

U.S. soldier pleads guilty in Iraqi rape and murder case

By: RYAN LENZ

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One of four U.S. soldiers accused of raping a 14-year-old Iraqi girl last spring and killing her and her family pleaded guilty Wednesday and agreed to testify against the others.

Spc. James P. Barker, 23, agreed to the plea deal to avoid the death penalty, his civilian attorney David Sheldon said. The agreement requires him to testify against three other soldiers and a former Army private accused in the March 12 attack in Mahmoudiya, 20 miles south of Baghdad.

The military judge presiding over the case, Lt. Col. Richard Anderson, asked Barker why he participated in the rape and murders, which are considered among the worst in a series of alleged attacks on civilians and other abuses that tarnished the U.S. military mission in Iraq.

"I hated Iraqis, your honor," Barker answered. "They can smile at you, then shoot you in your face without even thinking about it."

Anderson accepted the plea agreement, which calls for Barker to serve at least life in prison. The judge will decide Thursday in a hearing whether Barker should be allowed to seek parole.

Sgt. Paul E. Cortez, 24, and Pfc. Jesse V. Spielman, 22, members of the 101st Airborne Division with Barker, also are charged in the case. Cortez deferred entering a plea during his arraignment Wednesday morning. Spielman will be arraigned in December. The fourth soldier, Pfc. Bryan L. Howard, 19, also deferred entering a plea at his arraignment in October.

A fifth person, former Army private Steve Green, 21, pleaded not guilty last week to civilian charges including murder and sexual assault.

The soldiers were stationed in a violent area south of Baghdad known as the "Triangle of Death" because of frequent attacks on soldiers patrolling the roads. Soldiers in Barker's unit, the 502nd Infantry Regiment, were often asked to spend weeks manning remote checkpoints, where several from the unit died.

Sheldon told reporters during a news conference following the hearing that Barker was taking responsibility for his actions, but he also said the U.S. Army was partly to blame.

"The United States Army did not staff, did not put enough soldiers on the checkpoints," Sheldon said. "It's very important that the public knows that this type of thing can happen again if the <http://www.wkrn.com/nashville/news/ap-us-soldier-pleads-guilty-in-iraqi-rape-and-murder-case/...> 11/23/2006

Army doesn't take measures to put enough troops on the front line in the war against terrorism, the war in Iraq."

Barker, who sat beside his military attorney Cpt. James Culp, told the judge that Green approached him with the plan to attack the family while they were drinking whiskey purchased from Iraqi Army soldiers. Barker described changing then climbing through backyards as the five left the checkpoint to commit the attack.

He also described in vivid detail raping Abeer Qassim al-Janabi with Cortez and Green before Green killed the girl, her younger sister and parents.

Barker did not name Spielman and Howard as participants in the rape and murders though he said they were at the house when the assault occurred and had come knowing what the others intended to do. He said he and Green approached the others with the idea, but there never was a verbal agreement to do it.

"He brought it up to me and asked me what I thought about it. At a couple of points, I told him he was crazy," Barker said.

"Things just got set in motion, we just started changing (clothes), myself, Cortez and Green," Barker said. "By the time we started changing clothes, it was more or less a nonverbal agreement that we were going to go along with what we were discussing."

Howard and Cortez, who with Spielman could face the death penalty if convicted, watched with straight faces from the audience as Barker described the assault. They were accompanied by their defense attorneys and declined to comment.

Barker said he, Green and Cortez raped the girl, and Green killed the girl, her parents and her sister.

Green was discharged from the Army for a "personality disorder" before the allegations became known, and prosecutors have yet to say if they will pursue the death penalty against him.

The defendants also are accused of burning the girl's body to conceal their crimes.