

## Marine: Officers didn't look into Haditha killings

by Rick Rogers

SAN DIEGO - The top enlisted member of a Marine company implicated in the deaths of 24 civilians in Haditha, Iraq, thought the incident needed immediate scrutiny, but his superiors turned aside his concerns.

In a Camp Pendleton courtroom Wednesday, 1st Sgt. Albert Espinosa said he asked Capt. Randy W. Stone and other commanders about why they weren't looking into the Nov. 19, 2005, killings.

"I wasn't happy with the answers I was getting," Espinosa said. "I thought we needed to do an investigation."

Espinosa testified on the second day of a pretrial hearing for Stone, who is one of four Camp Pendleton officers facing charges that they didn't fully examine the Haditha incident.

In addition, three enlisted Marines from the same base are charged with murder for allegedly going on a rampage after a roadside bomb blast killed one of their own. Prosecutors recently dropped all charges against a fourth enlisted serviceman, Sgt. Sanick P. Dela Cruz, and gave him immunity in exchange for his testimony against co-defendants.

Dela Cruz also testified Wednesday, admitting that he desecrated a body and shot at some of the Iraqi civilians killed in Haditha.

Today, (May 10) a major general is scheduled to give testimony for Stone's pretrial hearing via video conferencing from Iraq.

Espinosa said he heard about the Haditha killings from a Marine who had been at the site.

"He could not believe the casualties he saw," Espinosa testified. "There were women and children involved."

Espinosa said he sought out Stone a week after the killings, which involved the shooting of five men who emerged from a car near the site of the bomb blast and 19 people killed by grenades and other weapons in four houses nearby.

Stone told Espinosa not to worry because the incident would be handled at the battalion level, Espinosa testified Wednesday.

Espinosa also said he asked Capt. Lucas McConnell, without success, if he should start questioning the Marines involved in the killings.

Espinosa testified that based on his experience with other death cases, Marine commanders should have launched an investigation this time around. He recounted his participation in a 2003 investigation into why and how a 12-year-old Iraqi girl was slain.

Stone's civilian attorney, Charles Gittins, said the Marine Corps is trying to portray his client as a "patsy."

"He did not have any different information" about the Haditha killings than higher-ranking, more experienced Marines who didn't get charged in the case, Gittins said.

Wednesday afternoon, Dela Cruz recalled how he and Staff Sgt. Frank D. Wuterich shot five of the 24 civilians in Haditha.

Dela Cruz testified that he first saw Wuterich, the ranking Marine on site, shoot the five Iraqi men who had left the car parked near the bomb blast. He said the Iraqis dropped to the ground.

"Were they unconscious?" Gittins asked.

"Unconscious? They were dead," Dela Cruz replied.

Dela Cruz said he then shot the five men, and then Wuterich shot them again.

He also said he urinated on the head of one of the dead Iraqis.

"I know it was a bad thing, but I was angry that TJ (Lance Cpl. Miguel Terrazas) was dead" because of the bomb explosion, Dela Cruz testified.

Afterward, Dela Cruz said, he and Wuterich concocted a story that Iraqi soldiers had shot the men as they ran away from the car. The idea was to deter Stone and other Marine commanders from investigating the deaths as a possible war crime.

Stone's court proceeding is known as an Article 32 hearing. The hearing, similar to a grand jury investigation, allows prosecutors and defense attorneys to present evidence to an investigating officer.

After the hearing is finished, the investigating officer will recommend whether Stone should face trial. The final decision rests with Lt. Gen. James Mattis, commanding general of the 1st Marine Expeditionary Force at Camp Pendleton.

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