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Kyle Rittenhouse Is Going to Prison

By Mike Tully

Kyle Rittenhouse is going to prison. I'm not talking about the conventional brick-and-mortar kind with prison guards and cells. A good lawyer and bad law made sure that won't happen. The place he is headed will imprison his soul.

Rittenhouse will not mature into a man, but a mascot. He's a favorite toy of the militant right, who will shrink-wrap and package him like bacon. Rittenhouse stupidly and unnecessarily placed himself into a situation he couldn't handle and people died. He needs to contemplate his actions and their consequences and, hopefully, learn from them. That won't happen.

Rittenhouse will be confined to a cultural and media prison from which he has little chance of escape. There will be interviews with Tucker Carlson and other celebrities. He will be lauded as a hero and patriot, not a clumsy vigilante. [He has been offered Congressional internships](#). He might speak at the Republican National Convention. Rittenhouse will become a caricature of himself, a marionette dangled by Donald Trump and his minions.

His lawyer, Mark Richards, apparently tried to warn him. He didn't want Rittenhouse to become a political pawn during the trial and [objected when Carlson hired a film crew](#) to follow him around. "I did not approve of that," he told *CNN*. "I threw them out of the room several times. I don't think a film crew is appropriate for something like this."

Richards may have inspired Rittenhouse to [tell Carlson in a Fox News interview](#) that he is not a racist and actually supports Black Lives Matter. "I'm not a racist person. I support the BLM movement and peacefully demonstrating," he said. Rittenhouse might be able to bring some national healing if he continues on that path. But he has already fallen into the clutches of the right-wing insurrection machine. He'll be a lifer in a prison without walls.

Rittenhouse was imprisoned by Trump, [who lured him into the Mar-A-Lago spider's web](#) and called him "really a nice young man." Trump said the meeting took place at Rittenhouse's request. "He wanted to know if he could come over and say hello because he was a fan." A photo of them together spread on the Internet like an oil slick.

Trump [denounced the fact that the trial took place at all](#). "He should not have had to suffer through a trial," he said. "He should never have been put through that." Even though Rittenhouse, with a weapon he was not allowed to own, placed himself in a situation for which he was untrained and unprepared and carelessly and unnecessarily cost two people their lives, Trump insists his actions were beyond the reach of the law. As Greg Sargent notes in [The Washington Post](#), "for Trump, the story is that Rittenhouse's conduct was good and admirable."

[Adam Serwer writes in *The Atlantic*](#), “The fact that Rittenhouse has become a folk hero among Republicans points to darker currents within the GOP, where justifications for political violence against the opposition are becoming more common.” Noting the growing tendency among right-wingers to demonize the political opposition, Serwer states, “the desire to kill your political opponents is a sentiment no longer confined to the dark corners of the internet.”

“(H)is acquittal will be seen by some on the militant right as a validation of the sentiment that someday, perhaps soon, they will get to kill all ‘these people,’” he added. “No one they would listen to will tell them otherwise.”

Rittenhouse was acquitted, not because he did nothing wrong, but because Wisconsin law makes self-defense a “get out of jail free” card. [Under Wisconsin law](#), the prosecution must prove “beyond a reasonable doubt” that the defendant was *not* acting in self-defense. That’s a very high burden and the prosecution could not meet it. The movement in Republican-controlled states to pass self-defense and “stand your ground” laws has not reduced violence. They encourage it by inspiring vigilantism.

Stephen Colbert [succinctly nailed the problem with the acquittal](#): “Cards on the table,” he told his audience Monday night. “I am not a legal expert so I can't tell you whether or not Kyle Rittenhouse broke the law. But I can tell you this, if he didn't break the law, we should change the law.” Here is what should be changed:

1. The State should not have to disprove self-defense. The burden should be on the defendant to prove it.
2. Stand-your-ground laws should be repealed. Historically, self-defense was available when there was no reasonable chance to escape. If it’s possible to avoid conflict by simply getting the hell out of there, then do it.
3. Wannabe cops, like Rittenhouse, should be held to a higher standard. Rittenhouse asked an acquaintance to illegally buy him an AR-15 [because he “thought it looked cool.”](#) That was the depth of his analysis. The law in Wisconsin and other states allows individuals to acquire and use weapons of war without any responsibility. The law should require that, when a person obtains a deadly weapon – especially a weapon of war –they have a responsibility to use it safely and appropriately. Self-defense should not be available unless defendants can prove they had been trained to use the weapon and exercised sound judgment when they fired it. Rittenhouse did neither -- but he didn’t have to.

In Kenosha, Wisconsin, a kid unlawfully obtained a weapon of war, carried it into civil unrest, brandished it like a little boy at play, blundered into a situation that was beyond his control and capability, and carelessly and negligently killed two people when he panicked.

That’s not cool. It’s cold.