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July 31, 2013

Special Agent in Charge  
Federal Bureau of Investigation  
330 East Kilbourn Avenue, Suite 600  
Milwaukee, Wisconsin 53202

**RE: *Ongoing Federal Pattern and Practice Investigation into Milwaukee Police Department***

Dear SAC:

Following the telephonic dialog Joan M. Heimermann, mother and active power of attorney ("POA") of myself, had with Jerry Schinin (phonetic), FBI Milwaukee Special Agent in this matter on Friday, July 26, 2013, Agent Schinin had asked my mother/POA to advise me to address the ongoing issue I've been having with Teresa Carlson, former FBI Milwaukee Special Agent in Charge ("SAC"), to you. I am much aware of the Office of Inspector General's current potential criminal investigation into Carlson who's presently reassigned to headquarters in Washington and who tried to get a subordinate FBI Milwaukee agent to commit perjury in a federal lawsuit in *Slaby v. Holder*, 901 F. Supp. 2d 129 (D.C. Cir. 2012)(finding that plaintiff, who completed training as a special agent for the FBI, but did not qualify to work under a new special agent's particular skills, violated the Rehabilitation Act of 1973

Please know that I have been writing to Carlson since October 2012 regarding the ongoing federal pattern and practices investigation Milwaukee FBI office and the Civil Rights Division of the U.S. Department of Justice has into the Milwaukee Police Department ("MPD") for a series of civil rights abuses. I had submitted letters addressed to Carlson dated October 18, 2012, April 10, 2013, April 25, 2013, May 13, 2013, May 31, 2013 and June 28, 2013 via U.S. Mail. When local U.S. Attorney James Santelle and Carlson publicly announced this federal investigation on October 10, 2012 into the MPD, they asked citizens to send federal authorities any information, their way to demonstrate that MPD was in fact engaged in ongoing forbidden things by law. So I believed the old merry-go-round way paved with obstacles for my seeking justice became a thing of the past and that a new way emerged with the FBI and U.S. Department of Justice investigating MPD and potentially federal officials for framing me for the August 19, 1989 murders of Mohammad Binwalee and Dion Russell, and then, by systematically covering up MPD and the federal officials' misconduct through preventing the release of documents that I call "Itinerary of the 'As-Yet-Undisclosed-State-Evidence'", which incontrovertibly will show evidence and theory of an illegal guns-for-drugs smuggling operation into Binwalee and his organization before, during, and immediately after the August 19, 1989 murders, thereby prolonging my wrongful imprisonment over the next two decades.

In other words, the evidence and theory I now claim to have found, and some of the documentary evidence which is still being intentionally withheld by MPD and federal officials, show that the MPD arrested and released Binwalee in March 1989, five months before Edward Piscitello and Joseph Isajiw killed him, even though authorities in Chicago for a 1988 murder wanted Binwalee and the FBI had issued a "Top ten Wanted" bulletin for his arrest. The documentary evidence I claim to still be in possession of MPD and the federal authorities occurred in 1989, before, during, and immediately after the murders. I submit the still deliberately withheld critical exculpatory evidence shows that I kept a quiet patience while longstanding informant Piscitello constantly did domestic abuse against me and violent things under the close up watch of MPD and federal authorities; informant Piscitello and his local and federal law enforcement handlers apparently thought I went along with their game (the guns-for-drugs smuggling operation into Binwalee and other crimes). I then called them (Piscitello and his handlers) on the carpet, when I called MPD officers to the 941 South 35<sup>th</sup> residence in Milwaukee in late July 1989, the scene of the crime, just weeks before the actual murders, laying their wickedness out in plain sight. However, MPD ignored my pleas about Piscitello's unvarying domestic threats and violent tendencies at the time, as MPD and federal authorities were more interested in *helping* informant Piscitello learn more from Binwalee and his organization about the guns-for-drugs smuggling operation and other violent crimes taking place between Chicago and Milwaukee, and this action led to me being framed for the August 19, 1989 murders by MPD and federal officials.

Please also know that I am currently unable to produce the Itinerary of the As-Yet-Undisclosed-State-Evidence because MPD and federal authorities are deliberately withholding it so no one would look at MPD and the federal officials' culpability in the guns-for-drugs smuggling and murders of Binwalee and Russell. Moreover, as noted in my six (6) letters addressed to Carlson, there is undeniable evidence that all my previous attorneys including myself (acting *pro se*) have sought the noted above documentary evidence time and time again before now, and that we were denied access to this relevant information. However, because the current federal pattern and practice investigation into MPD is focused on, *inter alia*, searches and seizures or arrests without probable cause and a poor citizen complaint or Open Records system by the MPD, and because the noted above documentary evidence I have presented is in fact sufficient to prove such a claim(s), in my various letters to Carlson, I had strenuously argued to Carlson that I am entitled to have the federal investigation into MPD encompass the set of facts regarding the guns-for-drugs smuggling operation before, during, and immediately after the murders under the rule of law, Title 18 Sections 241 and 242 of the United States Code.

The claim of MPD and the FBI's involvement in the August 19, 1989 murders of Binwalee and Russell has to be painstakingly pieced together through documents, many of them heavily redacted, particularly at this point of my case. To illustrate, after a federal investigation in June 1989, a 'Top Ten Wanted' notice was issued by the FBI for Binwalee's arrest for an earlier murder in Chicago. The Top Ten Wanted bulletin shows that "since June 29, 1989", leads to various FBI field offices had shown Binwalee in numerous cities, including "Milwaukee,



Wisconsin," which was almost two months before informant Piscitello and Joseph Isajiw murdered Binwalee. As noted above, I discovered documentary evidence that the MPD arrested and released Binwalee in March 1989, five months before he was killed, even though authorities in Chicago for a murder had already wanted Binwalee and the FBI had issued that Top Ten Wanted poster for Binwalee's arrest. Also, I have documentary evidence that shows the actual truth now: Edward Piscitello was in fact a longstanding MPD and federal informant around the time of the Binwalee and Russell murders. MPD and other federal authorities focus on Binwalee and his organization as potential targets in a guns-for-drugs investigation began in late 1988, and the first reported contact with Piscitello as an informant was by MPD and the FBI in the late 1970s. In his statement of June 2000 former U.S. Customs Milwaukee SAC Buford Gates states that U.S. Customs files shows that Piscitello was courted several times as an informant by various federal agencies. This information is followed by MPD records (that are heavily redacted) and sworn affidavits by longstanding informant Piscitello (who is now deceased) that shows that Binwalee and Russell were in fact killed because of an illegal guns-for-drugs operation to smuggle guns to Binwalee and his organization in exchange for drugs. Such a major operation only could have occurred with the full knowledge and consent of senior Milwaukee law enforcement officials. MPD and federal bureaucrats do not carry out major guns-for-drug running and smuggling operations unless there is authorization from the top.

Meanwhile, please be advised that, like Justice Slaby, I also had filed a federal lawsuit against FBI officials in *Scott A. Heimermann v. United States et al.*, United States District Court No. 96-CV-0551 (E.D. Wis. 1996)(unpublished). In that *Bivens* lawsuit, I accused local federal authorities of using a Milwaukee attorney in an informant-like role to stage-manage me into doing illegal things with U.S. Treasury Bonds. According to my *Bivens* suit, federal officials filed a Title III application for a wiretap against me knowing that it was procured without a truthful factual basis or legal merit. Federal officials wrongfully attempted to manipulate me into committing acts following this illegal wiretap that are forbidden by law, much like the actions of MPD and the federal authorities did before, during, and immediately after the August 19, 1989 murders of Binwalee and Russell. Like the guns-for-drugs smuggling operation in 1989, efforts made by FBI officials to force me to do forbidden things with the U.S. Treasury Bonds failed and evidence from those illegal wiretaps demonstrate my factual innocence also. Following this Judge J.P. Stadtmueller dismissed my *Bivens* suit *without* prejudice but indicated that I should re-file it after I exhaust all remedies under the Federal Tort Claims Act ("FTCA"), 28 U.S.C. § 2671 et seq. I thereafter gave notice under FTCA *and* to the local United States Attorney's office of my request for discovery of matters relating to the guns-for-drugs smuggling operation before, during, and immediately after the murders of Binwalee and Russell. A local Assistant United States Attorney ("AUSA") informed local Dodge County Sheriff Deputy Joanne Swyers in 1998 that the federal government were "not interested in pursuing that", which meant the FBI Milwaukee office and local United States Attorney's office had no intention to pursue their moral and legal obligation in compiling an itemized list of the noted above Itinerary

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of the As-Yet-Undisclosed-State-Evidence to be introduced at an evidentiary hearing on my postconviction motion or petition for writ of *habeas corpus*.

Federal court records in the ongoing Slaby lawsuit show that Carlson told Mark Crider, FBI Milwaukee Special Agent in April 2013 that his testimony should support the FBI's position and that it would be in his best interest "to come down on the side of the government in this matter." The result of this is that, for example, it has been mentioned that my letters addressed to Carlson appears to not exist in FBI files as of this writing. Simply stated, the fact that Carlson never responded to any of my letters, the fact that Carlson attempted to get a fellow FBI agent to commit perjury because of a federal lawsuit against the FBI, and because of my previous lawsuit against the FBI that was originally filed to mirror the illegal actions of MPD and federal authorities before, during, and immediately after the August 19, 1989 murders of Binwalee and Russell, it can be reasonably argued at this time this is new evidence that seems to suggest that the reason why Carlson did not respond to *any* of my letters is because Carlson was in fact using her former SAC position in Milwaukee to obstruct justice into the set of facts effecting the illegal guns-for-drugs smuggling operation that occurred before, during, and immediately after the murders as much of the information contained in the Itinerary of the As-Yet-Undisclosed-State-Evidence would in fact make MPD and federal authorities culpable in the illegal guns-for-drugs smuggling operation and murders.

Copies of the original six (6) letters and attachments addressed to Carlson that were sent to her via U.S. Mail can be photocopied and mailed to you upon your request. So please let me know on this.

Please contact me at 920-324-5571 if you have any questions or concerns regarding this very extraordinary matter. Thank you so much for your immediate attention to this ongoing issue. I look forward to your prompt reply.

Sincerely,



Scott A. Heimermann

Enclosures

C w/o Encl.: Joan M. Heimermann