

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	
)	Crim. No. 13-10238-DPW
DIAS KADYRBAYEV,)	
)	
Defendant.)	

GOVERNMENT’S SUBMISSION OF VICTIM IMPACT STATEMENT

The Government hereby submits the Victim Impact Statement of Joseph W. Rogers, the step-father of MIT Police Officer Sean Collier, for the Court’s consideration at sentencing.

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney

By: /s/ B. Stephanie Siegmann
B. STEPHANIE SIEGMANN
JOHN A. CAPIN
Assistant U.S. Attorneys

Certificate of Service

I do hereby certify that a copy of foregoing was served upon the counsel of record for the defendant by electronic notice on this 27th day of May 2015.

/s/ B. Stephanie Siegmann
B. Stephanie Siegmann

Honorable Douglas P. Woodlock
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 2300
Boston, Massachusetts 02210

Re: United States of America v. Dias Kadyrbayev, No. 13-CR-10238

**VICTIM IMPACT STATEMENT OF
THE FAMILY OF MIT POLICE OFFICER SEAN A. COLLIER**

The actions of the defendant, Dias Kadyrbayev, have greatly affected our family. Our son and brother, Massachusetts Institute of Technology Police Officer Sean A. Collier was assassinated on the night of April 18, 2013 as a result of the defendant's attempt to conceal evidence that his friend, Dzhokhar Tsarnaev, was one of the Boston Marathon Bombers. Officer Collier was 27 years old.

Sean was one of a blended family of six children who grew up in Wilmington, Massachusetts. Since he was a little boy, Sean wanted to be a police officer. Sean was born to be a police officer and more importantly to serve his community in a way that connected beyond the uniform. His passion and dedication to fulfilling his life's dream was something that made everyone who loved him proud.

Sean graduated from Wilmington High School in 2004 and received a bachelor's degree in criminal justice with honors from Salem State College in 2009. Sean was a member of the Somerville Auxiliary Police from 2006 through 2009 where he volunteered hundreds of hours of service. He became the youngest member to attain the rank of Sergeant. Sean was an intern at Somerville P.D. before becoming a Records Clerk in the late afternoon and evening shift. He was sponsored by Somerville PD to attend the MBTA Transit Police Academy, which he did on

his own time, while still working an evening shift in the Records Bureau and assisting the Technology Officer. Sean finished top of his class academically and currently still holds the highest grade point average of any officer who graduated from the MBTA Police Academy.

Sean became a member of the MIT Police Department in 2012. He made it his mission and his goal to gain the trust and confidence of the students. At MIT, outside of his regular duties Sean took part in the MIT Outing Club, an outdoor adventure group, where he learned the basics of mountaineering. By getting to know the students, by talking to them, by sharing memories, by hiking with them, he got to know his community.

At the dedication of the MIT memorial for Sean, M.I.T.'s President, L. Rafael Reif said that Sean took an active role in campus life, asking students about their studies and joining the outdoors club, whose conditioning workouts — climbing 21 flights of stairs — he performed in full uniform. President Reif stated that “[i]n just 15 months, he built a life with us that was rich in friendship and shared adventure,” Dr. Reif said. “And he touched people across our community with his deep kindness and openhearted willingness to help, his humor and enthusiasm, his playful charm.”

In June, 2013, Sean would have been appointed a Police Officer for the City of Somerville, achieving a long term goal. On August 22, 2013, Sean Collier was posthumously appointed a Somerville Police Officer. Badge number 310 was assigned to him, and then retired permanently in his honor.

The depth of the loss of Sean goes far beyond the communities of Cambridge and Somerville. The impact this crime has had on our family is immeasurable. Every day is a struggle knowing that he is gone and being aware of the circumstances surrounding his murder, specifically that it could absolutely have been prevented. To truly understand how this impacted

our family, you'll have to understand the role that Sean played. We have had over two years to miss the deep bellied laugh and jovial sense of humor and the unconditional love for his parents, grandparents, five siblings and extended family. It never mattered whether it was showing up for holiday dinners and birthdays and occasionally "sporting the bow tie," worrying about the well-being of his relatives, making it his personal business to call and offer to bring chicken soup to his mother when she was sick, or bringing movies over to watch if a sibling or friend was having a bad day, he showed up with loving intention and integrity. Sean was the one we went to for advice about computers, phones and technical questions on all and any electronic devices and he never insulted our intelligence, even if it was in fact a dumb question. He had unwavering patience and kindness for his nieces, nephew and young cousins. This could mean giving them advice on wearing glasses and still looking cool, to pretending to be a monster and running around the house, filling it with fits of joy and laughter. Living without Sean has been quiet and empty. There has always been strength and a close connection within our family so the weight of someone missing is oppressive and felt incessantly. We laugh a little less and cry a little more. We still listen for the sound of heavy steps in work boots before we sit down for family dinners and hear nothing. We feel dread over birthdays, holidays and weddings rather than pure happiness knowing there is an empty seat and no bow tie. The unimaginable sadness only multiplies when we realize there are no more birthdays, family holidays and no wedding for him. Our once private lives are exposed to the public, never quite allowing our pain to ease, as we find out more information daily about how the young man we unconditionally loved was gunned down and murdered while fulfilling his dream and protecting the public. In that moment, there was no one to protect him because no one spoke up and no one cared enough about his life to do the right thing, to make the call that he would have made, to change the fate of our family, the

Donohue family, and the families of the other officers the Tsarnaev brothers sought to murder that night. The defendant had the tools and the ability to change the course of history, to stand up for his community, to show up as honorable, and in turn this would have preserved our family as that strong and connected unit. He chose to say nothing, and because of that, he has taken everything away from us. He has taken our son, grandson, brother, uncle, nephew and cousin. He has stolen our unadulterated happiness, our togetherness, our loving support and our faith, and now we are left to hold onto each other, picking up the pieces of a life that should never have been shattered in the first place. Sean was a rock in our family and to now we have to learn to live without him, and that is a haunting struggle that will last a lifetime.

The defendant, Dias Kadyrbayev, has plead guilty to the charge of conspiring to alter, destruct, conceal or cover up tangible objects that were in Dzakhar Tsarnaev's dormitory room and the charge of alteration, destruction, concealment or covering up of tangible objects that were in Dzakhar Tsarnaev's dormitory room.

In the late afternoon of April 18, 2013, the FBI released the photographs of Bomber One and Bomber Two. The evidence in this case demonstrates that shortly after the release of these photographs, the defendant was aware that his friend, Dzakhar Tsarnaev, was suspected to be one of the Marathon Bombers. At this point, most decent people would have called the police or FBI and informed them of the identities of the suspected Marathon Bombers. The defendant was well aware that his friend, Dzakhar Tsarnaev, was a suspected terrorist who wanted in connection with the murder of three people and the wounding of approximately 200 people, yet he took no action. Instead, with a callous disregard of the Bombing victims and the people of the Boston metropolitan area, he entered into a conspiracy with Azamat Tazhayakov. As he has admitted, the defendant entered Dzakhar Tsarnaev's dorm room at UMass Dartmouth with the

intent to alter, destruct, conceal and/or cover up evidence in the Marathon Bombing all while knowing Dzhokhar Tsarnaev was a suspect in the Bombing.

Sean was not assassinated until approximately 10:30pm on April 18, 2013; hours after the defendant became aware that the Tsarnaev brothers were suspects in the bombing. Had the defendant done the right thing and called the police, the Tsarnaev brothers' murderous rampage across Cambridge and Watertown may have been prevented. Had the defendant notified the police, rather than cover up for the alleged terrorists, it may have prevented the murder of Sean, the almost fatal wounding of MBTA Police Officer Richard Donahue and the gun fight in Watertown where the Tsarnaev brothers attempted to murder of at least six Watertown police officers.

The defendant is an educated person and he has the ability to fully comprehend the scope and nature of his actions. Unlike his codefendants, Dias Kadyrbayev has admitted to his crime. Therefore, the family of MIT Officer Sean A Collier requests that the defendant, Dias Kadyrbayev, be sentenced seven years in prison as per his plea agreement with the U.S. Attorney's Office.

Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joseph W. Rogers', with a long horizontal flourish extending to the right.

Joseph W. Rogers
Step father of Sean Collier

May 27, 2015