

Behind Donald Trump's grant of clemency for corrupt former Detroit mayor Kwame Kilpatrick

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On his final day in office, President Donald Trump pardoned 74 people and commuted the sentences of 70 others. Among those to whom Trump granted clemency was Kwame Kilpatrick, the former mayor of Detroit. Kilpatrick was serving the eighth year of a 28-year prison sentence—the longest for a convicted public official in US history—for two dozen crimes he committed while in office from 2002 to 2008.

Less than 24-hours after Trump commuted his sentence, Kilpatrick walked out of the Federal Corrections Institution in Oakdale, Louisiana. Although his sentence was reduced to one quarter of its original length, Kilpatrick's conviction on March 11, 2013—after a six-month jury trial—on racketeering, extortion, mail fraud, and tax evasion charges remains on the books.

Article II, Section 2 of the US Constitution defines the special powers of the president, among them the ability to grant clemency in various forms. While a pardon forgives or exonerates an individual of the crimes for which they have been convicted, a commutation reduces the sentence and leaves the verdict intact. The president also has the power to eliminate financial penalties or other reprieves associated with federal convictions.

The official executive grant of clemency—signed by Trump one week before it was announced publicly—states, “I commute the prison sentence imposed upon Kwame Malik Kilpatrick to time served. I leave intact and in effect any remaining unpaid balance of the \$4,779,826.61 restitution obligation, the special assessment of \$2,400, the three-year term of supervised release with all its conditions, and all other components of the sentence.”

A press statement issued by the White House said that the decision to pardon Kilpatrick was motivated by support from various “prominent members of the Detroit community,” including Alveda King (niece of Martin Luther King, Jr. and Republican state representative from Georgia), Alice Johnson (criminal justice reform activist and former federal prisoner pardoned by Donald Trump on August 28, 2020), Diamond and Silk (live-stream bloggers and outspoken celebrity Trump supporters), Pastor Paula White (chair of Trump's White House evangelical advisory board) and Peter Karmanos (Detroit billionaire founder of Compuware and long-time supporter of Kilpatrick).

The support by Michigan Democrats for Trump's decision is significant. Current Detroit Mayor Mike Duggan posted on Twitter, “Kwame Kilpatrick is a person of great talent who still has much to contribute. ... This is a decision President Trump got right.” Michigan Governor Gretchen Whitmer said, “The crimes that you know he was involved in were reprehensible. But by the same token the sentence was, I think, disparate. Anyone who's looked at things that were comparable, and sentences that were inflicted on folks, knows that he was treated differently.”

Of note was the support from Democratic Representative Karen

Whitsett of Detroit who, the *Detroit News* reported, “said she spoke with President Donald Trump about Kilpatrick's release while the president was in Michigan and confirmed it herself with the White House.” Whitsett previously groveled before Trump last April when she publicly thanked him for promoting “the wonders” of the anti-malaria drug hydroxychloroquine which “saved” her life by curing COVID-19 in “less than two hours.”

In any event, the White House press release states that while Kilpatrick was guilty of “a racketeering and bribery scheme while he held public office,” he “has taught public speaking classes and has led Bible Study groups with his fellow inmates.”

Matthew Schneider, US Attorney for the Eastern District of Michigan, who resigned on the first day of Biden's presidency, had the following to say about Kilpatrick: “My position on the disgraced former Mayor of Detroit has not changed. Kwame Kilpatrick has earned every day he served in federal prison for the horrible crimes he committed against the People of Detroit. He is a notorious and unrepentant criminal.” Schneider added, “He remains convicted of 24 felonies. ... Thankfully, under Michigan law, he cannot hold state or local public office for 20 years after his conviction.”

There is no doubt that influence peddling, racketeering and nepotism have been a standard operating procedure in the politics of US cities. Yet, the depravity of Kilpatrick stands out for its breadth and brazenness over the six years he was in office. The alignment of the interests of the felon Kilpatrick with the fascistic Trump says much about the decay of American capitalism and the descent of both the Democrats and Republicans into political reaction and open criminality.

Kilpatrick acknowledged his political kinship with Trump in a letter of April 16, 2019 begging for release. The letter begins, “I first want to congratulate you for the overwhelming and stunning victories of your Presidential campaign, and also the unprecedented success of your first two-years in office. You have shaken up the entire world...and that is a great thing to behold. I pray for your success daily!”

Kilpatrick continued, “I applaud your boldness and tenacity in confronting the traditional and sometimes deformed politics of our country. You have vociferously exposed the treacherous and calculating schemes of our media and government that have worked to crush families, communities, and even Truth itself. Thank you for standing up, speaking out, and exposing this wickedness.”

Getting down to the crux of his clemency appeal—that he was the victim of a federal government conspiracy—Kilpatrick wrote, “The Feds opened their investigation against me in February of 2002, just one-month after I took office. The feds are politicians. They choose sides in elections. They didn't want me to win. I wasn't their choice. I ran a grass roots, people-driven campaign, and shook up the establishment. I beat them twice! I

know you know a great deal about this.” These words no doubt resonated with Trump and his inner circle.

Coming from a family of career Detroit and Michigan Democratic Party politicians, Kilpatrick entered politics in 1997 at age 26, winning a seat in the Michigan House of Representatives that was previously occupied by his mother, Carolyn Cheeks Kilpatrick. Kilpatrick was elected mayor on November 6, 2001 becoming the youngest mayor in history of Detroit and the third African-American to lead city, following Coleman Young (1974-1994) and Dennis Archer (1994-2001).

In Detroit—along with other US cities such as Newark, New Jersey and Los Angeles, California where urban uprisings took place in the mid-to-late 1960s—the ruling class made the decision to install black Democrats in the mayor’s office as a means of containing social and political struggles by the working class and diverting them into race-based politics. An important aspect of this strategy was the cultivation of a layer of well-off African-American businessmen, bankers, politicians and activists who became a critical force in defense of the capitalist system.

Beginning in the 1970s, the US auto corporations led the deindustrialization of the city with an assault on the jobs, living standards, social services and neighborhoods in Detroit. The working class population of Detroit was told—with the support of the United Auto Workers (UAW) union—to place confidence in Democratic Party politicians to defend their interests.

The policy of deindustrialization was expanded throughout the 1980s and 1990s as factories were shut down and mass layoffs were carried out. Detroit was transformed from a city with one of the highest per capita living standards in the decades after World War II to one of the lowest in the country.

By the time Kilpatrick was elected mayor this process had reached a turning point. Whereas figures such as Coleman Young had some connection to the previous struggles of the working class, however limited they were, Kilpatrick emerged into Detroit politics as someone with no identification with social or political struggle whatsoever and represented a thoroughly corrupted upper middle class layer seeking to utilize political office for little more than personal benefit.

Upon taking office in 2002, Kilpatrick began hosting lavish red carpet parties in the Manoogian Mansion mayoral residence and used city funds for a \$25,000 lease on a Lincoln Navigator for his family, spent tens of thousands of dollars on spa treatments, extravagant dinners and expensive wines with city-issued credit cards.

In recounting the crimes committed by Kilpatrick, MLive wrote on January 21 that the former mayor, “misspent funds raised by his Kilpatrick Civic Fund, a charitable nonprofit established to help underprivileged children, on luxuries for himself and his family, as well as weekend getaways with his mistress and top aide Christine Beatty, a jury found. The US Attorney’s Office said Kilpatrick received kickbacks, bribes and spent more than \$840,000 beyond his \$170,000 yearly salary. None of it was reported to the IRS.”

The MLive report goes on, “The flashy mayor held birthday parties for himself at which attendees were expected to make donations to his Civic Fund and helped rig contracts worth nearly \$70 million for friend and city contractor Bobby Ferguson between 2002 and 2008.” Kilpatrick’s friend and co-defendant, Ferguson was not granted clemency and remains in prison on a 21-year sentence on nine counts including racketeering, extortion and fraud.

The corruption of Kilpatrick was not merely a matter of personal greed and gain. While he was something of a small-time crook, his behavior was part of the overall evolution of the US ruling establishment towards theft and criminality. Kilpatrick functioned as an accomplice in the financial looting of Detroit that had been ongoing for decades.

As *World Socialist Web Site* US national editor Barry Grey reported during the Workers Inquiry into the Bankruptcy of Detroit on February

15, 2014, “One set of financial deals in particular has tipped the city into financial ruin. In 2005 and 2006, then-Mayor Kwame Kilpatrick entered into an agreement with the Swiss-based bank UBS and the Wall Street investment bank Merrill Lynch, since then taken over the Bank of America, to borrow \$1.4 billion to cover the city’s pension obligations. The deal was in the form of so-called ‘certificates of participation,’ or COPs, a complex type of financial transaction designed to enable the city to evade legal restrictions on taking on debt.”

In recognition of this deal, the publication *The Bond Buyer* gave Kilpatrick and the city its Midwest Regional Deal of the Year award in a glitzy ceremony in New York in December 2005. When the US financial system collapsed at the outset of the Great Recession in 2008 and the banks lowered interest rates, Grey explained, “Detroit lost its bet in disastrous fashion. It then found itself facing demands from the banks for hundreds of millions of dollars in immediate payments.”

Grey explained that both the Detroit Emergency Manager at that time, Kevyn Orr, and the bankruptcy judge, Steven Rhodes, acknowledged that the COPs and swaps deals were in all likelihood illegal. Despite the admission, both Orr and Rhodes as spokesmen for the ruling elite, carried out massive attacks on city residents. There is no question that the agreement Kilpatrick entered into with the Wall Street firm significantly contributed to Detroit being thrown into bankruptcy resulting in the loss of millions from the pension funds of retirees, the partial privatization of the water system, and the elimination of tens of thousands of city workers jobs.

Some have claimed—as indicated by Governor Whitmer’s comments—that Kilpatrick’s sentence of 28 years for the crimes he committed was discriminatory and racially motivated. However, a more plausible explanation for the harsh sentencing for Kilpatrick was that it was an exercise in damage control and a necessary precursor to the plan of the financial oligarchy to bring Detroit out of bankruptcy by imposing the burden of the crisis onto city residents and current and former city employees.

As for Trump’s decision to grant clemency for Kilpatrick, it is further evidence that the ex-president—following his attempted coup at the US Capitol on January 6—has a longer-term plan for the cultivation of a base of support for his fascist and right-wing nationalist politics among diverse layers of the American middle class.



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