

US Expected to Say Accused Fort Hood Shooter Carefully Planned Attack

By Lisa Maria Garza

After nearly four years of legal delays, prosecutors will lay out their case against Hasan in opening statements at his military court martial on the base where he is accused of the attack on November 5, 2009. Hasan, 42, an American-born Muslim, is charged with killing 13 soldiers and injuring 32 civilian workers in the rampage, only days before he was scheduled to be deployed to Afghanistan. A military jury of nine colonels, three lieutenant colonels and one major will consider evidence in the case. Hasan was shot and critically wounded to end the massacre. He is confined to a wheel chair. He admitted at an earlier court hearing that his actions were taken to protect Muslims and the Taliban in Afghanistan from U.S. assaults. The base near Killeen, Texas, is a major center for soldiers deployed to Afghanistan and Iraq. Hasan, a former Army psychiatrist, will represent himself at the court martial and faces the death penalty if convicted. Military judge, Colonel Tara Osborn, has rejected Hasan's offer to plead guilty in return for being spared the death penalty. A unanimous verdict of guilty is required for execution to be an option. The last execution carried out by the U.S. military was in 1961. The long delay is unusual, said Lisa Marie Windsor, a 22-year veteran of the Judge Advocate General Corps who has been involved in more than 75 military cases. "This case has certainly been through the wringer and unfortunately at the detriment of the victims, who want some closure," Windsor said. At a pre-trial hearing on Friday, Hasan said he plans to call only two witnesses, according to Fort Hood officials. The witnesses were not identified. Hasan will be allowed to cross-examine any witness during the trial, including shooting victims and former Fort Hood police sergeant Mark Todd, who shot him to end the rampage. In a ruling on Friday, Osborn allowed prosecutors to present evidence that Hasan was on the Internet in the days - and even hours - before the attack, searching terms such as "Taliban" and "jihad" - which some radical Islamists define as a holy war. Prosecutors also have asked to introduce Hasan's academic papers written during his master's program at Walter Reed Medical Center, in which he defended suicide bombing. Osborn deferred a decision on that request. From the Texas county jail where he is being held, Hasan has in recent days twice issued statements to Fox News. He joined in a request by Fox News on Friday for permission to have an on-camera interview. Osborn denied the motion, saying the decision is outside the court's jurisdiction, according to Fort Hood officials. In one of his statements to Fox, Hasan apologized for having served in the U.S. military, which he said is waging war on the Muslim religion. Last week, in another statement he declared his intention to renounce his U.S. citizenship. The statement renouncing his citizenship has no legal standing, officials said.