

BILL SCHUETTE LABELS RANDOM SERIAL SHOOTING TERRORISM

For a period last fall, someone—allegedly 43-year old stay at home dad named Raulie Casteel—repeatedly shot at motorists driving along one of MI’s main east-west freeways. Altogether, there were 24 shooting incidents, with one man injured in his buttocks.

Late last year, MI Attorney General Bill Schuette took over prosecution of the case, reportedly at the request of the county prosecutors. Shortly thereafter, Schuette added terrorism to the existing charges against Casteel.

“These were acts of domestic terrorism against Michigan citizens and we are prosecuting them as such,” Schuette said in a statement.

[snip]

Casteel is suspected in 24 shootings that occurred on or around the I-96 corridor in October. He was already charged with 60 counts related to shootings in Oakland County.

Schuette added those charges at a time when prosecutors weren’t offering any claims of what Casteel’s motive was.

Here’s how the MI law defines terrorism:

Senate Bill 930 would create the “Michigan Anti-Terrorism Act” as Chapter 83-A of the Michigan Penal Code (MCL 750.543a et. al.). The bill would prescribe criminal penalties for various violations involving an “act of terrorism”.

An “act of terrorism” would mean a

wilful and deliberate act that is all of the following:

- *an act that would be a “violent felony” under Michigan law, whether or not committed in Michigan (“violent felony” would mean a felony in which an element was the use, attempted use, or threatened use of physical force against a person, or the use, attempted use, or threatened use of a harmful biological substance or device, a harmful chemical substance or device, a harmful radioactive substance or device, an explosive device, or an incendiary device);*
- *an act that the person knew or had reason to know was dangerous to human life (“dangerous to human life” would mean that which caused a substantial likelihood of death or serious injury or that was a violation of Section 349 or 350 of the penal code); and,*

▪ *an act that was intended to intimidate or coerce a civilian population or influence or affect the conduct of a government or a unit of government through intimidation or coercion. [my emphasis]*

That is, the state law-like federal terrorism law—requires an intent to intimidate and/or influence either civilians or the government. It requires a specific kind of intent.

Now, I don't want to downplay how much having a random shooter targeting random drivers frightened—"intimidated"—people (the flat I lived in at the time was very clearly in view of a spur of this freeway, putting my office in within range of random shots from the freeway, though the shootings were east of here).

But calling this kind of randomized violence terrorism—divorced as it is, thus far, of any ideological side—stinks of political demagoguery. Schuette has tons of other charges to prosecute Casteel on. The assault with intent to murder charge—which perfectly describes his alleged crime—also carries a potential life sentence.

Moreover, treating this as terrorism risks lowering the bar for terrorism charges in the future, such that any very scary crime can be labeled terrorism so as to pathologize the alleged criminal.

Now, maybe Casteel has spent the months he's been in jail ranting about government conspiracies; some reports say he is a grand conspiracist. Maybe there is a basis to call him a terrorist. But thus far, this seems like an effort on Schuette's part to increase the media coverage of the prosecution he's leading.