

Manning Scheduled to Be Sentenced Today

By Brendan McGarry Army Pfc. Bradley Manning, who was found guilty of passing classified intelligence to the website WikiLeaks, will probably be sentenced by a military judge to serve more than two decades in prison, attorneys said. Manning is scheduled to be sentenced today by Col. Denise Lind at Fort Meade, Md. The 25-year-old leaked hundreds of thousands of battlefield reports and diplomatic cables while serving as an intelligence analyst in Iraq in 2010. Manning faces as many as 90 years in prison after being convicted last month of multiple crimes, including violating the 1917 Espionage Act. The prosecution asked that he serve at least 60 years. However, he may have to serve only the 25 years the defense requested, or a somewhat longer term, according to interviews with attorneys who have worked in legal positions in the armed forces. "I think it will be 25 years or more," Lisa Windsor, a Washington, D.C.-based attorney at the law firm Tully Rinckey PLLC in Albany, N.Y., said of the sentence. "But I don't see it anywhere near 60 years. That would be shocking to me." While she favors the shorter term, Windsor, a retired Army colonel who worked in the Judge Advocate General's Corps, said she doesn't think Manning's actions were driven by an ideological cause to become a whistleblower. "He comes across as being a dumb, naïve kid who had a lot of emotional problems and did this to get back at an organization that he felt was not paying enough attention to him -- and not because of the right to free speech or these big overblown concepts," she said. Manning's supporters include the American Civil Liberties Union, a liberal advocacy group based in New York; Daniel Ellsberg, the former Rand Corp. analyst who in 1971 leaked the Pentagon Papers in protest against the Vietnam War; and numerous Hollywood celebrities who participated in a video released this year, titled "I am Bradley Manning." Manning will have to serve at least a third of whatever prison sentence he receives before becoming eligible for parole. He will also get credit for the more than three years he has served in pretrial confinement. Sterling DeRamus, also an attorney at Tully Rinckey and a retired Navy Reserve captain, said Manning will probably be sentenced to serve between 20 and 40 years rather than 60 years because the judge acquitted him of the most serious charge of aiding the enemy, which carried a potential life sentence. "To me, that indicates she is going to be somewhat lenient," he said in a telephone interview. "She bought an argument that basically said he didn't know what he was doing." Still, DeRamus added, the judge "is going to want to send a pretty strong message out there" that this type of behavior is unacceptable. Handicapping a sentence is difficult because each case is unique -- especially a high-profile trial like Manning's -- and the judge isn't bound by requests from the prosecution or defense, according to Scott Jack, a partner at the Jacksonville, N.C.-based law firm McNeil & Jack. "Could it be less than what the defense argued for? Yes. Could it be more than what the trial counsel argued for? Yes," said Jack, who served as a circuit military judge, among other positions, before retiring from the Marine Corps. Whatever Manning's sentence, he will have additional opportunities to appeal the decision. Maj. Gen. Jeffery Buchanan, commander of the Military District of Washington, will review the verdict and sentence. If he approves a sentence that includes a bad-conduct discharge, a dishonorable discharge or confinement for a year or more, the Army Court of Criminal Appeals will automatically review the case. Additional appeals can also be made to the U.S. Court of Appeals for the Armed Forces, the military's highest court, and even the

U.S. Supreme Court. "There is another battle after the court-martial," Jack said.

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