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U.S. soldier pleads guilty to murdering fellow servicemen in Iraq

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By **Eric M. Johnson**

TACOMA, Washington (Reuters) - A U.S. soldier pleaded guilty on Monday to murder for shooting dead five fellow servicemen at a military counseling center in Iraq, a plea made in a deal with military prosecutors to avoid the death penalty.

U.S. Army Sergeant John Russell was accused of killing two medical staff officers and three soldiers at Camp Liberty, adjacent to the Baghdad airport, in a 2009 shooting the military said at the time could have been triggered by combat stress.

Russell pleaded guilty to five counts of intentional murder, one count of attempted murder, and one count of assault. The hearing was held at Joint Base Lewis-McChord in Washington state.

The presiding judge, Army Colonel David Conn, accepted the plea after a hearing that lasted several hours. Conn said Russell would still face a bench trial - replete with opening and closing statements, witnesses and evidence.

That trial will determine the degree of his guilt and, crucially, whether he acted on impulse, as his defense attorneys argue, or with malice of forethought, as alleged by military prosecutors.

"Your plea of guilty is provident, and I do accept it," Conn said, adding that a trial was slated for May 6.

The choice would then be between a verdict of premeditated murder or the lesser offense of intentional murder to which Russell pleaded guilty. But the death penalty will be off the table under the terms of the deal explained by Russell's lawyer.

Russell told Conn he understood that he was waiving his right to a trial by jury and to confront and cross-examine witnesses who may be called against him.

MENTAL AILMENTS

Defense attorneys have said that Russell, who was attached to the 54th Engineer Battalion based in Bamberg, Germany, suffered a host of mental ailments after several combat tours and was suicidal prior to the attack.

An independent forensic psychiatrist, Dr. Robert Sadoff, has concluded that Russell suffered from post-traumatic stress disorder and psychosis at the time of the shootings. Sadoff suggested Russell was provoked to violence by maltreatment at the hands of mental health personnel he sought for treatment at Camp Liberty.

Wearing a green military dress uniform, Russell listed a history of health problems he has faced - such as sleep deprivation, depression, and brain trauma - and spoke in calm low tones as he chronicled the chilling events on the day of his shooting spree.

Russell repeatedly said he was suicidal prior to the attacks and acted "out of rage" when he returned to the clinic where he "intended to kill" the two medical staff officers and three soldiers who happened to be there.

Russell's memory was patchy at times but he said evidence he has been presented with convinced him of his guilt, such as the deadly placement of bullets he fired, among other findings from the investigation.

"It's never right to kill somebody, sir," Russell told Conn.

"You knew you had no lawful reason to kill them?" Conn said.

"Yes, sir," Russell said.

Family members of Russell's victims were in court, too. Shawna Van Blargan, the mother of Private First Class Michael Yates, broke down as Russell calmly told the court how he ran after and shot him.

Russell's sentence will be determined by the presiding judge, who said he could receive a sentence of life in confinement without the possibility of parole, as well as forfeiters of pay and a dishonorable discharge.

Conn called Russell's plea "momentous" and asked if he pleaded guilty to receive a lighter sentence and whether he believes in his own guilt. Russell replied: "Yes, sir."

(Reporting by Eric M. Johnson; Editing by Cynthia Johnston, Tim Dobbyn, Grant McCool and David Gregorio)



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