

Families of crash victims outraged over Justice Department sweetheart plea deal with Boeing

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Media reports on Sunday revealed that the US Department of Justice (DOJ) was offering a settlement with Boeing that permits the company to plead guilty for two deadly plane crashes in exchange for a financial penalty and the appointment of a federal safety monitor.

The plea agreement, which is being called a sweetheart deal by outraged family members of the victims who died in the crashes in 2018 and 2019, will enable the company to avoid a criminal prosecution and a trial.

The Associated Press reported, “The US Justice Department is pushing Boeing to plead guilty to criminal fraud in connection with two deadly plane crashes involving its 737 Max jetliners, according to several people who heard federal prosecutors detail a proposed offer Sunday.” The report also said Boeing would have until the end of the week to accept the offer.

DOJ officials told relatives of the 346 people who died in the 2018 Lion Air and 2019 Ethiopian Air crashes about the arrangements in a video meeting. The AP report said, “The family members, who want Boeing to face a criminal trial and to pay a \$24.8 billion fine, reacted angrily. One said prosecutors were gaslighting the families; another shouted at them for several minutes when given a chance to speak.”

Massachusetts resident Nadia Milleron, whose 24-year-old daughter, Samya Stumo, died in the second of two 737 Max crashes told AP, “We are upset. They should just prosecute. This is just a reworking of letting Boeing off the hook.”

A provision of the deal, according to the news reports, is that the safety monitor would be picked by

Boeing from three of its own nominees and one from the Justice Department. Responding to this part of the plea deal, Milleron told *Politico* that Boeing “shouldn’t be the ones selecting the monitors, right? This is the whole problem that Boeing keeps monitoring itself,” adding, “It’s not the Department of Justice—it’s the ‘department of protecting corporations.’”

Boeing and the DOJ declined to comment on the reports.

Robert Clifford, lead counsel in the civil litigation against Boeing on behalf of the families, told CNN, “I can tell you that the families are very unhappy and angered with DOJ’s decisions and proposal. There is no accountability, no admission that Boeing’s admitted crime caused the 346 deaths, and the families will most certainly object before Judge Reed O’Connor and ask that he reject the plea if Boeing accepts.”

Judge O’Conner is overseeing the case in the Northern District of Texas brought by the family members demanding that the plea deal be blocked. Family members and their lawyers have also pointed out that the new plea agreement appears to contain no provisions for the prosecution of any current or former Boeing executives, a demand they have been seeking.

Paul Cassell, another attorney representing family members, said, “The deal will not acknowledge, in any way, that Boeing’s crime killed 346 people. It also appears to rest on the idea that Boeing did not harm any victim.”

The plea deal with Boeing is, in part, a response by the Justice Department to the recent series of safety failures and production problems that violated the terms of an attempt in 2021 to sweep the two fatal 737 MAX crashes under the rug.

The crashes in 2018 and 2019 were the result of a malfunctioning flight-control system on the MAX jets, known as MCAS, that forced the planes into catastrophic nosedives. Boeing was charged with fraud for deceiving the Federal Aviation Authority (FAA) about how much training pilots received on the new MCAS software. At the time, the company blamed the entire incident on two engineers.

In that deferred prosecution deal, Boeing was to pay a \$2.5 billion settlement and the court would drop criminal charges after three years if the company abided by certain stipulations set out in the agreement.

Meanwhile, after three years, the company has only paid \$244 million of the previous settlement and that amount is being allowed to be applied to the new fine.

In May, the Justice Department said Boeing violated the deal because it failed to, “design, implement, and enforce a compliance and ethics program to prevent and detect violations of the US fraud laws throughout its operations.”

That determination came nearly four months after a door plug blew out of an Alaska Airlines flight shortly after takeoff in January. A subsequent investigation revealed severe manufacturing errors that compromise the safety of the latest generation of 737 MAX jets and forced them to be grounded.

Since March, two Boeing whistleblowers who exposed serious safety issues at great personal cost, John Barnett and Joshua Dean, have died under highly dubious circumstances.

Airline industry experts have noted that the obvious effort of the Justice Department to prevent a prosecution and trial of Boeing on criminal charges could jeopardize the company’s status as a federal contractor for the Pentagon.



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