



Los Angeles Times | World

You are here: LAT Home > Articles > 2007 > July > 05 > World

Archive for Thursday, July 05, 2007

## THE CONFLICT IN IRAQ: DELAY ON LEGISLATION; FALLOUJA INVESTIGATION - Marines face new accusations of wrongful killings in Iraq

By Tony Perry

July 05, 2007 *in print edition A-1*

Naval Criminal Investigative Service agents are examining allegations that Marines killed as many as eight unarmed Iraqi prisoners during a battle in Fallouja in November 2004, according to civilian and military sources.

The investigation is at least the third of possible war crimes by Marines based here and involves the same company, Kilo Company, 3rd Battalion, 1st Regiment, that is at the center of the largest allegation of atrocities by U.S. troops in Iraq – the alleged wrongful killing of 24 civilians in Haditha on Nov. 19, 2005.

In the Haditha case, three enlisted Marines face murder charges, and four officers are accused of failing to investigate the killings. Preliminary hearings are underway.

The two cases do not involve any of the same Marines. But some of those being interviewed in the Fallouja case were expected to serve as character witnesses for colleagues accused of murder in the Haditha case.

NCIS officials declined to provide details beyond confirming that they were probing “credible allegations of wrongdoing.”

Military journalist and Vietnam veteran Nathaniel Helms, who wrote a book about the Marines in Fallouja and is among those interviewed by the NCIS, said the investigators were interested in an incident that took place early in the fighting there.

Helms said the Marines captured insurgents during the house-to-house fighting that characterized the battle, which Marines called their most intense urban combat since Vietnam. After subduing the insurgents and reporting back to their superiors, Marines were told to quickly move to another location to help colleagues engaged in a firefight.

Helms said Wednesday that when the Marines radioed to their superiors that they were still holding prisoners, the response was, “They’re still alive?”

“That was taken to mean, ‘Whack those dudes.’ So they whacked them and moved on,” Helms said. Minutes later an airstrike demolished the house, burying the bodies in rubble.

Helms first posted his account this week on a website, [www.defendourMarines.com](http://www.defendourMarines.com). Senior military sources contacted by The Times confirmed Wednesday that his description matches that of the incident under investigation.

Helms said he had interviewed Marines about the incident, but did not include it in his book about Fallouja, "My Men Are My Heroes: The Brad Kasal Story."

Initially unreported, the killings apparently came to light when Ryan Weemer, who was a corporal in Kilo Company and is now a civilian, mentioned them during a job interview with the Secret Service when he was asked whether he had ever been part of an unjustified killing.

After hearing about the case from the Secret Service, NCIS agents in the spring of 2006 went to interview Weemer at the Starbucks where he was working. He did not get the Secret Service job and is now attending college.

In an e-mail, Weemer declined to discuss Fallouja or his interview with the NCIS.

"I want it to go away so I can get on with my life," he wrote. "Nothing is going to come of it. The headlines will get it all twisted around anyway."

Some of the Marines interviewed by the NCIS have retained lawyers and one tape-recorded his interview. The NCIS does not record its interviews, and disputes about the accuracy of its agents' notes are common during military court proceedings.

The NCIS provides information to the Marine Corps. The decision on whether to file charges will rest with a top general.

During the six-week battle in Fallouja, 71 U.S. personnel were killed and 623 wounded, according to the U.S. military. Marines from the 3rd Battalion, 1st Regiment, were involved in some of the most praised and controversial combat incidents.

Two Marines from the Three-One – Sgt.-Maj. Brad Kasal and Sgt. Robert Mitchell – were awarded the Navy Cross, second only to the Medal of Honor, for their actions during close combat inside what was called Hell House in Fallouja. President Bush singled out the Three-One for praise.

Mitchell is a possible character witness for the Marines in the Haditha case. He was not part of the squad under investigation in the Fallouja incident. Nonetheless, some family members of Haditha defendants have voiced suspicions that the investigation of the Fallouja allegations is aimed at discrediting character witnesses.

In addition to the Fallouja and Haditha cases, Marines from Camp Pendleton have been charged in the April 2006 kidnapping and killing of an Iraqi man in Hamandiya. Five of the eight charged in that case pleaded guilty to reduced charges; trials for the remaining three are scheduled to begin next week.

In another case involving the Three-One, a corporal was the center of an international furor when a news film showed him killing an unarmed insurgent lying on the floor of a Fallouja mosque. He was cleared of wrongdoing by the commanding general on the grounds that he reasonably felt under threat.

–

tony.perry@latimes.com

#### **Related Articles**

- Lawmakers Suspect Cover-Up by Senior Officers May 29, 2006
- Thorough Inquiry of Marines Promised May 30, 2006
- Iraq Envoy Wants Slaying Inquiry May 31, 2006
- Shooting Could Be a War Crime Nov 16, 2004
- No answers in Marine inquiry Jan 29, 2008

#### **More articles by Tony Perry**

#### **More articles from the World section**

---

---

California and the world. Get the Times from \$1.35 a week

---

---

Copyright 2008 Los Angeles Times