

# US Army “kill team” hearing continues

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Evidentiary hearings continued November 9 into charges of murder and other atrocities committed against Afghan civilians by a group of US soldiers while stationed in Kandahar province earlier this year. Staff Sergeant Calvin Gibbs, the accused ringleader of a five-member “kill team,” was the focus of questioning at the Tacoma, Washington area Joint Base Lewis-McChord.

Gibbs, the highest ranking member of the five, is charged with three counts of premeditated murder. The group is accused of targeting three Afghan civilians randomly while out on patrol near Forward Operating Base Ramrod, where they were stationed. The group lobbed grenades and opened fire on their victims, then planted foreign-made weapons on the corpses to make them look like insurgents who constituted a threat to US forces. The group posed for photos with the victims, and cut off fingers and other body parts for trophies.

In addition to murder charges, Gibbs faces charges of assault on a fellow soldier, threatening other soldiers, dereliction of duty, impeding an investigation, conspiracy, and possessing body parts from victims. Gibbs, who served two tours of duty in Afghanistan and one in Iraq, is under separate military investigation for the unprovoked killing of three members of an Iraqi family in Kirkuk in 2004, as they passed by his unit in a car.

The hearing, called an Article 32, is a pre-trial proceeding overseen by a military judge to determine if evidence warrants a court martial trial. During Tuesday’s hearing, neither Gibbs nor 15 other soldiers who were called to the stand gave testimony, and instead invoked their Fifth Amendment rights. All maintain that their actions were justified by combat situations.

Also held on murder charges are 19-year-old Pfc. Andrew Holmes, 29-year-old Spc. Michael Wagnon, 22-year-old Spc. Adam Winfield, and 22-year-old Spc. Jeremy Morlock, who faced an Article 32 hearing September 27 and has been recommended for court martial. (See “US Army court martial recommended over Afghan civilian killings”)

Seven other soldiers, all from the same company of the

5th Stryker Brigade, 2nd Infantry Division (renamed the 2nd Stryker Brigade), are implicated in charges of possessing photographs and body parts of the victims, covering up the crimes, threatening and assaulting potential whistleblowers, as well as other crimes, including drug use. In all, 12 soldiers face 76 charges.

Testimony Tuesday concentrated on information collected during videotaped interrogations with soldiers after they had been detained by the Army in June. The statements of Morlock, Winfield, Holmes, and others described Gibbs’ role in devising scenarios by which the group could kill civilians and then cover up the crimes.

Army Criminal Investigations Command Special Agent Anderson Wagner testified that his unit had not been authorized by US-NATO commander Gen. David Petraeus to revisit Kandahar in order to collect evidence or interview villagers. Wagner told the court, “If you go and interview Afghan civilians, basically saying US soldiers had wrongfully killed your family member, when there’s a battalion element still out there, it puts them at risk.”

Army documents indicate that at least one other unarmed Afghan civilian was shot dead by the group during the period between January and May 2010, although none of the platoon members have been charged. (See “More revelations into US military atrocities in Afghanistan”) Soldiers also revealed that Gibbs and others fired on, but did not kill, two other unarmed farmers during a patrol in late March.

The Army has strained to prevent the release of documents, photographs and other evidence from the case out of fear the exposure could inflame popular hostility toward the war in the US and internationally.

Though heinous, the atrocities are far from unique in either occupied Afghanistan or Iraq. Rather, the crimes committed by the military force flow out of the criminal character of the occupation itself. Soldiers, many on their third or fourth deployments and suffering from physical and mental traumas and debilitating drug addictions, are charged with suppressing an overwhelmingly hostile

population. The 2nd Stryker Brigade saw heavy combat in Kandahar from the moment it arrived in 2009, as part of the Obama administration's "surge" in Afghanistan. Over the course of a year, three dozen members of the brigade died and many were seriously wounded.

Immersed in relentless chauvinist propaganda, troops are encouraged to view every citizen as a potential attacker and a target. The military writes off the deaths of thousands of civilians as "suspected insurgents" or terrorists every year. Dehumanization, as a part of the official war policy, inevitably finds expression in atrocities.

There are many indications that the Army was well aware of the "kill team" at FOB Ramrod for months before detaining suspected participants. Spc. Winfield, now charged with participating in a May 2 killing, alerted his parents to the first murder in January and told them to report it to the Lewis-McChord officials. Winfield explained that he had reported the murder to superior officers at the base, but that "they told me this stuff happens all the time." Winfield's parents immediately called multiple Army offices, and also called Florida Senator Bill Nelson, asking for an investigation into the crime. The Army has maintained it has no record of the calls, although media investigations have verified that phone records reflect the Winfields' calls were placed.

The Army also neglected to collect as evidence a series of audio recordings made by Max Becherer, a freelance journalist embedded with the platoon in May. The audio files, later obtained by the *Washington Post*, record platoon members attempting to convince Afghan civilians that the victim of the May 2 killing, a peaceful cleric named Mullah Adahdad, was going to attack Gibbs' team with a grenade.

Winfield and Morlock, both charged in the death, told investigators that the weapon had been planted on Adahdad's corpse after he was slaughtered. Army documents indicate that investigators sought to contact Becherer to acquire evidence, but Lt. Col. Robert McNeil ordered agents not to pursue an inquiry. McNeil declared that "the probative value of any information" the journalist collected "does not out way [sic] the possible negative impact contacting him may have on this investigation," Army logs indicate.

Instead, the Army has built its case around the videotaped interviews with the detained soldiers. Spc. Morlock's attorney, Michael Waddington, has said the soldier was heavily medicated and was suffering from a traumatic brain injury at the time of his interrogation.

"Once they got the statements out of the witnesses, they stopped doing any real investigative work," Waddington told the *Washington Post*. "It's clear they wanted it to be a quick, clean conviction with a couple of confessions."

Like Morlock, Pfc. Holmes was also suffering from trauma during deployment. His mother, Dana Holmes, had warned that he was unwell before he redeployed to Kandahar in April. "I hold the Army responsible for this whole mess, especially now that the Winfields have come forward and said they warned them about all this. This was going on and the Army chose to do nothing about it," she told CNN in an October 26 interview. "If they were smoking that much hashish, you can smell it. Where was the command? Did they just dump these boys off and say go forth and conquer?"

"How did they know what was going on? My son was a healthy 18-year-old kid when he went over there, and now he is a mess. And I don't understand why the Army is not going after the officers," she said. "The man that came home was not my son. He was very thin. He'd lost about 50 pounds. He said the Army told him he had a parasite. I made him his favorite sandwich, and it took him two days to eat the whole sandwich. Just couldn't eat; he didn't sleep."

Holmes told his family that he gave himself daily IVs of fluids in Afghanistan to keep hydrated, his mother told CNN. On October 25, Holmes suffered a seizure during a consultation with his defense attorney.



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