

South Texas county indicts Cheney, Gonzales

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A grand jury in southern Texas' Willacy County has indicted US Vice President Dick Cheney and former US attorney general Alberto Gonzales on state charges of misconduct involving private prisons. The indictment, brought by District Attorney Juan Angel Guerra, also names several local officials.

The indictment alleges conflict of interest stemming from an \$85 million investment by Cheney in the Vanguard Group, a company that holds shares in private companies running federal detention centers, noting that Cheney had influence over the federal contracts awarded to the prison companies held by the Vanguard Group. The indictment also names Cheney as responsible for "at least misdemeanor assaults" at these prisons. The indictment accuses Gonzales of intervening, as US Attorney General in 2006, to stop an investigation into abuses at private prisons.

As of this writing, the presiding judge has declined to sign the indictment, halting any further action on the case.

Willacy County hosts a series of federal, state and county prisons, some of which are outsourced to private prison companies such as MTC and the GEO Group (formerly Wackenhut). These prisons have a long history of corruption and misconduct. In 2005 Guerra obtained guilty pleas from three former county commissioners while investigating bribery charges related to MTC's federal prison contracts.

In 2006, a Willacy County jury ordered GEO Group to pay a \$47.5 million fine in a civil judgment on a 2001 case, when Wackenhut guards allowed other inmates to beat inmate Gregorio de la Rosa Jr. to death with padlocks stuffed into socks.

Guerra told the Associated Press the current indictment is a "national issue" and that experts from around the country had testified before the grand jury. The indictment reportedly refers to the de la Rosa case.

The indicted officials brushed off the charges. Agence France-Presse wrote, "Cheney's spokeswoman [Megan Mitchell] declined to comment because his office had not yet received a copy of the indictment." Mitchell arrogantly added, "Let's wait and see if we even receive one."

Gonzales' attorney George Terwilliger III said, "This is obviously a bogus charge on its face, as any good prosecutor can recognize," adding that he hoped Texas authorities would stop "this abuse of the criminal justice system."

Michael Cowen--the attorney for State Senator Eddie Lucio, who is also named in the indictment--issued a statement declaring, "It is a shame that Guerra has chosen to dedicate his energy to fighting with his fellow public servants, rather than actually prosecuting criminals." In a revealing comment, Cowen added that Guerra dismissed so many cases that local officials disparagingly called him "The Great Emancipator"--a common name of respect for President Abraham Lincoln, whose Emancipation Proclamation freed the slaves after the US Civil War. Cowen added that his office was planning to file a motion to quash the indictment.

The pose of incredulity and aggrieved innocence struck by Cheney and Gonzales reeks of hypocrisy and bad faith. Far from clearing them, their record as members of the Bush administration suggests that accusations of misconduct directed against them deserve due consideration.

Cheney is hated in the US and around the world for framing and executing the Bush administration's policy of aggressive war, most notably in Iraq, in flagrant violation of international law. His longstanding policy is to shield himself from public oversight, notably evading Congressional attempts to obtain records of his 2001 Energy Task Force meetings on Iraq with the grotesque claim that his office is not part of the

executive branch.

As for Gonzales, he resigned as Attorney General in disgrace last year, after refusing to answer Congressional inquiries into the Department of Justice's improper firings of US attorneys. As White House counsel during the first Bush administration, he played a key role in promoting the National Security Agency's warrantless wiretapping program and helped draft legal memoranda arguing that the Geneva Convention's provisions were "quaint" and need not be applied to Taliban and al-Qaeda prisoners. Gonzales also requested the "torture memo" that defined torture so narrowly as to permit US forces to use abusive interrogation methods banned by US and international law.

District Attorney Guerra, on the other hand, has been the continuing target of a campaign of official harassment, facing bogus charges of extorting money from a bail bond company and using his office for personal business.

In March 2007 Guerra was jailed during a grand jury investigation of these charges. Two special prosecutors were appointed in the investigation: former US attorney Mervyn Mosbacher and Gus Garza, who ran against and lost to Guerra for the position of District Attorney in 1992. Since 1996, notes the Harlingen, Texas *Valley Morning Star*, "Guerra has won three elections, largely drawing support from working-class residents." However, Guerra lost the 2008 Democratic primary elections.

An appeals court later ruled that the special prosecutors were improperly appointed to investigate Guerra, and last month Judge Manuel Banales dismissed the indictments altogether.



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