



Jurisprudence Section - 2016

F43 “Maybe I’m Amazed...” Maxwell Smart and Siegfried Couldn’t Have Done It Better: Crime Scene Investigation in an Argentine Prosecutor’s Death — Do We Really Want to Catch the Bad Guys?

Maria Susana Ciruzzi, PhD, Hospital Nacional de Pediatría Prof. Dr. Garrahan, Combate de los Pozos 1881, Buenos Aires 1045, ARGENTINA*

After attending this presentation, attendees will be able to analyze first-hand the way crime scene investigation is conducted in a high-profile political case in Argentina.

This presentation will impact the forensic science community by showing the correlation between politics, criminal law, and forensics and how the need to settle the truth is blurred by political expediency.

Late at night on January 18, 2015, Dr. Alberto Nisman, federal prosecutor in charge of the Unit for the Investigation of Terrorist Attack at the Asociacion Mutal Israelita-Argentina (AMIA), was found dead at his luxury home in Buenos Aires City, with a gunshot wound to the head. Four days before, he had filed a complaint against Argentine President, her Minister of Foreign Affairs, two other minor political partners of the ruling party, and an ex-spy from the National Intelligence Agency, accusing them of conspiring to cover up the AMIA terrorist attack. The next day (Monday, January 19), Dr. Nisman was expected to appear before Parliament to reveal the evidence regarding his accusation.

The AMIA bombing was a terrorist attack on July 18, 1994, against one of the main Jewish institutions in Argentina; 85 people were killed and more than 300 injured. This was one of the largest attacks against Jews since the Second World War. The Argentine Jewish Community is the biggest in Latin America, and fifth-largest in the world.

Dr. Nisman was the federal prosecutor in charge of the AMIA terrorist attack investigation. On October 25, 2006, the Argentine Court, on behalf Dr. Nisman’s prosecution, accused the Iranian government of being the mastermind behind the attack and Hezbollah of being the perpetrator. In 2007, the International Criminal Police Organization (Interpol) issued seven arrest warrants against the Iranian suspects. In 2013, the Argentine President signed a memorandum with Iranian authorities in order to create a Truth Commission to interrogate the suspects and attempt to reach an agreement to try them in court. This memorandum was never approved by Iranian authorities and an Argentine court deemed it unconstitutional.

Dr. Nisman was under federal protection as he had received death threats from Iranian authorities. The day he was found dead, his bodyguards took more than ten hours to enter his apartment. They never reported his absence to their superior. They didn’t even try to tear down the door; instead, they took a couple of hours to ask Dr. Nisman’s mother to come to the apartment and open the door. Dr. Nisman’s gunshot wound to the head was caused by a gun which belonged to one of his closest collaborators at the prosecutor’s office. This collaborator, a computer specialist, admitted to handing over the gun to him the night before he died. The crime scene was contaminated and badly preserved: people were walking barefooted; potential evidence was handled without gloves; the gun was cleaned at the scene with toilet paper; the Secretary for Security — the head of the police officers acting as Nisman’s bodyguards — had been at the scene long before the judge and the prosecutor on duty arrived at the scene, etc.

This presentation will discuss what was dealt with incorrectly at the crime scene, by who, and why.

Did Dr. Nisman commit suicide? Was Dr. Nisman killed? Was Dr. Nisman incited to suicide? Crime scene manipulation and contamination leads us to only one answer: there will be no true chance to catch the perpetrators and to know the truth.

Dr. Alberto Nisman was considered by the Argentine Jewish community as the 86th victim of the AMIA terrorist attack.

Crime Scene Investigation, Death, Contamination