

# Mistrial in case of formerly convicted Blackwater mercenary

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8 September 2018

Eleven year later, justice still eludes the victims of the notorious Nisour Square Massacre in Baghdad that occurred on September 16, 2007, during the height of the illegal US occupation of Iraq. Nicholas M. Slatten, 34, US Army trained sniper and Blackwater mercenary, was previously convicted of first-degree murder in 2014.

That conviction was overturned on August 4, 2017, in light of “conflicting testimony” as to which Blackwater mercenary shot first, thus instigating the slaughter of 14 Iraqis and injuring 17 more, all unarmed, including women and children. On Wednesday a mistrial was declared and Slatten’s 2014 murder conviction overturned.

US District Court Senior Judge Rocy C. Lamberth, a Reagan appointee, commended the jurors for their “efforts,” lamenting that a unanimous decision could not be reached after 16 days of jury deliberations. Judge Lamberth had previously sentenced Slatten to life in prison, while Dustin Heard, Paul Slough and Evan Liberty each received 30-year sentences for manslaughter in the same 2014 trial. Heard, Slough and Liberty’s resentencing decision has been postponed until a decision has been reached as to whether prosecutors will seek a retrial of Slatten.

Prosecutors have stated they will inform Lamberth and Slatten’s defense attorneys by September 14 whether the government intends to retry Slatten. Until that time Slatten will remain imprisoned in relation to the massacre he and other members of the infamous mercenary group perpetrated. Blackwater was founded by Erik Prince, the brother of current Secretary of Education Betsy DeVos.

The statute of limitations has been exceeded in regard to charging Slatten with manslaughter, which is why he had been charged with first-degree murder. If

prosecutors do not recommend a retrial to Assistant District Attorney Fernando Campoamor-Sanchez it is likely the sentences for Heard, Slough and Liberty will be reduced or vacated.

Previous testimony provided by the driver of the vehicle, Navy Seal Jimmy Smith, was called into question during the trial. Smith was seated next to Slatten during the massacre and had previously stated during the 2014 trial, seven different times, that he had heard Nicholas Slatten fire the first shots, killing Ahmed Haithem Ahmed Al Rubia’y and his mother, Mahassin Mohssen Kadhun Al-Khazali, a doctor. Since the 2014 trial, Smith suffered a brain injury during an alleged diving accident while conducting operations for US imperialism as a Navy Seal, according to the *Washington Post*. During the latest trial his answers were inconsistent and he could not say conclusively that Slatten had fired first.

It is clear that no Iraqis ever fired on the contractors. Every Iraqi civilian murdered that day was unarmed. There were no improvised explosive devices found in any of the vehicles riddled with hundreds of bullets by the mercenaries, nor were any found along the path traveled by the convoy, designated Raven 23. However, since the charge of first-degree murder hinges on “pre-meditation,” doubt as to whether Slatten or Slough had fired first was enough cause for at least one juror not to convict Slatten, preventing a unanimous decision.

Blackwater, since renamed ACADEMI, was acquired by the Constellis network in 2010. Former US Attorney General John Ashcroft, who provided the legal pretext for torture during the George W. Bush administration, is one of the current board members of ACADEMI. In 2016 Constellis was acquired by Apollo Global Management, LLC, an American equity firm.

The CEO and founder of Apollo Global, Leon Black,

sits on the influential Council on Foreign Relations. His father, Eli Black, was the owner of United Fruit Brands, commonly known as Chiquita Brands International. Eli Black committed suicide in 1975 when he leapt from the 44th floor of the Pan Am building in New York City. It was later revealed that Eli Black was under investigation by federal regulators for bribing Honduran government officials.

Meanwhile, co-founder and fellow billionaire, Joshua Harris, made repeated visits to the White House earlier this year, according to the *New York Times*. During these visits it was reported that Harris was looking for a job within the administration, and that he met several times with special adviser to President Trump, his son-in-law Jared Kushner. During these meetings it was reported Harris was advising Kushner on “infrastructure policy.” Currently Harris does not serve in any official capacity in the White House, however Apollo provided Jared Kushner a \$184 million gift in the form of a loan from the firm to Kushner Companies to refinance a skyscraper in downtown Chicago.

The mistrial of Slatten is a warning to the working class. New crimes are being prepared as old atrocities are rehabilitated or forgotten. Reminiscent of trials following the 1968 My Lai massacre and the 2005 Haditha slaughter of over 20 Iraqis by US Marines, the soldiers who commit wanton acts of violence against civilian populations are spared punishment by the US government after a few years of legal maneuvering and appeals.

This flows naturally from the criminal conduct of US imperialism and the ruling class that wages its wars. The American bourgeoisie has consistently been spared war crimes convictions, in connection with the bombing of Hiroshima and Nagasaki to the targeted drone assassinations of the Obama administration. While US imperialism has enriched itself on the destruction of Afghanistan, Iraq, Yemen, Libya, Syria and other countries, the special armed forces serving its interests are routinely spared.



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