

UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO
BOISE, IDAHO

UNITED STATES OF AMERICA,)
) Docket 1:12-CR-0156-BLW
Plaintiff,)
)
vs.)
)
WILLIAM NEWEL BROCKBRADER,)
)
Defendant.) Boise, Idaho
) December 19, 2012
) 1:49:46 p.m.
And related parties and cases)

HEARING ON MOTION FOR RELEASE
FROM CUSTODY PENDING SENTENCING

THE HONORABLE RONALD E. BUSH PRESIDING
MAGISTRATE JUDGE OF THE U.S. DISTRICT COURT

COURT RECORDER:

SHERRI O' LAREY
U.S. District Court

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1:12-CR-0156-BLW U.S. v. Brockbrader 12/19/12 Motion

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1 of my actions in this case. If it means that I could be
2 remanded to prison then that is something that I considered
3 before I entered into the act of not registering.

4 I have no problems attending the hearings and doing
5 what I need to do because I believe that I -- I don't
6 believe, I know I want to preserve my reputation and my
7 honor throughout this process. So when my case does go
8 through the appeals process that they don't see somebody who
9 constantly is being imprisoned or breaking the rules so that
10 they see who I am.

11 MS. FYFFE: I have no further questions.

12 THE COURT: Thank you.

13 Mr. Peters.

14 MR. PETERS: Thank you.

15 CROSS-EXAMINATION

16 BY MR. PETERS:

17 Q Mr. Brockbrader, good afternoon.

18 A Good afternoon.

19 Q You've testified several times here this afternoon
20 regarding your history related to sexual abuse of a child.
21 Would it be fair to say that you have made public statements
22 that are available for anyone who chooses to look at them on
23 the internet that your underlying sexual abuse of a child
24 conviction involved a consensual relationship with a 16 year
25 old?

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1 A I don't -- I did not mean to represent that that way, if
2 that was the way it was construed by you. No.

3 Q Have you -- are you denying having made videos where
4 you --

5 A No, I did make the video.

6 Q Let me finish the question.

7 A I'm sorry.

8 Q -- where you said that your underlying sexual offense
9 conviction involved a consensual relationship with a 16 year
10 old child when you were age 25 or 26? Yes or no?

11 A Yes. I also made --

12 Q In fact --

13 A Can I --

14 Q -- the child with whom you had this relationship was
15 your wife's younger sister. Isn't that true?

16 A That is correct.

17 Q And she was either 11 or 12 years old when you first had
18 sexual intercourse with her. Isn't that also true?

19 A That is not correct.

20 Q Well, how old was she?

21 A She was -- the first time I had sexual intercourse with
22 her?

23 Q That's the question.

24 A She was 15 years old -- or 16 years old, depending on
25 the date. She turned -- her -- she turned 16 in August.

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1 Q When was the first time you had sexual contact with
2 her?

3 A When she was 12 years old.

4 Q All right. And you admitted, did you not, to having
5 sexual contact, or sexual acts with her on diverse occasions
6 between 1993 and 1996, didn't you?

7 A Yes.

8 Q And she was born in 1981, wasn't she?

9 A Yes.

10 Q So that's a far cry from your representation on the
11 internet to your supporters that you had a consensual
12 relationship with a 16 year old, isn't it?

13 A I've made many videos to further describe exactly what
14 happened, and I've talked about it on many different
15 occasions.

16 Q That's not my question. It's a far cry from your
17 claiming -- your -- you just admitted you had sexual contact
18 with a 12 year old. That's a far cry from representing to
19 your supporters on the internet that this was just a sexual
20 relationship with a consenting 16 year old, isn't it?

21 A I -- I again state that I have clarified on many times
22 on many videos and during many radio shows what actually
23 happened between my victim and I, and I don't feel that I've
24 misrepresented my supporters at all.

25 Q So were you a Navy Seal, sir?

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1 A No.

2 Q And were you in the Navy brig between the time of your
3 conviction in 1998 and the time of your release --

4 A Yes, I was --

5 Q -- in 2001?

6 A -- I was confined to Naval Consolidated Brig Miramar.

7 Yes.

8 Q Now have you represented on the internet that you were
9 not, in fact, in the Navy brig but you were out in the Middle
10 East committing acts on behalf of the Navy?

11 A No.

12 MS. FYFFE: Your Honor, I object.

13 MR. PETERS: You haven't?

14 MS. FYFFE: This is beyond the scope of direct.

15 THE COURT: Just a moment. Just a moment.

16 Your objection?

17 MS. FYFFE: We're getting beyond the scope of
18 direct and the issues before the Court today.

19 THE COURT: Mr. Peters.

20 MR. PETERS: I don't think so. He testified that
21 he doesn't consider himself a sex offender, that he wants to
22 get out because he wants to interact with the government
23 accountability office because he's a whistle blower. Based
24 upon his time in the military he spoke out about certain acts
25 which he claims he had knowledge of, and I've watched him --

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1 THE COURT: All right. I'm going to allow it. I
2 think it all goes to credibility in terms of his statements
3 that there shouldn't be any concerns about him meeting
4 conditions of release and appearing for further proceedings.

5 Go ahead.

6 BY MR. PETERS:

7 Q So Mr. Brockbrader, under oath were you in the Middle
8 East at any time between the time of your conviction for sex
9 crimes in the Navy in 1998 and the time of your release in
10 Utah, as you've testified at the trial in 2001?

11 A No.

12 Q Have you stated publically in videos that you were in
13 the Middle East during 19 -- between 1998 and 2001?

14 A Yes.

15 Q That was a lie, wasn't it?

16 A Yes.

17 Q And so the statements that you've made on the internet
18 concerning the war crimes that you saw the United States
19 government participating in between 1998 and 2001 in the
20 Middle East were lies too, weren't they?

21 A They were based on my experiences in the Middle East
22 before I was arrested.

23 Q Now answer my question. I understand that's what your
24 position is, but my question was, your statements of having
25 observed and participated in war crimes between 1998 and 2001

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1 were lies, weren't they?

2 A Yes.

3 Q Have you also made public statements on the internet on
4 videos that you have particular knowledge of happenings at
5 Area 51?

6 A Yes, I have.

7 Q And have you made statements that based upon your
8 special knowledge from the military that you were aware that
9 the United States had a fleet -- has a fleet of spacecraft
10 capable of reaching Mars within 24 hours that's housed at
11 Area 51?

12 A I speculated on the possibility.

13 Q Have you also made statements on the internet, on video
14 that former Vice-President Cheney had knowledge -- prior
15 knowledge of the 9/11 attacks?

16 A Yes, I did.

17 Q What's your basis for having made that statement?

18 A The 9/11 commission reports and testimony of the
19 Secretary of Transportation.

20 Q And those people said that Vice-President Cheney had
21 prior knowledge of the 9/11 attacks?

22 A They testified to the -- what he was saying -- what was
23 happening with Mr. Cheney on 9/11. Yes.

24 Q And have you -- have you made statements on the internet
25 that the -- that you had inside knowledge that the World

CERTIFICATION

I (WE) CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT FROM
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