

# **IMMUNIZING CRIMES: BLANKFEIN, ZIRBEL, AND ARPAIO, BUT WHITHER CORZINE?**

DOJ has been doing a lot of immunizing of late. There's Lloyd Blankfein, who not only ripped off his clients with "one shitty deal," he then lied to Congress about it. There's Matt Zirbel,\* the CIA officer who had Gul Rahman doused with water and left to freeze to death in the Salt Pit. And there's Joe Arpaio, who used the Maricopa County Sherriff's office to investigate his political enemies.

DOJ immunized all these men in the last month, in spite of a vast amount of publicly available evidence clearly showing their crimes. And while DOJ had the courage to announce their decision about Blankfein and Goldman Sachs on a typical news day, not so their announcements about Zirbel and Arpaio—DOJ slipped those announcements into the journalistic distraction of Paul Ryan's dishonest speech and Clint Eastwood's empty chair, and the more generalized distraction of an imminent holiday weekend.

But with these grants of immunity, DOJ cleared the board of most of the politically contentious cases of immunized criminals just in time for election season. The Goldman banksters could donate with no worries, the NatSec types wouldn't pull an October surprise, and Republicans couldn't claim Arpaio was caught in a witch hunt because of the witch hunts he himself conducted.

DOJ cleared most, though not all, of the politically contentious cases they plan to clear though. The exception may prove the rule.

After all, between the time they granted Blankfein immunity and the time they granted Zirbel and Arpaio immunity, "people involved in the case" made it clear DOJ probably won't

charge Jon Corzine for stealing millions from his customers. Sure, particularly given the way that article focused on rehabilitating Corzine's reputation, maybe it was just disinformation spread by his lawyer. But if not, then the timing will work out perfectly for campaign season: an interview with Corzine in the next few weeks—during election season—which will make DOJ generally and Preet Bharara specifically (who seems to employ an entire PR industry to claim he's mean to banksters) look tough. At precisely the time people start paying attention, we'll have bankster prosecution theater.

And then, sometime after the election (probably on the Wednesday before Thanksgiving Day, given how cynical the Zirbel and Arpaio timing was), we'll likely learn that banksters can steal hundreds of millions from farmers with impunity so long as they claim confusion when they get caught.

But that decision will come after the election, too late for Republicans to suggest that the Obama DOJ let a former Democratic Governor get off easy.

And so it is that these immunizations not only make it clear that the law is just for little people, but they serve a tidy—and timely—political purpose as well.

None of this should surprise us, of course. Obama's been in the immunizing business for a while. One of the first things Obama did four years ago—before we elected him but after he became the nominal head of the Democratic Party—was to capitulate to the NatSec types and gave the telecoms (which ended up being the government, too) immunity for their illegal spying. That immunization may have served a political purpose, too.

So it's a familiar feel, this immunization just in time for campaign season.

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\*Two and a half years ago, when I first noticed Zirbel's name in an officially released document, I not only didn't publish it, but warned DOJ it had been disclosed—an opportunity to protect his identity they didn't use. I warned folks because I thought DOJ was conducting a credible review of the torture committed under the Bush Administration. Obviously, I was a chump. As DOJ continues to shield the powerful from any accountability, they might find fewer people putting their faith in a justice system that is obviously failing.