

Military officers testify that US soldiers murdered Iraqi detainees

By Jerry White
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Testimony presented to a US Army hearing in Germany this week detailed how three US noncommissioned officers executed four bound and blindfolded Iraqi detainees in Baghdad in April 2007. The four men—whose names have been withheld by the US military—were allegedly murdered and their bodies dumped on the banks of a canal.

Two noncommissioned officers—Sergeant First Class Joseph P. Mayo, the platoon sergeant, and Sergeant Michael P. Leahy Jr., Company D's senior medic and acting squad leader, confessed to the killings and gave accounts of the event in signed statements to Army investigators in January.

The statements, obtained by the *New York Times*, described how each of the two soldiers killed one of the Iraqi detainees with a pistol shot to the back of the head, following the orders of First Sergeant John E. Hatley. Hatley shot the two other Iraqi men, the soldiers said, before ordering them to remove the bloody blindfolds and plastics handcuffs and shove the bodies into the canal.

The unit was reportedly patrolling the Rashid area of southwest Baghdad where the US military had repeated clashes with insurgents connected to the Mahdi Army militia. There are conflicting accounts of whether the soldiers thought the men were Shiites affiliated with the Mahdi Army or Sunnis.

According to Mayo and Leahy, after a brief shootout the patrol chased some men into a building, arresting them and finding weapons, they said. They put the detainees in their Bradley fighting vehicle and began the trip back to their combat outpost.

Leahy said the convoy was informed by Army superiors that the evidence to detain the Iraqis was insufficient and was told to release the men. "First Sergeant Hatley then made the call to take the detainees

to a canal and kill them," Sergeant Leahy said. He said that the execution was retribution for the deaths of two soldiers from the unit, part of the 172nd Infantry Brigade, who were recently killed by sniper fire and a roadside bomb.

"So the patrol went to the canal, and First Sergeant, Sgt. First Class Mayo and I took the detainees out of the Bradley, lined them up and shot them," Leahy said. "We then pushed the bodies into the canal and left."

Mayo acknowledged that he killed the men out of "anger," apparently over the loss of two of his fellow soldiers, according to the *Times*.

Mayo, Leahy and Hatley have not been charged by the military. Army officials claim they will face charges and a trial at a later date but have refused to reveal any other details about their cases.

Four subordinates—Staff Sergeant Jess Cunningham, Sergeant Charles Quigley, Specialist Steven Ribordy and Specialist Belmor Ramos—have been charged with conspiracy to commit premeditated murder, a charge that could be punished by death. According to military laws, which are rarely enforced, soldiers are prohibited from harming detainees once they are disarmed and in custody.

An attorney for Quigley said that while Quigley may or may not have had minor knowledge of plans prior to the incident, other soldiers with seemingly more knowledge received far lesser punishments, which included reductions in rank and pay, along with extra duty and base restrictions.

The military panel is gathering evidence and is expected to rule in a few weeks on whether the soldiers will face a full court martial. Ribordy and Ramos have waived their right to have an investigation hearing, indicating that they have reached some sort of plea bargain.

In testimony this week, soldiers said the four men were arrested and taken to the brigade's Baghdad base where they were left in the Bradley fighting vehicle. Some of the patrol was then told to prepare to move out again, witnesses said. The soldiers testified that they thought they were going to take the detainees to a Green Zone detention center or set them free somewhere in the city if there was not enough evidence to hold them.

Witnesses said Mayo and Hatley asked them if it would be ok if the detainees were executed. "We didn't believe them and didn't answer," Sergeant Daniel Evoy said in his testimony Tuesday.

The Associated Press reported that the first witness to testify Wednesday was Private First Class Jonathan Schaffer, a machine gunner on a Humvee during patrols. The AP report that Schaffer "was confident it was Sgt. Mayo directing the convoy." He said the detainees were led from the vehicle and later six or seven shots were heard.

"I thought 'Oh, no,' as I put two and two together," he said. He added that Cunningham and Quigley were with the soldiers in or near the vehicle and that Quigley looked "nervous and shocked." He further testified that nobody said a word about it on the return trip to the base.

Sergeant Leahy, in his statement said, "When I did it, I thought that I was doing it for my family. Now I realize that I'm hurting my family more now than if I wouldn't have done it."

This case is only the latest atrocity to come to light, while many more remain concealed.

In November 2005, US Marines executed 24 men, women and children in the Sunni western province of Al Anbar, after a Marine was killed by a roadside bomb.

On Tuesday, a federal judge in Kentucky upheld civilian charges against a former 101st Airborne Division soldier accused in the sexual assault of an Iraqi teenager and the slaying of her and her family. Attorneys for the soldier, Steven Green, had challenged a law that allowed him to be indicted on civilian charges for crimes in a war zone. The military discharged Green without bringing charges.

In most cases, subordinates have been prosecuted while higher-ranking commanders have escaped with little or no punishment. However, such war

crimes—torture, murder and daily abuses meted out to ordinary Iraqis—are the inevitable product of a colonial-style occupation, in which US soldiers confront an hostile population while being imbued with the reactionary ideology of a conquering army. The real war criminals—from the White House to the top Pentagon officials—have thus far escaped any responsibility.

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