



## **General drops charges for two Marines in Haditha shootings**

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CAMP PENDLETON ---- A Marine general dropped criminal charges facing two of the seven Marines accused in connection with the deaths of 24 Iraqis in Haditha, and said the killings had been "exhaustively reviewed," Marine spokesmen announced Thursday.

Lt. Gen. James Mattis decided that neither Lance Cpl. Justin Sharratt, an accused triggerman, nor Capt. Randy Stone, accused of failing to push for an investigation of the deaths which included women and little children, will face court-martial.

In statements the Marine Corps released announcing dismissal of charges against both men, Mattis noted the country "is fighting a shadowy enemy who hides among the innocent people, does not comply with any aspect of the law of war, and routinely targets and intentionally draws fire toward civilians."

Many of the 24 victims were in homes raided by a squad of Camp Pendleton Marines after their convoy was hit by a roadside bomb. The squad members said they were taking gunfire after the explosion and stormed the homes in pursuit of their attackers.

Sharratt's civilian attorneys, Gary Myers and James Culp, released a statement Thursday saying Mattis "fully understands the complex and difficult circumstances his Marines face in Iraq and Afghanistan."

"Gen. Mattis has accurately and eloquently described the extreme demands placed upon combat Marines and Soldiers in insurgency warfare," they wrote.

Stone's civilian attorney, Charles Gittins, could not be immediately reached for comment. Stone, 35, from Dunkirk, Md., was the legal affairs officer for Camp Pendleton's 3rd Battalion, 1st Marine Regiment in Iraq at the time of the killings.

The decision to drop the charges mostly follows recommendations by investigating officers. Not only are the criminal charges gone, but the general is also not slapping either man with an administrative punishment ---- which, in Stone's case, had been recommended.

The area of Haditha had been a hotbed of insurgent activity at the time, according to testimony at proceedings arising from investigations into the deaths. The civilian deaths came on a chaotic day of battle. The killings in Haditha grabbed international headlines and became the largest war

crimes prosecution to arise out of the U.S. occupation of Iraq since it invaded that country in 2003.

Two Marine infantryman and three officers, whose cases are not as far along in the legal process as Sharratt and Stone, are still fighting to get charges against them dismissed.

The Haditha cases center on the rules of engagement, which direct troops as to when they can shoot. Nineteen Iraqis died inside homes and five were killed while being held at gunpoint after emerging from a car that drove up shortly after a roadside bomb destroyed a Humvee. The explosion killed a lance corporal and injured two other Marines.

In dismissing the charges facing Sharratt and Stone, Mattis' written statement noted the realities and brutalities of war. "The experience of combat is difficult to understand intellectually and very difficult to appreciate emotionally," the statement reads. "Where the enemy disregards any attempt to comply with ethical norms of warfare, we exercise discipline and restraint to protect the innocent caught on the battlefield. Our way is right, but it is also difficult."

The decision not to prosecute the two men comes the same week that Mattis freed two Marines -- and in considering shaving the sentences of two more ---- accused in an unrelated war crimes prosecution arising from the death of an Iraqi man in Hamdania.

Mattis is the head of Marine Corps forces in the Middle East and commander of the I Marine Expeditionary Force, and as such is overseeing both the Haditha and Hamdania prosecutions.

Sharratt, who will be 23 next week, had been accused of killing three Iraqi brothers in response to a roadside bomb attack in Haditha in 2005. In a courtroom statement during an investigative hearing in June, Sharratt said he killed the men in self-defense, drawing upon his training and responding to an imminent threat. "I am a disciplined Marine," Sharratt said in court. "On Nov. 19, I did exactly as I was trained to do."

Sharratt's attorney Culp said that Mattis' decision was welcome, and his client is "speechless."

"You have to put yourself in his position. He survived Fallujah. He survived close quarters combat in Haditha. He survived this prosecution," the East Coast-based Culp said in a phone conversation Thursday morning. "I don't know that he will be able to have a clear thought on this for a long time."

Reached at the family home in Pennsylvania, Sharratt's father said his son called Thursday morning and told them "It's over, mom and dad."

"We believed in Justin's innocence all along," Darryl Sharratt said, his voice cracking on the phone. "We knew that he was not capable of what he was accused of doing. ... We felt this could only end one way, that this would end in dismissal." "We still have a battle for the other Haditha Marines," he added later. "We don't want to forget about those families."