



Public Affairs Office  
**Fort Campbell, Kentucky**  
(270) 798-3025

## PRESS RELEASE

*Home of the 101st Airborne Division (Air Assault)*

**Contact:**

### Charges against 2nd Brigade Soldiers referred for general court-martial

FORT CAMPBELL, Ky., October 18, 2006 – The commander of the 101st Airborne Division (Air Assault) referred charges against four 2nd Brigade Combat Team Soldiers to trial by general court martial.

Maj. Gen. Thomas R. Turner made the decision after reviewing the Article 32 report of investigation and receiving recommendations from the investigating officer, the appointing authority who directed the investigation and his staff Judge advocate.

Two of the four cases were referred as capital. A capital referral means the death penalty is a possible sentence. A non-capital referral means the maximum sentence that could be adjudged is life without parole.

Sgt. Paul Cortez is charged with premeditated murder, rape, conspiracy to commit premeditated murder and rape, conspiracy to obstruct justice, obstruction of justice, violating a lawful general order, arson and housebreaking.

Spc. James Barker is charged with premeditated murder, rape, conspiracy to commit premeditated murder and rape, conspiracy to obstruct justice, obstruction of justice, violating a lawful general order, arson and housebreaking.

Pfc. Jesse Spielman is charged with premeditated murder, rape, conspiracy to commit premeditated murder and rape, conspiracy to obstruct justice, obstruction of justice, violating a lawful general order, arson and housebreaking.

Pfc. Bryan Howard is charged with premeditated murder, rape, conspiracy to commit premeditated murder and rape and conspiracy to obstruct justice.

Under the Uniform Code of Military Justice, the charges against the Soldiers are merely accusations and each Soldier is presumed innocent until and unless proven guilty. The cases of Cortez and Spielman were referred as capital cases. If convicted, Cortez and Spielman potentially face the death penalty. The cases of Barker and Howard were referred as non-capital. If convicted, Barker and Howard potentially face confinement for life without the possibility of parole and a dishonorable discharge.

The specifications all relate to incidents that allegedly occurred March 12, 2006, in Mahmoudiyah, Iraq.

A date has not been set for the court-martial at this time. The next step in the process will be a pretrial session for the purpose of conducting an arraignment. At the arraignment, the Soldiers will be called upon to enter pleas as to each of the charges but may defer the entry of pleas. The court-martial will be held at Fort Campbell.

**Additional Photos**