

US Justice Department abandons murder case against Blackwater contractor

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The US Justice Department said Monday it would not seek charges against Andrew J. Moonen. The Blackwater Worldwide military contractor had been accused of killing a guard assigned to an Iraqi vice president on December 24, 2006.

The government's abandonment of the case against Moonen is the latest instance in which security guards working with Blackwater, now known as Xe Services, have been allowed to walk free after committing brutal crimes against the Iraqi and Afghan population. Other prosecutions of Blackwater personnel have been blocked due to immunity deals struck with the accused.

Moonen, 30, a former army paratrooper, was the primary suspect in the Christmas Eve 2006 killing of Raheem Saadoun, a 32-year-old father of two and one of the body guards of Iraqi Vice President Adil Abdul Mahdi.

In papers filed in US District Court in the Eastern District of Virginia, Saadoun's family alleged that on that night Moonen, a Blackwater firearms technician, shot and killed the Iraqi bodyguard in an unprovoked attack. Moonen reportedly fired three times with his Glock 9-millimeter pistol while in a drunken stupor. Moonen's attorneys claimed he fired in self-defense.

Immediately following the shooting, Moonen was interviewed by an official with the Regional Security Office of the United States Embassy, a US State Department unit that supervised Blackwater security guards in Iraq. As in other cases, he gave the officials a statement after being issued a so-called Garrity warning. While warned that he might lose his job if he refused to cooperate in the questioning, he was told he would be granted immunity from future prosecution for anything he said.

A civil lawsuit on behalf of Saadoun's family claimed that Blackwater conspired with the shooter to

"evade Iraqi authorities." Within 36 hours of the shooting, Blackwater arranged with the State Department to have Moonen flown out of Iraq. The suit charged that Blackwater bribed an Iraqi official and destroyed documents and other evidence related to this and other violent incidents involving Blackwater guards.

The suit also alleged that Saadoun's killing was but one of a "staggering number of senseless deaths that directly resulted from Blackwater's misconduct." The Saadoun family dropped their suit after receiving a financial settlement earlier this year from Blackwater/Xe.

Within two months of the incident, Andrew Moonen was reportedly hired by another private contractor, Combat Support Associates. He is presently living in the Seattle, Washington, area, working as a prison guard.

In a letter to Moonen's defense attorney this week, the US Attorney's Office in Seattle said it was dropping the case against the former contractor after a nearly four years of investigation, which included trips to Baghdad by federal prosecutors and FBI agents to interview Iraqi agents. They claimed that it would be difficult to disprove Moonen's claims that he acted in self-defense. Undoubtedly factoring into their decision was the immunity from prosecution that his defense would claim in connection with the Garrity warning issued by the State Department official.

In another case involving Blackwater mercenaries, a federal judge declared a mistrial September 27 after a jury was unable to reach a unanimous verdict in a case against two military contractors accused of killing two Afghan civilians. Christopher Drotleff and Justin Cannon, employees of Xe subsidiary Paravant LLC, were in Afghanistan working with the US Army to train

Afghan soldiers in weapons use.

Drotleff and Cannon were each charged with two counts of second-degree murder and one count of attempted murder in connection with the shootings in Kabul on May 5, 2009. An indictment returned by a federal grand jury also included weapons charges against the two.

The shootings occurred when Drotleff and Cannon, along with two other contractors, were driving at night with their interpreters on Jalalabad Road, a busy Kabul street. The accused fired on a sedan, killing its passenger and a man walking his dog on the street. The sedan's driver was injured.

The contractors say that the sedan sped past them and struck an SUV, causing it to flip. They claim they fired in self-defense when the car then did a U-turn and headed back at them. The Justice Department counters this claim, saying the men concocted the story and that the car was leaving the scene when it was shot. They also say Cannon and Drotleff were drinking that night.

Judge Robert G. Doumar has set a retrial date in this case for March 1, 2011.

The bloodiest incident involving Blackwater contractors—or at least the one receiving the most media attention—occurred in Baghdad. On September 16, 2007, security guards gunned down 17 innocent Iraqis and wounded 20 others in the Iraqi capital's Nisour Square.

Blackwater employees Paul Slough, Nicholas Slatten, Evan Liberty, Dustin Heard and Donald Bell were each charged with 14 counts of voluntary manslaughter, 20 counts of attempted manslaughter and one count of using and discharging a firearm during and in relation to a crime of violence.

Jeremy Ridgeway, turret gunner in the four-vehicle Blackwater convoy the day the massacre occurred, provided strong evidence to Justice Department prosecutors that the shootings were unprovoked. Attorneys for the accused men claimed their clients fired in self-defense.

Numerous Iraqi witnesses said that the guards opened fire on unarmed civilians, even as they were running from the scene. An FBI investigation corroborated the charges of these eyewitnesses, along with Ridgeway's statements.

But on December 31, 2009, a federal judge dropped charges against the five Blackwater contractors. In

dropping the charges, Judge Ricardo Urbina of Federal District Court in Washington, DC, cited Justice Department prosecutors' misuse of statements made by the guards in the immediate aftermath of the shootings, when they were supposedly offered immunity in exchange for their statements to State Department officials.

If convicted, each of the mercenaries could have faced sentences of 10 years for each manslaughter count, seven years for each count of attempted manslaughter and a 30-year minimum sentence for the weapons charges. Instead, the charges were dismissed, and they walked free.

Following the Nisour Square killings and other atrocities involving Blackwater, the Iraqi government refused to renew its operating license. However, in its new incarnation, Xe Services, the company continues to receive multimillion-dollar contracts in Afghanistan and in other countries where the US is carrying out military operations.



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