

Victory Institute Fact Sheet

24 Apr 2010

No. 2

SEAL 3 Special Courts-Martial

In September 2009, three Navy SEALs captured a most-wanted al Qaeda terrorist, who claimed that the SEALs abused him while he was detained. Only one trial remains as juries have exonerated two of the SEALs already.

Ahmed Hashim Abed

- Most-wanted al Qaeda terrorist captured by SEALs in a September 2009 raid
 - Captured without a shot although source says¹ that Abed was armed
- Suspected mastermind of 2004 ambush on Blackwater security contractors in Fallujah
 - All four were veterans, including a former SEAL
 - Men were shot, burned, desecrated, and hung from a bridge
- Abed claims that SEALs abused him while in U.S. captivity

Extent of Injuries, Lack of Evidence

- Military has been withholding evidence like photographs, medical reports²
- There is no corroborating evidence³
- Military charge sheets⁴ state his wound amounted to a punch in the stomach
- Trial hinges on five conflicting statements⁵ by sailor who claims to have witnessed alleged assault
- Al Qaeda training manual⁶ 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
 - SEALs could have legally hit him then, but didn't
 - Abed was initially turned over to the Iraqi police

1 http://www.airforcetimes.com/news/2009/11/navy_seals_charged_fallujah_112509w/

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

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

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

5 http://www.navytimes.com/news/2010/01/navy_seal_detainee_case_010610w/

6 http://www.fas.org/irp/world/para/manualpart1_4.pdf (p. 16)

Victory Institute Fact Sheet

24 Apr 2010

No. 3

- If Abed's alleged abuse took place, how do they know it was the SEALs?

The SEAL 3:

- SO2 Class Matthew V. McCabe, 24, of Perrysburg, Ohio
 - Only SEAL charged with striking Abed
 - Trial starts 3 May in Norfolk, Va.
- SO 1 Julio A. Huertas, Jr., 28, of Blue Island, Ill.
 - Initially charged with impeding an investigation, dereliction of duty, and making a false statement
 - Falsification charge dropped when it was revealed that his interrogator failed to read Huertas his rights
 - Fully exonerated
- SO 2 Jonathan E. Keefe, 25, of Yorktown, Va.
 - Initially charged with dereliction of duty and making a false statement
 - Falsification charge dropped as Keefe's interrogator also failed to read his rights
 - Also fully exonerated

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 effect⁷ on our national security

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

Victory Institute Fact Sheet

24 Apr 2010

No. 3

- 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
- Human Events' online petition gathered over 131,000 signatures
- Two Facebook pages supporting the SEALs have well over 100,000 followers

Take Action!

- The trials have already begun, and political efforts to exonerate the SEALs have been ineffective, so the Victory Institute recommends that you ask your Congressman to support the SEALs.
 - H.Res.977 honors the SEAL 3 “for their heroic actions in the capture of Ahmed Hashim Abed, the mastermind behind of one of the most notorious crimes against Americans in Iraq.”
 - [Read the bill](#)
 - Find your Congressman:
 - (202) 224-3121
 - <http://www.house.gov/>
- Spread the word:
 - Advise others of the VI's efforts to free the SEALs:
 - http://victoryinstitute.net/?page_id=15
 - Subscribe to our [email updates](#)

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

For interview requests, contact Chris Carter at ccarter@victoryinstitute.net