

**Chain of Command Performance of Duty,  
2d Brigade Combat Team, 101st Airborne Division, 2005-06**

**A Case Study Offered to the Center for the Army Professional Ethic**

Part One. Narrative (pages 5-18)

Part Two. Judgements (pages 19-28)

Part Three. Reflections (pages 29-30)

This case study is an adaptation of my paper of the same title, dated November 4, 2010. It is based on events portrayed in the book Black Hearts: One Platoon's Descent into Madness in Iraq's Triangle of Death.

Jim Frederick's Black Hearts<sup>1</sup> is a story of gross criminality by soldiers of B Company of the 1st Battalion, 502d Infantry, in 2006. Deployed October 2005 into an insurgent-ridden area south of Baghdad as part of the 2d Brigade Combat Team, 101st Airborne Division, in a few months B Company underwent a breakdown of discipline. On 12 March 2006 four men from B Company's 1st Platoon raped a 14-year-old girl, shot to death the girl and her six year old sister and their parents, and burned their bodies. Months later, a soldier came forward to tell the story; the perpetrators were arrested, tried, convicted, and sentenced to at least 90 years in prison.

I commanded the 2d Brigade Task Force of the 101st Airborne Division during the Vietnam War, including during the period in which the North Vietnamese Army launched its 1968 Tet Offensive and beyond. Appalled at what I read in Black Hearts, I got in touch with its author to learn more about this case. I decided to look into the matter and to write this paper with such conclusions as might be warranted about the chain of command's performance of their duties in this case.

In so doing I was struck by both the similarities and the differences between the situations encountered by the 2d BCT/101st in Iraq in 2005-06 and my own experience with the 2d Brigade Task Force of the 101st Airborne Division in Vietnam in 1967-68. That and other command experience has informed my comments and judgements.

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<sup>1</sup>Jim Frederick, Black Hearts, (New York: Random House, 2010) Frederick, an experienced reporter, is the managing editor of Time.com and executive editor at TIME magazine. He tells me that he worked three years on Black Hearts and has interviewed 120-plus members of the 2nd BCT who were involved in these events; this includes the brigade and 1/502d battalion commanders, all its company commanders, most of its first sergeants, and its executive officer and S-3. He says that every quote and fact is documented. Colonel Todd Ebel, commander of the 2d BCT/101st Abn Div, who is a key figure in this paper, expresses concern with the accuracy and completeness of much of Frederick's account. He asserts that Frederick "leads the reader to believe that his work is thoroughly researched from all angles; it is not." He argues, "Frederick's discussions on key events do not account for the battalion and brigade commander's perspective – balance needed to draw fair and meaningful conclusions is grossly absent." I invited Colonel Ebel to allow me to footnote such Frederick inaccuracies as I may have cited in this paper.

**Prescribed in like language over the years since 1775, the oath of office of an Army officer now reads, in part, “ I... do solemnly swear (or affirm) that I will well and faithfully discharge the duties of the office upon which I am about to enter.”**

**TITLE 10 US Code - ARMED FORCES; Subtitle B - Army Section 3583. Requirement of exemplary conduct**

**-STATUTE-**

**All commanding officers and others in authority in the Army are required -**

- (1) to show in themselves a good example of virtue, honor, patriotism, and subordination;**
- (2) to be vigilant in inspecting the conduct of all persons who are placed under their command;**
- (3) to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Army, all persons who are guilty of them; and**
- (4) to take all necessary and proper measures, under the laws, regulations, and customs of the Army, to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge.**

**-SOURCE-**

**(Added Pub. L. 105-85, div. A, title V, Sec. 507(a)(1), Nov. 18, 1997, 111 Stat. 1726.)**

The Relevant Commanders at the Time  
(October 2005-12 March 2006)

Commanders Exercising Operational Control

Cdr, B Company, 1/502d Infantry	Captain John Goodwin
Cdr, 1st Battalion, 502d Infantry	Lieutenant Colonel Thomas Kunk
Cdr, 2d Brigade Combat Team, 101st Abn Div (Aaslt)	Colonel Todd J. Ebel
Cdr, Multi-National Division, Baghdad (MND-B)	Major General William G. Webster (to 7 January 2006)
Cdr, Multi-National Division, Baghdad (MND-B)	Major General James D. Thurman (from 7 January 2006)
Cdr, Multi-National Corps, Iraq (MNC-I)	Lieutenant General John R. Vines (to 19 January 2006)
Cdr, Multi-National Corps, Iraq (MNC-I)	Lieutenant General Peter W. Chiarelli (from 19 January 2006)
Cdr, Multi-National Force, Iraq (MNF-I)	General George B. Casey

Commanders Exercising Command Less Operational Control

Cdr, B Company, 1/502d Infantry	Captain John Goodwin
Cdr, 1st Battalion, 502d Infantry	Lieutenant Colonel Thomas Kunk
Cdr, 2d Brigade Combat Team, 101st Abn Div (Aaslt)	Colonel Todd J. Ebel
Cdr, 101st Airborne Division (Aaslt) (in Tikrit, Iraq)	Major General Thomas R. Turner
Cdr, US Army Central Command (ARCENT/Kuwait)	Lieutenant General R. Steven Whitcomb

Part One  
(Narrative)

When the 2d BCT/101st arrived in Iraq in late 2005, the Iraq war, dubbed Operation Iraqi Freedom, was in its third year. The initial invasion had gone well. But after taking down Saddam Hussein and defeating his army, the US-led coalition effort had stalled. Encountering conditions that the United States war managers had neither expected nor prepared for, US forces were required to adapt to an ever increasing insurgency fueled by Shiite-Sunni sectarian violence that was exacerbated by a growing al-Qaeda effort.

The former Iraq government had given way to a US-established Coalition Provisional Authority (CPA) designed to provide interim governance pending nation-wide elections, and the CPA had established an Iraqi Governing Council. The Coalition Forces Land Component Command of the initial invasion had become Combined Joint Task Force 7.

Security conditions in Iraq's cities and in the countryside had deteriorated so that by late 2005 violence was peaking in successive months. September 2005 had seen Baghdad's deadliest day; insurgent bombs had killed 160 Iraqis and injured more than 160. Each day scores of bodies were found in the streets, victims of sectarian violence.

Chain of Command<sup>2</sup>

U.S. Military operations in Iraq are the responsibility of the United States Central Command (USCENTCOM), its headquarters at McDill Air Force Base, FL. Commanded in 2005-06 by General John P. Abizaid, CENTCOM was responsible to the Secretary of Defense and the President for an area encompassing 20 countries in the Middle East and northern Africa (Afghanistan, Bahrain, Egypt, Iran, Iraq, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Oman, Pakistan, Qatar, Saudi Arabia, Syria, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, and Yemen).

In May 2004, to replace CJTF 7, United States forces operating in Iraq were combined with other coalition nations' forces into a joint and combined command named the Multi-National Force-Iraq (MNF-I). In late 2005 and 2006 MNF-1 was commanded by General George W. Casey.

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<sup>2</sup> Organizational and area of operations data largely provided by Combat Studies Institute, Fort Leavenworth, KS

Because the MNF-I mission required its headquarters to work closely with with the US ambassador to Iraq and to engage with nonmilitary authorities, and with the Iraqi government and key sheiks, it had been necessary to create a corps-level headquarters, Multi-National Corps-Iraq, to handle operational matters.

Multi-National Force-Iraq was to handle strategic level issues while Multi-National Corps-Iraq, a subordinate command, directed the tactical battle. US Army corps headquarters were to rotate into Iraq to provide the MNC-I headquarters structure.

in late 2005 MNC-I was commanded by LTG John R. Vines, who had deployed to Iraq a year earlier with his headquarters XVIII Airborne Corps. He was replaced in January 2006 by LTG Peter W. Chiarelli (I Corps).

At the time, the Multi-National Corps-Iraq consisted of:

- Multi-National Division-Central South (Polish forces)

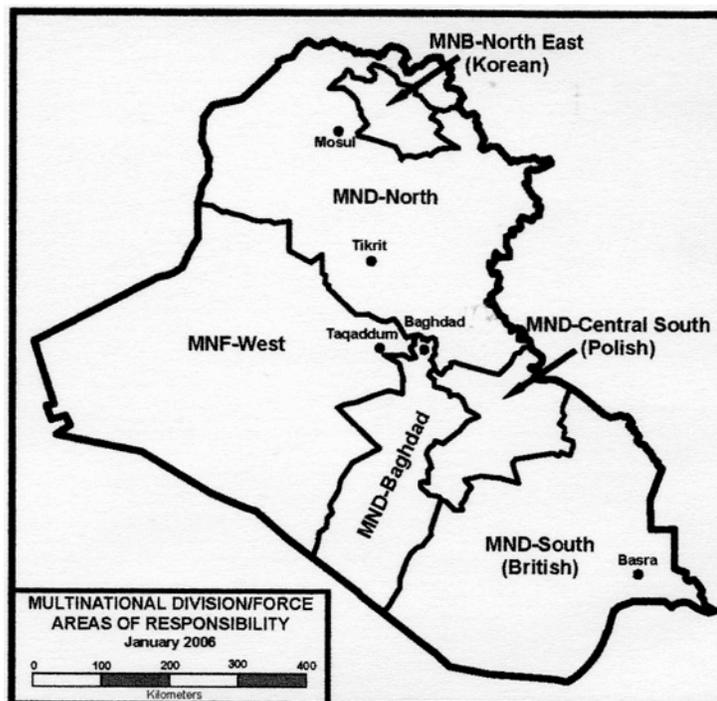
- Multi-National Division-South (British forces)

- Multi-National Division-North (US Army units, with a Korean sector)

- Multi-National Force-West (US Marine Corps command, US Army BCT attached)

- Multi-National Division-Baghdad

These subordinate commands had been assigned areas of responsibility as shown below.



In September 2005 the 2d Brigade Combat Team, 101st Airborne Division, Colonel Todd J. Ebel commanding, deployed from Fort Campbell, KY, and arrived in Kuwait.

At Fort Campbell the 2d BCT along with the rest of the 101st Airborne Division had recently completed conversion to the “Modular Force.” This Army-wide concept treated brigades as fixed TOE organization which no longer belonged to any given division (although they wore the division patch). Division artilleries were inactivated; field artillery and support battalions became organic to each BCT. Modular “fires brigades” (field artillery), “sustainment brigades” (logistic support) and “aviation brigades” (helicopters) were created. The only units organic to a division were the headquarters itself and a “special troops battalion” which included the division headquarters company.

After a final preparation period in Kuwait the 2d BCT/101st crossed the Iraq border to come under the operational control of Multi-National Division-Baghdad and moved to the MND-B area of operations. During October the 2d BCT conducted a relief in place (RIP) with the 48th Brigade Combat Team of the Georgia National Guard so that on a designated date in late October it could complete a transfer of authority (TOA) with the 48th BCT.

### Multi-National Division-Baghdad <sup>3</sup>

In its first months in Iraq 2d BCT/101st was under MG William G. Webster, commander, 3d Infantry Division; he had commanded MND-B since January 2005. In addition to the 2d BCT/101st, General Webster’s force consisted of these organic units of the 3d Infantry Division:

- 2d Brigade Combat Team 3d Infantry Division (Jan 2005 - Jan 2006)
- 4th Brigade Combat Team 3d Infantry Division (Jan 2005 - Jan 2006)
- 3d Combat Aviation Brigade (Jan 2005 - Jan 2006)
- 3d Support Brigade (Jan 2005 - Jan 2006)

...over which he had full command, plus...

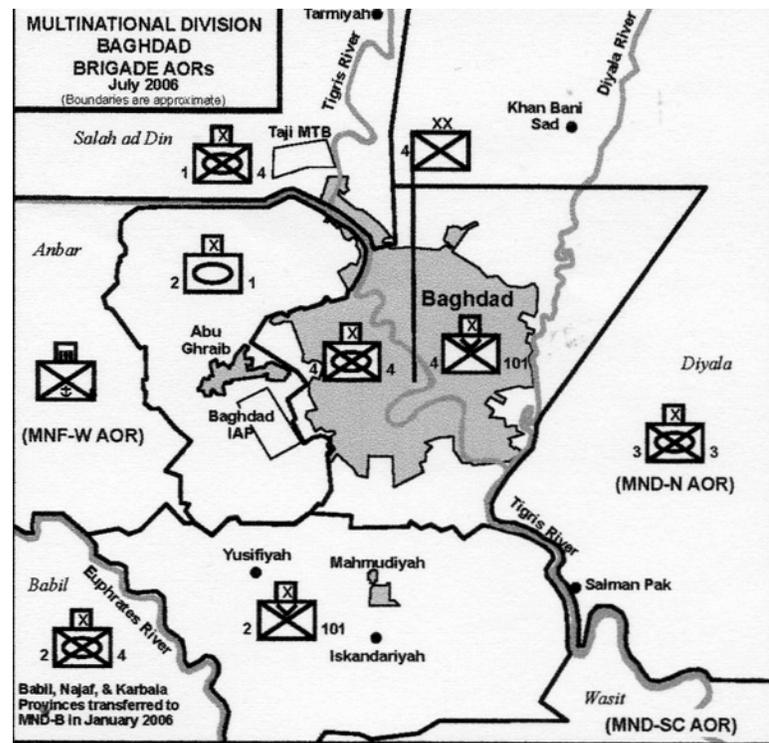
- 3d Brigade 1st Armor Division (Jan 2005 - Jan. 2006)
- 48th Infantry Brigade of the Georgia National Guard (May 2005 -May 2006)
- 1st Brigade Combat Team 10th Mountain Division (Aug 2005 - Aug 2006)
- 322d Civil Affairs Brigade (Jul 2005 - Jul 2006)

...of which, like the 2d BCT/101, General Webster had operational control.

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<sup>3</sup> What follows is taken from CSI document “Feedback on the 101st” sent me by email on 16 August 2010.

MND-Baghdad's area of responsibility is shown below.



On 7 January 2006, upon completion of the MND-Baghdad transfer of authority, operational control of the 2d BCT/101st was assigned to Major General James D. Thurman, commander 4th Infantry Division. These organic units of his division had replaced all 3d Infantry Division units in MND-B:

- 1st Brigade Combat Team 4th Infantry Division (Dec 2005 - Dec 2006)

- 4th Brigade Combat Team 4th Infantry Division (Dec 2005 - Dec 2006)

- 2d Brigade Combat Team 4th Infantry Division (Nov 2005 - Nov 2006)

- 4th Fires Brigade, 4th Combat Aviation Brigade, and 4th Sustainment Brigade

Other brigade-size units under the operational control of MND-B in late 2005 and 2006 were:

- 2nd Brigade 1st Armor Division (Nov 2005 - Nov 2006)

- 2d Brigade Combat Team 1st Infantry Division (Aug 2006 - Nov 2007)

- 4th Brigade Combat Team 101st Airborne Division (Nov 2005 - Nov 2006)

...of which, like the 2d BCT/101st, General Thurman had operational control.

Major General Thurman commanded MND-Baghdad until November 2006, when the 1st Cavalry Division replaced the 4th Infantry Division. Promoted to Lieutenant General, General Thurman assumed command of V Corps in Germany in January 2007.

The commanders of MNF-I, MCI-I, and its MNDs each had, over his assigned forces, “operational control” -- the authority “exercised by commanders at any echelon at or below the level of combatant command... Operational control normally provides full authority to organize commands and forces and to employ those forces as the commander in operational control considers necessary to accomplish assigned missions.”

However, by JCS definition, “it does not, in and of itself, include... matters of administration, discipline, internal organization, or unit training.” The commander, 101st Airborne Division, remained responsible for these aspects of the 2d BCT/101st. Major General Thomas R. Turner, 101st division commander, was at that time in Tikrit, Iraq, commanding MND-North (where the 101st’s 1st BCT and 3d BCT were under his direct command). He reported on such matters to CENTCOM’s Army component command, ARCENT, commanded by LTG R. Steven Whitcomb, at Kuwait.

### Operations of the 2d BCT/101st

The 2d BCT consisted of:

1-502d Infantry Battalion	1-320th Field Artillery Battalion
2-502d Infantry Battalion	526th Brigade Support Battalion
1-75th Cavalry Squadron	2d Brigade Special Troops Battalion

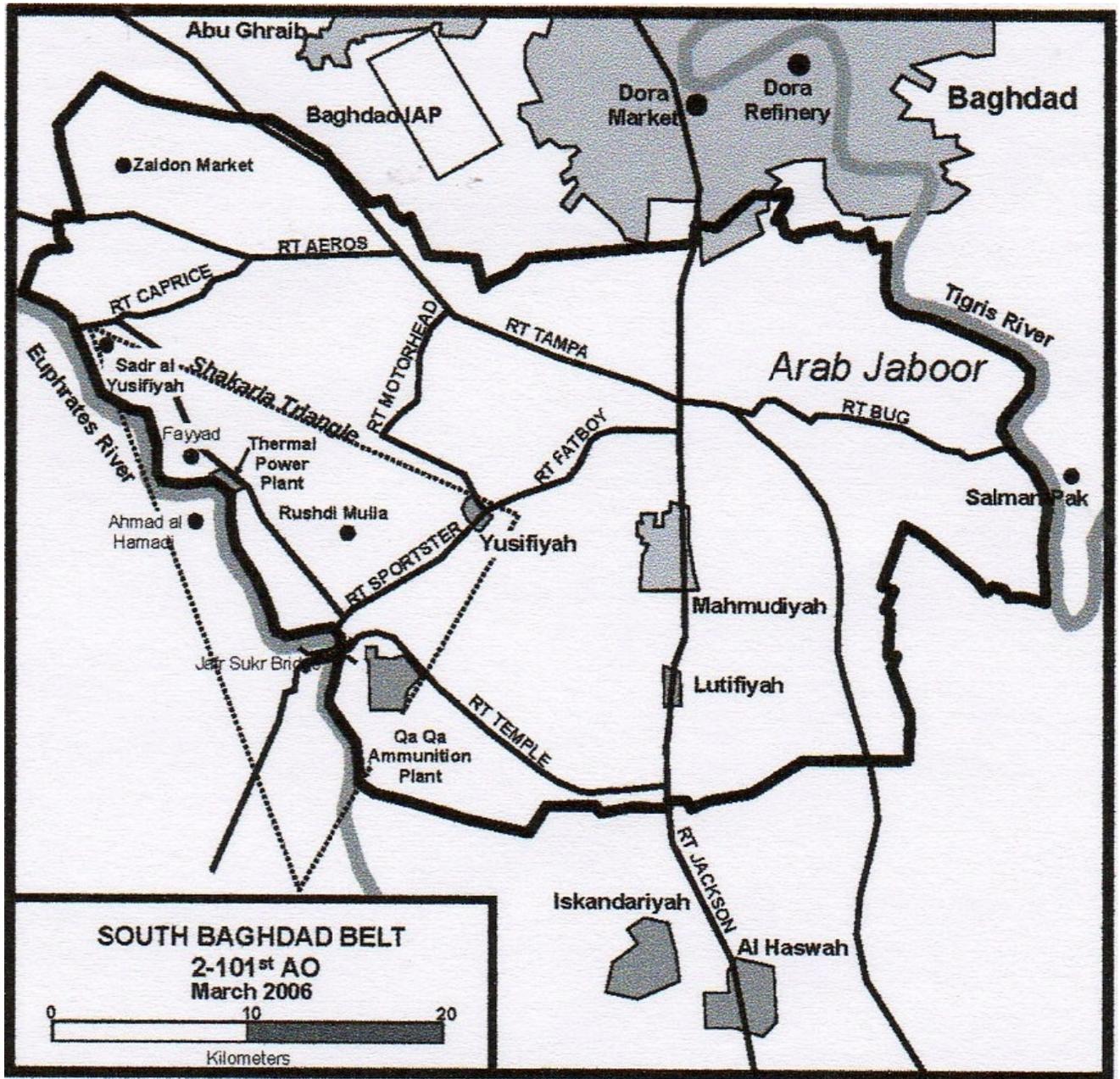
plus the 3d Squadron, 3rd Armored Cavalry regiment, attached in January 2006.

The two infantry battalions, each with three rifle companies, a weapons company and scout and mortar platoons, along with headquarters, sustainment and medical elements, had left behind at Fort Campbell their vehicles and vehicle-mounted TOW anti-tank weapons. Like other BCT units who had done likewise they had been equipped in Kuwait with weaponry and vehicles including Humvees.

*The Humvee-equipped 2d BCT in Iraq 2005-06 differed from my essentially foot- and helicopter-mobile 2d Brigade Task Force in Vietnam, 1967-68. We had three infantry battalions, each with four rifle companies plus a heavy weapons and a combat support company. For months at a time we also had attached the division cavalry squadron; its two line troops had acquired tanks and armored personnel carriers and it had a good deal more firepower than 1-75 Cavalry. Our 105 mm artillery battalion, while attached; was equivalently organic; it had division and corps artillery backup. Attached was an engineer company, a medical company, a detachment from the division support command, a military intelligence platoon, and a radio research unit.*

Known as South Baghdad, the 2d BCT area of operations (next page) was some 900 square kilometers with a population of roughly 290,000. Extended in January east-

ward to the Tigris River Valley, this essentially lawless territory varied from lush palm groves and mansions with manicured lawns to apartment dwellings and housing blocks that are abject slums. Its population was a mixture of the primarily Sunnis to the north and the Shi'ites southward. Its roads were a gateway to the capital. Treated as an "economy of force" zone since the 2003 invasion, the area had been lightly held by a succession of coalition units.



The 2d BCT's Area of Operations

Jim Frederick describes the area as having been "dubbed the 'Triangle of Death' for its relentless insurgent and sectarian violence, both against Americans and Iraqi on Iraqi. For the past three years the area had been very lightly occupied by American

forces with no unit staying more than six months... the area had become a deeply entrenched home base for a variety of insurgent groups, criminal gangs, and violent religious partisan insurgent organizations including Al Queda..”

*The situation of the 2d BCT in 2005 was very different from that of my 2d Brigade in 1968. We were operating in the coastal plains and nearby mountains of Vietnam around Hue. Our enemy were organized units of the North Vietnamese Army and Viet Cong, and village guerillas. Ebel's vehicle-mounted force differed from mine; the nature of his enemy was also quite different. His Iraqi security forces are described as less capable than units of the Vietnamese 1st ARVN Division and province forces that we worked with. Unlike those of Iraq, the Republic of Vietnam's political and military structures were functioning reasonably well. Sectarian strife was not an issue in Vietnam. In Vietnam at least the alphabet was familiar, and many spoke either English or French. These factors made COL Ebel's task more difficult than mine had been.*

This case study considers only those operations of the 2d BCT/101st as part of MND-B in October 2005 through 12 March 2010, the date of the atrocity at the Janabi farmhouse.

In his interview with the Combat Studies Institute,<sup>4</sup> Colonel Ebel relates that upon his 2d BCT's deployment its planned area of operations (AO) was changed. It would not be in the north; the 2d BCT would now take over the South Baghdad AO of 48th BCT, Georgia National Guard.<sup>5</sup> Until January 2006 it would operate under the 3d Infantry Division (MND-B)

Colonel Ebel: “I received little guidance from Major General Webster upon arrival... (A 3d Division assistant division commander) said, ‘No one really cares about South Baghdad’... that would be manifest with the budget associated with Commander's Emergency Response Program (CERP) dollars to use for projects and infrastructure in South Baghdad. The percentage was nil compared to other communities in and around Baghdad City or the Northern Baghdad area. I also, on a very candid remark, was concerned that behind the scenes the perception was that we weren't a heavy force and that the (3d ID community) wasn't really receptive to that, regardless of our reputation.”

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<sup>4</sup> Colonel Todd Ebel, interview by Contemporary Operations Study Team, Combat Studies Institute, 11 February 2008, Fort Leavenworth, KS, 3-21.

<sup>5</sup> An interview excerpt, “..I will be a little bit sensitive on this... the perception was that the 48th Brigade Combat Team was not aggressively addressing this threat... around South Baghdad and we were tasked to replace that unit given the caliber of our unit and the reputation of our unit... I do know there were concerns about the 48th Brigade Combat Team's perceived performance from elements within the command, MNC-I as well as MND-Baghdad, and we became a force of choice who quickly replaced them, assumed the area, and then conducted operations.”

That “no one cares about South Baghdad” was a matter of concern to Colonel Ebel since his pre-deployment site survey had led him to believe that “we were going to be in for a hell of a battle.” From his briefings on arrival he concluded that “basically the western half of our area along the Euphrates River, was neglected intelligence wise and the level of understanding of operations and enemy activity was just void.... it was grossly underestimated on what was in there.”

Colonel Ebel: “I interpreted my guidance to mean disrupt al-Qaeda where we could find them and to try to set conditions conducive to reaching some level of stability and, frankly, to prevent any anti-Iraqi forces (AIF) from entering our area, affecting what was then the main effort and briefed as the center of gravity, which was operations in Baghdad... that intent continued with Major General Thurman and we sustained that effort over time, while simultaneously trying to build up the Iraqi Security Forces (ISF) and their capacity to absorb some of our space. In each of the cases, my big concern was, which I shared directly with Major General Webster and Major General Thurman and Lieutenant General Chiarelli, that we were about a US brigade short, if not less than an Iraqi brigade or two short... coincidentally, history has proven that because there are now two brigades under the 3d ID in MND-Central, of which the majority of that area was our area.”

Colonel Ebel describes a problem: “...during that period, with Multi-National Force – Iraq (MNF-I) and General George Casey as the commander, the overarching aim was to consolidate the FOBs (forward operating bases)... the theory was to form these footprints and to reduce our presence somewhat... that being a forcing function to accelerate the development and employment and responsibilities to the Iraqi Security Forces... (That) concerned me. First, consolidation of FOBs was not consistent with any counterinsurgency theory I had read, and... I determined, in my area, particularly with the hazards on the roads, since we had close to 2,000 improvised explosive devices (IEDs) over our period, we were very vulnerable on movement. Second of all, I was concerned about the consolidation because every time I moved away from the population al-Qaeda would come in and intimidate them... So, we moved very quickly not to do that. In fact, we expanded our footprint out to the Euphrates River, through a series of operations.”

Designating the area as Area of Operations STRIKE, the 2d BCT/101st (the Strike Brigade) began operations as October 2005 ended with this self-described Mission Statement...

“2-101 BCT conducts combined counterinsurgency operations to disrupt AIF in order to prevent interference with the MND-B main effort in Baghdad. On order, transition to selected portions of AO Strike to Iraqi civil and military authority.”

In mid-November 2005, 2d BCT/101st prepared to provide security to the polling sites in the Iraqi national election 15 December and prepared increased offensive operations to deny enemy freedom of movement before and during the elections.

### Immediate Operations in the Shakaria Triangle<sup>6</sup>

The 2d BCT determined that the Shakaria Triangle (map page 9) was an Al Qaeda in Iraq (AQI) and insurgent sanctuary. There the enemy was receiving and training AQI operatives who moved on to Baghdad; Shakaria was a base for their support. Colonel Ebel undertook to isolate the area.

After the 1st Battalion, 502d Infantry, established control of Mahmudiyah, Ebel ordered the battalion to set up its west a series of outposts and tactical checkpoints at key intersections along the known enemy routes of movement. The 2d BCT would then operate into Shakaria to reduce that area as a sanctuary. MND-Baghdad approved Ebel's plan as part of a multi-brigade effort.

On 2 March, two companies of the 2/502 Infantry, along with two Iraqi Army platoons, were inserted to clear the area of the thermal power plant. Three companies of the 2/502 Infantry and an attached Iraqi Army company then made a night assault into a landing zone just north of Sadr al Yusifiyah. Attacking south, the force seized a building which would become a new patrol base. Then a mechanized Iraqi Army company swept south through Sadr Yusifiyah to seize the bridge across the Euphrates at the south end of town.

Within a few days the 2/502 Infantry and Iraqi units had cleared the houses in town and were searching the adjacent fields for caches and enemy. Meanwhile elements of the 1/502d Infantry went into a small village to the west of the thermal power plant and began clearing operations there. The village was soon cleared and the battalion was extracted. On March 12 the 2d BCT concluded its operation.

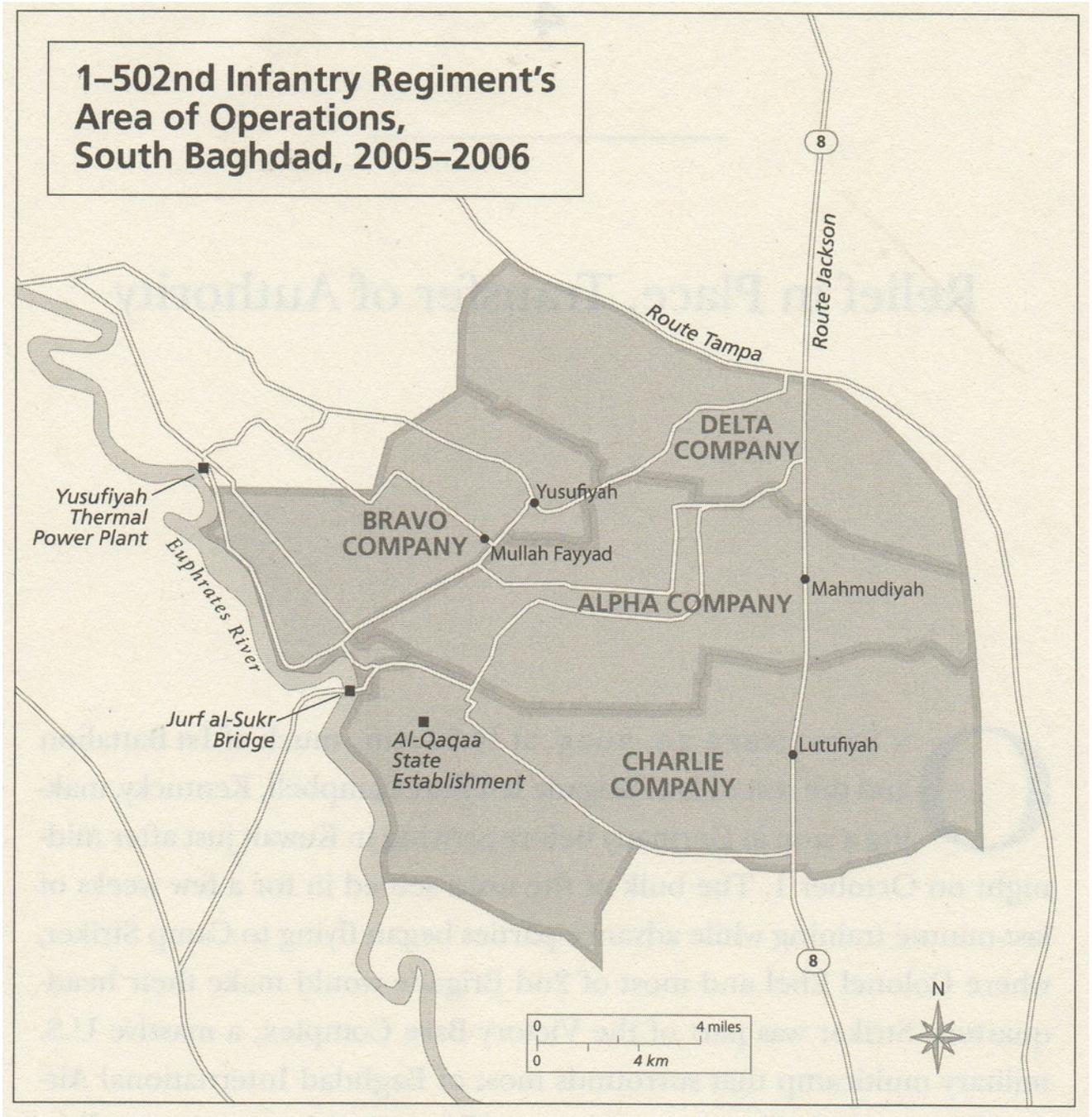
This was the first coalition operation in this area that had established a permanent coalition presence; it was in the heart of the enemy's former sanctuary. The searches resulted in the capture of some 20 caches of weapons and several vehicular-borne IEDs. A result was the capture of Sheik Rashid, a High Value Target and a known associate of AQI. Enemy activity declined. Colonel Ebel: "we significantly started to choke off or disrupt the movement or flow of contraband and al-Qaeda operatives from Fallujah into basing areas in Shakaria."

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<sup>6</sup> Drawn from a paper provided by the Combat Studies Institute "The South Baghdad Belt and the Battle of Shakaria"

## Operations of 1st Battalion, 502d Infantry, and Its B Company

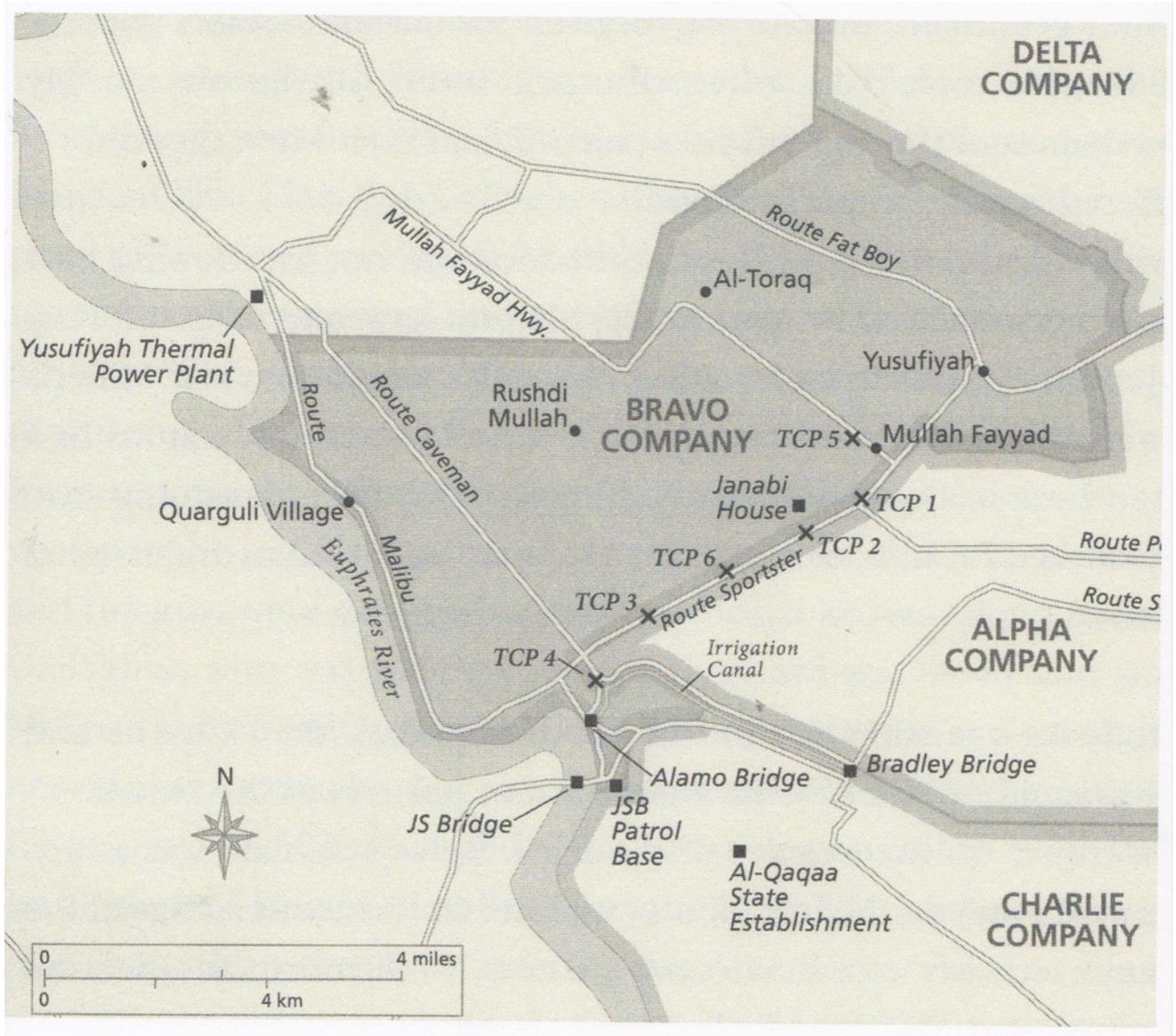
LTC Thomas Kunk, commanding the 1/502d Infantry, laid out his area of operations as shown below.<sup>7</sup>



He established his battalion forward operating base (FOB) at Mahmudiyah. Considering them his best companies, LTC Kunk assigned B and C Companies missions on his AO's west and south. His battalion would be stretched thin.

<sup>7</sup> Map from Black Hearts, p. 52. The section that follows has relied on accounts in Black Hearts, pp 52-257.

B Company, commanded by Captain John Goodwin, was responsible for the area shown below.<sup>8</sup>



Goodwin established his company headquarters at Yusufiyah and stationed a platoon there to secure a forward operating base. He designated a second “maneuver platoon” to operate out of FOB Yusufiyah. He helicoptered in a third platoon (initially the 1st Platoon) to set up patrol base JSB (Jurf-al-Sukr Bridge) at a former water treatment plant from which that platoon was to secure a bridge on the Euphrates three-quarters of a mile away.

JSB would be the 1st Platoon’s first small step into deterioration.

<sup>8</sup> Map from Black Hearts, p. 62.

Frederick quotes B Company's executive officer, "From the moment these guys hit the ground down there it was 'What the hell is this trash heap? How are you supposed to defend this place,'" As they fortified their outpost the platoon "filled sandbags, from sunup to sundown. It was dirty, demoralizing physical labor that quickly devolved into sheer exhaustion." They ate combat rations or hamburger patties cooked on a make-shift grill, no dishes or cutlery. No electricity, no lighting that wasn't battery-operated, certainly no air conditioning during the day and no heat at night. No showers, no running water of any kind. WAG bags ("toilets in a bag, waste kits"), which they burned daily, substituted for a latrine.

To secure the bridge the platoon's solution was an isolated "three to four soldiers parked in a Humvee off to the side of a road, near the canal, twenty-four hours a day," beyond the platoon's supporting distance. Insurgents soon attacked it without success; a second stronger attack was beaten off by a reaction force from JSB, no platoon casualties.

Building the site took priority, so conduct of patrols was minimum. The platoon lacked support from B Company; daily requests for sandbags, ice, water, charcoal, shovels, pickaxes, hammers and the like were unanswered. When they were visited by the battalion commander, he seems only to have berated them for being in improper uniform as they labored on their patrol base. The 1st Platoon became dysfunctional, the platoon's members' attitude soured, then grew worse.

B Company had been having problems with the security of route Sportster, and LTC Kunk decided that the time had come to secure it for good. The 2d Platoon, which had been mobile at the company FOB, took over a house at a spot that soon became known as Traffic Control Post (TCP) 1. A day or two after that Goodwin mounted an all-day clearing mission of Sportster "but that didn't work - you could clear something, if you turned your back the insurgents would return." In order to keep Sportster clear, Goodwin had the 2d Platoon drop Humvees with fire teams at one or two mile intervals down the road. Over time these evolved into hardened TCPs 2, 3, and 4; B Company was now in the road checkpoint business. These TCP's were vulnerable and poorly defended static positions. They were not patrol bases, but were outposts in enemy territory with no more, and usually far less, than a squad each.

B Company was stretched. Frederick describes<sup>9</sup> a three-day December 2005 period in which a squad of B Company's 1st Platoon put in a full day's patrolling, was then assigned night ambush duty near a suspected enemy mortar site, and then before dawn was ordered to walk five miles to do a bomb damage assessment of a 2d BCT

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<sup>9</sup> Black Hearts, pp. 149-152.

mortar strike, following which the squad returned to its Yusufiyah base only to be ordered to take two Humvee's and to patrol route Fat Boy all night long. Returning to base having operated continuously for 56 hours since their last downtime, "they had to turn around and escort Captain Goodwin for ten more hours to all the polling stations;" it was election day.

Operations were stressful. Frederick writes that later in December Captain Goodwin broke down in sobs and recrimination when LT Ben Britt, commanding B Company's 1st Platoon, and SP William Lopez were blown to pieces; a buried IED exploded just minutes after they had crossed a bridge to check out a mount from which a rocket propelled grenade (RPG) may have been fired at their patrol. Having overruled the platoon leader's wishes when he ordered that mission, Goodwin "thought only one thing, 'I ordered them to their deaths.'"

Frederick describes the command style of LTC Kunk at Fort Campbell before deployment...

p. 32, While the 2d BCT was exercising at the Joint Readiness Training Center "Kunk had formulated a complete plan for the next day without any input from his commanders... Kunk ignored their protests... Several company commanders said they learned something that day that would be reinforced repeatedly... Their input was not wanted, and when Kunk was challenged... (e)ither he demolished the dissenters with an angry tirade, or he would quietly dig in his heels. But he would not consider an alternative point of view or modify his opinion or change his plan."

pp. 33-4, "Kunk treated his subordinates with nastiness and impatience that they had never seen before, where correction and coaching turned into shouted, expletive-laden humiliation and disparagement...He routinely ridiculed subordinate commanders in front of their own men... If anyone disagreed with him or ventured an alternative idea, he took that as a personal challenge, and he would sometimes end discussions by declaring, 'Trump! I win, because I am the battalion commander.'"

pp. 34-5, "Several first sergeants, concerned that Kunk seemed bent on purposely embarrassing their commanders, banded together to have an intervention with the sergeant major. 'You need to tell Colonel Kunk that he needs to cut it out,' they told the sergeant major. 'He is undermining our commanders and they are second guessing everything they do.'"

and, similarly, in Iraq...

p.108 "(Combat) made encounters with Kunk even more stressful than they had been in garrison. Kunk had three meetings with company leadership every week... Many attendees loathed them since so much of them involved Kunk yelling erratically at various people for a variety of reasons. 'His first reaction to everything was the same,'

remarked Charlie's 1SG. 'If you lost a soldier, or if you had cigarette butts on the FOB, it was the same reaction. He would explode on you. He would just lose his mind...' pp.205-6, "Kunk would discipline lower-ranked soldiers directly, and... those sessions would frequently turn into profanity-laced arguments with entire squads or platoons that disintegrated into wide-ranging castigations of all the soldier's faults..." "You are getting blown up because you are not following the proper tactics and procedures," Kunk declared. He invoked the deaths of Britt and Lopez, saying they were dead because they hadn't cleared the route well. The men responded with a furious outpouring of ire, shouting that Britt had wanted to clear the route but had been denied. Kunk pronounced this claim to be bullshit. He [Kunk] looked at Carrick. 'What the fuck happened to you today?' he demanded... Carrick flushed with anger. 'I did everything by the book, sir,' he said. 'Bullshit! Kunk yelled. 'You were not following the proper methods.' 'Fuck you sir,' Carrick said, walking off as the men from 1st Platoon continued the row."

This leadership environment, with continued killed and wounded suffered from the enemy use of IEDs, seems to have led to a breakdown by Captain Goodwin. Frederick writes: "Goodwin seemed overwhelmed... officers and NCOs around FOB Yusu-fayah noticed (that he) never left the TOC. 20, 22, even 24 hours a day you could find him by the radios trying to keep tabs on the entire company's operations. Sometimes he would skip meals. Often soldiers would find him passed out in the middle of the TOC sitting at a folding director's chair he'd like to use, with a poncho liner pulled over his head."

B Company's responsibility was too great for its strength. Fire teams were doing squads' jobs, squads doing platoons' jobs, and platoons doing companies' jobs. A TCP of four men, 24 hours a day, did not have enough men to do a proper guard rotation. Expected to find a way or make one, B Company's decline continued.

### The Atrocity at Mahmudiyah

Frederick describes how, by March 2006, the strain on a demoralized and unsupported B Company, along with unending casualties without noticeable progress, had brought about a situation ripe for the atrocity that took place.<sup>10</sup>

Mahmudiyah is a small village not far from the B Company patrol base at TCP 1. On March 12, 2006, four soldiers at the patrol base from the 1st Platoon, B Company (SGT Paul E. Cortez, SP James P. Barker, PFC Jesse V. Spielman, and PFC Steven D. Green), had had been drinking alcohol and discussing plans to rape a girl named Abeer Janabi whom they had encountered previously. In broad daylight they walked

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<sup>10</sup> The description that follows relies on Frederick's account in Black Hearts, pp 258-270.

to the Janabi farmhouse where she lived. They separated Abeer and her family into two different rooms. Steven Green then murdered her parents and younger sister, while two other soldiers raped Abeer. Green then emerged from the other room and raped Abeer, shot her in the head, and proceeded (along with the other soldiers) to set fire to the house and bodies.

The neighbors were among the first to discover the scene. Iraqi soldiers immediately went to examine it and thereafter went to a different checkpoint manned by U.S. soldiers to report the incident. An hour later US soldiers from the checkpoint went to the farmhouse. Word of the incident did not reach official channels until June 22, 2006, when PFC Justin Watt of the 1st Platoon revealed the rape and murders to a superior after he had heard about the event second hand and had decided that the rumors were plausible enough to be investigated.

The perpetrators of the atrocity have since been tried, convicted, and sentenced. PFC Green, having been honorably discharged from the Army for personality disorder on May 16, was tried in federal court.

#### Consequences to the chain of command.

The platoon leader and company commander of these men received normal transfers to other positions. Their lieutenant colonel battalion commander completed his command tour and was promoted to colonel. Their brigade commander completed a normal command tour, was placed in charge of orienting newly appointed battalion and brigade commanders; he subsequently retired from the Army. Two-star and three-star commanders have been promoted a grade or more.

Questions: I do not here address the responsibility of leaders at the company level. I ask, what responsibility for this atrocity is borne by the members of the perpetrators' chain of command from battalion commander on up? What might be judged to be the appropriate consequences at each level?

## Part Two (Judgements)

I offer the judgements of the chain of command that follow because of a sense of obligation to the US Army and to my profession. I have no particular credentials, standing, or authority to judge these officers. I have not visited where they fought and, with the exception of Colonel Ebel, I have not yet spoken with any of them or heard their stories.<sup>11</sup> I measure their performances only against my own standards, arrived at by indoctrination and experience. The analysis of their duty performance is my own. I do not say that in their shoes I would have done better; I might not. It is not that I believe that I have always met my own leadership precepts; I have not.

### Understanding the Situation

My two most important fundamental precepts of command are at play here. I stated one of them when I spoke to selected first class cadets of the US Military Academy three weeks before their 2010 graduation. At a ceremony in which Pershing Writing Awards were presented, I said:

“...when you face a situation, whatever it might be, always understand it... take all the time available to think about it, to look thoroughly at its every aspect. Ponder it. Be curious. Seek the views of others... Understanding the situation will increase the likelihood that your decision will be right... If you don't understand the situation, anything you do will be right only by accident.

“A vital ingredient in understanding your situation is honesty with yourself. Understand the situation objectively, make your decision, and then, unafraid to rethink the situation, proceed with your utmost resolution to carry it out whatever the odds.”

### Supervision

The second precept is: Supervise. To issue an order is not enough; a commander must inspect to see if it is being executed. Periodic visits to the lowest-down units of a command are always called for; only through such observation can a commander determine that his orders are being carried out.

While I surely did not follow all the worthy principles spelled out in the Army's leadership manuals, the commanders who worked for me never doubted that they were be-

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<sup>11</sup> After attempting without success to reach LTC, now Colonel, Kunk at ODCSOPS (G3) in the Pentagon, to which he had been transferred, I sent by Priority Mail a copy of my November 4, 2010, draft of this paper and asked his comment. I received no acknowledgment.

ing supervised, and their chains of command knew it too. I believed in taking care of my men (and women), but supervision went along with it. My standards were high, but I aimed to keep my orders reasonable, and in garrison and in the field I checked on their execution as I visited units and places to the end of the chain of command, which was often.

My 2d Brigade in its short period of training at Fort Campbell developed a strong chain of command. This paid off in combat not only in responsiveness in operations but in things like the prevention of malaria where the troops' taking of pills was supervised by squad leaders and in the cleaning of weapons required by platoon sergeants. Good administration is essential to taking care of your men and in garrison I inspected to the orderly room level to ensure it. Shaving each day in the field is onerous but I never let my commanders forget that I insisted on it.

Conditions of the Iraq environment, particularly the weather and nature of the enemy, made the challenges faced by the 2d BCT's chain of command quite different from, and in many ways more difficult than, those that my 1968 2d Brigade encountered.

#### Assessment of the Commanders' Responsibilities in this Case

1/502d's battalion commander, LTC Thomas Kunk, had been commissioned from Officer Candidate School in 1988.<sup>12</sup> He had graduated from the University of Maryland, had a masters degree from Webster University and had completed the Army Command and General Staff College. He had served five years at company level and on the battalion staff in the 18th Infantry, including in Desert Shield/Storm. He had been on a brigade staff in the 101st Airborne Division and as company commander in the 327<sup>th</sup> Infantry from 1994 to 1996. He had served as a university ROTC instructor. During the Gulf War he had served in the 2<sup>nd</sup> Brigade, 101st, as a battalion S-3 and executive officer; upon his return he became an instructor at the Command General Staff College. The troop-experienced LTC Kunk was qualified by his record for battalion command.

Colonel Todd J. Ebel, 2d BCT commander, had had a sterling Army career.<sup>13</sup> A 1982 graduate of the U.S. Military Academy, West Point, New York, he had had many years of troop duty in the 8<sup>th</sup> Infantry, 4<sup>th</sup> Infantry Division and the 17<sup>th</sup> Infantry, 6<sup>th</sup> Infantry Division, and had been an instructor in tactics at Fort Benning's Infantry School. In the 82<sup>nd</sup> Airborne Division, Colonel Ebel had served as a battalion executive officer, bri-

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<sup>12</sup> 2<sup>nd</sup> Brigade Combat Team Historical Summary November, 2005, provided by CSI, Fort Leavenworth, KS

<sup>13</sup> Ibid.

gade operations officer, battalion commander and division G-3. Assigned to XVIII Airborne Corps, he had served as plans officer, aide de camp to the Commanding General, and chief, current operations. Colonel Ebel had graduated from the Army Command and General Staff College and the School of Advanced Military Studies (SAMS) and had been an Advanced Operational Art Studies Fellow at SAMS, after which he served as SAMS's Director of Exercises. Taking command of the 2d BCT, he was a student and able practitioner of the military art.

I had initially thought that the deteriorated situation that developed in the 1st Battalion, 502d Infantry, may have stemmed from faulty brigade concepts of operation generated upon its deployment to Iraq. Colonel Ebel's interview and the account of the battle of the Shakaria Triangle<sup>14</sup> have led me to conclude that he indeed understood his tactical/operational situation at the outset and had formulated and launched an admirable brigade plan.

When I read that slovenliness and indiscipline had existed to such a degree in a company of my old brigade, I could not comprehend how the battalion commander had allowed it and why the brigade commander had not detected and taken action on it.

According to Frederick, LTC Kunk had considered B Company's Captain Goodwin his best company commander; Colonel Ebel says that he too then thought highly of Captain Goodwin and "do not recall chastising him." I judge that as Colonel Ebel thought about B/1/502 at end-December 2005, his thinking went something like this:<sup>15</sup>

*His 2d BCT was a one brigade force occupying an area of operations that had been largely untouched by an American presence for years. In view of the enemy's established strength the AO called for two U.S. brigades. By mid-December 2005, in 47 days of operations his brigade had lost 22 killed and wounded-evacuated; a very tough fight lay ahead, Contrary to theater policy, and after persuading reluctant MND-B planners to accept his plan, Colonel Ebel had deployed part of his brigade to secure key areas in company and platoon strengths and was was preparing his main effort to take the fight to the enemy in the Shakaria triangle. To the extent he noticed that B/1/502 was stretched thin, that condition applied to the whole brigade; B Company was not exceptional.*

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<sup>14</sup> Footnotes 4 and 6 above, confirmed by the documents cited in footnote 5.

<sup>15</sup> From emails from Colonel Ebel and from a discussion with him at his home the evening of 27 September 2010.

Frederick writes<sup>16</sup> that toward the end of January 2006 “Kunk saw that Goodwin had the famous battle-fatigued ‘thousand-yard stare.’ Kunk had already tried to remove Goodwin from command several times, but Ebel wouldn’t sign off on it. Keep working with him, Tom, Ebel told Kunk. Work with what you have.” (Colonel Ebel has remarked<sup>17</sup> that he “didn’t have another captain” with whom to replace Goodwin.)

Observing Goodwin’s state, in early February Kunk had arranged a three-day rest for him at a facility that had been set up in Baghdad’s Green Zone; he ordered Goodwin to take that rest. During the rest Goodwin improved, then learned that B Company’s 3d Platoon had suffered several casualties in a sharp action at Rushdi Mullah. He spent three hours with the Combat Stress people at the R&R facility and returned to B Company to attend a memorial service for the dead.

After the January death by IED of LT Ben Britt, B Company’s 1st Platoon’s leader, LT Tim Norton had taken command of the platoon. To strengthen the platoon’s leadership, LTC Kunk and Colonel Ebel had replaced platoon sergeant SFC Miller with SFC Gallagher. Although Gallagher led from the front, he was found otherwise lacking; in February Ebel and Kunk chose to replace him with SFC Fenlason. Fenlason, although a strict disciplinarian, did not lead from the front and did not gain the respect of the platoon. As described in Black Hearts,<sup>18</sup> conditions in B Company and especially in its dysfunctional 1st Platoon continued downhill through early March 2006.

Why was not something done about B Company in January and February 2006?

While the events of March 12 were obviously unpredictable at the time by leaders at battalion and brigade, the situation in January and February, if not in December 2005, called for measures that, if taken, would have made it unlikely that on that day four soldiers from the 1st Platoon’s 3d squad would drink for hours, then conspire to commit, and then carry out the atrocity at the Janabi farmhouse.

Before discussing this matter face-to-face with Colonel Ebel, I had thought that, to ease the strain on B Company, at the minimum a change from the operation of static traffic control points along Route Sportser was called for. I judged that LTC Kunk should have by sometime in December revised the 1/502d’s concept of operation and that he should have issued the orders required for his battalion to accomplish its mission within resources available to him. If he thought himself unable to do so, he should have said as much to Colonel Ebel. I still think so.

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<sup>16</sup> pp. 203-204.

<sup>17</sup> In the discussion, footnote 14

<sup>18</sup> pp. 223-257 track this deterioration, a summary of which is not offered here.

I had judged that, if LTC Kunk did not then act in such a manner, Colonel Ebel by no later than January should have himself observed the consequences of the 1/502d being stretched too thin. It was then incumbent on him either to revise the mission assigned to the 1/502d as part of the Shakaria operation, or to work with LTC Kunk to modify the 1/502d's concept of operation to accomplish that mission within resources available. I still think so.

A combination of both actions was perhaps called for. While in no position to specify how that would be done, I was confident that, using a combination of such ideas as mobility, random checkpoints, curfews, patrols, night ambushes, and mentoring/cooperating with Iraqi Army units a suitable tactical solution could have been found, without relying on static hardened traffic control points on route Sportster. Commanding the 101st's 2d Brigade in Vietnam in early 1968 I had done so to good effect.

Colonel Ebel countered that proposition by telling me that he had received intelligence from sensitive sources to the effect that the Sportster TCPs had been highly effective in curtailing enemy traffic along that route. Along with similar measures in C/1/502's sector they were having the intended effect and Colonel Ebel would not have then done away with the static TCPs on Sportster. Colonel Ebel may well be right, but I believe that another solution could have been found.

Notwithstanding that new factor, I conclude that the events of November and early December 2005 as portrayed in Black Hearts, which I accept, were such that by mid-December it should have become clear to LTC Kunk that B Company was stretched too thin and that a correction must be made. The same conclusion was proper at the time by Colonel Ebel as to the 1/502d as a whole.

Nothing was done. LTC Kunk and Colonel Ebel failed well into November 2005 and through February 2006 to comprehend what was happening in a key element of their commands. In failing to take action necessary to remedy B Company's situation, both these commanders contributed to the continuing deterioration in that company, especially in its 1st Platoon, and ultimately to the March 12, 2006, atrocity at the Janabi farmhouse. LTC Kunk's leadership style was limited to the sometimes appropriate "Hardship? Suck it up and drive on," a style damaging under the conditions here. I am satisfied that with timely and much improved leadership he would have obviated the conditions that allowed the Janabi event.

## Appropriate Consequences

LTC Kunk cannot be faulted for insufficient supervision of his battalions; he supervised with vigor. However, he was a strict disciplinarian with the flawed leadership style noted above; he may well have been unfit for battalion command in the first place. As events unfolded I conclude that Colonel Ebel should have suspected Kunk's unfitness by personal observation in October and November 2005 and that, if counseling had not produced to a marked turnaround in LTC Kunk's performance, Colonel Ebel should not later than December have recommended the relief of LTC Kunk for cause;<sup>19</sup> that his efficiency reports on LTC Kunk should have reflected that relief and the reasons for it; and that LTC Kunk should not, and would not, have been selected for promotion to colonel. Relief of LTC Kunk would have created an opportunity for Colonel Ebel to counsel his replacement and to work with him to arrive at the required action for the 1/502d Infantry.

I can only conclude that in November 2005 through mid-March 2006 Colonel Ebel was so focused on planning and executing his ultimately successful operations in the Shakaria Triangle that he allowed an important part of his command to be inadequately supervised; the degree of deterioration in B/1/502 did not come sufficiently to his notice for decisive action. Such from time to time can be the fate of commanders. From our face to face discussion, I tend to think that Colonel Ebel shares that view.

Colonel Ebel's relief for cause for the poor condition of his 1/502d or for the atrocity at the Janabi farmhouse would not be warranted. Nor does his inattention to his command duties in this particular case necessarily justify an administrative written admonition. However, the efficiency report rendered on him by his rating officer for the period in question should be such that a selection board would not favorably consider his advance to the rank of brigadier general.

Colonel Ebel is a fine officer, well thought of, with a superior record of service, See footnote 20, next page.

This is a harsh verdict but one, I believe, that is justified in the circumstances. If Colonel Ebel had done better the Janabi atrocity would not have occurred. Colonel Ebel, now retired and employed as a civilian instructor in Fort Leavenworth's School of Command Preparation, is in a position where from experience he can convey an important lesson along this line to future battalion and brigade commanders.

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<sup>19</sup> Arranging a replacement would presumably be the task of the Commander, 101st Airborne Division, at Tikrit.

Am I unfair? Others, qualified, can judge for themselves.

Colonel Ebel's next higher echelons of command went two ways. Operationally he reported to MG Thurman and through him to LTG Chiarelli, then to General Casey. Administratively he reported to MG Turner and through him to LTG Whitcomb.<sup>20</sup>

General Turner, at the 101st Airborne Division headquarters in MND-North, would be concerned with the state of a battalion elsewhere that is wearing his division patch and that is deteriorating. However, to the commander MND-Baghdad that battalion is under his operational control; such condition would be a matter affecting his mission accomplishment if he knew about it. I believe that leadership oversight of the commanders, 2d BCT/101st and its 1/502d Infantry, belongs to him in the first instance.

Fort Leavenworth's Combat Studies Institute tells me<sup>21</sup> "the multi-national division echelon of command in Iraq functioned primarily as resource manager allocating combat forces and logistic support and that matters of personal administration, such as assignments, promotions, disciplinary action, and awards and decorations, were handled through both the brigade's home division headquarters or the MND in Iraq depending on the action. Promotions, assignments, family matters, etc. were handled by the brigade's home division. Disciplinary actions, awards, and decorations etc., were handled by the MND.

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<sup>20</sup> With Colonel Ebel's permission I reproduce these entries on his end-of-tour efficiency report, exactly as written. His rating officer wrote: "Absolutely historic performance. Todd Ebel is one of the finest, most characterized officers in our Army. He led his brigade in combat with distinction, and his selfless service and personal sacrifices will never be forgotten by MND-B and the Iraqi people. Todd is a visionary, a masterful tactician, and a caring leader, and he understands the fight against terrorism. His area of responsibility was in the heart of AQIZ in Baghdad. Todd's personal efforts assisted in getting intelligence that killed AQIZ HVT #3 and led to the death of AQIZ HVT#1, Zarqawi. The Strike brigade conducted over 52 named offensive operations, 66 air assaults, and thousands of combined patrols which resulted in over 868 detainees, 250 caches, 1946 IEDs discovered and 123 essential service project completed - a tremendous feat and shows the determination and professionalism of this great unit. Simultaneously, Todd's energy focused on building a capable and warfighting Iraqi security forces. His partnership with the 4th Brigade, Iraqi Army was second to none and he forged a team that built confidence, dignity and respect, and professional ethics daily. Similarly, he was a master of working with the political, religious leaders of the community to achieve trust and confidence of the people. However, I am most impressed with Todd's love of Soldiers and caring for their families. He pressed to deliver the best force protection, quality of life and support that greatly enhanced his brigade's combat readiness and their will to fight - his Soldiers know he cares. These efforts are rewarded as his Soldiers reenlisted and exceeded standards in all categories, over 150% of objective. It has been honor to serve alongside of him. Almost unlimited potential. He possesses the intellect, energy, and character to serve in the highest ranks in our Army. Without doubt, ready to be a General Officer now."

His senior rater wrote: "A true warrior and leader of Soldiers. Todd is without doubt one of my finest brigade commanders - top 2 of 10. He has mastered the science and art of war. His brigade fought in the toughest area in Multi-National Division - Baghdad and truly had a historic impact on the enemy and the people of Iraq. Their actions in combat epitomizes a war-hardened combat unit that serves country over self. Todd is a tremendous leader, who possesses all the traits that rise to our Army's highest ranks; he is caring, a warrior, leads from the front and sustains his force daily. Unlimited potential. Promote to Brigadier General."

<sup>21</sup> CSI paper, Feedback on the 2-101st Airborne Division, sent by email 16 August 2010.

“The typical division commanders guidance to brigade commanders at the time provided few specifics. Typically the division commander provided broad guidance under which the brigade commander would act to address the issues inherent to his specific situation (i.e., take charge of the brigade area of operations, secure the population, and defeat the enemy therein). The brigade commander was generally given latitude to formulate concepts for operation that would fit his AO geographically and demographically and with the resources available. Brigade commanders were expected to assess their particular situations for themselves and to take measures accordingly.

“Typically MND commanders were concerned with the broad scope and long term operations of the division. The Assistant Division Commander for Operations (or Maneuver) focused on the day to day activities of the brigades, though only infrequently became directly involved in an operation. Divisions in Iraq primarily functioned as resource allocation headquarters rather than developing and executing large-scale division tactical operations.”

Those guidelines tend to play down the importance of any sort of detailed MND command supervision. If they were the guidelines in effect in Iraq in 2005-06, it would surprise, even alarm, me.

*At Fort Campbell, KY, in 1972 I took command of the 101st Airborne Division, all the colors and a sizable contingent of which returned from Vietnam that April. The draft had just ended. We had prepared and we immediately embarked on a program to recruit, under the Unit of Choice concept, and to organize, train and equip that division. By the following summer the division was well on its way to full combat readiness. I am quite familiar with setting division-wide standards in that sort of garrison situation; our standards were high and leaders at every level were expected to cause them to be met. The division commander was regularly out and about.*

*In Vietnam I commanded a brigade of the 101st that arrived in the area north of Hue just as the enemy launched his February 1968 Tet offensive. For about six weeks we were under the operational control of the 1st Cavalry Division, returning to our normal division's control when it moved north. I am therefore familiar with a brigade's being opcon to a division in combat, with commanding battalions opcon to me in combat, and with setting standards for opcon units in that sort of situation. I also observed at a distance how the 101st Airborne Division commander set standards for a brigade of the 82d Airborne Division which came under his opcon for a few months in 1968.*

*I think that in commanding any division in combat in Vietnam/Iraq type situations I would operate with an opcon unit under my command much as I had done as a bri-*

*gade commander and as I then observed my division commander operating. I would visit it regularly. Its supervision would also include visits by my roving assistant division commanders (in my day there was one for "operations" and one for "support"), occasional visits by my general and special staff officers, and visits alone by my division command sergeant major who would report to me daily on his troop visits. I would believe that my superior commander would have a right to expect that of me. I see no reason why in Iraq 2005-06 it should be different, unless the "Modular Army" BCT concept has made it explicitly so, which I personally would deplore as no way to run an army in the field.*

However the supervision issue is complicated in this case. Colonel Ebel's operational commander was MG Webster from September 2005, when the 2d BCT/101st arrived in theater, to 7 January 2006; this period encompassed the early development of B Company's deterioration. From 7 January through the 12 March 2006 date of the atrocity and beyond, Colonel Ebel's operational commander was MG Thurman.<sup>22</sup> If MG Webster had been using a pattern of supervision similar to that described in the paragraph just above, it might have come to his attention that a battalion of the 2d BCT/101st was beginning to have problems. In that case he might have conveyed that information to General Thurman, his successor in command of MND-Baghdad, who could carry on from there. But that is conjecture.

Not being familiar with such concepts of division level command supervision as might have prevailed or been expected of commanders in Iraq at the time, I cannot reach a judgment as to which of those two generals, if either, might possibly be faulted for not taking note of the difficulties in the 1/502d Infantry in November 2005 through March 2006.

It may be that neither General Webster nor General Thurman can in any way be held responsible for not being aware of the conditions in the 1/502d Infantry. If that be the case, I would find the situation troubling.

If MND-Baghdad had been commanded by a single general throughout the six-month period in question I would judge that commander to have fallen short in not gaining awareness of conditions in the 1/502d Infantry. While not knowing the TOE of the division headquarters company, I take it that adequate resources would be available at his headquarters. I would judge that, through the means available to him, the deterioration of the 1/502d Infantry should have somehow come to his personal attention in time for him to have seen to its correction in such way as would have obviated the

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<sup>22</sup> The date of transfer of authority (TOA) has been provided by the Army Center of Military History.

atrocities at the Janabi farmhouse on 12 March 2006. To that extent I would hold that commanding general partially accountable for that episode.

However his would not be a situation that fostered such supervision. By my count, Generals Webster and Thurman had at least seven "modular" brigade combat teams under their command or operational control in 2005-2006,<sup>23</sup> not to speak of the brigades of the Iraqi Army with which they were concerned. This is a formidable challenge to my notion of command supervision; a commander in that situation would be entitled to lower expectations.

To my mind, this calls into question the wisdom of a "modular brigade" concept that seems designed for operations resembling those that have recently taken place in Iraq and are now taking place in Afghanistan. The concept seems to place too many "independent" or "self-contained" units under one next-higher-level commander who may be new to many of them. My understanding of that concept is that, differing from the brigade task force of my time, in practice the independent brigade structure may also inhibit the division commander's preparation of brigade combat teams for, and their supervision in, deployment. This is not to speak of such command deletions as that of the division artillery commander who if present can see to the proper preparation of direct support, hence brigade task force, artillery and to its delivery.

Such considerations were beyond the scope of my November 2010 paper. They would be appropriate as Army senior officers address this case study.

To evaluate such responsibility that the commanders at MNC-I, MNF-I, the 101st Airborne Division, and ARCENT may have had for detecting the conditions in the 1/502d Infantry and the attendant atrocity, and to judge the accountability that may be borne by them, I leave to others, including those respective commanders. The matter is worth their contemplation.

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<sup>23</sup> The numbers of BCTs is derived from CSI document "Feedback on the 101st" sent me by email on 16 August 2010.

### Part Three (Reflections)

I believe that the Black Hearts case is primarily one of failure in command supervision. It may also be a case in which the command arrangements cited in the previous page were deleterious to effective command supervision.

Clearly leadership including command supervision was lacking at the platoon and company levels in B Company. I have also found faulty leadership, at the battalion level markedly so, and to a degree at the brigade level.

LTC Kunk should have been relieved of battalion command by January 2006. He should not have been selected for promotion. He would surely not have been so selected if Colonel Ebel had accurately rated his tour in command in Kunk's efficiency report.

Colonel Ebel is a fine officer. He can be proud of his career and of his overall performance as commander of the 2d BCT, 101st Airborne Division, in Iraq. Might it not be sufficient for him, should he do so, to acknowledge to himself alone that he failed to observe and correct conditions in the 1/502d Infantry as it deteriorated in late 2005?

Or would it have been proper at the time to have taken official notice of that lapse, such as the action that I recommend (page 24 above)? Painful as it might be to Colonel Ebel, I think that was called for at the time, for the good of the Army.

The atrocity at the Janabi farmhouse and its dimensions became known well after the event. The action that I recommend (page 24) would have required that his rater and senior rater be of a mind, after the atrocity became known, to hold him responsible for allowing the conditions to exist in B Company that promoted the development of the soldiers' attitudes that led to the atrocity. Evidently Colonel Ebel's chain of command either made no such judgment, or it chose not to comment.

The cases of Generals Webster and Thurman present a dilemma. Evidently neither of their commands took significant notice of the deterioration of the 1/502d's B Company that began in late 2005; nor was action taken. However, the situation that fostered the Janabi atrocity developed as one of those commander's jurisdictions ended and the other's began.

If either of them had had sole jurisdiction throughout, I believe that it would have been his duty, through visits by division staff officers or the command sergeant major, to have detected those conditions in the 1/502d in time to obviate the atrocity. The split command jurisdiction here complicates the fixing of responsibility.

Also, while the 2d BCT/101st was under the operational control of Generals Webster and Thurman, in a real sense it belonged to another commander in the theater. This may have contributed to a lack of observing and acting.

I believe that the matter of general officer command responsibility for taking notice of poor situations at levels down the chain of command, such as that of the 1/502d Infantry in this case, and for acting to correct them, needs policy attention at the Army's highest level. The 2004 Abu Ghraib case is an example. I offer this case as a possible vehicle for discussion in that regard.

The Army must not only establish high standards of performance for its most senior officers; it should also establish a process for candid critique. Decades ago the after action review (AAR) was instituted at all levels of Army training. Its value is proven.

This Black Hearts case study offers an opportunity for the Army's senior officers to engage in an AAR of a real case, rather than an exercise, for the benefit of all. I so recommend.