

Hasan Admits to Deadly Fort Hood Shootings

By Greg Flakus U.S. Army Major Nidal Hasan has presented his opening argument in a Fort Hood, Texas courtroom, telling jurors, known in military trials as panel members, that evidence will show that he opened fire on the base on November 5, 2009. He has been charged with 13 counts of murder for the shooting and could face the death penalty. But, he may have shortened the trial process by not disputing the government's evidence. In opening statements, Hasan, who is representing himself, conceded that the evidence would show that he was responsible for the shooting that resulted in the deaths of 12 fellow soldiers and a civilian. Hasan said he had "changed sides" to defend his religion, Islam, from U.S. operations in Iraq and Afghanistan. Former military lawyer Greg Rinckey of the Tully Rinckey firm in Washington says such an admission in court is highly unusual. "It is very odd for a defendant to say, 'I was the shooter,' however; it appears clear that he is trying to make some religious rationale for the shooting. He is trying to justify it in some sort of way as some sort of jihad," said Rinckey. In their opening statement, military prosecutors summarized evidence that they said would prove that Hasan had planned and carried out the attack. Later, they brought to the stand several witnesses who testified that Hasan had purchased weapons and practiced with them on a shooting range. When they presented a handgun as evidence, Hasan said, "Your Honor, that is my weapon." In capital cases, military law does not allow for a guilty plea and prosecutors are required to present evidence before a jury, which is called a panel. In addition, military courts allow panel members to ask questions of witnesses, according to Greg Rinckey, but not directly. "Basically, they have to write out their questions, the judge has to review it and then the defense and by the government and, if there is no objection, the question is usually asked by the judge," he said. Rinckey says the government has a large amount of evidence and testimony to present and panel members could slow down the proceedings considerably if they ask many questions. "We do see panel members in these cases asking questions, usually they are very involved in the cases and it can sometimes take several hours to go through the questions, especially if there is an objection," he said. Rinckey says it is probably too soon to tell how long this trial might last. He says it should take at least two weeks for the government to present all its evidence, but it is difficult to speculate on what Hasan might do. The presiding judge, Colonel Tara Osborn, told the panel the trial could last months.