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## Alleged Slayings In Fallujah Spur Military Inquiry

No Charges Filed in 2004 Incident

By Josh White  
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The [Naval Criminal Investigative Service](#) is probing allegedly wrongful killings of suspected Iraqi insurgents during heavy fighting in Fallujah in November 2004, but officials said yesterday that no criminal charges have been proposed so far.

Military officials and civilian defense lawyers familiar with the investigation said a group of Marines with Kilo Company, 3rd Battalion, 1st Marine Regiment have been questioned. Other soldiers in the same company have been criminally charged in the 2005 slayings of two dozen civilians in Haditha, Iraq.

The investigation, first reported last week by the North County Times in Southern California, has been underway for several months and involves interviews with both active-duty and retired Marines in the unit, officials said. Defense attorneys familiar with the case said that because the incident happened more than 2 1/2 years ago and because of heavy fighting and damage in Fallujah, there would be little if any physical evidence of the attack.

Ed Buice, an NCIS spokesman, declined to comment beyond confirming that an investigation is underway into "credible allegations" of wrongdoing. The battalion and company leadership in Fallujah in 2004 changed before the unit was sent to [Haditha](#) in 2005.

In the Haditha case, which involved the deaths of numerous women and children, investigators uncovered a command climate among the [Marine Corps](#) in [Iraq](#) that they said had devalued the lives of Iraqis, and senior commanders have since ordered many investigations into cases that involve the deaths of Iraqi civilians.

As in the Haditha case, allegations of the wrongful killings in Fallujah surfaced long after they were said to have occurred. A Marine who claimed to have witnessed the 2004 slayings divulged the incident to a federal law enforcement agency last year, when he was being interviewed for a job, according to Nathaniel R. Helms, a freelance reporter who posted details of his interview with the Marine on the Web at <http://www.defendourmarines.com>.

The law enforcement agency then reported the case to NCIS.

Helms said the Marine, whom he identified as Cpl. Ryan Weemer, reported that eight Iraqi insurgents were captured during a [Fallujah](#) firefight and that the Marine squad killed the men after receiving what they thought was an order from headquarters to shoot them. Weemer could not be reached yesterday, but he told the [Los Angeles Times](#) in an e-mail that he wanted the issue "to go away" and "nothing is going to come of it."

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James D. Culp, a civilian defense lawyer who represents an enlisted Marine charged in the Haditha case and was a military defense counsel in Iraq, said yesterday that he believes the Fallujah investigation is a "waste of time" and that nothing will come of it.

"You might as well just investigate the entire war," Culp said, adding that the nature of the fighting is so complex that every shooting evokes questions. "These are young boys being asked to do the impossible."

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