

Jeffrey Sterling: Unwanted Spy

Ross Welcome to Renegade Inc. There has never been a more dangerous time to be a whistle blower. Western governments are working in concert to enact legislation that conceals their wrongdoing. Ten days ago during sentencing, drone whistle blower Daniel Hale said, 'I am here because I stole something that was never mine to take - precious human life'. Hale was sentenced to 45 months in prison. He joins a growing list, and that list includes Jeffrey Sterling. Mr. Sterling is a former CIA agent who was sentenced to 42 months in prison for leaking. This is his story.

Ross Jeffrey Sterling, welcome to Renegade Inc. Really great to have you.

Jeffrey Sterling Thank you so much for having me on.

Ross Jeffrey, our audience have absolutely no idea about your story. You were a former CIA employee. You were convicted under the US Espionage Act. Just tell us how that happened and what went on in that courtroom.

Jeffrey Sterling Well, just for background, as you said, I was a clandestine officer of the CIA, one of the few black officers. I was a Iran expert, if you will. I learned Farsi with the agency. But as I was trying to move up in my career, I kept getting roadblock after roadblock. And it really seemed the only difference between me and others in the same position as I, was that my skin colour was different. At one point I asked my supervisors why I was not receiving the same opportunities, the same tools as everyone else. Their reply was, I stuck out as a big black guy speaking Farsi, intimating that because of the colour of my skin, I was a security risk, which was completely false because up to that point in my career - and I had been there for a number of years by that time. I'd been all over the world and never posed any sort of risk and never had any difficulty conducting my operations and being successful in those operations. I mean, when you think about what is the prototypical view of what a CIA officer looks like or whatever anyone in the world has as their imagination to be, that I don't fit. Then I had no problems. I was quite successful in my job. But when it came to the point of moving up, the colour of my skin became an issue for the agency. I eventually sued the agency for discrimination. My lawsuit was not allowed to go forward because the government and the CIA argued that if a black man fighting for his civil rights is allowed to go to court, that action would pose a threat to national security. So my discrimination suit was not allowed to go forward. I was subsequently fired from the agency. And then after that, years after that, I was being accused of leaking information related to one of the operations I was involved in. The operation was called Operation Merlin. And the purpose of the operation was to thwart the Iranian nuclear programme by somehow instilling flawed plans for a key part of a nuclear weapon into their system, with the thought that if they use these plans and don't detect the flaw, then it will set their ambitions for nuclear weapons back. During the course of the operation. I had a key role in the operation. I trained the individual who was to find the Iranians to get the plans to. And during the course of the operation, when it came to the point of close to launching, having the individual travel to meet someone to hand over the plans, the individual who was a scientist immediately noticed that the plans had a flaw. I thought that was a problem because if he wasn't supposed to be able to detect the flaw, they used our national labs to develop these plans. He noticed the flaw immediately. At

that point, I tried to raise my concerns because if he could see that immediately. If we give the Iranians these plans, they would see it. And instead of warning their nuclear programme, we would actually accelerate their nuclear programme. The answer to my raising concerns was I was essentially moved out of the agency. I was removed from the operation. The operation did launch. It was, as far as I knew, successful. But there was a reporter who wrote a book and a chapter of that evidently described Operation Merlin. And, of course, all eyes were turned to the only black officer involved in the operation. I was accused of leaking information related to Operation Merlin and eventually indicted, arrested. I went to trial because I did not do anything like that. I would never have disclosed classified information. I was convicted of violating the Espionage Act and sentenced to three and a half years in prison, two and a half which I had served.

Ross The judge said that the evidence was all circumstantial?

Jeffrey Sterling Absolutely. Every bit of it was circumstantial. The government did not present any evidence to indicate when, where, how, I was supposed to have divulged this classified information. And that didn't sway the court at all, the judge or the jury. One interesting thing is I had gone to the Senate Intelligence Committee with my concerns about the operation. One of the individuals that I talked to, and I gave every detail of the operation to that individual staffer as I was able to speak with, that individual was subsequently fired from the Senate Intelligence Committee for leaking classified information. And by the way, she leaked classified information to the same reporter I was accused of leaking classified information to. Yet she was never investigated. No one was investigated. I was the only point to be made, this was a situation of revenge, retaliation, and I think an overall heavy hand by my government to quiet dissent.

Ross Revenge and retaliation for what specifically?

Jeffrey Sterling Well, I had the nerve to stand up to the CIA and my government to say, no, you're not going to treat me. You're not going to inflict racial discrimination on me wrongfully. I'm a good officer. I have the right to contribute and work for my country as anyone else. The colour of my skin shouldn't make a difference. I stood up to them. And I think also at one point I stood up to them with regard to charging me with violating the Espionage Act, I said, no, I was not going to plead guilty to something I didn't do. I knew I faced tremendous risk, but all I know how to do is stand in there and fight for what I know was right. And another point, I stood up to the CIA about a faulty operation. So I think as we even went through the trial, what is this all about? It really turned out to be nothing more than a show trial of the CIA to show how good they do their operations, to counter anything that had been written about Operation Merlin.

Ross When the guilty verdict was heard in that courtroom, what was your immediate reaction to that?

Jeffrey Sterling The immediate reaction was disbelief, but then it turned to concern. I was charged with nine counts. So reading the verdict, they had to go through each count. After that first guilty verdict, all I could hear and feel was my wife in the gallery behind me. She started crying. I knew that all the other counts were going to be guilty as well. But my

concern at that time was my heart going out to my wife, who had been my, and has been my, steadfast companion and defender through all of this.

Ross And how did she cope when she realised that you weren't going to be around for three and a half years?

Jeffrey Sterling How does anyone cope with that? We both said, well, we are going to hold on to each other even though we're not going to be together. Hopefully she'll be able to visit. And by the way, there are US laws to how far you're able to be sent to prison from your home. I was sent far beyond the so-called boundaries for that. It was difficult for her to come visit, but we maintained the connection. And she rallied such support. She was out there fighting for me, fighting for the truth. And that helped us stay close and solidified our bond as a team. And we have been a team fighting through all of this. And even though a lot of it had started before I met her, we stayed as a team

Ross For people in the UK who don't understand the sort of the distances in the US. So you were imprisoned in Colorado, is that correct?

Jeffrey Sterling Yes I was.

Ross How far from Colorado was your wife?

Jeffrey Sterling Around between eight and nine hundred miles. So the boundaries or the restrictions should have been close to five hundred miles. But the US government doesn't care, especially the Bureau of Prisons. Once you're put into the prison system, which is horrible here in the US, you're pretty much forgotten about. You have no identity. You have no rights. The law really doesn't apply to you anymore.

Ross And what was the reaction of other prisoners - a former CIA agent was now behind bars? What was their reaction to you?

Jeffrey Sterling I think I was an unknown quantity to them. I think they were congenial towards me. There might have been a little apprehension because, I mean, one thing in prison, you're listening to the news all the time. There would be news reports about me. I would be on the television. And in some ways, I think there was a sense of admiration or respect for me just for who I was. The most difficult thing for me in prison was being away from my wife, Holly, and knowing that I was in this prison though my so-called legal system, the criminal justice system, put me here unjustifiably. And I had two and a half years to try to come to terms with trying to do the right thing and being punished for it, I'm not sure if I really even still come to terms with that.

Ross Is it that trying to reconcile those two things, I mean, you must be sat on that bed in a prison cell, incandescent, livid, that you've tried to do the right thing and that's where you've ended up?

Jeffrey Sterling Absolutely. And it's such a desolate situation to be in. You try to find, and I've always tried to find, something positive to hang on to. Initially in prison it was quite difficult. And I had appealed the conviction. So I was holding on to that. I had hope through

my wife. I had hope through all of the thousands of supporters that were writing. So I didn't really have reason to sit there and stew about it. I did have hope. There was certainly down days, but I maintained a sense of myself because I had always felt they could put me in prison but they can't take away what I know and who I know I am. They can't take away me as an individual, even though of course, prison is designed to strip any individuality away from you. I maintained who I was. I never lost track of me as a person, as someone trying to do the right thing. That was the price I had to pay. In the end, I felt better standing up and fighting as opposed to just bowing down to the powers that be.

Ross Jeffrey, welcome back to Renegade Inc. That first half was gripping, I mean, who's got the movie rights for your story by the way?

Jeffrey Sterling Hollywood has not knocked on the door yet.

Ross You shock me. Amazing.

Jeffrey Sterling It's a really topical story. It's not only about whistle blowers and the heavy handedness and unfairness of the Espionage Act, but it's also an American story about race in this country. The one theme about my book going through was stay true to yourself, because for me, growing up as an African-American here, I had a sense of what I wanted to do. Well, that didn't jive too well with the black community because I wasn't doing the typical things, or had interest in the typical things that African-Americans are supposed to. I wanted to be a lawyer. I went to law school and doing that, I ran into white America who didn't see a black person being there or having the same status as them. What nerve did I have to try to fit in? But for me, I was being myself. So the initial title for my book was, 'An American Journey Through Black and White'. And I certainly ran into that when I joined the CIA. There weren't many African-Americans there, but I saw it as an opportunity to serve my country. And maybe also I can make a difference. Maybe at some point I could show the CIA, the talking heads at the CIA, that there are resources in this country that you're not taking advantage of and a lot of those are people of colour. It's not that you can break free of those traditional thinkings, that it's only the outstanding Caucasian citizen that can do, quote, God's work with the CIA. I had hoped to make change. I didn't go into the CIA with blinders on. I knew the history of the organisation. But I also knew myself in that I wasn't going to bow down to anything that I knew was wrong. And certainly I wasn't going to take discrimination without having my voice heard.

Ross Were you shocked at the level of discrimination? I mean, we're sitting here in the 2000s, right back to the civil rights movement - Rosa Parks sitting on that bus - right the way to today. Were you shocked that you got into an institution that still upheld these outdated racist beliefs when it should, you know, to all intents and purposes, be a progressive organisation with equality at the heart of it?

Jeffrey Sterling I had the feeling, of course, I believed all of the puffery, if you will, as I was applying and going through the interview process with the organisation, how they were equal opportunity and welcoming of all races and things like that. But then when I got there, I mean, for me, I of course, my head was in the clouds. I was so proud that I joined the CIA. Within my first month there, a black officer, an African-American officer, came up to me and asked me point blank, why I was there. I initially took offence at that. I was like, well, my

initial thought was, well, you're here. Why can't I be? I should have as much chance as anyone else. But his point was, what I had come to realise was that I was going to be discriminated against, I had talents, I had abilities that would be better served somewhere else. But I didn't want to believe that. I didn't want to believe that that could continue because I knew my capabilities. I knew what I was able to do and what contribution I could make to the CIA. And, yes, it was shocking that this organisation that is tasked with protecting this country, is still so locked in the Dark Ages, if you will, with regard to race.

Ross So you mustn't have been shocked when John Brennan told the New York Times that "it was an unfortunate situation", he says. "Jeffrey was a talented officer, had a lot of skills that we were looking for, and we wanted him to succeed. We were quite pleased with Jeffrey's performance in a number of areas. Unfortunately, there were some areas of his work on development that needed some improvement". What's behind that statement? What's the intent behind that statement? What's he doing their?

Jeffrey Sterling That's window dressing to add some justification to their position. Of course, that's basically saying that I was a disgruntled employee. What he left out was that this employee at every posting that I had, I was not given the same tools as other white officers. I was not given proper cover. The cover I had was as a logistics officer. I was essentially credentialed as a glorified janitor. So I couldn't attend diplomatic functions. I couldn't attend things where individuals of interest may have been. A lot of my success was because I went out and did things on my own. But I would continue to ask, and essentially plead, for them to give me the same tools and the same opportunities that they're giving everyone else. And the other interesting thing is, even though they wouldn't give me those tools necessary to do my job, they expected much more of me than any other officer. And that was the way it was in every office that I served. I served in several offices and several postings in the agency and that's the way it was at every step.

Ross Let's look at the broader context now when we're talking about whistle blowers, people trying to do the right thing in the face of increasing government aggression. We're sitting here in London, of course. Belmarsh's most famous resident, Julian Assange is sat behind bars for whistle blowing, doing the right thing, talking about what the US were doing in far flung places around the world. And the public were rightly absolutely disgusted. He, to all intents and purposes, has done the right thing. You were sitting in prison having done the right thing. Where are we? And specifically, let's think of the Obama administration. Where are we now with both governments using legislation to keep people like you and Julian Assange banged up for morally picking the right path?

Jeffrey Sterling It's all about retaliation, all about quieting dissent. The US using the Espionage Act, an out of date act from the early 1900s. What was fascinating to me is I was accused of violating the Espionage Act, spying against my country. It made absolutely no sense. But the Espionage Act is a very efficient tool for the government to use to quiet dissent. Bringing charges of violating the Espionage Act means the government can pretty much say whatever it wants. You'll be limited in how you will be able to defend. You'll be limited in the type of evidence that you can bring. You may not even be able to see all the evidence that's being used against you. I felt my trial was a warning shot to the world about the US using the Espionage Act. Luckily I did go to trial so the world could see how and what is actually involved in my government using the Espionage Act to silence dissent. But

unfortunately, the mainstream media didn't have much interest in my trial. And I do feel that had I been successful in defending myself against that, maybe Julian Assange wouldn't be sitting in Belmarsh right now. Maybe that would have shown the US government that it can't take such a heavy hand and do whatever it wants to silence dissent. Because what my trial established was that, one, there was no protections or no so-called reporter's source protection. But it also established that they could charge anyone they wanted who'd supposedly touched whatever information they're saying is classified. They could reach out and also charge any individual with violating the Espionage Act. And that's exactly what they're doing with Julian Assange. And they're doing it with the assistance of the U.K. government because they're entertaining this. And what I thought was just absolutely abhorrent was during the arguments, the Queen's Counsel, of course, being led by the US prosecutors, mentioned my case as a benchmark for the type of sentence that Julian would receive if he would subsequently be found guilty of violating the Espionage Act. I thought that was disgusting. Here you're using a injustice, a travesty of justice, as a benchmark. I wasn't allowed to basically defend myself fully because of the restrictions of the Espionage Act. I was basically put on the stand as a black man against the CIA. And I didn't look like anyone that they put on the stand for the CIA, a trial where all of the jurors had a connection in some way with the intelligence community or having security clearances. So they were biased against me. The judge was biased against me. And using that case as a benchmark to assuage the fears of the type of sentence that Julian could receive was just absolutely terrible. I was dumbfounded by the arrogance of that. And one other thing is that what they left out was that at one point during my trial, the prosecutor was absolutely livid during sentencing that I only received 42 months. He wanted far more than that. I was facing close to 100 years but I was only given 42 months. The prosecutor wanted far more than that. And if Julian Assange is ever brought here, he will be facing many more years than they're intimating, that they have been intimidating, in the extradition proceedings. But I think what this shows is the danger is there that the US, with the assistance of governments, are going to go after anyone they feel has either embarrassed them or they want to just silence their voice. And I think that's where we stand.

Ross Tell us where you are up to now. You've obviously served your sentence. You're out of prison. Your life is back on track. Thankfully, you're together with your wife. You're living in the US. Tell us how that process really changed you. I'm just fascinated to know, you know, what you learnt and where you're at now?

Jeffrey Sterling Speaking of what I learnt, I'm still, I think, trying to figure out what was the purpose of all of that, especially because things have been quite difficult still for me. Having that scarlet letter of being in prison makes you essentially unemployable here in the United States. But I continue to have support that helps me have hope. I was able to write a book about my experience with the CIA and going through being charged under the Espionage Act. And that was very, very cathartic for me. And I really enjoyed being out there sharing my story with individuals here. And that uplifted me. Even though a lot of my efforts to push my book out there were sabotaged, if you will, by Covid, it's still tells a story about America and it also tells a story about an individual and how, you know, it's not bad to do the right thing. And the most important thing is staying true to yourself. That's the underpinning of my book, and that's how I'm continuing to try to live even through adversity, difficult times. Staying true to myself and staying hopeful, that got me out of my unique situation growing



up and helped me move forward. And I continue to hang on to that belief in myself and that things can change.

Ross Jeffrey Sterling, thank you so much for your time. Thank you for sharing the story. We really appreciate it.

Jeffrey Sterling Thank you for having me on.