

Officer Widows Testify in Murder Trial of First Soldier in Iraq Accused of Killing Superiors

The widows of two military officers killed by an anti-personnel mine in their quarters in Iraq testified briefly Thursday in the court-martial of the New York National Guard soldier charged in their deaths.

Staff Sgt. Alberto B. Martinez, 41, of Troy, N.Y., is the first soldier from the wars in Iraq and Afghanistan to be accused of killing a direct superior, a crime known as "fragging" during the Vietnam war. Prosecutors allege he planted the mine that detonated June 7, 2005, in a window of the officers' room at Saddam Hussein's Water Palace in Tikrit.

Killed were Capt. Philip Esposito and 1st Lt. Louis Allen, both National Guard officers in the 42nd Infantry Division. Martinez is charged with two counts of premeditated murder. He could be sentenced to death if convicted.

Martinez has pleaded not guilty. Defense attorneys say Army investigators have no evidence and targeted Martinez because he was feuding with Esposito.

The case is expected to last through the end of the year.

Esposito supervised the supply room where Martinez worked. The men were at odds because Esposito wanted all the equipment accounted for while Martinez thought the paperwork wasn't necessary, said Maj. David Palmeri, former operations officer for Martinez's company in the National Guard.

"Capt. Esposito thought Sgt. Martinez was a hard worker. He thought he was smart," Palmeri testified, but added that Esposito thought Martinez didn't understand the importance of accountability for the supplies.

Martinez thought Esposito "was screwing with him," Palmeri said.

The situation got more tense as the company prepared to deploy because new and expensive equipment was arriving every day. In one instance, Martinez issued everyone in the company an electronic training vest, but several were missing at the end of the day because Martinez didn't gather receipts from everyone.

Esposito eventually planned to move Martinez out of the supply room because the officer "made the decision that it wasn't going to be fixed," Palmeri said.

On cross-examination, defense lawyer Maj. John Gregory asked Palmeri if despite the friction between the two men he ever saw Martinez enraged about anything.

"No," Palmeri said.

The military built an operating base around Saddam's Tikrit palace that sheltered up to 3,000 troops, said Col. Robert Crow, who commanded the site between January and November 2005.

The base was attacked by mortar or rocket fire about 200 times during that period, so Crow said he ordered windows on the lower floor of all buildings to be reinforced with plywood, sandbags or Mylar. The palace was the only building on the base that hadn't reinforced lower-level windows to protect against explosions, Crow said.

The officers' widows, Siobhan Esposito and Barbara Allen, testified briefly Thursday to identify their husbands for the record.

Esposito identified a photo of her husband that he had e-mailed from Iraq. The photo was displayed on two television screens in the courtroom. She said she last saw her husband on New Year's weekend, 2005, when she drove to Fort Drum, N.Y., to visit him.

Defense attorneys asked if she had ever heard of Martinez.

"My husband never talked about his work while he was in Iraq," she responded.

Defense attorneys objected when prosecutors asked if Martinez had ever had contact with her. Out of the jury presence, when asked if he had ever done or said anything to her, she responded, "I believe that he murdered my husband. I've been here for every hearing and I am firmly convinced that he murdered my husband."

She also said that occasionally he made eye contact with her in the courtroom in previous hearings and she felt he was looking at her with contempt. The judge sustained the defense objection and the jury was not allowed to hear the testimony.

Barbara Allen testified the last time she saw her husband was Memorial Day 2005. She said after he got to Iraq, he set up a Web cam so they could talk and see each other every day, along with their children.

"About 10 hours before he died, we did a video chat," she said.

Esposito, 30, of Suffern, N.Y., worked as an information technology manager in Manhattan and was Martinez's company commander. Allen, 34, of Milford, Pa., was a high school science teacher and the company operations officer. The Espositos had a young daughter, and the Allens had four young sons.