

Military Resistance 1315

THE SOLUTION TO THE MIGRANT CRISIS



[Thanks to Sandy Kelson, Veteran & Military Resistance Organization, who sent this in.]

AFGHANISTAN WAR REPORTS

Great Moments In U.S. Military History: U.S. Air Strike Kills At Least 13 Regime Narco Cops

7 Sep 2015 Reuters

LASHKAR GAH, Afghanistan - An air strike by U.S. forces has killed Afghan counter-narcotics police in a "friendly fire" incident in southern Helmand province, Afghan officials said on Monday.

Police said the air strike took place on Sunday and at least 13 bodies had been recovered from the scene, in a remote district close to the border with Kandahar province.

"Counter-narcotics police were operating in Rig district in Helmand yesterday when there was an air strike, which resulted in the deaths of a number of policeman," said Omar Zwak, a spokesman for Helmand's governor.

Helmand province is Afghanistan's major opium-producing centre.

Zwak said the incident was under investigation and it was too early to say how exactly how many had been killed.

Local officials said 13 bodies had been taken to the provincial capital Lashkar Gah by Monday evening, but more could have been left at the site.

Resistance Action: 65 Villages In Badakhshan Collapse To The Taliban

10 September 2015 by Faridullah Hussainkhail, TOLONews.com

At least 65 villages in Raghistan district of Badakhshan province have reportedly collapsed to the Taliban, local officials said Thursday.

District Governor Rustam Khan Raghi confirmed this and said that the villages collapsed to the insurgents over the past two days.

According to Raghi, 25 additional troops have been sent in to the district but no air support has been provided.

Raghi said that the Taliban has advanced close to the Raghistan Bazar but clashes between security forces and the Taliban have seemingly stopped.

Sep 09, 2015 By Khaama Press

Two soldiers from the Afghan National Army (ANA) embraced martyrdom in a landmine explosion in northern part of Kabul this morning.

Rahmatullah Faqirzada, governor of Kalakan District said that the soldiers were on their routine duty when their vehicle struck a roadside landmine leaving two of them martyred and three others wounded.

Soon after the explosion security forces cordoned off the area and shifted the fallen and wounded soldiers.

The vehicle was also badly damaged in the explosion.

Sep 07 2015 By Khaama Press

Five policemen have been martyred in their security post in Shah Joy District of southern Zabul province.

Wazir Mohammad Jawadi, governor of Shah Joy District said that the incident took place last night.

He said dead bodies of five policemen were found in the security post in Kajarkhil area while two other policemen have been disappeared.

Jawadi further said that it is yet unknown whether this was an insider attack or the two policemen have been kidnapped by Taliban after martyring five in the security post.

According to Jawadi, weapons have also gone missing from this post.

Sep 08 2015 By Zabihullah Moosakhail, Khaama Press

An explosion took place in Jada-e-Nadir Pashtoon area of Kabul city on Tuesday afternoon.

Eyewitnesses said soon after the explosion security forces arrived and cordoned off the area.

A shopkeeper from the area said that the sound of the blast was loud but he did not have information about the casualties. Abdullah Karimi, spokesman for the Kabul police headquarters confirmed the explosion.

He said it was a magnetic bomb explosion targeting a police vehicle.

However, he did not immediately released information about the possible casualties in the explosion.

This part of Kabul city is usually having a high crowd of people during the day.

**IF YOU DON'T LIKE THE RESISTANCE
RESIST THE OCCUPATION**

More Resistance Action:

“A Taliban Camel” Kicks U.S. Soldier Trying To “Smack Him In The Ass”



8 September 2015 By Myriah Towner, For Dailymail.com [UK]

A U.S. soldier who was going through with a bet to slap a camel on its backside left his comrades in hysterical laughter after he received a hard kick in the side from the animal.

The video shows the soldier, who appears to be named Frank and is in Afghanistan, standing near a Taliban camel before working up enough courage to try and touch it.

Without even getting to as much as stroke the animal, the soldier receives a quick, hard reminder of who is actually boss.

‘Okay this might be the worst idea in the whole fucking world but ready, Frank?’ the man filming said.

Then another man is heard saying to the soldier, ‘just touch him’ to which he replies, ‘Touch him? He’s gonna buck me. I just want to smack him in the ass and get out of here.’

As if they already knew what to expect, some of the onlookers say, ‘He’s going to bite the shit out of you’.

The soldier attempts once to try and touch the camel and on his second attempt receives the blow in his side before falling to the ground as laughter is heard in the background.

‘Not as cool as I thought’, the soldier says as he kneels over in pain before walking away as his comrades continue laughing.

The video was posted to LiveLeak on Monday and has since been viewed more 87,000 times.

POLICE WAR REPORTS

Houston Cops Shoot Unarmed Patient In Hospital: Then Charge Him With Assault;

“Personally And Professionally, We Are Shaken By The Reality Of This Epidemic Of Police Brutality, In Which No One Of Color Remains Immune”

“Personally, we stand in outrage for every time he is referred to as “combative” without sub-clause or context, we stand in outrage for every time he is called a “suspect” instead of a patient, we stand in outrage for every time he, one empty-handed, help-seeking man, is painted as a threat to two officers, able bodied and armed, in a hospital.”

“We stand with shaken hearts and rooted conviction, to speak our collective outrage for Alan Christopher Pean, our gentle friend, a 26 year old who was inexcusably shot in the chest by a police officer, while seeking care as a patient.”

September 10, 2015 By Katie Halper, Raw Story [Excerpt]

Alan Pean is a 26-year-old biology student with no criminal record or history of violence.

But on August 27th, he was shot in the chest by an off-duty Houston police officer working as a security guard at the St. Joseph Medical Center. The police are claiming that Alan became combative and that they followed standard operating procedure.

It's Alan, they say, who is at fault, and they have charged with two counts of aggravated assault against a public servant. He was arraigned today.

According to the Houston Police Department's statement,

Officers Ortega and Law were working extra jobs as security at St. Joseph Medical Center at the above address when they were summoned to the eighth floor to help

nurses subdue a combative patient. Once the officers arrived, the patient continued to refuse to comply with the nurses and officers' demands. The patient suddenly physically assaulted Officer Ortega, striking him in the head, causing a laceration. At that time, Officer Law deployed his conducted energy device, which had no apparent effect on the suspect who continued to assault the officers. Officer Ortega, fearing for his and his partner's safety, then discharged his duty weapon, striking the suspect one time.

But the family and medical professionals are disturbed by the handling of Alan's case and what looks like a failure on many levels.

Alan had driven himself to the hospital the night of August 26, during an acute mental health crisis. When he got there, he crashed his car and was treated for those injuries.

But the mental health issues, which were what brought Alan to the hospital in the first place, were ignored, according to the Pean family.

Alan's father, himself a physician, begged the hospital to get his son a psychiatric evaluation given that Alan had suffered a similar episode in 2009.

But the hospital decided he was ready to be discharged, clearing him a mere minutes before the shooting.

How did he go from being cleared to leave to so combative that only a bullet could protect two officers?

Medical neglect followed by the use of excessive force led to what could have very easily been a fatal shooting.

Health care professionals have started a petition condemning the presence of guns in hospitals and the criminalization of patients and mental health patients in particular.

It reads:

“Personally, we stand in outrage for every time he is referred to as “combative” without sub-clause or context, we stand in outrage for every time he is called a “suspect” instead of a patient, we stand in outrage for every time he, one empty-handed, help-seeking man, is painted as a threat to two officers, able bodied and armed, in a hospital.

“Professionally, we have been trained in truth seeking and healing.

“As doctors and medical students, as nurses and care partners, we are trained in how to safely restrain and tranquilize patients, no matter how aggressive, or irritable, or anxious, or threatening they may be.

“Never is it appropriate or warranted for a patient to be tazed, never is it appropriate for a patient to be struck, never, never, never is it appropriate for a patient seeking care, to have their life threatened in our arms.

“Personally and professionally, we are shaken by the reality of this epidemic of police brutality, in which no one— no son of a doctor, no college student, no tender-hearted soul of color remains immune.

“We stand with shaken hearts and rooted conviction, to speak our collective outrage for Alan Christopher Pean, our gentle friend, a 26 year old who was inexcusably shot in the chest by a police officer, while seeking care as a patient.”

Alan’s family is focusing on making sure this never happens again. Alan’s attitude is particularly inspiring and generous.

He wrote on his Facebook page,

“The anguish caused by trying to understand why (according to the hospital) this had to happen to me has only started. Is it because I look a bit different that I had to be shot without a second thought about my life or my personhood?

“I try not to think that’s the case, but I seem to find myself at that conclusion as I delve deeper into my case, as well as those similar to mine.

I pray with all my heart that people change, and I have faith that we can for the better. I love myself, and I love humanity, but I don’t believe that humanity or American society willfully wants things to be this way...

“So I will fight until I know every person seeking medical help will have his or her right to pursue a better life protected. Keep guns out of places of healing. Help stop this madness, and let’s make our society a better place. Where love and understanding falters, confusion and hate breeds.”

Alan’s older brother, Christian, a 27-year old in his last year of year medical student at New York’s Mt Sinai School of Medicine, is concerned about Alan’s suffering and at the same time determined to protect others from a similar neglect and abuse.

I spoke to him today after his brother was arraigned and he said,

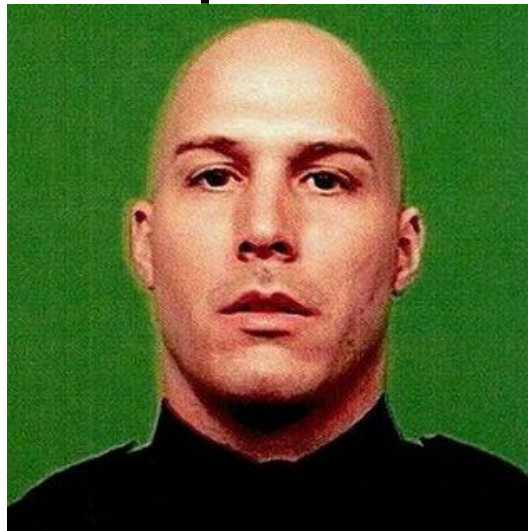
“This entire ordeal has been an absolute nightmare for Alan and our family. We’re trying to trust the system and hope that truth prevails, though the reality is that the system has failed us miserably at every conceivable juncture in this matter thus far. Our main focus is just making sure Alan doesn’t go to prison right now. From my perspective and my father’s perspective as healthcare professionals, the entire thing still has us completely beside ourselves.”

“However, at this time, all we can do is hope that Alan’s supporters continue to send love and compassion his way, and that we have more answers to how this could have happened, and how it can be considered appropriate in anyone’s eyes. We are of the belief that this should never happen to anyone again.”

**Scumbag Who Attacked Tennis
Star James Blake Has History Of
Stupid, Brutal Beatings Of
Unarmed Civilians:**

**“Medical Records, Reviewed By An
Expert Witness, Show The Officer’s
Cut On His Hand Was Consistent
With Him Punching Mr. Cline In The
Mouth”**

**“Officer Frascatore Punched Him In The
Stomach Several Times Outside A
Bodega And Called Him A Racial
Epithet”**



The Face Of The Enemy:

Frascatore has been stripped of his gun and badge after the attack on James Blake.
Credit New York Police Department

In 2012, a Queens man said, Officer James Frascatore pulled him over for a broken taillight, opened his car door and punched him three times in the mouth, unprovoked.

The following year, another Queens resident claimed, Officer Frascatore punched him in the stomach several times outside a bodega and called him a racial epithet.

Those accounts, both made by black men, came to light after a rough arrest by the same officer on Wednesday in which he wrapped an arm around the neck of the retired tennis star James Blake and threw him to the sidewalk after mistaking him for a suspect in a credit card fraud investigation.

The New York Police Department released surveillance video of the arrest on Friday, offering a minute-long glimpse of the manhandling of a biracial sports star by a white plainclothes officer that compelled officials to swiftly strip the officer of his gun and badge.

Mayor Bill de Blasio said he called the tennis star James Blake on Thursday to apologize for his brief arrest in Manhattan.

Mr. Blake, 35, was leaning against a mirrored beam outside a hotel in Midtown Manhattan, his hands clasped as he waited to be taken to a corporate appearance at the United States Open. Officer Frascatore, 38, rushed into the video's frame, twisting Mr. Blake's left arm, grabbing the back of his neck and pulling him face down onto the sidewalk.

He finished by digging his knee into Mr. Blake's back and handcuffing him, never easing up even though the athlete barely flinched as he let himself be tackled.

"I am determined to use my voice to turn this unfortunate incident into a catalyst for change in the relationship between the police and the public they serve," Mr. Blake said in a statement on Friday, calling for the city to make "a significant financial commitment."

Mayor Bill de Blasio and Police Commissioner William J. Bratton, in a joint statement, noted the city's \$29 million investment in retraining police officers and pledged "to vigorously implement these reforms that build trust and respect between police officers and the people they serve." They said they were prepared to meet with Mr. Blake.

Officer Frascatore's history of excessive force complaints, including at least three filed against him with the Civilian Complaint Review Board in 2013, revealed a pattern of residents claiming they were detained without explanation and mistreated despite complying.

It also led some lawyers and residents to criticize the Police Department for not punishing him before he was involved in another rough arrest.

"I don't know what that dude's problem is but I'm glad it finally came to somebody who someone would listen to," said Warren Diggs, who sued Officer Frascatore, claiming that the officer had beaten him in his driveway in 2013.

Officer Frascatore and two other police officers followed Mr. Diggs as he rode his bike home from a bodega at night, and then stopped him in his driveway and asked for identification, Mr. Diggs said on Friday.

When he began walking into his home to get it, an officer grabbed him from behind while Officer Frascatore punched him in his right temple, Mr. Diggs said. He collapsed, and then Officer Frascatore threw himself down on his legs and continued to pummel him.

“I’m getting hit all on my side and my back,” said Mr. Diggs, 39, a handyman. “I’m screaming for my wife to come outside then I just start screaming, ‘Help!’ ”

Another officer sprayed Mace into his face. The officer who grabbed him hooked a forearm around his neck and began to choke him, he said. “I’m saying: ‘I can’t breathe! I can’t breathe!’ ” Mr. Diggs recalled.

Mr. Diggs was charged with marijuana possession and resisting arrest, he said.

His wife was charged with tampering with evidence when she took his bicycle inside the house.

He said their daughter, then 12, and son, then 9, wept hysterically.

Charges were eventually dismissed.

Efforts by phone and in person on Friday to reach Officer Frascatore, who worked as police officer in Florida before joining the New York police force four years ago, were not successful. The Patrolmen’s Benevolent Association said his arrest of Mr. Blake “was made under fluid circumstances where the subject might have fled.”

Leroy Cline, a Queens resident, claimed that Officer Frascatore punched him in the face after the officer stopped him for a broken taillight, ignored his questions and tried to pull him out of his car in 2012, according to a memorandum his lawyer sent to the Queens district attorney’s office.

Mr. Cline was charged with assaulting a police officer. Officer Frascatore later said Mr. Cline bit him.

The memo quotes from medical records, reviewed by an expert witness, showing the officer’s cut on his hand was consistent with him punching Mr. Cline in the mouth.

The assault charges were dropped in exchange for Mr. Cline pleading guilty to a traffic infraction, his lawyer, Kenneth Finkelman of the Legal Aid Society, said.

In another case the next year, Stefon Luckey said he was followed into a bodega by officers who arrested him and used pepper spray on him, according to a lawsuit.

Then Mr. Luckey was handed to Officer Frascatore, who punched him and called him an epithet, his lawyer, Philip M. Hines, said. Mr. Luckey was released without being charged, his lawsuit said.

The city's lawyers said in court papers that the officers used "proper and lawful discretion."

Again and again, residents said they were roughed up by Officer Frascatore with no explanation.

Almitra Gasper, 40, said she was walking home on a Saturday evening in 2013 carrying a wine cooler in a paper bag, when Officer Frascatore and his partner pulled up and asked her what she was doing.

When she asked why she was being questioned, Officer Frascatore jumped out of the car, manhandled her and put her in handcuffs, she said.

She was charged with resisting arrest, but that charge was dropped, Ms. Gasper said.

"He was really rough, really aggressive; it was akin to a kidnapping," Ms. Gasper said. "And it wasn't really clear why I was being arrested."

Thirty Years In Jail For A Single Hair And Testimony By One Of Many Of FBI's Lying "Hair Experts"

**The FBI's 'Mass Disaster' Of False
Convictions;**

**"'Potentially Tens Of Thousands' Of
Cases Gone Wrong"**

**"The Very Analysis That Put George
Perrot And So Many People Behind Bars
– Is Virtually Worthless As A Method Of
Identifying Someone"**



There was only one problem: the “expert” analysis, delivered by Wayne Oakes under oath and effective enough to obliterate one-third of a man’s life and counting, was wrong.

In July 2013, the FBI admitted that the foundations of what it called “hair comparison evidence” – a technique that its agents had used in hundreds of criminal cases nationwide and spread through the training of state-based detectives potentially through tens of thousands of other cases – were scientifically invalid.

21 April 2015 by Ed Pilkington in New York, Guardian News and Media Limited

George Perrot has spent almost 30 years in prison thanks to a single hair.

It was discovered by an FBI agent on the bedsheet of a 78-year-old woman who had been raped by a burglar in her home in Springfield, Massachusetts, in 1985.

Perrot, then 17, was put on trial, despite the absence of physical evidence tying him to the crime scene. There was no semen. There was no blood. And so there was no way to conduct a conclusive DNA test.

Even the victim testified that the defendant looked nothing like her attacker: he had a short haircut and was clean-shaven, while Perrot had a long shaggy mop, a moustache and a goatee beard.

But there was that strand of hair.

At a key stage in the 1992 rape and burglary trial, an FBI agent named Wayne Oakes took the witness stand, describing himself to the jury as an expert in hair and textile fibers – as would so many of the agency’s trial witnesses, in condemning hundreds of people to long prison sentences.

Individual head or pubic hairs were distinctive, he told the court, to the extent that a well-trained specialist like himself could tell those belonging to one person from another.

Oakes went on to bombard the jury with scientific jargon, referring to the medulla, the cortex and the cuticle of hair, likening the task of comparing individual strands to recognizing a specific person in a crowd.

“In 10 years, it’s extremely rare I will have known hair samples from two different people I can’t tell apart,” the self-proclaimed expert bragged.

The FBI agent’s conclusion in front of the jury was emphatic: “The hair found on the sheet exhibits all the same microscopic hair arranged in the same way as the characteristics present in the known hair from (Perrot). I conclude that the hair was consistent with coming from the defendant,” he told the court.



George Perrot as a youngster. Photograph: Supplied

That testimony, based on a single hair, was so strong, so wrapped in the certainties of science, that it wiped out all doubts and inconsistencies in the prosecution’s case – indeed, it eviscerated the presumption of innocence.

There was only one problem: the “expert” analysis, delivered by Wayne Oakes under oath and effective enough to obliterate one-third of a man’s life and counting, was wrong.

In July 2013, the FBI admitted that the foundations of what it called “hair comparison evidence” – a technique that its agents had used in hundreds of criminal cases nationwide and spread through the training of state-based detectives potentially through tens of thousands of other cases – were scientifically invalid.

A preliminary review of the FBI’s follicular flaws found that:

Microscopic hair analysis could not scientifically distinguish one individual to the exclusion of all others.

Statistical weight could not be given to comparisons to suggest a likelihood that the hair derived from a specific source.

Expert witnesses should not cite the number of hair analyses they had conducted in the lab to bolster the idea that they could definitively state that a hair belonged to a specific individual.

All three errors were made by Agent Oakes in front of Perrot's jury.

Over the past few years, advanced understanding in the science of hair types has left hair analysis, as a forensic tool, in tatters.

Today's consensus by real experts is more straightforward than ever: there is nothing that can credibly be said, by FBI-approved analysts or anyone else, about the frequency with which particular characteristics of hair are distributed in the human population.

In other words, microscopic analysis of hair – the very analysis that put George Perrot and so many people behind bars – is virtually worthless as a method of identifying someone.

It can only safely be used to rule out a suspect as the source of crime-scene materials or in combination with the vastly more accurate technique of DNA testing.

As the scientific basis of hair analysis has crumbled, the scale of the judicial catastrophe caused by the FBI's enthusiastic use of it for decades until about 2000 has now begun to emerge more fully.

On Monday, the FBI and the US Justice Department, together with the Innocence Project and the National Association of Criminal Defense Lawyers, released the findings of the first stage of a joint investigation into these historic civil rights mistakes.

“At Least 35 Defendants Received The Death Penalty, 33 Of Which Were The Subject Of False FBI Testimony”

The results, first reported by the Washington Post, concluded that an astonishing 26 of the 28 FBI agents who had provided testimony as expert witnesses at trial based on microscopic hair analysis had made statements to juries that are now known to be false.

Their erroneous evidence was found in a full 90% of the trial transcripts the team has studied.

The government has identified almost 3,000 cases in which FBI agents may have given testimony involving the now-discredited technique.

So far only about 500 of those cases have been reviewed.

Some 268 of those involved FBI examiners providing expert evidence in court that pointed to the guilt of the defendant – of which 257, or 96%, included false testimony.

Most shockingly, at least 35 defendants received the death penalty, 33 of which were the subject of false FBI testimony.

Nine of the prisoners were executed and five died from other causes on death row.

Chris Fabricant, the Innocence Project's director of strategic litigation who is representing Perrot in his ongoing struggle for freedom, called the FBI's use of hair analysis a "mass disaster" for the criminal justice system.

"We have potentially tens of thousands of convictions tainted by false evidence," he told the Guardian. "It's going to take a herculean effort to right the wrongs in these cases, and so far we have made only a tiny start."

In a paper published this month and written with William Tucker Carrington of the University of Mississippi law school, Fabricant traces the first reported use of hair analysis to 1855, when John Browning and his son, Gaston, were tried for murdering a plantation overseer. Hairs were found on a rope in the defendants' home which were compared to the Brownings' hair and found to be identical.

The pseudo-science deployed in 1855 changed little in over a century. What did change was that after the second world war, the FBI embraced the technique, giving it a professional veneer – a government stamp of approval.

"They began presenting false evidence to juries based on scientific language that was very impressive to juries. It was like a dirty bomb that went off in the criminal justice system – hair analysis was said to be objective, unbiased and definitive, so it was both very prejudicial against defendants and very powerful," Fabricant said.

Despite the FBI's unqualified admission of error, George Perrot remains in prison, with no immediate resolution to his case in sight. The Commonwealth of Massachusetts continues to oppose a retrial, with a hearing scheduled for late this summer.

Fabricant said he is particularly anxious about the future for potentially thousands of people convicted for serious crimes such as murder and rape on the basis of false evidence given by detectives at state level, nearly all of whom were trained by the FBI in microscopic hair analysis.

The federal agency has admitted its mistakes and is now working hard to address the miscarriages of justice on a national level, but state authorities are proving much more sluggish in their responses.

Typical is the case of Timothy Bridges, who is 23 years into his sentence in North Carolina. He was convicted of the 1989 sexual assault and beating of an elderly woman in Charlotte.

The criminal investigation uncovered no physical evidence of any sort to link Bridges to the scene – like Perrot, no semen or fingerprints were found, nor blood or DNA of any sort.

But there were two hairs collected at the victim's home and analyzed by an examiner for the state of North Carolina, who had been trained by the FBI in precisely the same now-discredited techniques.

The two hairs, the examiner told the jury at trial, had “likely originated” with the defendant. Bridges was sentenced to life in prison.

This month lawyers acting for Bridges, with the backing of the Innocence Project, petitioned the county court of Mecklenburg calling for a retrial.

The state attorney general is opposing such a measure, but has initiated a search for the hairs in hopes that DNA testing could be carried out that would provide reliable clues. Previously, the state had indicated that the hairs had been destroyed, in violation of North Carolina law.

Fabricant, who is also acting on the Bridges case, said that states where examiners had been trained by the FBI in hair analysis had to act.

“Tens of thousands of people may have been caught in this trap,” he said.

“When even the FBI has admitted liability, then states who were trained to use this discredited technique are now legally and morally obligated to step up to the plate.”

YOUR INVITATION:

Comments, arguments, articles, and letters from service men and women, and veterans, are especially welcome. Write to Box 126, 2576 Broadway, New York, N.Y. 10025-5657 or email contact@militaryproject.org: Name, I.D., withheld unless you request publication. Same address to unsubscribe.

MILITARY NEWS

Iraqi Defense Minister Attacked Near Beiji

September 7, 2015 By Sinan Saleheddin, The Associated Press [Excerpts]

BAGHDAD — Iraq's defense minister escaped a sniper attack north of Baghdad unharmed Monday, officials said, though one of his guards was wounded in the shooting near Islamic State-controlled territory.

The attack targeted Defense Minister Khaled al-Obeidi as he traveled in a convoy near the contested oil refinery town of Beiji, a ministry statement said. One guard was wounded, the statement said, without elaborating.

Syrian Rebels Seize Key Government Airbase In Idlib: A Major Military And Political Embarrassment For Mass Murderer Assad

09 Sep 2015 Al Jazeera

Al-Nusra Front announced it has captured a major airbase in northwestern Syria after a two-year siege by the group.

The group also announced on Wednesday that it killed at least 100 government forces and captured 60 others, in addition to capturing large quantities of weapons.

In a newsflash on Wednesday, state television reported that the army garrison that had controlled the military airport in the province of Idlib had evacuated the post.

The airport has been under siege for almost two years by rebels who have captured most of the province.

Al Jazeera spoke to a source with knowledge of the Nusra Front's operations, who said the group had taken advantage of an ongoing sandstorm in the region to advance on the base.

"The regime couldn't shell around the area because their planes could not shell accurately and they couldn't see," the source said.

"Nusra took advantage of that situation and took control of large parts of the airport."

The source added that not all government forces had withdrawn and clashes were continuing.

The Nusra Front is part of the Fattah Army, a coalition of rebel groups which took control of Idlib city in March.

The UK-based Syrian Observatory for Human Rights said fighters, including members of the Nusra Front, captured "most of the" base on Wednesday, including the command centre.

Obai Shahbandar, a defence analyst, told Al Jazeera that the loss of the base was a blow to the Syrian government.

"The rebel strategy seems to be to encircle the Assad regime's forces and force them to withdraw ... this was certainly a military and political embarrassment for Bashar al-Assad," Shahbandar said.

Idlib borders Turkey, and Idlib city is the second provincial capital in the hands of anti-government forces.

Raqqa city is controlled by fighters from the Islamic State of Iraq and the Levant (ISIL) group, which is fighting both the Syrian government and Syrian rebels, including the Nusra Front.

In another development, ISIL launched a major offensive on Deir Ezzor military airport, the observatory reported, adding that tens of government forces have been killed in the attack.

Military Selects Rarely Used Charge For Bowe Bergdahl Case:

**“Misbehavior Before The Enemy”
“Bergdahl Could Face Life Sentence If Convicted”**

“‘I’ve Never Seen It Charged,’ A Retired Major General Who Served As Army’s Top Lawyer, Said Of The Misbehavior Charge”

September 7, 2015 By Jonathan Drew, The Associated Press. Associated Press news researchers Jennifer Farrar and contributed to this report.

RALEIGH, N.C. — Military prosecutors have reached into a section of military law seldom used since World War II in the politically fraught case against Army Sgt. Bowe Bergdahl, the soldier held prisoner for years by the Taliban after leaving his post in Afghanistan.

Observers wondered for months if Bergdahl would be charged with desertion after the deal brokered by the U.S. to bring him home.

He was — but he was also charged with misbehavior before the enemy, a much rarer offense that carries a stiffer potential penalty in this case.

"I've never seen it charged," Walter Huffman, a retired major general who served as the Army's top lawyer, said of the misbehavior charge. "It's not something you find in common everyday practice in the military."

Bergdahl could face a life sentence if convicted of the charge, which accuses him of endangering fellow soldiers when he "left without authority; and wrongfully caused search and recovery operations."

Huffman and others say the misbehavior charge allows authorities to allege that Bergdahl not only left his unit with one less soldier, but that his deliberate action put soldiers who searched for him in harm's way. The Pentagon has said there is no evidence anyone died searching for Bergdahl.



Sgt. Bowe Bergdahl (Photo: Army via Getty)

"You're able to say that what he did had a particular impact or put particular people at risk. It is less generic than just quitting," said Lawrence Morris, a retired Army colonel who served as the branch's top prosecutor and top public defender.

The Obama administration has been criticized both for agreeing to release five Taliban operatives from the Guantanamo Bay prison and for heralding Bergdahl's return to the U.S. with an announcement in the White House Rose Garden. The administration stood by the way it secured his release even after the charges were announced.

The military has scheduled an initial court appearance known as an Article 32 hearing for Bergdahl on Sept. 17 at Fort Sam Houston, Texas. The proceeding is similar to a civilian grand jury, and afterward the case could be referred to a court-martial and go to trial.

Misbehavior before the enemy was used hundreds of times during World War II, but scholars say its use appears to have dwindled in conflicts since then.

Misbehavior before the enemy cases were tried at least 494 times for soldiers in Europe between 1942 and 1945, according to a Military Law Review article.

Legal databases and media accounts turn up only a few misbehavior cases since 2001 when fighting began in Afghanistan, followed by Iraq less than two years later. By contrast, statistics show the U.S. Army prosecuted about 1,900 desertion cases between 2001 and the end of 2014.

The misbehavior charge is included in Article 99 of the military justice code, which is best known for its use to prosecute cases of cowardice. However, Article 99 encompasses nine different offenses including several not necessarily motivated by cowardice, such as causing a false alarm or endangering one's unit — the charge Bergdahl faces.

The complexity of Article 99 may be one reason it's not frequently used, said Morris, who published a book on the military justice system.

"It is of course more complicated than the desertion charge, not as well understood, a higher burden on the government to prove," he said.

Huffman, now a law professor at Texas Tech University, said another reason may be that different parts of military law already deal with similar misconduct, including disobeying orders and avoiding duty.

Recent prosecutions under the misbehavior charge include a Marine lance corporal who pleaded guilty after refusing to provide security for a convoy leaving base in Iraq in 2004. A soldier in Iraq was charged with cowardice in 2003 under Article 99 after he saw a mangled body and sought counseling, but the charges were later dropped.

The specification that Bergdahl faces appears in the 1971 case of an Army captain accused of endangering a base in Vietnam by disobeying an order to establish an ambush position. The captain was found guilty of other charges including dereliction of duty.

Another case cited in a 1955 military law journal says an Army corporal was convicted under Article 99 of endangering his unit in Korea by getting drunk on duty. The article says he "became so drunk that it took the tank company commander thirty minutes to arouse him."

For Bergdahl, the Article 99 offense allows the prosecutors to seek a stiffer penalty than the desertion charge, which in this case carries a maximum sentence of five years in prison.

Bergdahl's attorney, Eugene Fidell, has argued his client is being charged twice for the same action, saying in a previous television interview that "it's unfortunate that someone got creative in drafting the charge sheet and figured out two ways to charge the same thing."

The scholars say that's a valid issue for Fidell to bring up in court, but it may not sway military authorities.

"The question is: Is it a piling on?" said Jeffrey K. Walker, a St. John's University law professor, retired Air Force officer and former military lawyer.

"It does almost look like you're trying to get two bites at the same apple."

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OCCUPATION PALESTINE

Nothing Done About The Near-Kidnapping Of A Palestinian Child: When Israeli Civilians Try To Kidnap A Palestinian Child, The Police Do Their Best Not To Investigate; “Two Months After The Incident, The Complaint Makes It To The Israeli Police, Which Then Pretend To Investigate The Case”

September 4, 2015 By Yesh Din, written by Yossi Gurvitz, +972 Magazine. Written by Yossi Gurvitz in his capacity as a blogger for Yesh Din, Volunteers for Human Rights. A version of this post was first published on Yesh Din's blog.

The date: December 19, 2014.

The place: the AM/PM convenience store outside the West Bank village of Hawara.

Majed Musa AbdAziz As'ous parks his vehicle across the road from the store, making certain the windows are open, and goes in for a quick purchase.

In the front seat on his right sits five-and-a-half year old N.; two other children sit in the back seat.

As the father crosses the road, an Israeli vehicle — As'ous would later remember it being a red Subaru Justy, along with a few numbers from the license plate — with four young, Israeli men swerves into the scene.

The Subaru parks near As'ous, with its back window adjacent to the windshield of As'ous' car. The Israeli in the back seat of the Subaru leans across the window, seizes N., and tries to pull him into the Israeli vehicle.

Hearing N.'s terrified screams, As'ous runs back.

He manages to see the Israeli vehicle escaping, only to catch a glimpse of the man who almost kidnapped his son.

As'ous lodges a complaint with the Palestinian police the following day, which transfer it to the Israeli District Coordination Offices (DCO).

In February 2015, two months after the incident, the complaint makes it to the Israeli police, which then pretend to investigate the case.

They take As'ous' testimony, who tells the cops he knows of another witness whom he can locate. In a second interview four days later, police investigator A.A. asks As'ous whether there are security cameras in the area — he says he thinks there are.

At this point, a reasonable man would assume A.A. would turn to the AM/PM shift manager, identify himself as a policeman, and ask for the relevant tapes.

A.A. assumed that the chance that there is little chance these tapes exist (personally, I believe that his assumption was sound — too much time had indeed passed).

Furthermore, wrote A.A. in a memo, it is not at all likely that the cameras actually covered the road area; from his rich experience, he believes they mainly cover the cash registers. Thus, A.A. decided not to look into the issue at all.

Rewind, slow motion: the crime – the attempted kidnapping of a child; the response of investigator A.A. — not to bother to even check whether evidence exists, or whether the cameras cover the road.

He just assumes they don't and closes the case under the ever-popular "unknown perpetrator clause."

Perhaps the cameras caught what had happened; perhaps they didn't. Perhaps they did, but too much time had passed and the tapes were deleted. Or maybe, due to the whole mess of the kidnapping, the owners decided to keep the tapes for evidence. We'll never know, because A.A. never bothered checking. He preferred to guess.

But the negligence doesn't end here.

Leaving the tapes aside – the chance they still existed was indeed low – there were other, stronger leads. As'ous gave A.A. a fairly accurate description of the Israeli vehicle — but A.A. didn't bother to cross that information with similar vehicles registered in the nearby outposts and settlements.

As'ous told him he knows of another witness — the police didn't bother to summon him or take his statement.

It's just a Palestinian child, after all.

As'ous says he thinks he may be able to identify the kidnapper — but A.A., the Samaria and Judea Police Department's Sherlock Holmes, do not bother to ask him to look at the police felon photo book.

In fact, A.A. doesn't take any investigative action whatsoever; the entire case file is three pages long.

When it comes to excuses, however, he's a master.

All this information comes to us directly from the investigative files.

Recently, Yesh Din attorneys Noa Amrami and Michal Pasovsky appealed the decision to close the case. Their demands are simple: carry out the aforementioned, minimalistic investigative actions, so that the life of a Palestinian child won't be deemed negligible.

It's important to remember these days, when the SJPD and the Shin Bet tell you they're doing everything they can to stop Jewish terrorists, that "all we can do" looks all too often like A.A.

Not Even The Dead Are Free From Torment:

Zionists Plan Attack On Palestinian Cemetery; “Bab Al-Rahma, Meaning Door Of Compassion, Has Been In Use For More Than 1,000 Years”



MaanImages

Sept. 5, 2015 Ma'an

JERUSALEM -- Dozens of Palestinians in Jerusalem gathered to clean the Bab al-Rahma cemetery on Friday, in response to plans announced by Israeli authorities to seize parts of the cemetery for a national park trail, local sources told Ma'an.

Islamic and national leaders in the East Jerusalem neighborhood of Silwan and the committee for the preservation of Islamic cemeteries in Jerusalem called for protests after the Israeli Nature Authority announced its plan to confiscate 40 percent of the cemetery's area.

Palestinian youths last Wednesday pulled down a barbed wire fence that Israeli authorities put up around part the cemetery earlier that day.

The head of the committee for the preservation of Islamic cemeteries in Jerusalem, Mustafa Abu Zahra, told Ma'an that the part of the cemetery that was fenced off included grave-sites.

Earlier this week Abu Zahra said that the Israeli authorities "claimed they were putting a court decision into effect," but he said that the authorities had given no evidence of a court ruling backing their action.

Bab al-Rahma, meaning Door of Compassion, runs along the eastern wall of Jerusalem's Old City and has been in use for more than 1,000 years.

Abu Zahra said documents exist that prove the land belongs to the Islamic Endowment, which controls the Al-Aqsa Mosque compound. He said the documents clearly show the exact borders of the cemetery.

Abu Zahra added that the Israeli authorities are "pirating" the land. Earlier this week Director of Al-Aqsa Mosque, Sheikh Omar al-Kiswani, commented on the confiscation of part of the cemetery, al-Kiswani said: "Not only does the Israeli occupation go after living Muslims, but even the dead are not safe."

Two Palestinian Teenagers Beaten By Zionist Occupation Troops, As Usual

9-4-2015 The Palestinian Information Center

RAMALLAH -- Two Palestinian teens narrated their stories of torture and abuse at the hands of Israeli soldiers at time of arrest last week.

Two 18-year-old prisoners Mohammad al-Adarbeh and Mahmoud Yousif told the attorney of Palestinian Prisoners Society, who visited them on Thursday, that they went through the worst abuse practices at the hands of Israeli troops during arrest and afterwards.

Adarbeh, from al-Aroub refugee camp in al-Khalil, said Israeli forces stormed his family's house after midnight, detained family members in the kitchen and searched the home thoroughly wreaking havoc in it.

He said the soldiers started beating him severely all over his body with their hands and rifle butts. The lawyer pointed out that beating signs are still obvious on his body. He has been detained since the first of September.

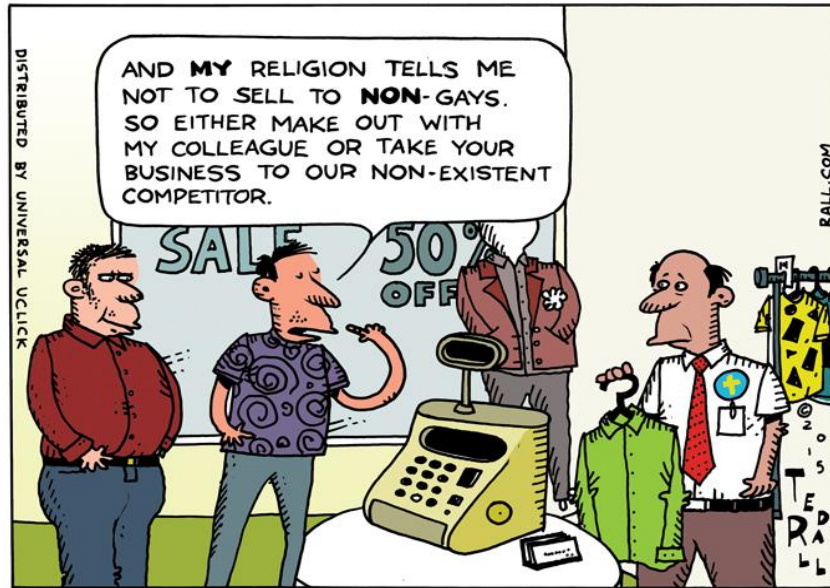
Yousif, from Nabi Saleh town, said Israeli soldiers arrested him on August 28, and added that he was hit strongly on the head and body by rifle butts.

To check out what life is like under a murderous military occupation commanded by foreign terrorists, go to:

**<http://www.maannews.net/eng/Default.aspx> and
<http://www.palestinemonitor.org/list.php?id=ej898ra7yff0ukmf16>**

The occupied nation is Palestine. The foreign terrorists call themselves "Israeli."

DANGER: POLITICIANS AT WORK



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