

A Note to Our Readers, whom we call on to act as a Citizens' Grand Jury

In this book, you, the readers, will receive evidence showing how the US government and its defense contractors covered up dangerous environmental crimes at Rocky Flats Nuclear Weapons Plant, suppressed the indictments demanded by a federal grand jury, and threatened those jurors with jail if they spoke out; so that now, you as Citizen Grand Jurors can consider all the facts and render your own decision in the court of public opinion and before the Congress of the United States of America.

A Lawyer's Opening Statement

Members of this Citizens' Grand Jury:

This is an opening statement, what lawyers call their roadmap. An opportunity for us, a group of outraged fellow Americans, to tell you a little bit about what the evidence in this Citizens' Grand Jury Investigation is going to show. And to ask you—the reader and Citizen Grand Juror—these fundamental questions:

What do you do when you find out someone is committing a deadly crime? Usually, you go to the police. And then the government will enforce the law. But what do you do when it's the US Government and its corporate contractors committing the crimes? And another part of the government is covering it all up? What happens when citizens investigate the crimes of their own government?

The roadmap for this Citizens' Grand Jury Investigation is pretty scary. It takes us to Rocky Flats Nuclear Weapons Plant, just 16 miles upwind from Denver. One of the most contaminated places in the country. We're worried about elevated cancer rates and increased infant mortality levels in the communities adjoining Rocky Flats. And about new government plans that will expose even more people to the dangers of hidden radioactive contamination.

So we formed a Citizens' Grand Jury Investigation to investigate the US government. We caught the government red handed in a dangerous nuclear deception. It's one that puts the public health at risk. We've written this book to provide you, the Citizens' Grand Jury, with the proof of that government cover-up. And to request you to help us do something about it.

Who are we, these four Citizen Investigators? And why are we asking you to sit as a Citizens' Grand Jury to judge government nuclear crimes?

Jon Lipsky is an FBI agent. In 1989, he led the historic FBI raid on Rocky Flats Nuclear Weapons Plant, the first time the FBI ever served a search warrant on the US government. But a decade later, Special Agent

Lipsky wrote the letter you see in the front of this book.

Why would the FBI order Special Agent Lipsky to lie about the FBI's Rocky Flats criminal investigation? Why is Special Agent Lipsky disobeying that order and instead helping us uncover the secrets of Rocky Flats?

Jacque Brever was a plutonium worker who blew the whistle on secret midnight plutonium burning at Rocky Flats. In 1989, someone tried to kill her to stop her from testifying to the federal Grand Jury investigating evidence of nuclear crimes by the government and its defense contractor, Rockwell International. They intentionally contaminated her with deadly radioactivity. She testified anyway, spending two days behind the closed doors of the Grand Jury chambers. And then, afraid of the continuing assaults on her young daughter and herself, she fled Colorado and disappeared for almost ten years.

In failing health and still fearful of the dangers that almost killed her, Jacque has now come out of hiding to join this Citizens' Grand Jury Investigation.

Wes McKinley, a Colorado cowboy, was Foreman of the 1989-1992 federal Grand Jury that investigated the nuclear crimes at Rocky Flats. Wes says the US Justice Department ambushed the duly impaneled Grand Jury and sealed the Grand Jury Report detailing the evidence of nuclear crimes and lethal contamination. And threatened the Grand Jurors with prison if they talked about it. Wes says the US Justice Department lied to Congress and the public about what the US Energy Department and Rockwell International had really done at Rocky Flats.

Wes McKinley is as patriotic and law-abiding as they come. He's never even had a traffic ticket. But he's been under FBI investigation since 1992 for trying to find a way to warn Congress and the American people about the nuclear dangers the Justice Department covered up at Rocky Flats.

I'm their volunteer lawyer. I've been representing citizens' groups for over two decades.

Why have we formed this Citizens' Grand Jury Investigation? Why is Jacque Brever again risking her health, Jon Lipsky his career and maybe more? Wes McKinley does not lightly take on the US government. Grand Jury secrecy rules prevent him from talking about what really happened behind the closed doors of the Grand Jury chambers. Violation of Federal Criminal Rule 6(e), as it's known, can lead Wes to a prison sentence. An indefinite prison sentence, based on how badly he ticks off the judge.

But we have no choice *except* to form a Citizens' Grand Jury Investigation. The public health is at stake. Because now, a decade later, unaware of what really happened at Rocky Flats, officials have announced that the former nuclear weapons plant can be partially cleaned up, turned into a national wildlife refuge, and opened for recreation. Horseback riding, hiking, and children's school trips are planned for these radioactive fields.

This Citizens' Grand Jury Investigation isn't just about Rocky Flats. It isn't just about a Justice Department cover-up. The government has plans to turn toxic and hazardous waste sites throughout the entire country into recreation areas. They say they'll clean them up. But after you hear the evidence of the cover-up at Rocky Flats, you decide whether you

can believe what the government says about how it cleans up its own toxic mess.

Members of the Citizens' Grand Jury, we need your help. We need you to weigh and evaluate the evidence we've presented in this book. There's a "Citizens' Grand Jury Indictment" in the very back of this book. Have we proved that the government covered up nuclear crimes at Rocky Flats? Have we proved that Rocky Flats is no place for recreation?

You decide.

Please fill out the Citizens' Grand Jury Indictment to indicate your decision. You can sign your name, or simply say "A Citizen Grand Juror." Then please cut out the Indictment and mail it to us at the address on the form. Or go on-line at Ambushedgrandjury.com, and fill out the Citizens' Grand Jury Indictment you'll find on the web page. We will compile the Indictments and get them to all of the members of the United States Congress.

We've asked Congress to conduct an investigation into the government's criminal acts and the plans to open former toxic and hazardous waste sites for recreation. These Citizens' Grand Jury Indictments will let Congress know what you and other citizens want them to do.

Members of the Citizens' Grand Jury, don't be deceived by people who tell you it's wrong to criticize the government. The most unpatriotic act in the face of a known government wrong is standing silent.

The United States Constitution provides no vehicle for citizens to judge the criminal actions of our government. Congress can impeach elected officials and judges in some instances. But impeachment is a decision by Congress, not by us. Citizens can vote elected officials out of office. But that only occasionally is related to criminal actions.

When there's evidence that the US Energy Department and its defense contractors have committed dangerous nuclear crimes and the US Justice Department has covered them up, there's nothing to do *except* form a Citizens' Grand Jury Investigation. Especially when the public health is at stake.

When the Justice Department convenes a Grand Jury, after reviewing the evidence, the federal Grand Jurors decide whether there's enough evidence to believe that crimes have been committed. If so, an indictment issues, and the defendant stands trial for criminal charges in a court of law.

Here, the trial will take place in the court of public opinion. Perhaps where it matters most.

Ladies and gentlemen of the Citizens' Grand Jury, what will you do?

Part One
“Operation Desert Glow”
Rocky Flats Nuclear Weapons Plant
June 6th, 1989

The FBI raid had been set up as a sting. How else would the FBI serve a surprise search warrant on a government nuclear weapons factory? Guards at Rocky Flats Nuclear Weapons Plant had shoot-to-kill authority and surface-to-air-missiles, too. The FBI couldn't just fly their choppers in over the incinerator smokestacks and shuttered buildings, or knock down the gates with their guns drawn. So the FBI made up a story about needing to brief the weapons plant management about some recent eco-terrorist activity. The ruse had gotten the agents past the heavily guarded gates and the miles of barbed wire fence surrounding the 6,550-acre nuclear weapons plant 16 miles west of Denver. They'd been invited inside Rocky Flats, and *then* they'd served their search warrant

The deception was just beginning.