

## CALLING TERM 'ARAB' PREJUDICIAL, COURT REVERSES SENTENCE

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LANSING -- The Michigan Court of Appeals has reversed the life sentence of a member of a notorious Chaldean drug gang, saying an Oakland County assistant prosecutor prejudiced the jury by referring to the man as an "Arab."

"The prosecutor's ethnic allusions were clearly improper, especially because they were made in the context of the Gulf War" against Iraq, Judge Harold Hood wrote in an opinion released Wednesday.

The case involves Saad Bahoda, 24, a Chaldean Iraqi who went to trial as the Persian Gulf War began in 1991.

The prosecutor, Larry Bunting, called the ruling preposterous and said his office will appeal.

"The witnesses were all Chaldean or Colombian. They referred to themselves as Arabs or Colombians," Bunting said. "But this happened during the war so the court is saying I was wrong in referring to these people as Arab-Americans.

"Maybe this is a political-correctness decision," Bunting said. "Maybe next time we'll have to call them Swedes."

Bahoda was among eight people convicted of drug conspiracy and sentenced to life without parole as part of the massive investigation of the late **Harry Kalasho** 's drug trafficking organization. **Kalasho** , who was shot to death in 1989, was reputed to be among the most successful and ruthless drug kingpins in Detroit history.

But the three-member appeals panel ruled Tuesday that Bunting intentionally sought to prejudice Bahoda's jury by pandering to jurors' fear of drug traffickers and referring repeatedly to Bahoda's nationality.

"The prosecutor . . . repeatedly referred to defendant as being part of 'the Arab connection,' " Hood wrote. "The prosecutor also elicited the Arabic nationality of several witnesses who allegedly conspired with the defendant to sell drugs and . . . even referred to the 'Arabs' during closing argument.

The panel decided Bahoda deserves a new trial.

Bunting responded: "To contend that I would intentionally prejudice the defendant's case ignores my oath of office and my history as a prosecutor. It's very upsetting."

Bahoda's attorney, Steven Sonenberg, said Bahoda is "very gratified" by the ruling and hopes to be freed on bond until his retrial. Asked about Bunting's courtroom performance, Sonenberg said, "The Court of Appeals opinion clearly speaks for itself."

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