

## SEAL 3 Special Courts-Martial

Fact Sheet prepared by The Victory Institute

3 SEALs from SEAL Team 10 are charged with allegedly abusing an al Qaeda detainee

### Ahmed Hashim Abed

- Most-wanted al Qaeda terrorist, captured by SEALs in Sept. 1 nighttime raid
- Suspected mastermind of 2004 ambush on Blackwater security contractors
  - All 4 were former commandos, including a former SEAL
  - Men were shot, burned, desecrated, and hung from a bridge

### Extent of Injuries, Lack of Evidence

- Military has been withholding evidence like photographs, medical reports<sup>1</sup>
- There is no corroborating evidence<sup>2</sup>
- Military charge sheets<sup>3</sup> state his wound amounted to a punch in the stomach
- Trial hinges on conflicting statements<sup>4</sup> by sailor who claims to have witnessed alleged assault
- Al Qaeda training manual<sup>5</sup> tells members to claim they have been tortured and mistreated
  - Documented that detainees abuse themselves and each other to accuse their captors
- Medical personnel determined that the injuries were not from the operation
  - Source says<sup>6</sup> that Abed was armed during his capture (no shots were fired)
    - SEALs could have legally hit him then, but didn't
  - Abed was initially turned over to the Iraqi police
    - If Abed's alleged abuse took place, how do they know it was the SEALs?

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1 <http://www.cnsnews.com/news/article/58016>

2 <http://www.cnsnews.com/news/article/58592>

3 <http://www.navy.mil/ChargeSheets.pdf>

4 [http://www.navytimes.com/news/2010/01/navy\\_seal\\_detaineeecase\\_010610w/](http://www.navytimes.com/news/2010/01/navy_seal_detaineeecase_010610w/)

5 [http://www.fas.org/irp/world/para/manualpart1\\_4.pdf](http://www.fas.org/irp/world/para/manualpart1_4.pdf) (p. 16)

6 [http://www.airforcetimes.com/news/2009/11/navy\\_seals\\_charged\\_fallujah\\_112509w/](http://www.airforcetimes.com/news/2009/11/navy_seals_charged_fallujah_112509w/)

### **The SEAL 3:**

- SO2 Class Matthew V. McCabe, 24, of Perrysburg, Ohio
  - Only SEAL charged with striking Abed
- SO 1 Julio A. Huertas, Jr., 28, of Blue Island, Ill.
  - Charged with impeding an investigation
- SO 2 Jonathan E. Keefe, 25, of Yorktown, Va.
- All SEALs charged with dereliction of duty and making a false statement

### **Judicial Process**

- SEALs were initially faced with “Captain's Mast” (Article 15)
  - Non-judicial punishment – Commanding officer determines their guilt
    - Viewed as an admission of guilt
    - Permanent mark on their career
    - Could have ended their career as SEALs
  - SEALs opted for trial by courts-martial
    - Could face up to a year in military confinement, discharge for bad conduct, and forfeiture of two-thirds of their pay for a year
    - Could also be exonerated
- Military and political leadership's handling has already had a negative effect<sup>7</sup> on our national security
- Instead of being treated as heroes, they are being tried as criminals
- Where is the line between being awarded a medal and being court-martialed?

### **Public Support**

- Over 30,000 have signed Rep. Dan Burton's (R – Ind.) online petition calling for military to end the prosecution
- Twice, U.S. representatives have sent letters requesting intervention and calling for the charges to be dropped
  - Rep. Duncan Hunter – a former Marine with combat tours in Iraq and Afghanistan – had 33 signatures from members of Congress
  - Rep. Burton had 40 signatures

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<sup>7</sup> <http://www.theusreport.com/the-us-report/seals-tired-of-watching-their-back-says-source.html>

- Human Events' online petition gathered over 114,000 signatures
- Facebook page supporting the SEALs has over 100,000 followers

## Action

- The Victory Institute recommends that you voice your concerns with the case to Admiral Eric Olson, the Commander of Special Operations Command
  - Adm. Olson is above Maj. Gen. Cleveland, the convening authority of the courts-martial
  - Adm. Olson is also a SEAL
- Be polite and courteous
  - Phone: (813) 826-5100
  - Fax: (813) 826-5109
  - Email: [olsone@socom.mil](mailto:olsone@socom.mil)
- Spread the word:
  - Advise others of the VI's efforts to free the SEALs:
    - <http://victoryinstitute.net/action/aa2>
  - Subscribe to our [email updates](#)

*To contact the Victory Institute, email us at [info@victoryinstitute.net](mailto:info@victoryinstitute.net) or call (888) 740-6990*

*For interview requests, contact Chris Carter at [ccarter@victoryinstitute.net](mailto:ccarter@victoryinstitute.net)*