More details emerge in US Army kill team case

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Hearings continued this week into atrocities committed on civilians by US Army soldiers while stationed in Afghanistan earlier this year. Pfc. Andrew Holmes, the youngest of five soldiers charged with participating in a so-called "kill team" in southern Afghanistan, faced pre-trial hearings on Monday and Tuesday at the Tacoma, Washington-area Joint Base Lewis-McChord.

Holmes, 20, is accused of participating in the premeditated murder of Gul Mudin, a 37-year-old farmer near Forward Operating Base Ramrod in Kandahar, on January 15. Military documents charge that Holmes conspired with 22-year-old Spc. Jeremy Morlock and 25-year-old Staff Sgt. Calvin Gibbs in the killing.

Holmes is also charged with possessing a finger from the victim, taking photographs of corpses, participating in a cover-up, and smoking hashish. The hearing, called an Article 32, will determine whether Holmes will face military court martial. Proceedings were suspended after Holmes's lawyers said they would petition the Army Criminal Appeals court to have the case dismissed.

During an interrogation under Army investigators in May, Holmes said that he had heard Gibbs and Morlock formulate scenarios by which the squad could murder civilians and make it look like combat engagements. Gibbs, who is accused of masterminding three killings, faced an Article 32 hearing November 9. Morlock, whose hearing concluded September 27, has been recommended for court martial.

Two other soldiers—22-year-old Spc. Adam Winfield and 29-year-old Spc. Michael Wagnon—are also charged with participating in the murder of civilians. The five, who all deny the charges, could face the death penalty if convicted by military court.

Seven other soldiers also face hearings into lesser offenses including mutilating and posing with corpses, possessing photographs and body parts of victims, falsifying reports to cover up criminal activity, assault and threatening potential whistleblowers, and illicit drug use. All were part of the company of the 5th Stryker Brigade, 2nd Infantry Division (now 2nd Stryker Brigade). The charges reflect an atmosphere of anarchy and brutality; taken together, the 12 soldiers face 76 charges.

During testimony via telephone November 15, Special Agent Nicole Fermanis related details that Holmes had revealed about scenarios Gibbs had proposed. Holmes said one option the team discussed was throwing out candy to lure children close to the Stryker vehicle and then running them over. Another scenario involved throwing grenades at civilians and then pretending they had been engaged in combat and opening fire on the victims. Gibbs is accused of planting foreign-made weapons on corpses to make them look like insurgents who posed a threat to the squad.

The hearing took testimony from Spc. Ryan Mallett, who witnessed the January 15 killing. Mallett said soldiers called Gul Mudin over from a field and ordered him to lift his shirt. Morlock, Holmes's superior, then yelled out "Grenade! He's got a grenade, Holmes, shoot him!" Holmes fired several rounds with a large squad automatic weapon as Morlock lobbed a grenade at Mudin. After the grenade exploded on Mudin, Staff Sgt. Kris Sprague, who is not charged in connection with the death, stood over the victim and fired two more rounds into his back to ensure Mudin died.

Holmes posed for pictures with Mudin's corpse, according to Army prosecutors. Out of fear such evidence will enflame outrage against the US

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occupation, the Army is seeking to withhold all photographs, including some of smiling soldiers holding up heads of victims. Col. Barry Huggins, the 2nd Stryker Brigade commander, has ordered more than 60 photos withheld even from the accused soldiers' defense teams.

Afghan witness accounts have likewise been excluded from the hearing. Villagers told *New York Times* correspondents for an October 4 report that Mudin was moving into a new home when the Stryker patrol selected him ostensibly for questioning. "His son was crying, but the soldiers did not care. He was shot right before his home and with his son there," neighbors said. (See "US Army court martial recommended over Afghan civilian killings")

Other material suggests that the scope of the atrocities is wider than the current investigation. For example, documents obtained by the *Washington Post* last month indicate that at least one other unarmed Afghan civilian was killed by the group between January and May 2010, although none of the soldiers have been charged. (See "More revelations into US military atrocities in Afghanistan") The team also opened fire on, but did not kill, two unarmed farmers during a patrol in late March.

The Army's investigative unit was ordered not to pursue an inquiry that would have drawn on recorded discussions between the platoon and local residents, and no relatives or neighbors were interviewed for the case. In fact, no physical evidence has been collected from the sites of the killings.

Special Agent Ismael Camero testified Monday that he was part of the investigations team that visited the village where one of the murders was carried out, but that they were not authorized to visit the other locations because of ongoing combat operations. While the Army told local residents that the killings had been determined to be legitimate combat fatalities, Camero said General Stanley McChrystal, then the American forces commander, briefed Afghan President Hamid Karzai about the murder investigations.

Evidence also suggests that the military was aware of the crimes long before soldiers involved were detained. Spc. Winfield, who is charged with participating in a similar killing May 2, told his parents in February to report the first murder to officials at Lewis-McChord. When he had alerted superior officers at FOB Ramrod, Winfield said, "they told me this stuff happens all the time." The soldier's parents immediately contacted multiple Army offices and political officials, including Florida Senator Bill Nelson.

Pfc. Holmes's mother also raised concerns in April that her son was suffering from seizures, drastic weight loss, traumatic brain injury, and was emotionally disturbed, but that he was redeployed anyway. "Where was the command? Did they just dump these boys off and say go forth and conquer?" she asked in an October 26 interview with CNN. "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."

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