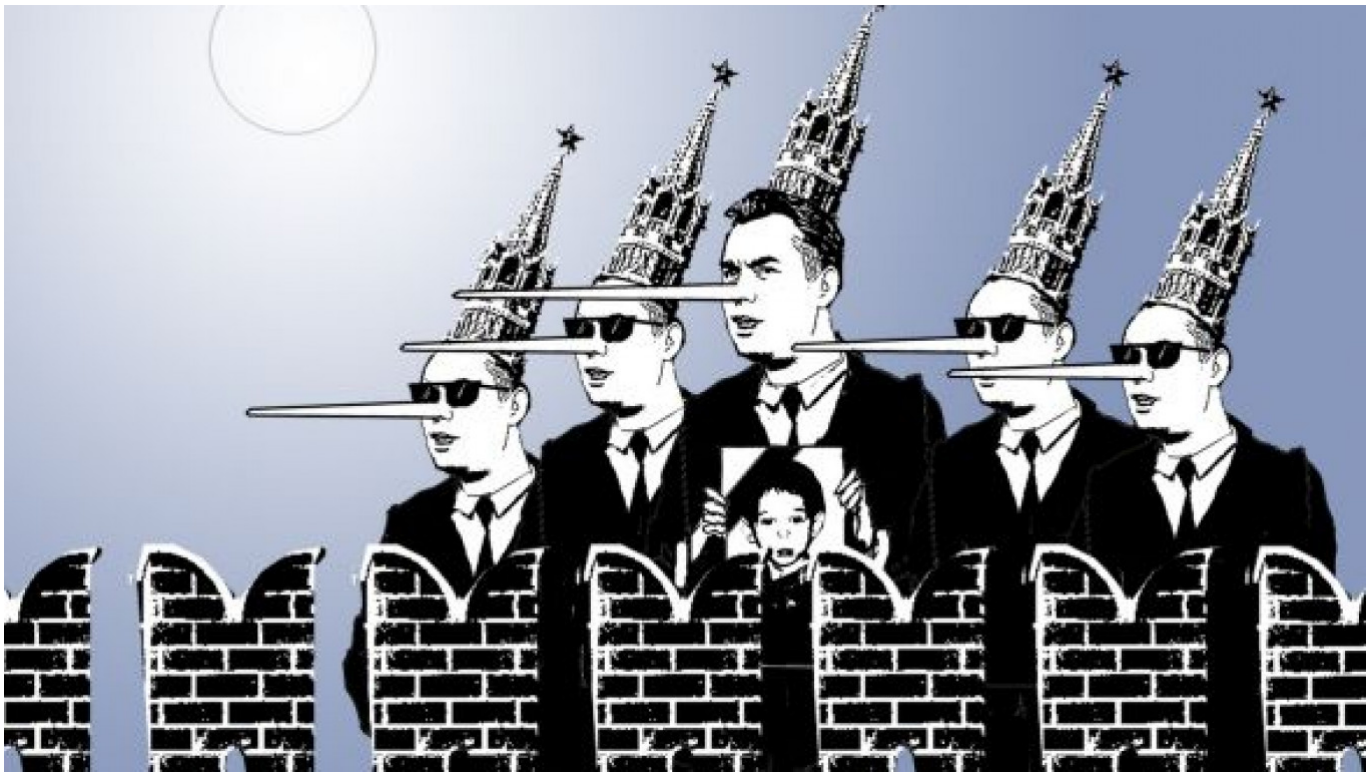
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5 Myths About Max Shatto's Death

By Michael Bohm

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Shortly after Maxim Kuzmin was born to an alcoholic mother in the Pskov region three years ago, Russian child welfare officials placed him, and later his younger brother, in an orphanage after concluding that the mother was unfit to raise the children. In October, Max and his brother were adopted by U.S. parents, Allen and Laura Shatto, who brought the two children to their home in the small town of Gardendale, Texas. On Jan. 21, Max died in what Texas authorities concluded was an accident.

This was the first death of an adopted Russian child in the U.S. since Russia banned all U.S. adoptions on Jan. 1. Not surprisingly, the Kremlin jumped at the opportunity to try to turn Max's tragedy into a public relations victory, claiming that his death was convincing proof that the ban was necessary to protect Russian children from abusive U.S. parents.

The only problem, however, is the Kremlin's murder allegations were completely baseless.

Below are the five largest Kremlin myths about the death of Max Shatto:

1. Max was killed as a result of his mother's beatings.

This myth has been asserted by children's rights ombudsman Pavel Astakhov, Foreign Ministry human rights head Konstantin Dolgov and the three state-controlled television networks. "Another Russian child was killed by U.S. parents" was the message we heard repeatedly in the first days after the scandal broke on Feb. 18. This was followed by a heart-rending moment of silence in the State Duma as seemingly grieving deputies protested what they called another U.S. act of violence against a Russian citizen. (Notably, the Duma has never observed a moment of silence for any of the thousands of children who die every year in Russia.)

The Kremlin cited U.S. law enforcement officials as their source of information that Max had been "savagely beaten" to death, but this was immediately refuted by representatives from the local Texas sheriff's department, the prosecutor's office and the Texas child protection department, all of whom were stupefied as to how the Russian authorities had dreamed up this version of events. Stressing that prosecutors had not filed any murder charges against the mother, U.S. authorities in both Texas and Washington urged Russian officials to wait for the official autopsy report and prosecutor's conclusion.

You would think that Astakhov, a high-priced, successful lawyer who received a master's of law degree in the U.S., would be familiar with the basic legal principle of presumption of innocence. Yet at a recent news conference, Astakhov said, "Well, the presumption of innocence, you know how it is — sometimes it becomes so rigid." Perhaps he subscribes to a more Soviet legal principle: that a top government official's arbitrary, subjective opinion of a person's guilt is more important than autopsies, forensic evidence, prosecutors' conclusions or even court decisions.

According to the summary of autopsy results released last Friday, Max's death was an accident, and there was no evidence that the bruises found on his body were a result of beatings by his mother. The report also specified that the nature of the bruises was consistent with his previously diagnosed psychological disorder of self-destructive behavior. The report was composed by four pathologists, three from the local Texas medical examiner's office and one independent. At the same time, however, Texas officials said the investigation remained ongoing and did not rule out filing child-endangerment charges against the mother for leaving Max unattended.

2. Max's parents regularly gave him Risperdal, a powerful adult drug used to treat schizophrenia. The last time Max was given doses of this drug was a day before his death.

The autopsy report found no evidence of Risperdal or any other antipsychotic drug in Max's blood. Clearly, if Max was illegally given adult medication intended to treat a serious psychiatric illness the day before he died, this would have shown up in the blood tests.

3. The autopsy report was falsified to cover up the parents' crimes of child abuse and murder.

Imagine how many people would have had to be involved in a conspiracy to cover up these crimes: the local Texas prosecutor's office, four pathologists, the sheriff's department and the Texas child protection department. The logical question that arises is: What possible motive would they have to cover up these serious crimes?

Astakhov implied in a tweet on Saturday that "big politics" may have been the main reason

for the cover-up. But does he really think that more than a dozen local U.S. government officials would risk their careers — and risk facing serious criminal charges of their own — just to spite Russia? You can safely assume that Russia is not among the top 100 priorities of these rural Texas bureaucrats, whose jurisdiction includes many small towns, like Gardendale, that have more oil wells than people.

Take, for example, the prosecutor in the Max Shatto case. His top priority and obligation is to convict guilty defendants in court. This is how he builds his career and professional reputation. Nonetheless, the prosecutor, based on the autopsy, concluded that there were no grounds to open a murder case against the Shatto parents. Surely, if there had been even the slightest evidence of foul play, the prosecutor would have filed charges against the parents. It is completely absurd to suggest that the prosecutor and other Texas law enforcement officials suppressed evidence of murder because they were driven by "big politics" or Russophobia.

4. As part of the cover-up, Texas officials and the U.S. State Department concealed information about Max's death in violation of the 1963 Vienna Convention on Consular Relations. Russia learned about Max's death a month after it happened — and not from U.S. government officials, which is required by the convention, but by happenstance from neighbors of the Shattos and the local media.

Michael McFaul, the U.S. ambassador to Russia, explained in a Feb. 21 blog that a State Department representative contacted the Russian Consulate in Houston on Feb. 5 regarding Max's death. He also connected Russian diplomats with the Texas sheriff's department and the child welfare department in the county where Max died. This was confirmed by e-mail by Gary Duesler, a sergeant in the Ector County Sheriff's Department, which serves the area where Max died. Several days after Feb. 5, McFaul said, Russian consulate and embassy officials met with the Shattos and Max's younger brother. What's more, McFaul wrote in his blog that Russian diplomats expressed their gratitude for the U.S. State Department's role in informing them about Max's death.

If Russian diplomats in Houston and Washington were fully aware of Max's death on Feb. 5, it is a mystery why Astakhov, Foreign Ministry officials in Moscow and leading Russian media outlets became aware of Max's death only on Feb. 18 — and then claimed that U.S. officials had concealed information about the incident for a month.

5. Max's parents buried him in Louisiana to hide the evidence and make it impossible to exhume the body to perform another autopsy at Russia's request.

The Shattos buried Max in Louisiana because that is where their relatives live.

The crudeness of the Kremlin's propaganda campaign to hastily characterize U.S. parents as murderers of a Russian child can only be outdone by the ridiculous effort to tout Max's biological mother as a rehabilitated, responsible and sober adult who should regain her parental rights and raise Max's surviving younger brother in Russia. Notably, on her trip back from a Feb. 21 prime-time appearance on state television in Moscow, she was thrown off the train for drunken, aggressive behavior.

The Kremlin's clumsy attempt to put a pro-Russian, anti-American spin on Max Shatto's

death was a debacle from start to finish. This PR campaign, just like the "Dima Yakovlev" law itself, is another vivid example of how Kremlin propagandists have all the subtleness of a bull in a china shop.

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