Boston bomber Dzokhar Tsarnaev breaks silence to apologize

by <u>Henry Gass</u> in the July 22, 2015 issue

(<u>The Christian Science Monitor</u>) Dzhokhar Tsarnaev spoke for the first time in court on the day of his sentencing, at the end of a months-long death penalty trial and after dozens of his victims and their families addressed the court.

"Immediately after the bombing, which I am guilty of—if there's any lingering doubt about that, let there be no more—I've learned of some of the victims, their names, their faces, their age," Tsarnaev said. "And throughout this trial more of those victims were given names, more of those victims had faces. . . . I am sorry for the lives that I've taken, for the suffering that I've caused you, for the damage that I've done—irreparable damage."

A jury convicted Tsarnaev of helping carry out twin bombings at the Boston Marathon on April 15, 2013, with his brother, Tamerlan—an attack that resulted in three deaths and more than 260 injuries. He was also convicted of the murder of a security guard at the Massachusetts Institute of Technology in the days after the bombings. After a second sentencing phase in the trial, the jury sentenced him to death in May.

At the hearing June 24 the sentence for each of the 30 counts against him was determined, and victims had the opportunity to make final statements to the court.

Twenty-four people spoke, either for themselves or on behalf of other victims. The testimony was just as emotional and bracing as it had been since the first days of the trial, but unlike every other day in court, Tsarnaev also spoke.

After a brief introduction from his attorney, Judy Clarke, Tsarnaev—wearing a dark blazer and a scraggly beard—stood and addressed the room. The voice that had not been heard publicly in more than two years since the bombings occurred was deep and composed, with a strong American accent.

Addressing the victims, he said, "I pray for your relief, for your healing, for your wellbeing, for your strength, and I ask Allah to have mercy on me, my brother, and my family." Tsarnaev began his speech by noting that it was Ramadan, a holy month in the Muslim calendar.

"It is the month of mercy from Allah to his creation," he said. "It is a month to ask forgiveness of Allah . . . a month where hearts change. Indeed, a month of many blessings."

Tsarnaev mumbled occasionally, his voice rusty and inaudible, as if he hadn't used it in a while.

He thanked his attorneys and those who testified on his behalf—most of them testifying in the sentencing phase of the trial as his lawyers fought to spare him the death penalty.

"Praise be to Allah," he finished. "Thank you."

Tsarnaev may have been speaking as much to the historical record as to the courtroom, said Harvey Silverglate, a Boston criminal defense and civil liberties lawyer.

"He had to know that he couldn't influence the sentence," Silverglate said. "I think he was saying for history's sake that he didn't possess any animus towards the people whom he hurt, and that he feels very badly about it."

Following Tsarnaev's comments, Judge George O'Toole addressed the room. He thanked the jury—13 of the 18 deliberators and alternates attended the hearing and sat in the jury box. While their verdict was not the only possible verdict, "it was certainly a rational one based on the evidence," he said. "For those of us who sat through [the trial] beginning to end, we have heard things we will never forget, both good and bad."

O'Toole praised the survivors who testified during the trial.

"It takes a good deal of courage to stand up in this setting and make such intensely personal statements," he said. "Their courage throughout their extended ordeal was exemplary."

Addressing Tsarnaev directly, he cited Marc Antony's speech from William Shakespeare's Julius Caesar.

"The evil that men do lives after them," he said. "So it will be for Dzhokhar Tsarnaev. . . . No one will remember that your teachers were fond of you, no one will mention that your friends found you funny and fun to be with, no one will say you were a talented athlete."

O'Toole's comments referred to some of the arguments his lawyers had made in their attempts to spare him the death penalty.

"What will be remembered," Judge O'Toole said, "is that you murdered and maimed innocent people, and that you did it willfully and intentionally."

O'Toole then read the sentences for all 30 of the counts against Tsarnaev, including six sentences of death by lethal injection.

"He chose hate, he chose destruction, he chose death," said Bill Richard, speaking with his wife, Denise, beside him, the parents of the youngest victim, eight-year-old Martin Richard. "This is all on him. We choose love, we choose kindness, we choose peace. This is our response to hate."

In April, the Richards had urged the government to drop the death penalty for Tsarnaev in an open letter on the front page of the *Boston Globe*. "We had preferred he had a lifetime to reconcile with himself what he did that day, but he will have less than that."

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