

Sunday September 13, 2009A KILLING IN THE DESERTA deadly interrogation in IraqA U.S. soldier who lost two of his men questions a suspected insurgent about the attack. Afterward, a slain, naked Iraqi -- and the truth about what befell him -- are left behind in a dark culvert. Army Spc. Adam Kohlhaas, left, and Spc. Steven Christofferson with an Iraqi child the day before their vehicle was hit by a roadside bomb. Their deaths sent 1st Lt. Michael Behenna on "a mission to find out who was responsible," according to one soldier. (Jason Sigmon / April 20)By Joe Mozingo First Of Two Parts September 13, 2009In the open desert outside Baiji, Iraq, a naked man with a thick black beard crouched in the dust of a railroad culvert at twilight. Hours before, he had been mumbling and praying in Arabic. Now he spoke few words. Army 1st Lt. Michael Behenna stood over him in the grainy darkness, his Glock pistol racked and pointed down at him. "If you don't talk, I will kill you," Behenna said. The night was warm and ragged from the dust storm that had turned the afternoon an eerie ocher. Only one light could be seen, far off, along the road. Behenna's squad leader had walked off to relieve himself in the bushes. An Iraqi interpreter listened just outside the culvert. "You'd better talk," he told the captive in Arabic. "I mean, why do you put yourself in this situation? He is going to kill you." "I don't know anything," the man kept saying. "I am innocent." Behenna was a 24-year-old first lieutenant from Oklahoma, the soft-spoken son of a retired state police investigator and a federal prosecutor who helped convict Timothy McVeigh. He liked to read history and philosophy, learned Arabic in his spare time and seemed to relish the Iraqi culture. No one who knew him could have imagined that he would be here, at this moment, or how it would upend his life and shatter his family's tidy world. The voices went back and forth. There was a muzzle flash, with the sharp crack of the Glock, and then another. The squad sergeant ran back with his rifle raised and saw the naked body pumping blood onto the broken concrete. They picked up the man's clothes. The sergeant took an incendiary grenade from his flak vest, placed it near the man's head and pulled the pin. The three started trudging back, through sand and sharp rocks, to the four armored trucks where the rest of the platoon waited. Behenna said nothing. He had been brooding alone for weeks. What had delivered him to this point? Vengeance? Delirium? Survival? Protecting his soldiers? Was it all of that? Behenna's path to Iraq had the familiar thrust of a young man seeking purpose. He was the oldest of three brothers in a family that lived in a two-story brick home on a cul-de-sac in Edmond, a suburb of Oklahoma City. His father, Scott, was a tall, broad-shouldered special agent with the Oklahoma State Bureau of Investigation. His mother, Vicki, was an assistant U.S. attorney who specialized in white-collar crime. It was a warm, Lutheran household. The family ate dinner together every night. Vicki encouraged the boys to explore, read, meet all types of people. Michael was an inward boy. He didn't charge into situations; he studied them first. But he was open and lighthearted with people he knew, and collected a wide and eclectic group of friends. He learned Spanish so he could speak to the Mexican parents of a onetime girlfriend. He traced his roots back seven generations to Cornwall, England, and became fascinated with Native American culture. A dark episode marred his adolescence though, and would affect him for years. When he was 13, his mother spent long spells in Denver working on the Oklahoma City bombing case, and the boys' grandparents watched them after school. One day, Michael told his dad the unthinkable: He was being molested by Vicki's dad. Scott confronted his father-in-law and banished him from the house forever. Vicki was devastated. They didn't press charges. Michael didn't want anyone to know what happened. They got him into counseling, but he became even more withdrawn, and seemed uncomfortable in his own skin. He kept the abuse bottled up, refusing to talk about it. He occasionally became defiant with people in authority -- teachers, coaches. He resented his mother for keeping in touch with her parents. Yet he eventually seemed to get past the trauma. He did well in school, dated, played football and basketball. He was a natural athlete, square-jawed and lean. When he went on to the University of Central Oklahoma and joined the ROTC Army officer program, his parents started to see the "old Michael" resurface and a new resolve emerge. The images of people leaping from the World Trade Center on 9/11 haunted him. He wanted to fight terrorists, and he wanted to go to Iraq no matter how ugly the situation looked. His parents had to talk him out of enlisting immediately as a private. "He wanted to start at the bottom and work his way up," says his girlfriend, Shannon Wahl, a friend since the second grade. "He wanted to earn his respect. He didn't want to just get it for nothing." Vicki shuddered at the thought of him over there. She agonized over failing to protect him as a child, and couldn't bear to see him harmed again. But she encouraged him. He seemed confident for the first time in years. He stayed in school and graduated in 2006. He enrolled in officer basic training, then infantry officer training and Ranger School. Vicki fought back tears every time he graduated to the next level. She prayed that the war would end before he had to go fight. In

the fall of 2007, Behenna deployed with the 101st Airborne out of Ft. Campbell, Ky. The 101st had played legendary roles in historic battles -- D-day, the Battle of the Bulge, and Hamburger Hill. Behenna would lead a small infantry platoon of 18 men. They would patrol and conduct counterinsurgency missions in a 65-square-mile area west of the Tigris River in Salahuddin province, north of Baghdad. The 5th Platoon of Delta Company was new, hastily put together from whatever soldiers other companies were willing to give up. Most of the guys, like their rookie lieutenant, had never seen battle. They were a jumble of personalities: Chris Bradford, 23, a devil-may-care cowboy and adrenaline junkie from a small town south of Redding; Michael Ortiz, 20, who had found a refuge in the military from gang life in South Los Angeles; Adam Kohlhaas, 26, a weightlifter who could bench press 300 pounds and pined to play a greater role in his young daughter's life in Missouri; and Steven Christofferson, 20, a little rooster of a kid, 5 foot 4, raised by a doting single mom in Wisconsin. He became the platoon clown -- feeling like one of the boys for the first time in his life. Behenna didn't want to set himself above the enlisted men. He ate with them, played basketball and cards, joked around. They threw him into a dumpster as an initiation. He lifted weights with Kohlhaas every day, and he became a mentor to Christofferson, giving him an Arabic phrase book that the younger man would carry all the time. They focused on three towns along the main road, Mezra, Hajaj and Butoma, and a series of villages and farms scattered throughout the desert to the west. Insurgent cells worked the entire area, but not with the consistent ferocity seen in places like Samarra, to the south. The platoon rolled out in teams of three or four MRAPs, mine-resistant, ambush-protected trucks. The terrain was bleak, flat, dirty. The towns smelled of burning trash. Packs of skeletal dogs rummaged through piles of refuse amid crumbling walls. It was a strange blur of modern and ancient -- a place where women in burkas rode donkeys to the Tigris to get water, passing homes with satellite dishes on the roofs. Behenna tried to develop good ties with the people, who were, if not openly hostile, wary of the Americans. He spent hours with the sheik, smoking hookah pipes, drinking tea. He had cookouts with the interpreters at camp, chatted with people in the streets, got his soldiers to eat Iraqi food. Some of the men didn't share his empathy. "He would talk to random civilians, anyone," says Spc. Cody Atkinson, 23. "He was the type of guy that liked Iraqis. That was the only annoying thing about him. He was always about saving the country." On April 21, 2008, the platoon picked up two detainees in a desert village and were headed back on a gravel road through an inert flatland of dirt and scree. Everyone had his own narrow vantage of the moment. The platoon sergeant, Perry Meeks, was in the last MRAP, chatting about what he was going to eat for lunch. He came to consciousness in the dirt without his helmet. His clothes were drenched with diesel. He couldn't find his rifle. He couldn't seem to hear. He couldn't move. He screamed for someone to pull him away before the diesel caught fire. In the first MRAP, 40 yards up the road, the concussion of the blast almost knocked the wind out of the driver, Ortiz. He looked back and saw a sucking mushroom head of dust and smoke. Immense pieces of machinery -- axles, drive shaft, steel rims -- rained down on the desert floor. The 18-ton truck landed on its top, 75 feet from the detonation point, crushing the gun turret. The driver of the demolished truck, Josh Busch, 18, was running around in confusion. "What the . . . happened? What the . . . happened?" Ortiz jumped out to help. Behenna was already on the ground giving orders, taking notes on who was wounded to radio in the medevac helicopters. The reality came in awful doses. The medic, Jason Sigmon, was trying to stay conscious as blood streamed down his face. An Iraqi militiaman had his guts torn open. The men were trying to revive Kohlhaas. Meeks drifted in and out. The friendly interpreter they called Rebar had his calves blown off. He sucked on a fentanyl "lollipop" for the pain, as he died. Christofferson, the clown, was already gone. He was the gunner, cut in half at the waist. Behenna and Ortiz hunkered over Kohlhaas, trying to get a pulse. Two Apache helicopters drummed in to secure the area, then more trucks, the medevac helicopter and the cleanup team. The soldiers loaded the wounded into the helicopter. They solemnly zipped Christofferson into a body bag. Behenna retrieved the Arabic phrase book, lying nearby on the dirt, splattered with diesel. That night the names of those killed came over the radio. Kohlhaas, the weightlifter with a daughter back home, didn't make it. The men gathered their two brothers' possessions to send home. The next day Scott Behenna answered the phone in Edmond. "How's it going?" Michael asked, flatly. This was his usual reserved greeting, an indication that he wanted his mom or dad to talk for a while. Scott had just returned from three months at the FBI Academy, where he was training to be an intelligence analyst after retiring from the state police. He talked about life in Quantico, Va., for about 10 minutes before he realized that Michael hadn't said a word. "So how are you doing?" his father asked. There was a long pause. "Michael, tell me what's going on." Silence. "They killed my guys," Michael eventually said, barely audible. Scott asked him what happened. Michael's voice buckled. Finally he got it out that Kohlhaas and Christofferson were dead. Scott kept him on the phone for an hour, trying to pull the story out of him. On base, while the other soldiers commiserated, Michael didn't talk. He looked like he didn't sleep. His eyes were bloodshot, his face drawn. He broke down once, during a group counseling session. The others got to the point that

they could tell funny stories about their fallen buddies, but Behenna never did. "He was on a mission to find out who was responsible," says Bradford, the cowboy. Soon the platoon was back on patrol. On May 5, the men rolled up to a house in Butoma, looking for a man named Ali Mansur Mohamed. Only Behenna knew anything about Mansur. He had heard his name mentioned several times as an insurgent working with the Sunni Arab group Al Qaeda in Iraq, and he had just seen an Army intelligence report that implicated him in the roadside bombing that killed his men. They kicked in the door and found the stout, thick-bearded man, and a sergeant wrestled him to the ground. They also found an RPK light machine gun, bags of ammunition and a passport with Syrian visa stamps. They took Mansur back to the base for questioning by intelligence officers. Less than two weeks later, orders came down to release Mansur. There was not enough evidence to keep him. Behenna pushed for another interrogation. But the order was final. On May 16, he got Mansur and another detainee from their cells, and took them to the platoon's living area. A dust storm had to wane before they could leave. With his interpreter, "Harry," Behenna took Mansur into a quiet corner between the trailers and questioned him about the April 21 attack. Mansur was blindfolded and his hands zip-tied. He didn't answer. "I'm going to talk to you later on today," Behenna said. "If I don't get that information today, you will die today." When he got authorization to leave, the platoon loaded the two detainees, did some routine patrolling and stopped at a checkpoint in Mezra. A few of the soldiers noticed that they had freed only one of the Iraqis. They still had Mansur. Dusk fell blood-red through the dust, and Behenna announced that they would take a direct route through the desert to get back to camp. He stopped along the berm of some defunct railroad tracks, saying he wanted to check the culverts for weapons caches. They had taken fire from there before. He pulled Mansur out of the back of one of the trucks. Spc. Atkinson had been sitting with the detainee all afternoon. He asked what was going on. Behenna told him to stay put. Atkinson peered out the window with his night-vision goggles as Behenna, a squad leader, an interpreter and the detainee walked off in the gloaming. Atkinson couldn't see much. After 10 minutes or so, he made out a faint glow for about 30 seconds. He was surprised to see only three figures coming back. "They went over there and . . . killed that dude?" he thought. "OK, that's weird. Who was that guy?" The next morning, villagers found the partially burned body and two bullet casings. Behenna was removed from his command a few weeks later in June. On July 31, 2008, he was charged with premeditated murder. Copyright 2009, The Los Angeles Times Monday September 14, 2009

Second Of Two Parts - At the Dillard's counter in Oklahoma City, Vicki Behenna was buying a beachy canvas purse for summer when her oldest son called from Iraq. "Mom." "Hey Mike, how are you doing?" she asked. She was relieved to hear his voice, but quickly sensed the strain in it. When the connection failed, she kept the phone in her hand, waiting. In the last few weeks, she had been desperately worried about him. Michael Behenna, 25, was an Army lieutenant leading an infantry platoon on his first tour in Iraq. He had just been home to Oklahoma for a three-week leave. He was distant and withdrawn, tormented by a roadside bomb that killed two of his soldiers. His family tried to get Michael out to reengage in his old world. They went horseback riding in the Arbuckle Mountains, hosted game nights of Scattergories and Pictionary. None of it could get him out of the storm in his mind. In the mall during that visit, his younger brother Brett asked him a question about his platoon. Michael didn't say anything. His lips tightened and his eyes teared up. Brett had never seen him cry. He quickly put his arm around Michael's shoulder and pulled him in close so other shoppers couldn't see him. Michael struggled to say something but couldn't. He fumbled to get sunglasses out of his pocket. His mom and girlfriend rushed over, and they walked to Vicki's car, where he wept inside alone. Now Vicki's phone rang again, and she rushed into the open mall to hear him better. Children's laughter from the play area resounded from the floor below. She could barely make out his words -- something about him being removed from his base, an investigation. "An investigation on what?" Vicki asked. He told her it was about the death of an Iraqi. "If they just know what happened out there it will be OK," he said. Vicki Behenna was a 20-year federal prosecutor. As a mother, she wanted to hear every detail. But the attorney in her knew that he had to stop talking. If he made some terrible admission, there was no legal privilege protecting her from being called to testify. "Don't tell me anything," she said. For the next few weeks, in June 2008, Vicki and her husband, Scott, an FBI intelligence analyst, could barely eat or talk. They couldn't ask questions or get facts. Vicki needed to see for herself how Michael was doing. She knew he needed counseling. He had tamped so much down. If only he could come home. A dread took root like a tumor in her gut, a fear of what he might do to himself. She wouldn't form the words to give it currency. But it was there, swelling, finding resonance in the heavy hopelessness of his voice. She asked if he was still working out at the gym. "The person I worked out with is no longer here," he said. "I can't go back there." His weight-lifting partner, Adam Kohlhaas, had been killed in the attack. "Are you sleeping, Michael?" "No. I'm not." On July 31, 2008, Behenna was charged with premeditated murder, assault and making a false official statement in the killing of an Iraqi detainee named Ali Mansur Mohamed. A conviction on the charges would carry an automatic life sentence. Television news

crews pulled up outside the Behenna home in Edmond. Scott and Vicki were well known in local law enforcement circles: Scott, a 25-year veteran of the Oklahoma State Bureau of Investigation, had been shot in the head during a shootout with a fugitive in 1987. Vicki was part of the seven-person team that prosecuted Timothy McVeigh. The Behennas holed up inside, praying, trying just to breathe. They still didn't know what happened. In bed at night, Vicki's mind lashed about in the vacuum. Was it really Michael? Maybe it was someone else. Maybe it was self-defense. Maybe it was an accident. He wouldn't just kill someone in cold blood. She knew her son. But she knew how disturbed he was too. She always cycled back to that dread. The Behennas talked to dozens of attorneys and hired Jack Zimmerman, a former Marine Corps trial judge and Vietnam vet with two Bronze Stars. After an Article 32 hearing, the military equivalent of a grand jury proceeding, details emerged in the news. The dead man was an unarmed detainee. His body was found in a culvert, naked, shot in the chest and head, partially burned. Vicki's inner-mother tried to stifle the inner-prosecutor. She clung to what he had said: "If they just know what happened out there." She trusted him. But those scant words looked awfully rickety under the weight of the allegations. Why did he take him out in the desert in handcuffs? she thought. Why did he strip him? Why did they burn the body? Vicki called Zimmerman, wondering if they should try for a plea deal. He assured her that Michael had a plausible defense. Michael returned to Ft. Campbell, Ky., in November, and the Behennas could at least breathe again. When Michael's major put him on the team coordinating security for an upcoming visit by President Bush, they took this as a hopeful sign. Would the Army command put someone they thought was a murderer on the president's security detail? On Feb. 23, 2009, Capt. Erwin Roberts made the prosecution's opening statement before a panel of seven officers. The court-martial would follow rules similar to those for federal criminal trials. Roberts described a cold, straightforward execution. "The evidence will show that on 16 May 2008, the accused took the victim out into the desert in Iraq, stripped him naked, interrogated him while he had his Glock pistol pointed at him, shot him in the head, shot him in the chest, killing him at that time," he said. He said this was an act of simple vengeance: Behenna thought Mansur had played a role in the attack that killed his two soldiers and wounded two others. When he detained him, he beat him with his Kevlar helmet before handing him over to intelligence specialists for interrogation. Ten days later, when the order came down from higher command to release Mansur, Behenna was infuriated. He took him out, killed him and then ordered a sergeant to burn the body. Zimmerman wouldn't dispute some of the circumstances, even that Behenna shot Mansur. He would dispute the intent. Zimmerman depicted a young man near his breaking point, sleepless and haunted by ghastly images, who hatched a misguided plan to scare a suspected insurgent into talking. "He knew from a source in his area of operations that Ali [Mansur] had been identified as a terrorist," Zimmerman said in his opening statement. "You are going to see a . . . Draft Intelligence Information Report prepared by Army intelligence sources that reported Ali was a supplier of explosives and weapons and was [in the report] that describes the Al Qaeda cell that detonated that IED [improvised explosive device] on the 21st of April." When Behenna arrested Mansur, he hoped he had removed a deadly adversary, Zimmerman said. Then when word came down to free Mansur, Behenna learned that Army interrogators had just asked him about an illegal gun -- not the insurgent cell. "So, Lt. Behenna decided that he wanted one more opportunity to learn who the big fish were in this area," Zimmerman said. No question that Behenna disobeyed orders, the attorney said. He threatened to kill Mansur. He dragged him out into the desert, stripped him, removed his blindfold and handcuffs and pointed his gun at him. The critical difference would come down to a single second in that dark culvert. Who could see what happened besides Behenna and the dead man? Was this an execution, or did something cause Behenna to act in self-defense? The government's key witness was "Harry," an interpreter, who accompanied him to the culvert. "Did Lt. Behenna ask you to tell Ali Mansur anything?" asked Capt. Meghan Poirier, the lead prosecutor. "Yes. . . . 'What do you know? What groups do you know?' " Harry said. "And I told him, 'Talk to me today because if you don't talk, I will kill you.' . . . First he denied and then the second time he said, 'I will talk.' I started to interpret to the lieutenant that Ali Mansur is going to talk. "At that time the lieutenant shot a bullet," he said. "Did you see Ali Mansur make any sudden movements?" the prosecutor asked. "No." "And did Ali Mansur remain seated on that rock?" "Yes, he was sitting." "What happened after the first shot?" "He was kind of falling, and then he just laid on his side. While he was making this movement came the second shot." On cross-examination, Zimmerman asked whether it "was standard practice to try to scare detainees into giving information." "Yes," Harry said. "You didn't think that Lt. Behenna was going to actually kill him, you thought that was a scare tactic." "Yes, just scaring him." Zimmerman asked him what the local sheik meant when he said Mansur was a "bad person." "Terrorist operations, information, everything," Harry said. "A bad person who would place explosives, he would kill, he would kidnap." Zimmerman turned the questioning back to the culvert. "You didn't see what happened before the gunshot happened?" "No, I didn't see exactly." As witnesses came and went, the picture remained blurry in spots. Staff Sgt. Hal Warner testified that

Behenna had ordered him to bring an incendiary grenade with them into the desert -- implying the killing was planned. But Harry and another witness said they didn't hear this. Warner had been charged with murder too, but the charge had been dismissed in exchange for his testimony. The defense grilled him about the plea deal, a false declaration he had made about the killing and inconsistencies in his statements. Still, the core fact remained: Behenna shot a naked, unarmed man in his custody. Only he could explain how this was not an execution. First the defense would lay groundwork. Dr. Paul Radelat, a Houston pathologist, testified that the bullet trajectories suggested Mansur was standing up with his arm raised when he was shot. Tom Bevel, a crime scene specialist and 27-year veteran of the Oklahoma City Police Department, said Behenna and Mansur were "in a confrontational body position . . . like two boxers in a boxing match." A psychiatrist testified that Behenna suffered from acute stress disorder after his men were killed, and that molestation he suffered as a youth predisposed him to it. This could cause him to overreact to a scare. The pivotal role, however, would be played by the most unexpected of actors. Herbert MacDonell, a pioneer in the field of bloodstain pattern analysis, was hired by the prosecution. MacDonell, 81, listened to the testimony from the gallery and had trouble with his clients' theory. With the two bullets traveling through Mansur's body on horizontal paths, and the resulting bloodstain pattern, he could not see how the victim could have been seated when he was shot, with Behenna standing over him, as prosecutors contended. MacDonell also noticed that the single bullet recovered from the scene had been pancaked flat, as if it had hit a wall head-on. MacDonell would later say he told prosecutors there was one logical explanation: Mansur, standing up, with his arm out, was shot first through the chest. As he fell, the second bullet hit his head as it passed down in front of the gun. MacDonell demonstrated on a paralegal, pointing his finger as a gun, and having him drop. "Bang. Bang." The bullets would cut horizontally through Mansur and hit the culvert wall. The question then was: Why would Mansur have been standing up with his arm out? The next day MacDonell watched as Behenna took the stand. Scott and Vicki barely noticed the old man to their right. Behenna was asked what he had planned to do with Mansur. "My intent on May 16 was to question Ali myself," he said. "I knew he had information about the April 21 attack. I knew he knew who the cell leaders were. . . ." Behenna said he grabbed Harry and took Mansur aside at the base. "I told him, 'If I don't get that information today, you will die today.'" "Did you intend to kill him that day?" Zimmerman asked. "No, sir." "Why did you have Harry tell him that?" "To scare him." The Behennas studied his tone, his hands, his eyes -- like nervous parents at the school play of a child whose life depended on the performance. They thought he was doing well, confident and clear. MacDonell was more dubious. He knew that Behenna shot the man, after all. But he reserved judgment. Up to this point, no one but Behenna's attorneys had heard his version of what happened in the culvert. Zimmerman asked him why he cut Mansur's clothes off. "To humiliate Ali," Behenna said. "A bad decision, yes. But I know in the Arab culture if another man is naked in front of another man, it's humiliating. . . ." Behenna said he had Mansur's civilian clothes in his cargo pocket and planned to give them to him once he gave information. He would point out the distant light of a highway checkpoint to guide him home. Mansur was saying, "I don't know," in Arabic to his questions. Then he said something else. Behenna said he turned his head to the left to hear Harry's translation. "As I had my head turned toward the left, I hear a sound of a piece of broken concrete hitting concrete over my left shoulder," he said. "Immediately, I turned toward my -- to my right . . . Ali is getting up with his hands out toward my weapon. I stepped to the left and fired two shots." "Why did you step to the left?" "To create distance from Ali." MacDonell was stunned. This made perfect sense to him and could explain why Mansur would have been standing with his arm out. "Maybe this guy's telling the truth," he thought. He tapped the shoulder of another prosecution consultant and whispered, "That's exactly what I told you yesterday." MacDonell was to fly home to upstate New York that evening, after the prosecutors opted not to call him to the stand. On the way out, he told Zimmerman, "It's too bad I am not testifying. I would have made a great witness for you." The next morning, Zimmerman told the Army lawyers about this cryptic remark and asked if they had anything to divulge. A key part of American jurisprudence, the Brady doctrine, calls for prosecutors to turn over evidence favorable to the defendant. They said no. That afternoon, MacDonell e-mailed the lead prosecutor. "On Thursday afternoon when I heard Lt. Michael Behenna testify as to the circumstances of how the two shots were fired I could not believe how close it was to the scenario I had described to you on Wednesday. I am sure that had I testified I would have wanted to give my reenactment so the jury could have had the option of considering how well the defendant's story fit the physical facts. This, of course, would not have been helpful to the prosecution case. However, I feel that it is quite important as possible exculpatory evidence so I hope that, in the interest of justice, you informed Mr. Zimmerman of my findings. It certainly appears like Brady material to me." The prosecutor would not get the e-mail until that evening. Meanwhile, the panel deliberated for less than 3 1/2 hours before coming to a verdict. The judge, Col. Theodore Dixon, asked a major on the panel to read the verdict aloud. The flat tone and dry language gave

the moment an air of routine bureaucracy. Of Charge 1 and its specifications: not guilty." He beat the false declaration charge. Then came the premeditated murder charge. "Not guilty." "But guilty of the lesser-included offense of unpremeditated murder, in violation of Article 118, Uniform Code of Military Justice." This hit like a kiss and a stab in the neck. Behenna just stared. The maximum penalty was life in prison. His parents and friends and aunts and uncles sifted out of the courtroom, red-faced, some sobbing. In the car on their way back to their hotel, Vicki felt a sense of calm, a feeling this was going to be all right. Maybe it was a premonition, maybe it was an absurdity. Michael was here, touchable. The details of his story added up, she would insist, leaving no nagging questions in her mind. She knew the variables now, and she knew her vantage as a mother. They went to Michael's apartment and found Brett and his girlfriend crying on the floor. Michael wouldn't come out of the bathroom. The shower was running. Scott tried to get the door open. Vicki told Brett to pull himself together. The shower stopped, and Michael stepped out and lay down on the bed. He wouldn't let anyone touch him. He wouldn't talk. He stared at the ceiling with tears streaming down his temples. They tried to tell him his life was not over. "When you get