

Bernard Kerik jailed on eve of corruption trial

Former head of NYPD, Homeland Security nominee

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Former head of the New York City Police Department Bernard Kerik faced an inevitable outcome of his well-publicized career in law enforcement and the “war on terror” Tuesday, being thrown into jail by a New York federal judge.

As New York’s commissioner of police under Mayor Rudy Giuliani, Kerik was built up by the media into a “hero of 9/11.” He was subsequently tapped by the Bush administration to serve briefly as “interim minister of the interior” in the US colonial administration imposed on Iraq and then named as Bush’s nominee for secretary of Homeland Security in 2004. That nomination had to be hastily withdrawn as multiple scandals swirling around Kerik came into national view.

Facing trial on 18 criminal counts related to mob ties and official corruption, Kerik had his \$500,000 bail revoked for leaking sealed court documents to the head of his legal defense fund, who passed them on to the right-wing daily *Washington Times*.

White Plains, New York, Federal District Court Judge Stephen Robinson charged Kerik with engaging in an underhanded campaign to taint the jury pool. Robinson had specifically warned Kerik earlier not to violate a consent decree by passing confidential information to the defense fund trustee, Anthony Modafferi.

Before sending him to jail, the judge said that “Kerik has a toxic combination of self-minded focus and arrogance that leads him to believe that the ends justify the means, that rules that apply to all don’t apply to him in the same way, that the rulings of the court are an inconvenience.”

The charges against Kerik in the New York court stem from his tenure as a city government commissioner, first of the New York City Correction Department and then of the NYPD.

While head of the city’s jails, Kerik is accused of accepting \$255,000 worth of goods and services from a New Jersey construction and waste haulage company that investigators had determined was linked to the Gambino crime family. In return for the firm’s luxury renovation of his apartment, Kerik lobbied city officials to approve contracts for the company, despite the alleged mob ties.

While police commissioner, Kerik is charged with having accepted a rent-free luxury apartment on Manhattan’s Upper East Side from a real estate management firm trying to secure city contracts. The company ended up covering \$236,000 in free rent for Kerik’s use of the apartment, which rented on the market for \$9,000 a month.

In addition, he has been accused of claiming \$80,000 in phony charity contributions on his income tax, and accepting a \$250,000 loan from an Israeli businessman seeking to do business with the federal government at a time when Kerik was sitting on government boards.

Jury selection is expected to begin next week. After the New York trial, Kerik faces further federal criminal proceedings in Washington, D.C., over lying about the corruption to US officials during his vetting for the nomination to head the Department of Homeland Security.

Kerik began his meteoric rise and subsequent humiliating fall in 1993 when he volunteered as a bodyguard/chauffeur for then-Republican candidate for mayor of New York, Rudy Giuliani. At the time, he was a low-ranking detective in the NYPD, conducting undercover street drug busts.

After Giuliani won the election, he created a special administrative post for Kerik in the city’s Correction Department and subsequently appointed him as correction commissioner in 1998, giving him responsibility for New

York's sprawling jail system.

Two years later, he was tapped to become the police commissioner, heading the largest police department in the country. The appointment of Kerik, a high school dropout manifestly unqualified for any of these positions, raised the hackles of supervisors in both departments. The qualities that Giuliani valued in him were his right-wing law-and-order outlook and his slavish personal loyalty to the mayor.

Kerik was thrust onto the national scene with the 9/11 attacks, when the myth-making about his "heroism" began. In point of fact, he spent that day much as he began his career, trailing along behind Giuliani as the mayor wandered around lower Manhattan giving press conferences.

Subsequently, he became known for a less than heroic episode related to the 9/11 attacks. He appropriated for himself a luxury apartment overlooking Ground Zero, where firefighters, construction workers and others were tirelessly digging through the rubble for remains. While the apartment had been donated to the city as a rest area for the rescue and recovery workers, Kerik used it to conduct two simultaneous extra-marital affairs, one with a female jail guard, and the other with his millionaire publisher, Judith Regan.

After Giuliani was forced to leave office by term limits, Kerik joined him at Giuliani Partners, where he was marketed as a security expert. He secured one lucrative position as a member of the board of Taser International, where he was awarded millions in stock options for promoting the firm's stun guns to US police departments.

In 2003, his stint as the colonial "interior minister" of US-occupied Iraq ended after barely four months. Lt. Gen. Ricardo Sanchez, the senior US commander in Iraq from June 2003 to June 2004, subsequently described Kerik's sojourn in Iraq as "a waste of time," calling him "over-confident" and "superficial." He said that Kerik was focused on "liberating prostitutes."

Sanchez and others pointed to a questionable arms purchase for the Iraqi police—50,000 Glock pistols—bought on Kerik's authority at an exorbitant price. "There had to be some impropriety," the general wrote in his memoir, "but I had no evidence to substantiate it."

With all of this background, the Bush administration selected Bernard Kerik in December 2004 to head the Department of Homeland Security, ostensibly the lead agency in the "war on terrorism," responsible for protecting the United States from terrorist attacks.

The claims that Kerik deceived his White House vetters

are hardly credible. His connections to the mob-connected businessmen in New York, his abuse of authority and the fiasco of his mission to Iraq were all well known, as was his manifest lack of qualifications to run a federal agency with 36 departments and 200,000 employees.

What the administration wanted in Kerik was a symbol, a figure who would tie its wars of aggression and criminal use of torture, extraordinary rendition and assassination as well as its attacks on democratic rights in the US itself directly to 9/11 in order to better deceive the American people about its real aims.

That such an individual could be chosen for this post only served to expose the fraudulent character of the "war on terrorism."

It is worth recalling that it was not only Giuliani who promoted Kerik's nomination. Then-US senator from New York and now Obama's Secretary of State Hillary Clinton lent her enthusiastic endorsement to his being selected for the post.

Three months after 9/11, Giuliani demonstrated his well-known hubris by renaming the main detention facility in Manhattan, popularly known as the Tombs, the "Bernard B. Kerik Complex," the first time that such a facility had been named for a living person, much less for someone who was at the time employed in the city government.

Giuliani's successor, billionaire Mayor Michael Bloomberg, apparently foreseeing a day much like Tuesday, took the prudent step of having Kerik's name taken off the jail. It would hardly do to have the ex-commissioner locked up in a prison bearing his own name. City workers were ordered to pull down the letters in the dead of night in an attempt to cover up the continuing role played by criminal elements like Kerik in the workings of the US state.



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