

"Shhhhh.....Nobody Will Notice."

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15 Comments

Picture

'If there's no evidence against her, she's obviously guilty.'

For months we have waited for the Italian appellate court in Florence to provide its “motivations” for their startling decision to overturn the unanimous October 2011 innocent verdicts of Amanda Knox and Raffaele Sollecito. The appellate court had the exact same evidence in front of them as did the court which exonerated the two, with the addition of several pieces of evidence that even further bolstered the innocence of Knox and Sollecito. But unimaginably, the Florence court (apparently at the behest of the Italian Court of Cassation) convicted them. And all it took was the suspension of natural law.

The motivation document (in Italian jurisprudence) attempts to explain the decision of the court. This document is in, and after hearing only the first assertion of the translated report, I can tell you that just that one argument has convinced me. Guilty is the proper verdict. I have never seen a more convincing, clear and irrefutable document. “Guilty” of a crime which still victimizes Meredith Kercher and her family. Guilty of a crime which is as old as mankind itself, and tears at the fabric of society: The court of Alessandro Nencini is guilty of Judicial Corruption.

The “motivation” document produced by Judge Nencini alleges that Amanda Knox and Raffaele Sollecito were able to do something that no criminal in the history of mankind has ever before been able to accomplish: Selectively clean up their own invisible DNA, leaving only the DNA of the man they wished to “frame.” To do so, they obviously had to possess the power to see DNA with their naked eyes, know whose it was (something the first Italian court famously couldn’t do with microscopes), and remove only their own. And most importantly, they had to clean the DNA from a bloody room without leaving a mark where the blood had been disturbed. This is like removing the underlying primer coat from a car’s paint without disturbing the paint job itself. It’s like doing a heart transplant through a sweat gland. It’s like removing Jesus from DaVinci’s masterpiece, “The Last Supper,” without anybody noticing. Even Batman’s foes never achieved this level of sophistication. You have to give Amanda and Raffaele credit for ingenuity. Or the Italian court credit for imagination.

Here is a rough translation of the court's logic with my underlined comments.

NENCINI:

"It has been much discussed, especially by the defense of the defendants, whether a “selective” clean-up of the crime scene is possible by the authors of the crime. This possibility was denied on the basis of the empirical impossibility of a “naked eye” to identify and select the singular traces, often invisible, to destroy. It was also excluded that someone in the cottage of Via della Pergola, on the night between November 1st and 2nd, 2007, after having committed the murder of

Meredith Kercher, could “selectively clean” the traces left by the authors of the crime, destroying all of the traces of the defendants in question, and leaving at the crime scene all of those traces that would have lead investigators to Rudy Hermann Guede."

[Translation: Yes, we have heard for years that selective cleaning of DNA at a crime scene is an "impossibility," and people simply can't "see" DNA with the naked eye. We get that. But then how is it possible that Amanda and Raffaele's DNA weren't present at the place they killed Meredith?]

"The affirmation, if apparently agreeable theoretically, must be correlated with the case in question, of which there are certain peculiarities."

[Translation: Even if it's theoretically impossible, we must look at this impossibility in relation to this case.]

" It is peculiar, for example, that no traces of Amanda Marie Knox were found in the cottage of Via Della Pergola if not those which are refer-able to the murder."

[Translation: It is peculiar that no traces of Amanda Knox were found in the cottage in which she lived. That would be peculiar if the statement was true--but it's not. There were many traces of Amanda in the cottage--that were admitted into evidence. Just none in the victim's room where the murder occurred. How he can get away with that lie is a mystery.]

PictureNencini's world.

"The Court retains that in fulfilling its duty, it must limit itself to a reasoning that is founded upon objective facts;"

[Just not SCIENTIFIC facts]

"An argument characteristically objective that emerged procedurally was evidence that, after the murder of Meredith Kercher, selective or not, there was a clean-up of the traces of the murder, and a maneuvering of the body of poor Meredith into a position (between the armoire and the wall of the room and covered by a duvet)"

[None of which is supported by a scintilla of physical evidence or testimony]

"...that certainly doesn't correspond with the position in which the girl died, at the end of the aggressive phase. Someone spent much time within the cottage on the night between November 1st and 2nd, 2007, altering the crime scene and destroying numerous traces."

[Without leaving evidence of doing so.]

"The evidence provided by the Scientific Police proves this incontestable truth, which the reasoning must take into consideration."

[Translation: Amanda and Raffaele, if they killed Meredith, would have left behind evidence of their presence. But no evidence of their presence was there. This is a problem. So....]

1. Either it is possible (against scientific fact) to selectively clean DNA, or Amanda and Raffaele are innocent.
2. We have already decided that Amanda and Raffaele are guilty.
3. Therefore, the only conclusion left is that it MUST be possible to selectively clean DNA from a crime scene.

Picture

Extra credit: Without using blood stains of the victim; locate 3 separate DNA profiles in this photo (identify DNA donor by first and last name), circle their location. Show your work. You have five minutes.

This "logic" is mind-blowing and simply shameful. In order to believe these court motivations, one is required to believe the impossible. This is not an unprecedented requirement in Italian courts. In 2012, a court in L'Aquila, Italy suspended reality and convicted six seismologists of manslaughter for not predicting a killer earthquake. The fact that no earthquake in human history has ever been accurately predicted did not cause the court pause. Or embarrassment. Or shame. The seismologists were sentenced to 6 years in prison, each.

There are only two explanations for arguing the impossible in the motivations: Idiocy or corruption.

I reject the idiocy argument. No human being who possesses the intelligence to study law and rise to sit on a judicial bench, could look at this crime scene and believe the argument of selective and undetectable microscopic cleaning. In fact, I suspect that Nencini, rather than being an imbecile, is quite politically savvy.

No, this is a pre-determined court decision, made in contravention of science and every piece of reliable evidence. What's the word for that?

Why did they convict? Ah, that's where the report's title "Motivations" is a misnomer. For it simply tells us 'how' and 'what' of the corruption, but not the 'why.' Ironically, the "motivations" report ignores the real motivations of the court in framing Amanda and Raffaele. Likely, it involves embarrassment, nationalism, anti-Americanism, money, protectionism or provincialism, or a combination of several. But the 'why' is less important than the corruption itself.

The only "idiocy" which manifests itself in this travesty is the belief that the world will look at this decision and not instantly recognize it for what it is—thuggery. It is the kind of idiocy that allows Kim Jung Un to believe that people outside of North Korea accept that he is a beloved leader because his people sing his praises. He hopes we don't notice that they do so at gunpoint. It is the idiocy of a basic underestimation of the reasonableness of the rest of the world. It is also provincialism.

One of the court's statements says; "It is not believable that a group sexual intercourse had

started. This hypothesis is not consistent with the personality of the English girl.” That it was equally (and demonstrably) inconsistent with the personality of the American girl apparently did not matter. It just didn’t register on the court’s Richter scale. This kind of provincialism is Donald Sterling-quality prejudice masquerading as legal jargon. Don't confuse official language with truth. Al Capone gave out business cards which said he was a "Used Furniture Dealer."

The vast majority of Italians with whom I regularly correspond fight for real justice and reject this verdict, hoped it wouldn’t come, but ultimately suspected it might. Likely, they just didn’t expect that it would be this outlandish. They are doing what they can to fight a corrupt system, and I admire them. But there are limits to what you can achieve when one side has the ability to suspend scientific reality at will.

When decisions are repeatedly handed down which fly in the face of science and known fact, and innocents are imprisoned apparently to protect cronies or institutions, it results in an appearance of third-world corruption, or mafia tactics. This primitive, crude and dishonorable verdict is more evidence of a cancer undeserved by the fine people of Italy, a country which was the first to bring the hope of justice for the common man to the entire world.

This unprincipled decision has shaken, and will continue to shake to the core the world’s belief in the justice of Italy's legal system. And we saw it coming. You know, maybe the court in L’Aquila got it right after all. Maybe earthquakes are predictable.