



JONATHAN H. FRANKS
PRESIDENT
DIRECT: +1-310-713-4351
EMAIL: JONATHAN@LUCIDPUBLICRELATIONS.COM

February 12, 2025

The Honorable Marco Rubio
Secretary of State
The Department of State
2201 C Street, N.W.
Washington, DC, 20520

RE: RENEWED REQUEST FOR WRONGFUL DETENTION DESIGNATION IN THE
CASE OF MICHAEL "TRAVIS" LEAKE, AN AMERICAN CITIZEN
WRONGFULLY DETAINED BY THE GOVERNMENT OF THE RUSSIAN
FEDERATION.

Dear Secretary Rubio,

I write today on behalf of Michael "Travis" Leake's ("Mr. Leake") lawful next of kin, his mother, Ms. Glenda Garcia, to renew a request made to the prior Administration that Mr. Leake be designated as wrongfully detained under 22 U.S. Code § 1741 ("The Levinson Act" or "Levinson"). We respectfully submit that Mr. Leake's detention by the Government of the Russian Federation meets, at minimum, criteria 1, 2, 5, 6, 7, 8, 9, 10, and 11 set forth by the Levinson Act. A copy of Mr. Leake's Privacy Act Waiver is attached as **EXHIBIT 1**.

*"'They [Russian Police] were in a slight euphoria' [because they had arrested an American], [Mr. Leake's co-defendant] Veronika Grabanchuk, said in the court hearing regarding the reaction of the police officers to the detention of Mr. Leake, and everyone generally understands why.'"*¹

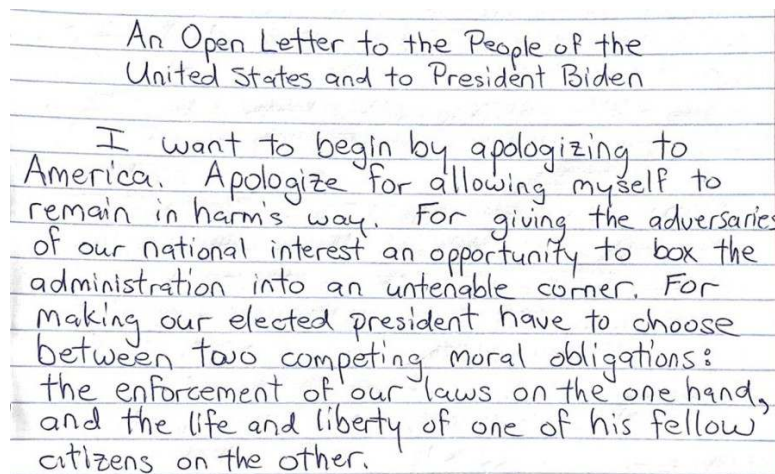
While we are all overjoyed for the families involved in the August 1st prisoner trade ("the trade"), the fact is that Americans to whom Levinson ought to apply were left behind in Russia, Travis Leake among them. As a preliminary matter, several days before the trade, Consular confirmed that the USG was not actively seeking Mr. Leake's release, a confirmation consistent with Department policy. However, much to our surprise, on the day of the trade, President Biden told reporters the USG is seeking Mr. Fogel's release. Then, on August 5, Department Spokesman Matthew Miller stated explicitly that the USG is seeking Mr. Fogel's release and that the USG had been seeking it. As it turned out, the government, to its credit, was seeking Mr. Fogel's release.

¹ See the closing argument of Mr. Leake's attorney, Mr. Marinenko, 6/25/24 at 3, attached as **EXHIBIT 2**.



Given Mr. Fogel's release, Ms. Garcia respectfully requests a substantive update regarding the status of Travis' case, especially in light of your statement of yesterday in which you wrote that "Marc's release is also a reminder that other American citizens are still detained in Russia. President Trump is committed to bringing all of them home [emphasis added]." Specifically, we would like to know if the United States government's policy is now to seek Travis' release actively. If so, is he designated wrongfully detained? If not, why not?

Mr. Secretary Travis Leake understands that his arrest has created an international incident and thrust him into a geopolitical conflict in which he has no part. His August 30, 2023 letter, excerpted below, is attached as **EXHIBIT 4**. *To be clear, the below is NOT an admission of guilt, and throughout his letter, he vigorously maintains his innocence.*



An Open Letter to the People of the United States and to President Biden

I want to begin by apologizing to America. Apologize for allowing myself to remain in harm's way. For giving the adversaries of our national interest an opportunity to box the administration into an untenable corner. For making our elected president have to choose between two competing moral obligations: the enforcement of our laws on the one hand, and the life and liberty of one of his fellow citizens on the other.

BACKGROUND

Mr. Leake is a 52-year-old American citizen who was born in California. He received his bachelor's degree in English from Cal State Sacramento in 2009 and his master's degree from Cal State Los Angeles around 2015. He was a good student, and his letters home from detention demonstrate that he is a gifted writer. He has no meaningful criminal history in the United States.

After earning his bachelor's, Mr. Leake was offered a job as a private English teacher in Russia and was often sent to work with Russian companies to teach English to their employees. On the side, Mr. Leake indulged his lifelong love for music by managing various Russian heavy metal bands, some well-known in Russia, including the band "[Louna](#)." Louna was eventually funded, and Mr. Leake brought the band to tour in the United States, after which he returned to Russia.

Mr. Leake returned to the United States around 2014 and returned to school for his master's degree while living with his mother in Bakersfield. In 2017, Mr. Leake returned to Russia, and, to the best of his mother's knowledge, things were fine until the instant arrest on June 6, 2023.

² Mr. Leake's entire "court file" is submitted as **EXHIBIT 3**. Because it is voluminous, it is not attached on paper. It can be accessed at <https://bit.ly/travisleakecasefile>. This attachment is a PDF file housed in the undersigned's Dropbox account, and it has been scanned for viruses and other malware.

MR. LEAKE'S ARREST

The "case" against Mr. Leake began when Russian police arrested Mr. Leake's ex-girlfriend, Veronika Grabanchuk, *in flagrante delicto* with six wrapped "bundles" of what Russian authorities claim was the drug "mephedrone" while she was allegedly in the process of stashing those bundles of drugs at various pre-determined locations in Moscow.

Police promised Ms. Grabanchuk a vastly reduced prison sentence in exchange for her cooperation, so she named Mr. Leake, her ex-boyfriend. Later, she testified that authorities were in a "slight euphoria" at the prospect of arresting an American veteran they could deliver to the FSB, which would be good for their careers.

On June 5, 2023, heavily armed Russian police knocked on Mr. Leake's apartment door. When Mr. Leake opened the door, authorities burst through and announced they were looking for drugs and money because of a "tip" they had received [from Leake's ex-girlfriend, Grabanchuk]. They violently put Mr. Leake on the ground and placed him in overly tight handcuffs, which caused his wrists to bleed. The resulting handcuff injury left scars that are still visible today. ***The (male) officers then performed an unlawful vaginal cavity search of Mr. Leake's fiancé*** while making Mr. Leake watch. The police did so as part of an effort to use violence and threats to coerce a confession from Mr. Leake. It worked – after violating his fiancé in front of him and spending several days starving and torturing him, authorities promised Mr. Leake they would not incarcerate his fiancée if he signed what Russian authorities would later claim was a confession, which he did.

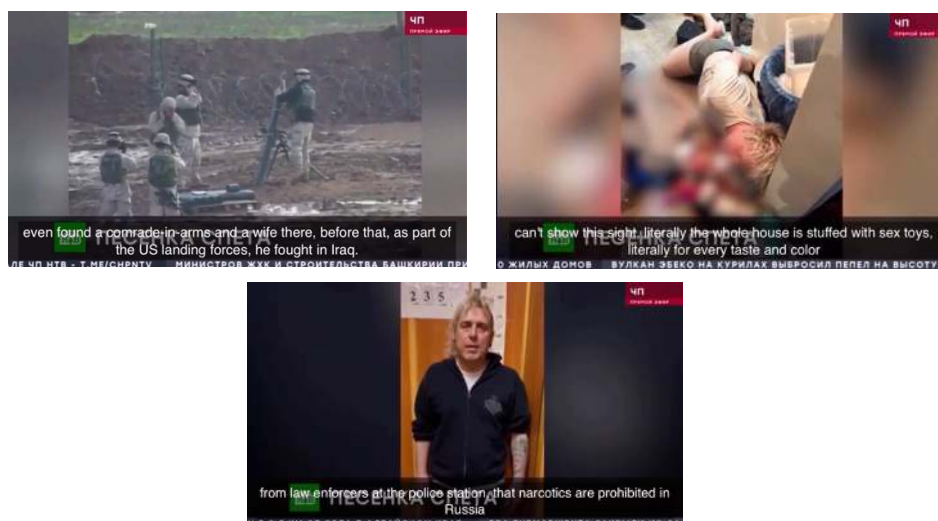
During the June 5th raid, officers spent several hours tossing (and destroying) Mr. Leake's apartment, saying only that they were looking for "drugs and money." While they did find one ecstasy tablet in a glass on Mr. Leake's desk, possession of that one tablet was not illegal under Russian law because the tablet weighed less than two grams.³ Officers then brought in a brick of drugs, placed it on his head, and watched as it fell to the ground. Interestingly, officers claimed there were six bundles of drugs involved in Ms. Grabanchuk's arrest but could only produce five bundles because they planted the sixth bundle – which is described identically to the other five – on Mr. Leake after they were unable to find any illegal drugs in his apartment.

When Mr. Leake arrived at a Moscow police station, two FSB officers were already there waiting to interrogate him. True to form, Mr. Leake's interrogation focused on his military service, and the FSB officers were particularly interested in underground air conditioners, which is consistent with Mr. Leake's job during his brief service in the USAF. Not known for letting reality get in the way of good propaganda, Russian state media cast Mr. Leake as a paratrooper who served in combat in Desert Storm. Mr. Leake served for about ten months in 1989 and 1990 in the 832nd Civil Engineering Squadron, stationed in Arizona, and worked as an HVAC mechanic.

³ We have long been concerned that Mr. Leake hasn't been designated in part because of this one ecstasy tablet, leading the Department to assume he was guilty of the trafficking allegations. Mr. Leake acknowledges that one tablet was found in his home, but he was not charged for its possession because it was less than two grams and thus didn't violate Russian law.

MR. LEAKE IS PARADED FOR RUSSIAN STATE TV

Subsequent to his arrest, his captors paraded Mr. Leake for Russian State TV⁴, and the resulting story appears to have been an attempt to define Mr. Leake as a drug trafficker while also misstating the nature of his military service and humiliating him by noting that officers found sex toys in Mr. Leake's apartment (which is not a violation of Russian law)⁵. The segment is linked in footnote 4.



MR. LEAKE'S "TRIAL"

Mr. Leake's "trial" was a sham from start to finish. When the "trial" began, the only pieces of evidence against him were:

- Mr. Leake's purported "confession," which was obtained by starving him, beating him, and threatening to use sexual violence against his fiancé. *Thus, his confession is inadmissible under Russian law and criminal procedure.*
- The mephedrone police claimed to have found in Mr. Leake's apartment, which did not have Mr. Leake's fingerprints on it and which exactly matched the bundles officers described having taken off Ms. Grabanchuck, one of which was unaccounted for. *Because the police did not allow the third-party observers to witness the recovery of the drugs in Mr. Leake's home, the drugs themselves are inadmissible under Russian law and criminal procedure.*

⁴ The segment (scanned for viruses and stored in my Dropbox) may be viewed at <https://bit.ly/travisleake1>. One of Mr. Leake's friends translated the segment into English.

⁵ Further to footnote 3, we have long been concerned that some of the "weird" involved in Mr. Leake's case, like the sex toys and his involvement in the heavy metal scene, has led the Department not to designate him. Mr. Leake himself has acknowledged there is some "weird" involved in his case in letters home.

- The testimony of Ms. Grabanchuk, an alleged co-conspirator, who was offered a sweetheart deal for her testimony. *Ms. Grabanchuk later recanted her testimony on cross-examination.*
- The certification of two uninvolved Russian nationals who, pursuant to Russian law, were supposed to observe the law enforcement action at Mr. Leake's home. *One of those witnesses was a neighbor with whom Mr. Leake was not friendly and admitted on cross-examination that she had not actually observed any part of the raid. Police brought her in after Mr. Leake was in custody and did not see how or where the officers found the (planted) bundle of mephedrone.*

If one strips away the perjured/flawed/inadmissible evidence and testimony: Ms. Grabanchuk's perjured testimony, the certifications of the third-party witnesses who weren't disinterested and didn't witness the search, and Mr. Leake's purported confession, which was obtained by starving him for days and using violence; there is only one conclusion: There is no admissible evidence to support the charges, and the only logical conclusion is that Russian police framed Mr. Leake.

Despite the obvious and numerous fatal defects in the case against him, a Russian judge found him guilty and sentenced him to an absurd 13-year term. In reading Mr. Leake's court file, one can only conclude that the "trial" was fixed and that the "judge" was directed from above to ignore all the evidence and find Mr. Leake guilty.

MR. LEAKE IS WRONGFULLY DETAINED UNDER LEVINSON

CATEGORY 1 (22 U.S. Code § 1741(a)(1))

"United States officials receive or possess credible information indicating innocence of the detained individual."

Consular Officers observed much of the "court" process in Mr. Leake's case, and the fact that Post sent more staff to each subsequent "court" appearance suggests that Post was also skeptical of the case against Mr. Leake.

Notably, Mr. Leake believes that a consular officer⁶ overheard the prosecution's star witness—Mr. Leake's ex-girlfriend and co-defendant, Ms. Grabanchuk—effectively admitting to having set Mr. Leake up while both were in the defendants' cage in "court." We submit that, taken together with the fact that consular officers also witnessed Ms. Grabanchuk caught lying on the stand, this is compelling evidence that Mr. Leake is innocent, thus satisfying Category 1.

In support of our submission concerning Category 1, we respectfully refer the Department to **EXHIBIT 2**. We also refer the Department to **EXHIBIT 3**, Mr. Leake's complete court file.

⁶ Mr. Leake and his family thank the primary consular officer on his case for his service to our country and his work on his case. We realize that serving as a Consular Officer in Russia is a very difficult job, and we respectfully request that the Department commend [REDACTED] for his work.

CATEGORY 2 (22 U.S. Code § 1741(a)(2))

"The individual is being held solely or substantially because he or she is a United States national."

Regarding Category 2, we believe there is uncontroverted evidence that Mr. Leake's status as an American citizen, particularly an American veteran, drove the case against him. It is worth remembering that the prosecutor's star witness, Mr. Leake's co-defendant, Ms. Grabanchuk, testified as follows:

"'They [Russian Police] were in a slight euphoria' [because they had arrested an American], [Mr. Leake's co-defendant] Veronika Grabanchuk said in the court hearing regarding the reaction of the police officers to the detention of Mr. Leake and everyone generally understands why.⁷

Our view is that the (uncontroverted) evidence in the case is that the officers who arrested Ms. Grabanchuk were excited that she had effectively delivered them an American they could arrest and turn over to the FSB, which would be good for their careers.⁸

We believe our view is bolstered by the fact that Russian police paraded Mr. Leake on state television to define and create a mythology around him by vastly inflating the scope of his military service. Mr. Leake did not serve in Iraq and was not a "landing force" member (which we assume means "paratrooper"). We have seen the Russian government use this tactic in other cases where a wrongfully detained American's military service was intentionally embellished to match the storyline that Kremlin propagandists sought to weave. This was true in Trevor Reed's case, particularly in Paul Whelan's.

We would respectfully submit that Mr. Leake's arrest was a "crime of opportunity" in which officers eager to make names for themselves (or otherwise advance their careers) delivered an American veteran to the FSB on charges made up of whole cloth. That is what happened in Trevor Reed's case, and that is what has happened in Mr. Leake's case.

CATEGORY 5 (22 U.S. Code § 1741(a)(5))

"The individual is being held in violation of the laws of the detaining country."

We respectfully submit that there is clear evidence of violations of Russian law in Mr. Leake's case, which are material to the case.

⁷ See EXHIBIT 2

⁸ Granted, Ms. Grabanchuk perjured herself and put her credibility into question. This testimony was against her interests; thus, we assess it as credible.

⁹ See EXHIBIT 4

- Russian law requires police to enlist independent third parties to witness police actions like the search of Mr. Leake's home. In this case, one of the "third parties" was Mr. Leake's across-the-hall neighbor with whom he had a history of conflict, and more importantly, *neither* of the purported third-party witnesses observed the search of Mr. Leake and his home. Instead, they were brought in by police at the end of the search after Mr. Leake was already in handcuffs. Neither "witness" observed the drugs that the officers claimed to have found on Mr. Leake.
- The "Court" repeatedly admitted inadmissible evidence.¹⁰
- The investigation protocols violated numerous procedural rules.¹¹
- Evidence that would have been exculpatory disappeared.¹²

CATEGORY 6 (22 U.S. Code § 1741(a)(6))

"Independent nongovernmental organizations or journalists have raised legitimate questions about the innocence of the detained individual."

Concerning Category 6, we respectfully submit that numerous legitimate news organizations and journalists have openly questioned Mr. Leake's guilt from the moment of his arrest, often pointing out that Russia has a history of detaining Americans on outlandish and specious charges. For example;

- <https://www.cnn.com/2023/06/10/europe/us-citizen-detained-russia-intl-hnk/index.html> (attached as **EXHIBIT 5**)
- <https://abcnews.go.com/International/michael-travis-leake-51-year-american-reportedly-detained/story?id=100037791> (attached as **EXHIBIT 6**)
- <https://abcnews.go.com/International/russian-court-extends-detention-american-musician/story?id=102017265> (attached as **EXHIBIT 7**)
- <https://www.bbc.com/news/articles/c134vmk074lo> (attached as **EXHIBIT 8**)
While this piece may not directly suggest Mr. Leake's innocence, it is important to note the last five paragraphs of the story in which the journalist notes that Russian authorities have a history of targeting Americans for arrest.

¹⁰ See Page 4 of this memorandum, *generally*.

¹¹ See **Exhibit 2**, *generally*

¹² *Id. generally* concerning significant evidence that went "missing," namely Mr. Leake's seized iPhone. Since the police "lost" the telephone, we assume, as does Mr. Leake's Russian lawyer, that nothing was incriminating found thereon. In the undersigned's experience, drug dealers *rarely* have phones from which no evidence is gleaned.

It is hard to find a news report about the case that doesn't raise the specter that Mr. Leake's detention could be part of a well-established pattern of Russian authorities arresting Americans on specious charges. Thus, we believe Category 6 applies to Mr. Leake's case.

CATEGORY 7 (22 U.S. Code § 1741(a)(7))

"The United States mission in the country where the individual is being detained has received credible reports that the detention is a pretext for an illegitimate purpose."

Concerning Category 7, we respectfully submit that consular officers were present in court when the prosecution's star (and only) witness against Mr. Leake testified as follows:

"'They [Russian Police] were in a slight euphoria' [because they had arrested an American], [Mr. Leake's co-defendant] Veronika Grabanchuk said in the court hearing regarding the reaction of the police officers to the detention of Mr. Leake and everyone generally understands why.¹³

We respectfully submit that Leake's arrest on fabricated charges was a pretext to bolster the officers' careers. We have seen the same behavior from Russian authorities in other cases, notably Trevor Reed's, in which, again, Russian police officers fabricated a case against an American in hopes that handing the FSB an American arrestee would bolster their careers.

Perhaps Mr. Leake's Russian attorney said it best when he said, "In the current political climate, we all understand in one way or another that this is the sacrifice of the system for which any operative would receive some kind of reward."¹⁴

CATEGORY 8 (22 U.S. Code § 1741(a)(8))

"The individual is detained in a country where the Department of State has determined in its annual human rights reports that the judicial system is not independent or impartial, is susceptible to corruption, or is incapable of rendering just verdicts."

The Department's annual human rights reports on the Russian Federation specifically note that the Russian government often engages in "arbitrary arrest or detention" and notes "serious problems with the independence of the judiciary."¹⁵

¹³ See **EXHIBIT 2**

¹⁴ *Id.*

¹⁵ [The Department of State's 2023 Country Report on Human Rights Practices in Russia](#): Section 1, subsection D.

We have seen this movie before, Mr. Secretary. The government of the Russian Federation is arbitrarily arresting Americans, particularly those with military histories or who are journalists, on charges that often don't pass a simple smell test, much less a legal test. We have seen it in the Reed and Whelan cases, the GersHKovitch case, and the Kurmasheva case.

Given the number of Americans who have been wrongfully detained on the order of a Russian "court," it is self-evident that Russian judges are little more than marionettes whose strings are pulled from above.

CATEGORY 9 (22 U.S. Code § 1741(a)(9))

"The individual is being detained in inhumane conditions."

We respectfully submit to the Department that the Russian government's inhumane treatment of Mr. Leake began the moment he let the police into his apartment. A prolific writer with a master's degree in English, Mr. Leake has kept detailed, contemporaneous records of his mistreatment.

- During the search, perhaps frustrated they hadn't found anything illegal, authorities kicked and punched a half-naked Leake as they dragged him across the floor. Those injuries required medical attention on June 9, 2023. Mr. Leake still has visible scarring from these injuries.
- During the search, as previously mentioned, authorities performed an unlawful vaginal cavity search of Mr. Leake's fiancé while making him watch. Using sexual violence¹⁶ against Mr. Leake's fiancé in his presence was the beginning of authorities' attempts to coerce a confession from Mr. Leake.
- When he was first placed in detention, authorities starved him for days and employed sleep deprivation as an interrogation tactic to coerce a confession.
- Mr. Leake has been housed at four separate detention facilities in 24 different cells. We respectfully submit that authorities are doing this to prevent him from acclimating to his surroundings and to torment him generally.
- Mr. Leake has been repeatedly beaten in custody by other inmates, and the response of prison authorities has been to ridicule him.
- On or about January 22, 2024, immediately after a consular visit, Mr. Leake was throat-punched by a convicted pedophile on camera. Perhaps trying to send a

¹⁶ Our view is that a male officer engaged in sexual violence against Mr. Leake's fiancé by digitally penetrating her vaginal cavity without her consent and without following the proper procedure, which requires that female police officers conduct such searches. In essence, officers were sending Mr. Leake a message that his fiancé would be subjected to sexual violence in custody if he didn't confess.

message about communicating with the U.S. Embassy, authorities sent Mr. Leake to solitary confinement for a week rather than punishing his attacker.

- Mr. Leake has been exposed to extreme temperatures and insect infestation, leading to a case of "the scrapes" in October 2023. He requested to see a doctor more than a half-dozen times but was left to languish for more than a month before he was finally treated. There is no legitimate reason to let a detainee languish with an easily treated insect infestation of his skin for any period of time, much less a month, and the behavior of prison officials makes their motive pretty clear – to torment and torture Mr. Leake for the sake of it.
- Mr. Leake has been electrocuted at the hands of Russian authorities. In describing the experience, Mr. Leake wrote his mother that 220v current "stings" more than the 110v current we use in the United States.

The Department's human rights reports on Russia confirm Mr. Leake's account. The Department found "pervasive torture or cruel, inhuman, or degrading treatment by the government" and that detainees experience "harsh and life-threatening prison conditions"¹⁷

CATEGORY 10 (22 U.S. Code § 1741(a)(10))

"Due process of law has been sufficiently impaired as to render the detention arbitrary."

Concerning Category 10, we would respectfully refer the Department to **EXHIBIT 2** and **EXHIBIT 3**, Mr. Leake's attorney's closing arguments and complete case file, respectively.

While we will not repeat the numerous procedural and legal violations alleged above—most of which consular officers witnessed firsthand in court—this case and its handling by Russian judicial authorities offend generally accepted notions of due process and the rule of law.

The prosecutor's star witness admitted to lying on cross-examination. The two "independent" witnesses who were supposed to witness the police action from start to finish were brought in after the police action was complete, a serious violation of Russian law and one that had a material impact on the case. Neither witness was "independent." One, a neighbor, even admitted having an axe to grind with Mr. Leake, and neither "independent witness" witnessed the recovery of the mephedrone at issue in this case.

We respectfully submit that there was no due process in this case. No reasonable trier of fact could find Mr. Leake guilty based on the evidence adduced at the trial because so much of it relied on one witness (Ms. Grabunchuk) whose testimony was a) bought and paid for with the promise of a vastly reduced sentence, and b) who recanted critical parts of her testimony on cross-examination. Mr. Leake's fingerprints were not found on the bundle of mephedrone he allegedly possessed, and he passed a post-arrest

¹⁷ [The Department of State's 2023 Country Report on Human Rights Practices in Russia](#): Section 1, subsections A- C.

Drug test with flying colors¹⁸. There is simply no evidence that Mr. Leake was involved with the possession or sale of mephedrone or that he engaged in a conspiracy to traffic mephedrone with Ms. Grabanchuck.

The utter lack of inculpatory evidence in this case combined with the Department's conclusion that the Russian government often engages in arbitrary detention of Americans is more than enough evidence to make a *prima facie* case that there was a breakdown in due process in Mr. Leake's case and that the breakdown was a feature of, not a bug in the proceedings.

CATEGORY 11 (22 U.S. Code § 1741(a)(11))

"United States diplomatic engagement is likely necessary to secure the release of the detained individual."

In this case, the need for United States diplomatic engagement is obvious and bolstered by the fact that Americans are rarely released from Russia without U.S. diplomatic engagement.

Quite frankly, absent U.S. diplomatic engagement, it is likely that Mr. Leake will die in prison, especially given he now faces imminent transfer to a remote penal colony where, unless designated, the Department will argue its role is to provide books and vitamins and that Americans are subject to the laws of the foreign country in which they are detained.

CONCLUSION

The evidence in Mr. Leake's case is clear – he is innocent, and his U.S. citizenship significantly motivated his arrest. He was paraded for state television in which his military service was intentionally exaggerated for dramatic effect. For some reason, the government he served in uniform seems to have concluded he's guilty, notwithstanding the evidence in the case.

Mr. Secretary Travis Leake served his country and deserves better from his government. There is no question that Mr. Leake is not guilty as charged, and, in my view, he is factually innocent. Mr. Leake's arrest was motivated by his status as a United States citizen and as a veteran, and it is time that his government stepped up, designated him as wrongfully detained, and brought him home to his mother in Bakersfield.

Very Respectfully,



Jonathan Franks

¹⁸ In the undersigned's experience, it is exceedingly rare to find a drug dealer who doesn't use his or her product. It is similarly rare to find a drug dealer whose fingerprints are not anywhere on the drugs he is allegedly dealing.

EXHIBIT 1



CONSULAR OFFICES OF THE UNITED STATES OF AMERICA

AUTHORIZATION FOR THE RELEASE OF INFORMATION UNDER THE PRIVACY ACT

In accordance with the Privacy Act (PL 93-579) passed by Congress in 1974, a U.S. Consular Office cannot release any information regarding you to anyone without your written consent except as set forth in the Act. Please complete the authorization below, specifying whom a U.S. Consular Office may contact and to whom to release information with regard to your case. Please return the completed authorization to a U.S. Consular Office. Local language translations are acceptable to facilitate completion of the form in English.

The U.S. Government, by providing the Authorization for the Release of Information Under the Privacy Act Form, cannot under any circumstances compel an individual to complete and submit the form. PLEASE CAREFULLY CONSIDER TO WHOM, AND WHAT INFORMATION IS BEING DISCLOSED.

IMPORTANT: You are not obliged to grant anyone access to information regarding you but failure to provide the information requested on this form may make it more difficult, or impossible, for the Department of State or the U.S. Consular Office to assist you.

Your Full Name (Last, First, MI)

Leake, Michael Travis

Place of Birth (City, State/Province, Country)

Born At:

Norwalk, CA USA

On:

Date of Birth
(mm-dd-yyyy)

10.15.1971

SECTION A

I hereby authorize the U.S. Consular Office of the United States of America and the U.S. Department of State to release information regarding me to the following individuals :

Name (Last, First)	Telephone Number	Address	Relationship
Garcia, Glenda	661-889-8636		Mother
Franks, Jonathan H	310-713-4351		Advocate

IN THE EVENT OTHER PERSONS REQUEST INFORMATION REGARDING MY CASE, INFORMATION CAN BE RELEASED TO THE FOLLOWING:

YES NO

☐☒

Family (Other than Those Listed Under Section A)

☐☒

Friends (Other than Those Listed Under Section A)

☒☐

Individual Members of Congress and Staff

☒☐

Members of the Media

☒☐

The General Public

☐☒

Employer

Please review the form before signing. Information will only be released under Section A if requested and if we have your signed authorization.

Signature of the Applicant
(Please Sign In Black or Blue Ink)

Michael Travis Lecke

Print Your Name

Moscow, Russia

City, Country

7.23.2024

Date (mm-dd-yyyy)

PRIVACY ACT STATEMENT

This information is needed to assist you in your present need for consular services. The primary purpose for soliciting this information is to establish your citizenship, identity, and entitlement to welfare protection services offered by the U.S. Government.

The U.S. Department of State is committed to ensuring that any personal information received is safeguarded against unauthorized disclosure. The data you provide is subject to the provisions of the Privacy Act (5 U.S.C. 552a). This means that the U.S. Department of State will not disclose the information you provide unless you have given us written authorization to do so, or unless the disclosure is otherwise permitted under the provisions of the Act or in accordance with our routine uses published in Title 22 of the Code of Federal Regulations. The information solicited on this form may be made available as a routine use to other government agencies for law enforcement and administrative purposes.

EXHIBIT 2

To the Khamovnichesky District Court of Moscow
to federal judge Lutov A.V.
lawyer Marinenko Kirill Alekseevich
in defense of defendant Leakea Michael Travis

The speech of the defender in the court debate.

Leake Michael Travis is accused of committing crimes under paragraphs "a", "b", part 3 of Article 228.1, part 3 of Article 30 of paragraph "d", Part 4 of Article 228.1, paragraph "d", part 4 of Article 228.1, paragraph "d", Part 4 of Article 228.1, Part 1 of Article 228 of the Criminal Code of the Russian Federation.

Leake M.T. pleads not guilty.

The defense considers the charge to be illegal and unfounded on the following grounds.

1. The absence of irrefutable evidence of Leake M.T.'s involvement in criminal acts.

The materials of the criminal case contain and the indictment sets out evidence that the accused Grabanchuk carried out the sale of narcotic drugs.

Thus, the testimony of Ksenofontov's witness to the police concerns only those events that he observed in relation to Grabanchuk.

The information that he reported regarding Leakea's involvement either concerns Grabanchuk directly, or became known to him from Grabanchuk's words, or was also falsified by him in order, as the defense believes, to bring a foreign citizen to criminal responsibility due to the falsely understood interests of the service.

To one extent or another, these arguments are also valid in relation to the testimony of other police officers.

Written evidence: research certificates, expert opinions on the composition of narcotic drugs, inspection and seizure protocols do not in themselves

indicate the relevance of these indications to the Leak, since they can also be associated only with the defendant Grabanchuk.

I draw the court's attention to the fact that in volume 1 on I.d. 6 there is a protocol of personal inspection of Grabanchuk, according to which her mobile phone "iPhone 12" was seized on June 05, 2023 at 10:32 a.m. Further on, I.d.12 contains the protocol of inspection of this phone, dated the same day at 21:00.

Photos of bookmarks in the amount of 70 pieces from the phone gallery are attached to the inspection protocol on I.d.14 and further, as indicated in the protocol. There is also a PIN code.

By the way, there are much fewer photos in the case, probably it is suggested to take your word for it.

So what do we see, what options do police officers have if everything goes in a legitimate way and is conducted legally?

Police officers have a girl detained red-handed, ready to give incriminating testimony to the second accomplice.

Employees have access to the phone, no one prevents them from looking at messengers, correspondence, to find out how often the girl contacts the exposed person.

Next, the girl writes a statement about her desire to assist police officers in exposing the person with whom they are jointly selling narcotic drugs.

The papers are processed procedurally in accordance with the provisions of the Federal Law "On Operational Investigative Activities" and operational investigative measures are carried out, for example, "Surveillance".

Based on the fact that in addition to the photo gallery, no significant information was withdrawn from Grabanchuk's phone, it can be reasonably concluded that the phone did not contain any incriminating Leak evidence.

For the purposes of a thought experiment, we can assume that all necessary correspondence was deleted, either by Grabanchuk herself or by Leak, but this does not prevent operational investigative measures from being carried out in accordance with the law.

For example, from the very moment I entered this case, I was internally interested in the question: why not do it the way every operative likes to do: turn on the recording and ask Grabanchuk to call Leak. One call, a

well-constructed dialogue, and voila - you have all the evidence of involvement. They can do it, they were taught this, there are no rules at all, everything can be organized and executed in half an hour.

Next, Grabanchuk tells you that they do not communicate by voice, conduct another experiment: let her get in touch with Leak via messenger. He will write to him, or send him a new (conditionally) photo with bookmarks and coordinates. You can observe the reaction of the interlocutor, enter into correspondence with him (which police officers also often like to do), in general, get quite obvious evidence of the involvement of a particular person and the connection with this particular detainee (Grabanchuk) person.

None of this is being done.

At the same time, during the personal inspection, Grabanchuk, as recorded by the operative Yakushkina, did not name the name and other data of the person who allegedly gave her these drugs. Grabanchuk does not deny that she owns narcotic drugs, indicates the involvement of another person, why not immediately enter his name in the protocol? Then she can also refuse to name him, from the point of view of the operational staff, you need to immediately squeeze out all the necessary information – no, no one does such actions. It doesn't matter, like, who told her there and what.

On the same day, two inspections of the scene of the incident are carried out at the addresses: Frunzenskaya embankment, 50, entrance 6, where 4 parcels were seized according to the protocol, and entrance 8, where 5 parcels were seized. Let me remind you that 5 parcels were seized from Grabanchuk during a personal search in one place, 15 in another. I'll come back to this later.

And again, in none of the two protocols of the inspection of the scene, compiled by the senior investigator of the Ministry of Internal Affairs of Russia for the Khamovniki district of Moscow, Taukenov, there is no explanation from Grabanchuk that she was given these narcotic drugs by Leake M.T., although such explanations in the text of the protocol are standard practice.

Why not fix all this in the protocols?

I deliberately make references to the fact that as soon as the documents on the initial procedural actions are drawn up by persons other than Ksenofontov, these documents do not contain any references to Leak,

even through the explanations of Grabanchuk. As soon as Ksenofontov appears, the surname Leake immediately appears in the text.

According to Grabanchuk's testimony announced at the hearing, "Travis Leake transferred funds to my bank card" (volume 1, I.d.65). Does it really seem strange to me that the operational staff and the investigation did not check these statements in the simplest way – through bank statements?

It would seem – what could be simpler? The absence of such, the simplest, most primitive evidence of Leak's involvement leads me personally to believe that there is no such evidence, therefore there is no involvement.

We are looking at the search protocol vol.1 I.d.93.

The seized iPhone 13 Pro Max belonged to [his fiancée] , and was subsequently returned to her.

A black iPhone mobile phone was seized from Leakea during the search. This phone is not only not attached to the materials of the criminal case as material evidence, but is also missing. Along with him, by the way, the evidence that Leake could have presented in his defense disappeared.

The question arises: do we often have thefts of mobile phones seized from suspects? They probably happen sometimes. But then those persons who carried them out must answer in the future.

At least, in this court session, we again identify signs of another crime, and, as I understand it, all the same persons who have already passed the first procedural check in the Investigative Committee are under suspicion.

There are no conspiracy theories here, and such things can be explained simply: the phone, which, it would seem, could contain important correspondence between Leakey and Grabanchuk, or his correspondence with some drug lords from Colombia (if you try to follow the version of the investigation), simply disappeared.

According to the resolution on the recognition and attachment of material evidence (vol. 2 I.d.162), the specified phone number did not seem to exist.

[the neighbor/witness] , a witness, confirmed at the court hearing that she was "shown everything" during the search: she also signed in the search report, where the phone number is indicated.

Moreover, [the neighbor/witness] studied the search protocol at the court session, confirmed her signatures, however, to a direct question from the state prosecutor, she explained that she did not know whether Leake had signed

the protocol (00:28:20, hereafter links to those files that were issued to the defense by the court at the request), although her signature in the search protocol is it is under the record of Leak's refusal to sign.

However, the rejection record does not occur by itself. The witness records that the refusal was made, and the witness says that he does not know anything about it.

This means that either the record of Leak's refusal to sign was made after the signatures of the witnesses, or the witness simply does not pay enough attention to what she signs, and what she should record with her signature at all.

The question arises: what is the procedural meaning of the participation of such a person who signs everything that is slipped to her? Yesterday she signed the search, today the opposite testimony, tomorrow she will sign anything. This person cannot confirm or deny anything. At the same time, ^[the neighbor/witness] has a dislike for Leak, which they both essentially confirmed at the court hearing. This person is not a representative of the public in its legal sense, since he cannot be absolutely free from a subjective assessment of Leak's actions. For the defense, this is obvious even by the fact that she blindly signed everything that the investigation handed over to her.

Your Honor, as follows from vol. 1 l.d.109, it was you who checked the legality and validity of the search, and with your signature recorded, among other things, what was seized during it.

Now, it turns out, this court decision itself is being questioned.

Interestingly, the witness Ksenofontov answered the direct question of the defender, whether the witnesses appeared before the discovery of narcotic drugs, or after (audio recording 0:11:00).: "I was on adrenaline, at that moment I can't answer." Then the witness explained that he was allegedly misunderstood, but the question sounded direct and the answer sounded also direct, despite the fact that the witness answers very vividly and confidently, which is not surprising, because he has relevant experience.

The understood ^[the neighbor/witness] explained at the hearing that she was not present at the seizure of narcotic drugs, which in itself confirms the position of the defense that law enforcement agencies falsified evidence during the detention.

The defense claims that an important defense evidence was missing from the criminal case, which could confirm the absence of compromising

information from Leak, and the presence of such correspondence with the same Grabanchuk, which (correspondence) could indicate Leak's non-involvement in the deed. After all, if, according to the investigation, he deleted everything, why hide this phone and withdraw it from the criminal case?

Witness Ksenofontov drew up a search report in which the phone seized from Leakea indicated, and at the hearing confirmed his previous, announced testimony, which did not contain an indication of the phone volume 2 l.d.124-128 (audio recording 00:39:40).

Surprisingly, the prosecutor did not bother with this before approving the indictment a question.

As I understand it, no one raised this issue in court either.

This fact itself not only confirms the general position of the defense that there is and could not be any evidence incriminating Leakea, but also, as we believe, should direct the court in the appropriate direction to evaluate the evidence presented by such operatives.

Too much was wrongfully happening in this case, which cannot be kept silent, and which cannot be ignored.

At the same time, evidence appeared in the case that should not be there.

I would also like to draw your attention to the fact that based on the search protocol, contrary to generally accepted practice, it is only directly indicated where exactly (on the table) the narcotic was found, which Leake recognized immediately. Otherwise, it is not reported in which rooms of the apartment and in which places other drugs were found. What is the reason for such a generalized, non-specific perception of the investigation of this situation is unknown.

Witness Ksenofontov also did not explain at the hearing where the drugs were specifically found (audio recording 0:14:50). "In the room" is too vague a message, despite the fact that the exact location of narcotic drugs is not indicated and, for example, a photo recording of the search has not been performed, that is, we do not have the position of the prosecution in those moments that are disputed by the defendant, where the drugs were specifically seized.

I would like to draw your attention to the fact that when Grabanchuk showed the places of bookmarks, they were all indicated with meticulous accuracy, and this is the very standard of proof that the defense refers to.

It follows from public data sources, including videos on the Internet, an NTV report, that Leake independently opened an apartment. There was a video recording, but it was not presented in the case, and in fact it could have removed all questions regarding the course of this search. Why did the investigation hide this record? The answer is obvious to us: because during the search there were things that should not be shown.

However, one of the things was shown on the TV channel: no, not drugs at all, but a photo of the detainee against the background of some sex toys. Obviously, this was done for one purpose: the public humiliation of the Leak, which in itself is torture in the understanding of international principles and norms. Does anyone doubt that those who commit such acts would have avoided using other illegal methods of influencing a detainee?

According to Article 9 of the Code of Criminal Procedure of the Russian Federation, during criminal proceedings, it is prohibited to carry out actions and make decisions that humiliate the honor of a participant in criminal proceedings, as well as treatment that humiliates his human dignity or creates a danger to his life and health. None of the participants in criminal proceedings may be subjected to violence, torture, or other cruel or degrading treatment.

It has been publicly confirmed that the participants in the detention violated one of the basic principles of the criminal process. What doubts are there that they are ready to violate all the others? I don't have any.

I also draw the court's attention to the fact that at the court hearing, the understood [the neighbor/witness], nevertheless, explained that she was not present at the discovery and seizure of narcotic drugs in Leakea's apartment (00:13:22 – audio recording "Drugs were shown to me").

The phrases "Employees showed me drugs", "When I entered, they showed me" confirm the Leak's version, and not the version of law enforcement officers. The witness cannot confirm where the drugs were found, as they were presented to her in fact.

Moreover, the witness confirmed that her son, the second victim, also saw exactly what she saw (00:29:37 "He can only say the same thing as me." 00:31:15 "Did the son see the same circumstances as you? – Absolutely"). All this, I want to note, corresponds to Ksenofontov's testimony at the court hearing regarding the fact that the witnesses did not enter the apartment immediately.

Further, the understood [the neighbor/witness] reported at the hearing only about the narcotic drug that Leake recognized immediately, as well as a blue pill that a police officer showed her.

Yes, the prosecution has the right to claim that the witness confirmed the data from the search report, but we have already noted that she is clearly not fully receptive to the written information contained in the protocol.

Dear court, even if we take as a basis only the fact that the witness confirmed that everything specified in the protocol was seized during the search, first of all, we insist that these indications be taken into account in the part of the seized second iPhone black phone belonging to Leak. Secondly, the defense has a reasonable question: why do we need such an understanding? Understood is a representative of the public, who is called upon to objectively and impartially record the ongoing investigative actions.

Employees come in – perform investigative actions – witnesses observe, and then confirm signatures in the protocols.

I will not be afraid of these words, but at the court session we all managed to make sure that the narcotic drugs indicated in the interrogation protocol were seized and found in Leakea's apartment.

Even Leake himself knows this. The question is exactly how and at what point in time some of these substances ended up in the apartment. Leake consistently claims that some of the narcotic drugs – one bookmark and MDMA were planted by the police officers who tortured him – and it is for these two substances that no document or testimony contains a specific place and circumstances of their seizure. The logic of the construction of our thoughts fully confirms the version of protection.

From the initial testimony of Leakea from the interrogation protocol of June 08, 2023 (volume 1, l.d.161), it follows (I will allow myself a small quote, because it is important):

"After that, Veronica and I arrived home, and she began packaging this substance. After that, she took the "bookmarks" weighing 80 grams, and I kept the rest for myself. On the morning of 06/05/2023 Veronica had to lay out bookmarks. She and I have shared notes on the phone where she indicated the coordinates of the places of "bookmarks". At some point, she stopped contacting me, and I thought something might be going wrong. After that, I immediately started deleting correspondence in telegram, general notes, and the geolocation of my phone. 06.06.2023 when I realized that she was not at work and was not at my house, I decided to

remove everything illegal in my opinion, because I suspected that police officers might come to me. I'm tired of making money this way, and my friend and I have a plan on how to make money legally."

First of all, it's obvious that real people don't say that. From the protocol, it is clear that the testimony was "adjusted" to the current situation in which the operatives found themselves: Leake opened the door to the police on his own, while having only those drugs that he used himself (they were lying on the table, and this is not denied by anyone).

But the investigation needs to somehow justify the absence of significant Leake, in particular, correspondence, so phrases arise in the protocol: they say, Leake committed crimes, but there is no evidence - because he decided to destroy everything, suddenly reformed. It's surprisingly simple if someone is willing to take it on faith in a lawsuit.

Secondly, there is some legal dissonance here, which has not yet been resolved within the framework of a logical assessment of the evidence in the case in the form of relevant prosecution arguments.

If Leake, being involved in the sale, suspected that police officers would arrive at him, and allegedly began to delete all unnecessary correspondence and destroy evidence, then for what reason did Leake keep with him what was seized during the search, I quote: powder in a polymer bag (seized powder from the table), a blue tablet in the package, a substance wrapped with black duct tape.

And there are only two options, dear court:

or we clearly recognize that the testimony set out in the interrogation protocol is absolutely imposed by the investigation and does not correspond to reality, as Leake explained at the hearing: it is impossible, under any logic, to imagine that the person knew that the police would come to him and deleted everything, but something it decided to leave it anyway, while it opened the door to the police itself in order to present the available evidence - narcotic drugs: then the court would be obliged to consider such incredible actions as a confession (Article 142 of the Code of Criminal Procedure of the Russian Federation);

or we must agree that the substances indicated in the form of a bundle and tablets did not originally exist in the apartment, and were, as explained by Leake, planted on him during unlawful detention, during which torture and other illegal methods were used against him. In this case, the option in which Leake opened the door to the police and let them into the apartment, without paying attention to the drugs that were on the table (in

a microscopic dose), looks logical and reasonable. In addition, in this case, the defense position seems absolutely irrefutable that Leake did not participate in any issues that Grabanchuk was involved in, did not expect any search and did not see any obstacles to police access to the apartment.

Ultimately, he could have stayed in the apartment until the police broke down the door, but this did not happen. He could flush the drugs down the toilet, throw them out the window, anything. He didn't do it. If you believe the position of the prosecution – which is absolutely inexplicable.

The fact that Leake opened the door himself was explained by witness [the neighbor/witness] during interrogation at the court session (00:14:36 – to the question of the defender: "He opened the door himself").

In fact, there is also a third option, which the defense insists on: both Leak's testimony, as set out in the initial interrogation protocol, is incorrect, and those drugs that Leake pointed out at the court hearing were planted on him. And all the contradictions are caused by the very incompetence of the operational staff, even in such a primitive case as falsifying the evidence of the prosecution.

At the same time, the defense realizes that we are using ordinary logic and some indirect evidence here, because it is very difficult in our law enforcement system to prove that there are bad operatives (although, it would seem, there are enough examples of proven cases).

Therefore, we urge the court to look at the fact that it is not the version of law enforcement officers that contradicts the Leak's version, but the version of law enforcement agencies submitted to the court contradicts itself in evidence.

Small details: in this interrogation at l.d.163, Leake allegedly says that all information about the drug store is available on the computer that was seized from him. During the search, a computer and several hard drives were seized. Is there any information from them in the end? Well, obviously, if there were, the investigation would have brought them to court.

Again, there is a dissonance: either Leake did not give such testimony, or there is no information about the drug store. That is, even the version of the investigation is implausible. Our position is that the readings are incorrect, and there is nothing on the disks. It's obvious.

By the way, at the court hearing, the defendant Grabanchuk showed: "There is an Excel spreadsheet in the computer where all purchases are dated, there are nicknames of buyers" (01:55:00). The question is: where is the computer and the expertise of its internal (software) part?

Why have the most important investigative actions not been carried out?

Let's take the expert opinion, volume 2, l.d.218, which describes those drugs that were allegedly seized from Leakey at home.

A bundle of strips of black and brown polymer materials with an adhesive layer, denied by Leak, was seized, inside there is a gray metal product with magnetic properties and a transparent "sled" type package. That is, it is an ordinary "bookmark" magnet.

In volume 2 on l.d.218, the expert's conclusion contains a description of the very bookmark found in Leakea's apartment: a bundle of ribbon segments, black and brown, a gray metal product weighing 1.28 g.

In volume 2 of l.d.190, the expert's conclusion contains almost the same description of the four bookmarks removed from entrance 6.

In both entrances, as reported by Grabanchuk, she made 5 bookmarks. Including in the 6th entrance, from which only 4 were subsequently withdrawn.

The defense is convinced that these bookmarks together were the same five bookmarks that Grabanchuk originally laid in the entrance 6.

"He couldn't have had so many drugs at home. I know that he did not have drugs in such quantity, I took all the bookmarks, the maximum that could remain was on the tablet with which he used" (01:06:40) – Grabanchuk's testimony at the court session, which in this part cannot be ignored, even if the court decides in principle trust her testimony.

Grabanchuk took all the bookmarks. But then, for some reason, exactly the same bookmark that she took away turns out to be at Leakey's house again, who, according to the explanations of the same Grabanchuk, had not left the house at all by that time. Again, Leake allegedly, based on initial testimony, explained that he knew that the police were coming to him, but decided to keep three types of drugs at once (in form/content).

We insist that these and other statements in which the accused Leake allegedly admitted his guilt were not written by him, he signed his signatures, being under pressure, which he himself stated earlier. The defense does not consider it necessary to re-state all the circumstances

that the defendant stated during the trial, I believe that everything was presented in sufficient detail and convincingly.

The accusation is based on the testimony of the accused Grabanchuk, which cannot be reliable on the following grounds.

The defendant Grabanchuk, questioned at the hearing, as follows from the audio recording of the trial, explained that she made bookmarks with mephedrone, after which she was detained.

On the same day, she reported that she was paired with Leake, he provided her with substances, and she made bookmarks.

Grabanchuk explained that she was detained not on June 05, 2023, but on June 04.

During the interrogation of witnesses, Ksenofontova and Koroleva Grabanchuk did not ask any questions in this part, which indicates all the signs that Leake claimed from the very beginning: violations by law enforcement officers and the defendant's humble, even repentant behavior based on the humanity of the court, because it depended on these employees, will they confirm to the court the provision of active assistance in identifying an accomplice to the crime, or not.

Ksenofontov took her phone before a personal search.

Of course, no one will know what he did to him there.

At the personal search, as witnesses, there were acquaintances of the police, as it seemed to the defendant Grabanchuk, from the bakery opposite.

Her initial testimony on June 04, 2023 was made up of Xenophon and Korolev.

At the hearing, Grabanchuk explained that Leake did not blackmail her in any way, and it was the operatives who told her to initially report more in this part, that is, in fact, they forced her to give deliberately false testimony.

She did not say that Leake was involved in the manufacture of drugs.

For testifying against Leakea, Ksenofontov promised her a pre-trial agreement.

Can the people who arranged this use other illegal investigative methods? Quite.

Can a person as fickle in testimony and weak in opposition as Veronika Grabanchuk continue to be held captive by her own fears and give false testimony, denouncing Leakea in favor of the operatives who promised her a mild punishment? And that's quite enough.

Nevertheless, at the hearing, the defendant Grabanchuk still explained that there were numerous injuries, traces of blows and scratches on her legs at the confrontation at Leak (01:03:30).

To be honest, I have not seen reports from the accused for a long time that literally the investigative actions indicated by all protocols on one day were actually carried out on another.

By itself, this fact should already amaze and make us treat the testimony and procedural documents drawn up by Ksenofontov with great suspicion.

Why keep Grabanchuk in the department for an extra day, because it is logical to speed up the process and decide on her accusation as soon as possible? For protection, it is obvious why. In this case, a "special subject" suddenly appeared, a foreign citizen, for whom operational staff now have "special assignments", which any professional lawyer in this room understands, and Grabanchuk explained that the fact of her acquaintance with an American citizen was extremely interested in operatives.

2. Procedural violations committed.

According to paragraphs 3, 5 of Part 1 of Article 220 of the Criminal Procedure Code of the Russian Federation in the indictment, the investigator indicates:

- the crime scene;
- a list of evidence supporting the accusation and a summary of their contents.

As follows from the indictment, the investigator indicated the place as the address: Moscow, Komsomolsky Prospekt D.5/2. The name of the avenue, which is not found in the directory of Moscow.

References to exactly the same address are found when presenting evidence (I refer only to the text of the conclusion, not to the evidence itself):

- testimony of witness Feduleeva L.G.,
- protocol of inspection of the scene of the incident dated 04/13/2023,

- protocol of checking testimony on the spot dated 06/08/2023,
- information about the study No. 12/14-1373 dated 04/14/2023,
- physical evidence
- and even the incident card "02".

You can say: it's not good, but it's just a typo. However, the fact remains that the indication of the crime scene does not correspond to the real one.

Moreover, it was then thoughtlessly copied about 20 times to various places of the indictment, which underlines how carelessly the entire procedure of the preliminary investigation was carried out – a kind of quintessence of illegality.

Whether it is necessary to return the case to the prosecutor with such a problem is a rhetorical question, there is no doubt, however, that the prosecutor himself, if he saw this at the investigation stage, would return the case to the investigator without hesitation. And I would also say a couple of affectionate words to the investigator.

The defense only draws attention to the fact that this instruction is found in the indictment 22 times, which demonstrates the main position of law enforcement agencies in the case: neither the investigator looked at this error, nor the prosecutor checked, leaving the court to consider for itself the question of how the rights of the defendant Leakea M.T. to protection by such an incorrect indication are respected.

I would like the court to take this circumstance into account in a comprehensive assessment of the case materials.

In addition, it is necessary to find out what is the date of the commission of the act imputed to Grabanchuk, because at the hearing the defendant indicated that the crime was terminated on 06/04/2023, contrary to the instructions in the indictment.

3. Motives.

With such accusations, the defense realizes that there must be certain motives involved.

We can only make our own assessment.

Anyone who has watched public and open reports on the detention of Leakea M.T. is able to understand what the point is.

American. In the current political environment, we all understand one way or another that this is exactly the kind of victim of the system for which any operative will receive some kind of reward one way or another.

From here, TV cameras appear during detention and stunning fictional indications that Leake is an American soldier, although he has never been to Iraq. And this was reported during the arrest by the NTV channel, which, of course, became aware of this from Ksenofontov and his comrades.

Moreover, Leake itself has nothing to do with politics.

And persuading a girl in a difficult life situation to fulfill all the requirements in return for a reduction in punishment is a simple matter on the part of the operatives.

In fact, I am like a third-party defender, but as a human being, I will only be glad for the lenient punishment of the defendant Grabanchuk. However, I would like this to happen not at the cost of replacing justice with its surrogate.

"They were slightly euphoric," the defendant Grabanchuk said at the hearing regarding the reaction of police officers to the detention of Leakea, and it is generally clear to everyone why.

4. Conclusion.

Your Honor, this case is the result of human mistakes on the one hand, and human dirty tricks on the other.

Anyone who has been working in the system for any amount of time understands that all these oddities and inconsistencies cannot be a simple coincidence. And even if there is not much direct evidence for this, I think time will show that the accusations made against specific employees were not groundless.

Whether it's in this case or any other, it doesn't matter.

The investigator of the IC in the Khamovniki district, Tsomartov, told Leak during interrogation in the pre-trial detention center that Ksenofontov had been hunted for a long time by the investigation and the USB, because the number of complaints exceeded the critical mark. On the one hand, this fact pleases me, on the other hand, it upsets me, because in such a strange case, no one wanted to find out the truth until now.

Ksenofontov is still saved by the fact that the next detainee is an American.

However, the fact remains that we are grateful to the court for the fact that a procedural check was appointed. We believe that this means that the court also doubted the quality of the investigation.

However, in its current form, verification is meaningless.

What did the UK investigation do? Interrogated the perpetrators of the celebration themselves, as if hoping that one of them would admit what they had done.

Leake himself has not been interviewed. What prevented me from calling him for a survey as part of the check, well, apparently, I was interfering with them on my own.

Medical documentation has not been requested, although this is the only objective evidence that there was torture. At the same time, we see the initial phase of torture even on video.

Well, what is the point of such a check? Is it that it has been formally carried out? Perhaps only in this. But this has nothing to do with law and justice. In the presence of a bunch of contradictions, all our attempts to demand the evidence that could confirm our version run into indifference.

This check does not confirm the version of the investigation in any way. Moreover, the absence of any attempts to satisfy the protection requests only confirms our version.

We also see that the investigation also pretended to organize its own inspection even before sending the case to court (volume 3, l.d.50-51), but the results of it were not submitted to the court, everything was done "for show". If there were grounds to conduct an inspection, materials were allocated – where are the results? Once again, we come to the logical conclusion that the absence of verification results is the best proof of Leak's innocence, because what else is the point of hiding them, not conducting an inspection, not submitting medical documents?

According to Part 3 of Article 14 of the Criminal Procedure Code of the Russian Federation, all irremediable doubts are interpreted in favor of the accused. In this case, doubts are such, since the appearance of any evidence in favor of the defense is resisted by the law enforcement system. If this were not the case, all the certificates would be in the file. A lawyer would have been called. The understood one would have been interrogated. The computer has been investigated. Bank statements have been received. ORM – conducted. Recordings and other evidence of Leakea's connection to drugs were found in the phone. Drugs would have

been seized in the presence of witnesses and with the indication of specific places of seizure in the apartment with the fixation of these places by witnesses.

I can go on further, but in fact I'm already finishing.

Being a lawyer, I try to defend the judicial system everywhere in communication with colleagues, to point out that despite all the shortcomings, we still have the opportunity to show and uncover the shortcomings and even criminal actions of individual elements of the system.

However, such cases, if they take place in court, will be an additional confirmation of the unspoken truth of recent times: the bar of proof in criminal cases is really lower than civil and arbitration cases, whereas it should be exactly the opposite.

Part 1 of Article 75 of the Code of Criminal Procedure of the Russian Federation states: "Evidence obtained in violation of the requirements of this Code is inadmissible. Inadmissible evidence has no legal force and cannot be used as the basis for an accusation, as well as used to prove any of the circumstances provided for in Article 73 of the Code of Criminal Procedure of the Russian Federation."

This norm cannot remain a simple declaration.

No one conducted any investigation, did not examine the physical evidence seized in the apartment, did not try to compare, for example, a bookmark from the apartment with others, while unknown persons stole the defendant's phone. Leak, compiled testimony that in court to one degree or another, as a result, refute ALL the subjects who gave them: and cooperating with As a result, Grabanchuk, who denies everything to Leak, and even the formally independent ^{[[the neighborhood witnesses]]}, who clearly has no sympathy for Leak, reported those things that directly contradict the search protocol.

That is, no one wanted to do anything. Any garbage (I'm talking in a purely procedural sense) is thrown by the investigation into the court in order for us to sit here for months and find out the circumstances in a fairly standard case.

And even the procedural check could not be carried out properly, neither the defender was called, nor medical documentation was requested – a few objective confirmation of the defense version, thus, in fact, deprived of the opportunity to refer to the evidence that indicates innocence.

But the court is not a cesspool.

We have already gone far enough: bribes on testimony, fraud on civil contracts, and now – for sale without MPAs and generally at least some evidence of involvement. Even those who are now understood, who would be eyewitnesses to the seizure, are not needed. It is enough just to invite them in fact to see what the police officers brought to the apartment.

Soon, it seems, we will be left without a drug examination, there will only be certificates.

I am far from thinking that with this one case we will change anything in our judicial system. But it is in your power, dear court, to begin this progressive and correct movement.

I ask the defendant to acquit Leak due to the absence of a crime event.

Sincerely, lawyer Marinenko K.A., 09.07.2024.

Exhibit 3

Mr. Leake's Court File Can Be Accessed At:

www.bit.ly/travisleakecasefile

EXHIBIT 4

Michael Travis Leake
6300 Olive Knolls Dr.
Bakersfield, CA

8.30.2023

1/4

President Joseph R. Biden
1600 Pennsylvania Ave.
Washington, D.C.

F O R . I M M E D I A T E R E L E A S E

An Open Letter to the People of the
United States and to President Biden

I want to begin by apologizing to America. Apologize for allowing myself to remain in harm's way. For giving the adversaries of our national interest an opportunity to box the administration into an untenable corner. For making our elected president have to choose between two competing moral obligations: the enforcement of our laws on the one hand, and the life and liberty of one of his fellow citizens on the other.

I beg forgiveness from my country for my poor judgment-my arrogance-in thinking that just because I conscientiously refrained from involving myself in politically controversial topics, both publicly and online, that I was somehow immune to potential danger in Russia.

I was wrong.

On June 6th, 2023 at just after noon Moscow time, as my fiancé and I were deciding which movie to watch, ~~our apartment~~ four uniformed and masked Russian

tactical officers, armed with assault weapons, stormed our apartment without warning. No less than five armed plain-clothes ~~deet~~ detectives from the Russian Ministry of Internal Affairs followed closely behind. 2/4

I immediately raised my hands in surrender. I was forced to the ground and handcuffed so tightly that my wrists bled. I still have scars from that, even months afterwards. They were looking for money and drugs, acting on a tip from an ex-girlfriend who had been, only two days prior, arrested with a large amount of narcotics she was distributing. She was promised a lighter sentence in exchange for implicating someone else.

When the authorities learned that one of her acquaintances was an American, any American, a chain of events began, culminating in my current imprisonment in Russia already 86 days.

Over a period of several hours, the officers sent to my home wrecklessly destroyed my belongings, my recording studio, furniture, everything, in a fruitless and ultimately unsuccessful attempt to find large sums of money, narcotics, or absolutely anything with which to justify arresting me. I was kicked, punched, dragged half-naked by my handcuffs like a marionette and ultimately forced to watch the police sexually molest my fiancé.

When finally they had accepted the fact that there was nothing incriminating in my home with which to justify arresting me, they threw a packet of drugs on my head and watched it hit the floor.

Since being arrested I have been housed in four separate facilities and placed in 13 different cells. I am not permitted to speak to anyone in my family. Not permitted to know any news, or even what is happening outside these walls. I am not even permitted a Bible.

I am no one special. I am not a famous athlete, or a war hero, or a rich businessman. I am a regular citizen caught up in a geopolitical chessmatch not of my making, or under my control.

I entered prison at 92 kilograms. I have been starved for months now. I am expected to eat spoiled food, ungutted, uncooked raw fish, and I cannot force myself, even in these conditions to infect my body with toxic substances.

I now weigh about 72 kg. Just in 3 months I have lost 20 kg. That's about 40 pounds. I am 5'10". I do not have access to medicine to deal with a chronic health condition. They refuse to provide it. I have been housed with pedophiles, murderers, extremists, and inmates with AIDS.

The Russian government is actively trying to ensure that when the time comes to trade me away to the U.S. in exchange for actual criminals, that I will either be beyond saving in the long term, or outright insane.

It has no time to endure this charade of a process. This is personal for them. They find joy in my

daily misery. I will not survive much longer. I don't have another 10 pounds of fat left to donate to my survival.

4/4

I beseech President Biden, and the people of America to demand my immediate and unequivocal repatriation to the United States. Now. Today. While there is still time to save whatever remains of me. While there is still a me to save.

I do not wish to either be a martyr, nor a cassus beli. I want to come home.

Please help. Time is not on my side.

I won't survive this much longer.

M. Travis Leake

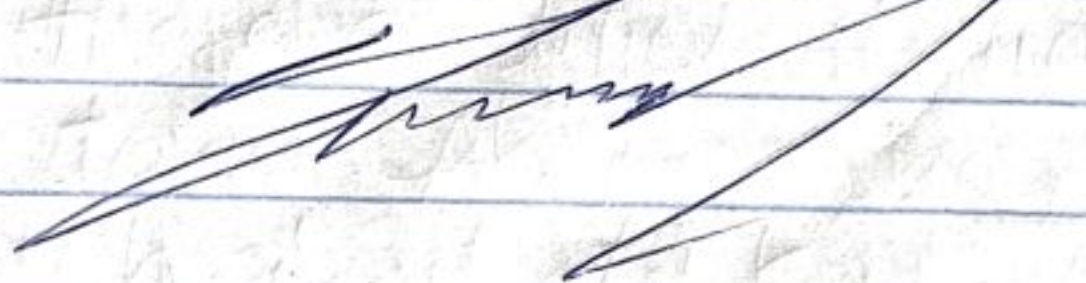
A stylized, handwritten signature in dark ink, appearing to be 'M. Travis Leake', with a large, sweeping flourish underneath.

EXHIBIT 5

US citizen detained on drug charges in Moscow identified as rock band manager Travis Leake

CNN — normal

The US State Department has confirmed the arrest of American citizen Travis Leake in Russia and said US embassy officials attended his arraignment Saturday.

Moscow's courts of general jurisdiction earlier released a statement on the social media app Telegram saying a US citizen had been detained on drugs charges.

Leake was detained on Saturday where "the Khamovniki District Court of Moscow took a preventive measure against an American citizen," it said.

A court statement identified him "Travis Michael Leek."

"The former paratrooper and musician is accused of engaging in the narcotics business through attracting young people," the statement said.

It added he had appeared at the Khamovniki District Court of Moscow on June 10 and will remain in custody until August 6, 2023.

On Sunday, the US State Department confirmed Leake's detention.

"We can confirm that Michael Travis Leake was arrested and is detained in Moscow. Embassy officials attended his arraignment on June 10," a spokesperson told CNN.

"We will continue to monitor the case closely."

Enter your email to sign up for CNN's "Meanwhile in China" Newsletter.

"The US Department of State and our embassies and consulates abroad have no greater priority than the safety and security of US citizens overseas," they said.

"When a US citizen is detained overseas, the Department pursues consular access as soon as possible and works to provide all appropriate consular assistance."

Leake's mother says she hasn't heard from officials yet

Leake's mother Glenda Garcia says she has yet to hear from US government officials regarding the current status of her son and is worried about what he's going through.

"Of course, I am worried. Of course, I am concerned, " she told CNN on Sunday. "He's in prison in a foreign country, that is a concern."

Garcia said she doesn't know if her son has an attorney and she doesn't know what to do herself.

"I have not heard from the State Department. If I don't hear from them tomorrow, I will try to call them," she said. "I don't really know anything other than what I heard on the news."

Garcia last spoke with her son on Mother's Day, she said, noting they typically talk every few weeks.

Regarding her son's time in Russia, Garcia said, "I know he was in a band, I

know he taught English."

Denial of guilt

Video of Leake's arrest from his home and a mug shot from a Russian police station were published by Russian media outlets on June 8.

Ren TV, a tabloid outlet, reported Leake's statements to police in which he reportedly said: "I don't understand why I'm here. I don't admit guilt, I don't believe I could have done what I'm accused of because I don't know what I'm accused of."

The arrest comes amid Russia's war with Ukraine, which has seen already poor relations between the US and Russia plummet.

In March, Russian security services arrested US journalist Evan Gershkovich, accusing him of spying, which he denies.

Interviewed by Bourdain

CNN filmed with Leake in 2014 for an episode of Parts Unknown in Moscow and St. Petersburg.

Host Anthony Bourdain had personally hand-picked Leake to participate in the show.

In the episode, Leake talked about his frustrations with censorship and relayed an incident involving his band and MTV. "This was a documentary series about musicians standing up and risking their lives in some cases, to stand up against government abuse of power, government corruption," he said. "And yet, a foreign government was able to editorially control what Americans viewers see on their TV screens. That to me is a scandal of epic

proportion."

Darya Tarasova, who had produced the episode, said the "band wasn't that famous but Travis and his friends had been very vocal about the freedom of speech and state oppression in Russia. Bourdain really liked that interview," she said.

"Travis was a showman; very articulate and he loved Russia," Tarasova added. "Bands from the Moscow rock scene would go to him to write songs in English for them and proofread their lyrics," she said.

"The last time we spoke was in 2018 and he seemed depressed and upset, but Travis would never do the things he is being accused of. He is an American in Russia and is very aware of the situation he's in. But I'm surprised he stayed after the war started, as it was very risky for him."

Social media accounts and videos confirmed by a CNN reporter show Leake as a frontman in Lovi Noch, which translates to "Catch the Night."

He was also a music producer for other Russian music groups during his time in Moscow.

EXHIBIT 6

Who is Michael Travis Leake, the 51-year-old American reportedly detained in Russia on drug charges?

[ABC News](#)

A 51-year-old American living in Moscow was arrested on reported drug trafficking charges last week, according to Russian media. Michael Travis Leake, accused of selling narcotics, appeared on Russian TV in a courtroom cage.

"I am not admitting to any guilt," Leake said in a video posted on social media by Russian media.

Leake was formally charged with narcotics dealing and placed in pretrial detention for three months, according to Russian news agencies. If convicted, he could face up to 12 years in prison.

Leake's mother confirmed to ABC News that her son appears in a video that Russian media say shows his arrest. Leake briefly served in the Air Force as a teenager and has lived in Moscow for much of the past decade working as a musician with two Russian rock bands and teaching English,

his mother said. She also said she hasn't heard from her son since Mother's Day and is concerned for his well-being.

Leake's reported arrest comes amid a series of detentions of other Americans in Russia on what the U.S. calls "false charges," including Wall Street Journal reporter Evan Gershkovich and former Marine Paul Whelan. The State Department said it's aware of reports of an American detained in Moscow, but has declined comment otherwise.

Recent Stories from ABC News

[Start Here](#) podcast host Brad Mielke spoke to ABC News foreign correspondent Patrick Reeve about the detention and fears about other Americans living in Russia.

BRAD MIELKE: Just a few weeks ago, Brittney Griner played in her first WNBA game back on home soil. Remember, she had been imprisoned over marijuana possession charges in Russia. She pleaded not guilty, but was convicted and sent to a Russian penal colony. The only reason she didn't serve her full nine-year sentence was because the U.S. made a deal. We got back Griner; they got back a notorious arms trafficker.

At the time, people said this feels like kind of a yucky trade. It was welcome news to Griner and her family, but will Russia try to ransom back more Americans to us?

Well guess what? As Griner is back home, another American has now been arrested on drug charges in Moscow.

ABC's foreign correspondent Patrick Reeve spent years based there. Patrick, who is this American citizen?

PATRICK REEVELL: Yeah, Hi Brad. So over the weekend, we were monitoring the news and we suddenly saw that an American citizen had been arrested in Moscow. And his name is Michael Travis Leake, and he's charged with selling drugs. And the first that we learned of it was that he was brought to court, and Russian media showed him in a cage in a court, with the allegations that he had been selling drugs.

And he was not someone who was known to us. He is not a well-known person. He's not a famous person. He is ultimately an ordinary American, but who has spent a long time living in Russia. He's been there now since 2010 and has spent most of the past decade, on and off, living in Moscow. And I think one of the main distinguishing features of Travis Leake is that he really loves Russian rock music. In 2014, he appeared in an episode with Anthony Bourdain on his CNN show "Parts Unknown."

Travis Leake speaks pretty bluntly [in the episode] about his views of how Russia already was and how difficult it was for bands that might try and be critical of the government.

I spoke with the lead singer of a group called Tarakany!, which means "cockroaches" in Russian, and he had known Travis for about 10 years. This band is one that has actually recently been disbanded because they had spoken out publicly against [Russian President Vladimir] Putin and against Russia's invasion of Ukraine. And he actually now lives in exile, when I spoke to him.

MIELKE: And Patrick, is there kind of a sense that subversive music or a subversive scene is part of this that Russia's factoring in? Or are the drug charges legit or is something else going on here?

REEVELL: So the first thing to say is that we really don't know if the drug charges against him could be legitimate. Obviously though, the fear, the immediate fear that people have at the moment – because of what has happened to Brittney Griner and also recently to The Wall Street Journal reporter Evan Gershkovich, and before that to Paul Whalen, the former Marine, and before that to the former Marine Trevor Reid, who was freed in a prisoner exchange – because of all those cases, as soon as an American is arrested, there is suddenly this question of, is it going to be another hostage case? Has Russia taken someone yet again to try and pressure the U.S. and to have trades?

And obviously, each time we approach one of these cases, we have to be open-minded. Of course, there are Americans

in Russia who do commit crimes, and we simply, for now, don't know if it's true that he could be guilty. But it has to be said, a lot of the signs around the case are already disquieting. They already are worrying and resemble some of the things we've seen in other cases. I mean, a pro-Kremlin TV channel put out what really can only be described as a hit piece on him after his arrest. The fact of this existence of this hit piece is worrying. I think it suggests that, yes, he could also be taken now as a possible hostage. We'll have to wait and see. But certainly, there are a lot of signs around the case that are already quite worrying.

MIELKE: This feels like this continues to put the U.S. government in a tougher and tougher position, right? Because you're making deals to get back a former Marine or then you're making a deal to get back like a WNBA star, one of the most famous female basketball players who's ever lived in this country, who's a symbol unto herself – she's Black, she's gay.

But now you're talking about maybe ex-pats that live in Russia being taken, even if they're being taken hostage, does the U.S. start making deals for them? At some point, I'm sure there's a lot of Americans here being like, just don't travel to Russia, like, not the time. Is it to the point where people just should not be there because they could be next?

REEVELL: So the U.S. State Department, when the war in

Ukraine began, when Russia invaded, told Americans to get out of Russia, now. They said you must leave, you should leave, immediately. And, you know, many Americans, many foreigners and frankly, many Russians who oppose Vladimir Putin, who opposed the war, have left. You know, hundreds of thousands of Russians have fled. But equally, you know, and I know this from my friends, it's a very difficult choice to have to make.

Ultimately, when you are someone like Travis Leake, who's lived in Russia for ten years and clearly loved it very much, you're being forced to say goodbye to your home and all the people you know and a place that you love, for something which, he clearly considered himself not to be a political person. You know, he didn't have any control over Russia's policy. He doesn't have any control over America's policy. And so, you know, it's easy to say you should just get out now, and I think many people feel you should. But of course, it is always very difficult for every individual person.

MIELKE: Really a disturbing case at this point. But like you said, Patrick, still a lot more details still to come here. Patrick Reeve in London right now. Thank you so much.

REEVELL: Thank you, Brad.

EXHIBIT 7

Russian court extends detention of American musician

[ABC News](#)

A Moscow court has extended the detention of [Travis Leake, an American man detained by Russia](#) on drug charges.

Heavily armed Russian police arrested Leake in early June at his apartment in Moscow, accusing him of selling narcotics. Leake, 51, had lived in Russia for more than a decade, working as an English teacher and as a musician in the country's rock scene. He was detained along with a Russian woman, Valeria Grobanyuk.

Leake has denied the charges and a former colleague has suggested he may have been targeted by Russian authorities as an American.

At a hearing Thursday, a judge prolonged Leake's pre-trial detention until Sept. 6.

Leake's detention comes amid ongoing concerns that Russia may seize U.S. citizens as political hostages to use as leverage, following a string of such cases. In March, Wall

Street Journal reporter Evan Gershkovich was arrested on espionage charges, which the United States and dozens of international media outlets have denounced as fabricated.

Recent Stories from ABC News

WNBA star [Brittney Griner](#), as well as two former Marines, [Trevor Reed](#) and [Paul Whelan](#), were also all detained on charges the U.S. said were spurious. Griner and Reed were later freed in prisoner swaps for Russians held by the U.S., while Whelan and Gershkovich remain in detention.

The U.S. and Kremlin last month confirmed they are in talks about a potential prisoner swap to free Gershkovich but so far have not found a clear path to a deal.

The U.S. has not designated Leake as wrongfully detained like Gershkovich and Whelan and has commented little on his detention.

In court on Thursday, Leake again denied the charges against him and pleaded with the U.S. to trade him if possible.

Speaking from inside a cage where defendants are kept, an agitated Leake told reporters he was enduring grim conditions in jail, denied proper food, toilet paper and other essentials, saying he has already suffered bronchitis twice because he was often being forced to sleep on the floor.

"They're trying to kill me," Leake shouted at the judge.

Leake currently had only a court-appointed attorney, who was not present at the hearing.

A representative from the U.S. embassy was also present in the court.

Leake, who speaks Russian, was the front man of his band Lovi Noch but had also worked with some well-known Russian rock bands that have been critical of Vladimir Putin's government.

Dmitry Spirin, leader of the successful band, Tarakani, who spoke to ABC News shortly after Leake's arrest, said Leake had worked as a trainer with him on English-language performances. Spirin disbanded his group last year under pressure from the authorities after publicly criticizing the war in Ukraine and Putin's regime.

In a decade of knowing Leake, Spirin said, he had never heard he was selling drugs and said he did not believe the charges against him. "Not 1%," Spirin said.

The Russian government is "trying with all available means to one way or another detain, arrest Americans so as to fill up an [prisoner] exchange pool. So that it will be possible to blackmail the States," Spirin said.

"In my view, it's this standard practice that started already a few years ago with the basketball player, not long ago continued with the correspondent and now Travis has fallen foul of it," he went on.

Leake appeared in a 2014 segment of the Anthony Bourdain show "Parts Unknown," filmed in Moscow and St. Petersburg. In the segment, Leake complained about political censorship and criticized the Russian government, alleging that an episode of an MTV series about dissident musicians in which he featured had been shelved under pressure from the authorities.

On Thursday, Leake told the court he had loved Russia.

"I spent a decade of my life trying to help the world not hate you guys but now you've made me hate you," he said. "I didn't do this to you."

EXHIBIT 8

US citizen sentenced to 13 years in Russian prison

18 July 2024

Lucy Clarke-Billings

BBC News

Reuters

Russian citizen Veronika Grabanchuk and US citizen Michael Travis Leake appeared at a court hearing in Moscow, Russia, on 18 July

US citizen Michael Travis Leake has been sentenced to 13 years in a Russian prison for "attempted drug smuggling", Moscow's court service said.

According to the prosecutor's office, Mr Leake, a former paratrooper and musician, tried to sell drugs he had obtained from an accomplice between January and June 2023.

It was not clear how Mr Leake, who is one of about a dozen Americans currently held in Russian detention, pleaded.

Washington has urged its citizens to leave Russia immediately, citing the threat of arrest amid the highest tensions between the two countries since the Cold War.

Mr Leake was accused of packaging the drugs for sale before giving them to another defendant in the case, a Russian woman named Veronika Grabanchuk.

Citing the investigation, Russian news agency Interfax reported that both Mr Leake and Ms Grabanchuk made four attempts to sell over 40g of mephedrone.

"In addition, Leake stored more than 1.6g of mephedrone and 0.54g of pills containing the narcotic drug MDMA at his apartment on Zaporozhskaya Street without the intention of selling them. The drugs were found and seized during operational activities," the report added.

In June, Russian state television [broadcast footage](#) from Mr Leake's trial that showed him locked in a metal cage.

In a separate video shared online, he said he "didn't know" why he was detained.

Appearing confused, he said he did not believe he had done what he was accused of, because he did not know what the charges were.

In Russia, only 0.25% of all cases referred to court in 2018 ended with not-guilty verdicts. By comparison, the rate from 2017 to 2018 in UK magistrates' courts was approximately 15%, rising to 20% at Crown Court level.

Mr Leake is at least the third American detained in Russia in recent years amid heightened tensions between Washington and Moscow.

A musician and music producer in his early 50's, Mr Leake was a member of Lovi Noch, meaning catch the night, an "American fronted rock band" based in Moscow. He is reported to have lived in Russia for many years.

US media outlet CNN reported that he appeared on the travel show Parts Unknown - hosted by the late chef Anthony Bourdain - for an episode in 2014 that was filmed in Moscow and St Petersburg.

Darya Tarasova, who produced the episode, told CNN that Mr Leake was a "showman" who was "very articulate" and who "loved Russia". He often worked with local rock bands, Ms Tarasova said.

Russian local media had earlier reported his arrest at his flat in Moscow.

US officials have previously accused Russia of deliberately targeting American citizens for arrest.

In March, Russian authorities arrested US journalist Evan Gershkovich, a correspondent for the Wall Street Journal, on espionage charges. He remains in pre-trial detention.

Mr Gershkovich's [trial started](#) in June and closing arguments are scheduled for Friday.

Late last year, American basketball player Brittney Griner, who was jailed in Russia on drugs charges, was released in a prisoner swap for the Russian arms dealer Viktor Bout.

US marine Paul Whelan is serving a 16-year prison sentence on "spying" charges - he was sentenced before Russia's invasion of Ukraine, which has weakened relations between US and Russia.

Evan Gershkovich in court as spy trial starts in Russia