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Title: Now Free, Attorney Brandon Mayfield Turns Furious. By: Jacklet, Ben, Murphy, Todd, Washington Report on Middle East Affairs, 87554917, Jul/Aug2004, Vol. 23, Issue 6

Database: Military & Government Collection

Now Free, Attorney Brandon Mayfield Turns Furious



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Section: Northwest News

Local attorney Brandon Mayfield blasted the federal government Monday for jailing him for two weeks without charges and labeling him a terrorist on the basis of a misidentified fingerprint.

Mayfield said that he was "often manacled and chained" while imprisoned, threatened by at least one prison guard and denied the opportunity to visit with his family.

Mayfield, a Kansas-born convert to Islam who runs a small family law practice in Beaverton, OR, was arrested May 6 and detained as a material witness in the investigation of the Madrid, Spain, train bombing that killed 191 people and injured more

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than 2,000.

Mayfield was jailed for two weeks before being released Thursday afternoon [May 20]. Then on Monday, U.S. District Judge Robert Jones, who had authorized Mayfield's detention, released a statement that "due to the misidentification by the FBI of a fingerprint, the court orders the material witness proceeding dismissed."

Jones also ordered that Mayfield's property was to be returned, the court's protective order was to be rescinded, the "gag order" was to be dropped and court documents were to be unsealed.

Robert Jordan, special agent in charge of the FBI in Oregon, issued an apology to Mayfield Monday afternoon, saying the bureau will consider adopting new guidelines for fingerprint analysis.

"The FBI also plans to ask an international panel of fingerprint experts to review our examination in this case," Jordan stated. "The FBI apologizes to Mr. Mayfield and his family for the hardships that this matter has caused."

Surrounded by a dozen supporters, including his wife and three children, Mayfield called his detention "an abuse of the judicial process" that "shouldn't happen to anybody."

At one point he held up his hand and said, "I'm two or three days out of detention, and I'm just now starting to not shake."

In numerous leaks to the media, FBI officials had said that Mayfield's fingerprints were found on bomb-making material found near the scene of the March 11 bombing. The first hint of a possible American connection to the terrorist attack made front-page headlines in The New York Times on May 7 and brought dozens of reporters into [the Portland suburb of] Aloha to camp out in front of Mayfield's modest suburban home.

Mayfield's attorney, Steven Wax, demanded an investigation of the FBI leaks to the media, which they suspect occurred in Washington, DC.

According to the unsealed documents, Jones originally ordered that Mayfield was to be detained "given the gravity of the matter and possible flight risk."

The documents also show that an independent expert selected by Mayfield's defense team had backed up the FBI's analysis of the fingerprint.

The court appointed Kenneth Moses, director of Forensic Identification Services of San Francisco, to analyze the fingerprint submitted by the FBI's analyst, Terry Green. Moses testified under oath last Wednesday that the "latent fingerprint forwarded from Spanish authorities to the FBI is that of Brandon Mayfield."

Moses did not return calls from the Tribune on Monday afternoon.

Last Thursday, in apparent contradiction of the analysis by Moses and Green, the government released Mayfield after a secret proceeding in Jones' court on the 10th floor of the Mark O. Hatfield Federal Courthouse. This occurred just hours after Spanish authorities announced that the fingerprints in question matched those of an Algerian national named Ouhmane Daoud, not Mayfield.

Mayfield emerged that day from the courthouse visibly shaken, while his Egyptian-born wife, Mona, flashed a continuous smile and their three children huddled around their parents' legs.

In his first public words since his arrest, Mayfield called his detention a "harrowing ordeal" and recited a brief prayer in Arabic.

Despite his release Thursday, Jones ordered that Mayfield remain a material witness. He then rescinded the order Monday, dropping the case and unsealing the court documents.

Mayfield never did testify before a grand jury. He was scheduled to do so on May 11, but that was postponed and eventually canceled when the fingerprint turned out to be misidentified as his.

On Monday afternoon, Mayfield released a written statement that said in part: "The government's handling of this case has been prejudicial and discriminatory in the extreme. Upon initially being arrested I was informed by the arresting officers that the media was close behind. Within minutes of my arrest the allegations of my involvement in the Madrid bombing were being disseminated through the media. Notwithstanding the judge's gag order, the government put out its theory and its facts while we were prevented from saying anything."

This article first appeared in the May 25, 2004 edition of the Portland, OR Tribune. Reprinted with permission.

PHOTO (COLOR): Oregon attorney Brandon May field with his children on the steps of

Portland's federal building following his release after two weeks' detention without charges as a "material witness" in the Madrid train bombings.

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By Ben Jacklet and Todd Murphy

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