

Trial of fascist shooter Kyle Rittenhouse begins in Kenosha, Wisconsin

Kevin Reed
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The trial of the fascist shooter Kyle Rittenhouse began at the Kenosha County Courthouse in Kenosha, Wisconsin on Tuesday with opening statements and witness testimony.

Rittenhouse faces six criminal charges—including first-degree reckless homicide, first-degree intentional homicide and attempted first-degree intentional homicide—in the shooting death of two men and the wounding of another on the evening of August 25, 2020, during demonstrations against police violence in Kenosha.

The jury trial started with a 35-minute opening statement from lead prosecutor, Kenosha Assistant District Attorney Thomas Binger. Binger reviewed the actions of Rittenhouse, who was 17 years old at the time, on the streets of Kenosha on the night in question that began with the shooter arming himself “with an AR-15-style automatic rifle loaded with 30 rounds in the magazine.”

Binger recounted in some detail the evidence that Rittenhouse shot to death both Joseph Rosenbaum and Anthony Huber, wounded Gaige Grosskreutz and recklessly endangered the lives of two others during the third night of protests in Kenosha. The demonstrations, which erupted amid the nationwide George Floyd protests against police violence, were in response to the brutal shooting of African American Jacob Blake by a white Kenosha police officer two nights earlier.

Binger described how Rittenhouse, with his assault rifle strapped to his body with a single-point tactical sling, had already shot Rosenbaum four times and then fired two more rounds, one of which was deadly, as the victim began falling to the ground. Binger said, “the shot that killed Mr. Rosenbaum was a shot to the back.”

The Kenosha prosecutor focused his opening statement on the fact that among the hundreds of people

protesting and counter-protesting in the city during those days—some of which involved heated confrontations between groups and individuals—“the only one who killed anyone was the defendant, Kyle Rittenhouse.” Binger repeated this point three times.

In his opening statement, Rittenhouse defense attorney Mark Richards made plain his team’s intention to make the murderous rampage of the shooter out to be an act of self-defense against an assault by protesters. Richards said he is not disputing the fact that Rittenhouse fired his rifle at least eight times and shot Rosenbaum and Huber to death and seriously wounded Grosskreutz. Richards stated, “Ultimately, what this case will come down to, it isn’t a ‘whodunit,’ or when did it happen, or anything like that,” it is whether Rittenhouse’s actions were “privileged under the law of self-defense.”

In a dispute with the prosecution over the use of photos and videos by the defense in their opening statement, Kenosha County Circuit Court Judge Bruce Schroeder sided with Rittenhouse’s lawyers and permitted them to cast the actions of the shooter as a response to a violent and unruly mob that attacked him “in the street like an animal.”

While Binger spent time speaking to the broader context of Rittenhouse’s actions, at no point in his opening statement did the prosecutor make any reference to the politics that motivated him to travel 30 minutes from his hometown of Antioch, Illinois to Kenosha with an assault rifle and start shooting people.

At the same time, Binger gifted the shooter’s defense strategy with references to “looting, rioting, arson and violence” that erupted after Blake’s shooting on August 23. Binger went on to say that “tourists from outside our community” were drawn to the chaos in Kenosha, “like moths to a flame” that “caused many of

our citizens to fear for their safety, fear for their homes and their families, fear for their businesses and take steps to protect themselves whether it is to arm themselves, board up their windows. ...”

Rittenhouse was mobilized by a combination of his own right-wing enthusiasm for the police, law and order and the reelection campaign of Donald Trump along with calls issued by fascistic militia organizations for armed vigilante attacks on the mass protests that had swept across the country beginning in late May against the racism and violence of the police.

The legal defense and campaign to raise money for Rittenhouse’s release on bail after his arraignment are backed by the very same political forces which brought him to Kenosha on August 25. Rittenhouse has been hailed as a hero by far-right groups which later participated in the January 6 coup attempt in Washington D.C. He was photographed posing with leaders of the fascist Proud Boys organization in Wisconsin while flashing white power symbols.

The first witness called by the prosecution on Tuesday afternoon was Rittenhouse’s friend Dominick Black, who purchased the assault rifle for the shooter because he could not legally buy it himself since he was 17 at the time.

Black described how Rittenhouse stayed at his home in Antioch the night before the shootings and the two planned to volunteer the next day as part of an armed militia that worked to defend auto dealerships. He said that Rittenhouse called him on the phone immediately after he killed Rosenbaum and said, “I shot somebody, I shot somebody.”

Significantly, Black said that the shooter’s mother, Wendy Rittenhouse—who subsequently participated actively with Republican Party officials in the development of her son’s defense campaign—talked about fleeing to Michigan after she learned of the shootings in Kenosha. In the end, Black prevailed on the Rittenhouses for Kyle to turn himself in to police the next morning.

Rittenhouse’s lawyer Richards asked Black if he expected by testifying against Rittenhouse to be kept out of prison for the two felonies he has been charged with for illegally buying the rifle for the shooter. Black said yes, but he had been given no promises.

A second witness was FBI agent Brandon Cramin, who testified about law enforcement infrared aerial

surveillance of the protest in Kenosha on the night of the shooting. With Cramin on the stand, the prosecutors played for jurors a grainy, black and white video taken by the FBI in an airplane flying 8,500 feet overhead.

The referred to one of the fuzzy figures on the ground as Rosenbaum which showed that Rittenhouse had chased after him. Following an altercation, the Rosenbaum figure could be seen falling to the ground from the shots fired by Rittenhouse.

The existence of the FBI surveillance video of the protest became a point of contention when Rittenhouse’s attorney Richards asked during cross-examination for the tail number of the two-man plane, to which the prosecution objected.

At this point Judge Schroeder intervened, and after he asked for a sidebar with the attorneys, then requested that the jurors leave the courtroom during a discussion about the FBI surveillance video. Richards told the judge that he believed there was more video taken by the FBI that was no longer available. Richards said it was preposterous that the FBI could capture video of alleged homicides and then dispose of it.

When prosecutor Binger told the judge that “the federal government is not under our control,” Judge Schroeder said, “I beg your pardon” and demanded to know what was going on. Schroeder then said the prosecution should skip the FBI witness “for now” and come back to the surveillance plane video later in the trial.



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