



BS6 Is a Soldier's Combat Stress a Reason to Commit Five Murders?

T.L. Williams, MFS, Fredericksburg, VA 22406-8446; Phillip M. Curran, MFS*, United States Army Criminal Investigation Command, Quantico, VA 22134; Celia M. Gallo, MFS*, United States Army Criminal Investigation Command, Quantico, VA 22134; Rick Malone, MD*, N5 Forensic Behavioral Science, LLC, Woodbridge, VA 22191; Angel L. Miles, MA*, United States Army Criminal Investigation Command, Fayetteville, NC 28314*

Learning Overview: After attending this presentation, attendees will have a better understanding of locating, identifying, and collecting evidence and the documentation of the crime scene associated with a mass casualty investigation. Attendees will also be aware of the policies and procedures for conducting a crime scene investigation (timeliness, thoroughness, and timely reporting) and casualty liaison briefings provided to the primary and secondary next-of-kin. This presentation will also enable attendees to understand how the psychological evaluation of the subject may or may not have affected the outcome of the trial by court-martial and the results of the court-martial.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by demonstrating that a mass casualty investigation must be conducted in a timely and thorough manner in order to provide the court with the best evidence for conviction. The psychological evaluation will assist in determining if the subject was mentally responsible, and, if so, whether he should receive life with or without parole or the death penalty.

SGT John M. Russell had been seen at the Combat Stress Center (CSC), Camp Liberty, Iraq, on three separate occasions and had a noon appointment on May 11, 2009. At approximately 1:41 p.m., on May 11, 2009, the United States Army Criminal Investigation Command (CID) was notified of the shooting of several personnel inside the CSC. The investigation revealed that at approximately 12:30 p.m. on May 11, 2009, SGT Russell, Camp Stryker, Iraq, entered the CSC and methodically shot and killed five United States Service Members (a Navy Commander and an Army Major, a Sergeant, and two Private First Classes). SGT Russell was also listed for the offense of attempted murder and aggravated assault when he fired at two soldiers and missed. The Navy Commander was the only victim known to SGT Russell. SGT Russell, who did not have a weapon, gained possession of his escort's weapon (an M16 rifle), ordered his escort from the vehicle, then drove back to the CSC where he opened fire on unarmed personnel. Due to the regulatory requirements, all soldiers were required to carry their assigned weapons at all times in the combat environment on most camps; the only exception was a medical facility. Soldiers entering the CSC were required to place their weapons in an arms room while being treated; therefore, all soldiers in the Combat Stress Center were unarmed and vulnerable. SGT Russell was subsequently disarmed and placed under apprehension.

More than 28 CID special agents in Iraq were involved in processing the crime scene and interviewing the victims, witnesses and subjects. More CID special agents around the world were involved in the autopsies, background investigation of the subject, and developing information for the court-martial. The preliminary crime scene reconstruction took about one week (the crime scene was maintained for many years, until it had to be bulldozed). The special agents conducted bloodstain spatter analysis, ballistic reconstruction, and a plethora of other forensic analyses of the five separate areas where the victims were murdered.

SGT Russell was evaluated and determined not mentally competent to stand trial, so SGT Russell was placed in a mental health facility where he was evaluated for approximately four years. During this time, he was seen by several mental health professionals, questioned to determine his mental status, and medicated until he was considered restored to competency and returned to military custody.

On May 15, 2012, prosecutors decided to seek the death penalty and SGT Russell's defense stated he would pursue an insanity defense. On May 18, 2012, I Corps, Joint Base Lewis-McChord (JBLM) released the General Court-Martial Convening Authority (GCMCA) findings. The GCMCA referred court-martial charges against SGT Russell to a General Court-Martial empowered to adjudge a capital sentence.

During the court-martial proceedings, the defense blamed the combat mental health professionals for SGT Russell's actions and indicated that they could have prevented this mass casualty. SGT Russell was subsequently found guilty and on May 16, 2013; an Army judge sentenced SGT Russell to life without the possibility of parole for the shooting death of two care providers, two patients, and an escort. The judge stated "You are not a monster, but you have knowingly and deliberately done incredibly monstrous things."

Murder, Investigation, Stress