack Sure, no absolutely, I think things...

508 00:40:43,560 Jesselyn  
00:40:47,080 Radack the groups like courage and the whistle organization

509 00:40:47,080 Jesselyn  
00:40:53,150 Radack are doing is incredible because you were actually in  
the case of courage

510 00:40:53,150 Jesselyn  
00:40:57,400 Radack raising money to help support defense of  
whistleblowers which

511 00:40:57,400 Jesselyn  
00:41:01,410 Radack costs a lot of money people say come back and face  
the music Ed

512 00:41:01,410 Jesselyn  
00:41:05,760 Radack well, facing the music can cost between one and  
three million dollars a person

513 00:41:05,760 Jesselyn  
00:41:15,220 Radack 'em... so I'm glad about that fund Courage I the idea  
of a whistle organisation

514 00:41:15,220 Jesselyn  
00:41:20,360 Radack that can help other Whistler's Whistlers helping  
whistlers 'em... it's wonderful

515 00:41:20,480 Interviewer  
00:41:23,640 thank you so much

516 00:41:23,650 Jesselyn  
00:41:25,080 Radack sure thank you