

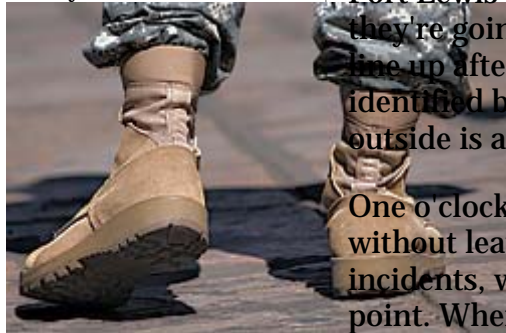
Not Every Deserter Gets the Watada Treatment

Some are just told to go home.

By **Nina Shapiro**

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For some disenfranchised soldiers, these boots are made for walkin' off the base.

A nervous, skinny soldier named Alonzo slides into a booth at a cafe near Fort Lewis and orders water. "I'm too uptight to eat," he says. "At 13:00, they're going to start calling my cell phone." That's the hour when soldiers line up after lunch to report for duty, and Alonzo (who requests to be identified by first name only) has no intention of going back. In his car outside is a hastily packed suitcase. He turns off his cell phone.

One o'clock comes and goes, at which point Alonzo is officially absent without leave—for the third time. The Army's response to the first two incidents, which included a year-long stay in Canada, led him to this point. When he voluntarily returned to Fort Lewis last summer, tired of the matter hanging over his head, he says his superiors "didn't really know what to do with me." Since then, he's heard different stories. Sometimes his sergeant told him he was going to be court-martialed. Other times he was informed that he would instead be "chaptered out,"

military slang for receiving a discharge according to one of the chapters of Army regulations. This morning it was back to court-martial, and this time he heard it from a major.

When it comes to the military's handling of deserters, there is little consistency. Some, like outspoken war opponent Lt. Ehren Watada, face courts-martial and potential jail sentences, while others are allowed to quietly leave with an "other than honorable discharge"—the military's term for a discharge that falls somewhere between honorable and dishonorable. And frequently the military drags its feet while deciding what to do.

"They seem to be making rules up as they go along," says Eric Seitz, a Hawaii lawyer who represented Watada through his Fort Lewis court-martial, which ended last year in a mistrial. (A federal court in November issued a preliminary injunction stopping the Army from a second court-martial.)

Major Nathan Banks, an Army spokesperson, counters that the disciplinary system "isn't built to be a cookie cutter," but operates on a "case-by-case" basis, adding that "it's entirely up to the [unit] commander." While the Army's stated priority is rehabilitating soldiers so they can continue to serve, a commander might say, according to Banks, "Hey, I want to make an example out of this person."

As a whole, the military treats deserters more leniently than it could—and than it would like new recruits to believe. Still on the books is a regulation stipulating the maximum punishment for desertion in time of war, one drill sergeants like to impress upon wavering soldiers: death. "And we're at war," Banks emphasizes, quickly adding that the Army doesn't really impose this harsh a penalty.

In the 2004 fiscal year, the Army court-martialed 176 deserters, just 7 percent of the total who fled for civilian life. Courts-martial, or military trials, must be held for prison sentences to be handed out. When they are, the standard ranges from three to five months, according to Bill Galvin, who has counseled hundreds of AWOL soldiers in his work for the Center on Conscience and War in

Washington, D.C.

"The Army doesn't have enough jail cells to accommodate all the people who go AWOL," says James M. Branum, an Oklahoma lawyer nationally known for his work with deserters. Nearly 7,000 soldiers deserted in fiscal year 2007, according to figures from each branch of the military. (The military counts soldiers as deserters once they've been AWOL for more than 30 days.)

While some branches, most notably the Navy, have seen the number of deserters drop since the beginning of the Iraq War, the total number has risen, largely in the Army, where roughly 4,700 people deserted in the last fiscal year—an 80 percent jump since the beginning of the war—amounting to just under one percent of the Army's total manpower.

Alonzo, a private first class, went AWOL after he traveled to Vancouver, B.C., to run a marathon in the summer of 2006. "I was depressed," he says.

Like the majority of AWOL soldiers, according to counselors who work with them, Alonzo's main motivation was not opposition to the war, although he says that came later. Rather, he says he found out that he "really wasn't into shooting and driving a Humvee."

Furthermore, he was having a hard time with a sergeant who he says was always screaming at him. Still, he called this superior after a day in Vancouver and agreed to return. At that point, he says he was reprimanded and had some pay docked.

Shortly thereafter, his unit was called up for deployment, at which point they traveled to a Yakima training facility to prepare. There more bad times ensued. "I can't do this," he thought. So three months after his first Canadian foray, Alonzo drove himself across the border again, helped by antiwar activists in Vancouver, who let him stay in their homes and put him in touch with a lawyer who submitted an application on his behalf for refugee status.

"He became like part of the family," says Valerie Raoul, a retired University of British Columbia professor who hosted Alonzo in her home. While in Vancouver, Alonzo worked as a barista at a Starbucks on Commercial Drive. But about five months later, when that job soured and his refugee application dragged on (Canadian authorities have been reluctant to grant American war resisters permanent residency), he decided to head back to the States, traveling all the way down to Fort Sill, Okla., to turn himself in.

Fort Sill has one of two Army processing centers in the country designed to expeditiously discharge deserters without a court-martial, the other being Fort Knox in Tennessee. Deserters who arrive at Fort Sill, if they're male, are given a new buzz cut and, irrespective of gender, old-style forest-green uniforms so that "they stick out like sore thumbs" among other soldiers, who are typically clad in lighter, desert-ready fatigues, according to Branum, the attorney based nearby. "But they're treated with dignity," he adds.

Forts Sill and Knox, however, are supposed to handle only soldiers who flee while still in basic training. Generally, the Army is most comfortable chaptering out "people who haven't been in very long, in whom the Army has invested very little," says Alex Bacon, a volunteer with the Seattle Draft and Military Counseling Center. Alonzo did not qualify since he had already completed basic training; he would have to face the music at his home base.

Consequently, he was driven to a nearby airport and given a ticket to Seattle, a journey he made unaccompanied. Upon arrival in Seattle, Alonzo promptly high-tailed it back to Vancouver. Another half-year later, he turned himself in again, at Fort Lewis.

Deserters are most likely to be made an example of if, like Alonzo, they leave in the face of

deployment, according to Galvin and others, or if they publicly criticize the war or military.

"It's understood that we don't talk negative about our commander in chief, which is President Bush," says Major Banks. If a soldier does, he says, "I'm sure there's another regulation he's broken [besides those related to going AWOL]." Case in point: Watada, who was charged with "acts unbecoming an officer" and "speaking contemptuously of the president" after the lieutenant made public antiwar remarks.

In another case, Alfonso Vera left Fort Lewis a couple weeks ago with an "other than honorable" discharge. He had been AWOL for seven months. What helped his case, according to Vera and his lawyer, Peggy Herman, was that a few weeks before Vera was due to enter the Army in the summer of 2005, his father was fatally shot at the car dealership he owned in Riverside, Calif. Vera, then 18, cleaned up the blood. Subsequently, he says, he was traumatized and wanted to be near his family, particularly his then-3-year-old sister, who was having nightmares. When he went to the recruiting office where he originally signed up to inform them of his intentions, Vera says he was told that backing out would be a "breach of contract" and to "do it for your dad."

So Vera stayed, traveling to Fort Leonard Wood, Mo., for basic training. Still, he missed his family and was looking forward to being posted at a base near home, as he says his recruiter promised—but didn't put in writing. Instead, he was assigned to Fort Lewis, where his superiors judged him an "outstanding" and "highly motivated" soldier, according to statements provided to his attorney. On the day of his dad's birthday, close to the time of year he was murdered, Vera was sent with his unit to Yakima to prepare for deployment. He says he had requested a couple weeks' leave to go home but was turned down.

"I wanted to see my sisters really bad," he says. He got drunk, then decided "That's it." He drove 18 hours straight back to his hometown, where he stayed for seven months, living at home and working for his mother's janitorial company.

One day he went to shampoo a carpet at an office building and inadvertently set off the alarm. Police who responded checked his ID and discovered a warrant. (The military files warrants for deserters but doesn't actively search for them.) Military police escorted him back to Fort Lewis, where, like Alonzo, Vera languished while his superiors decided what to do with him. Eleven months later, he was chaptered out.

"What surprised me is that it took so long," says Herman.

Meanwhile, at last report, Alonzo is still AWOL, living at an undisclosed location. He has not yet determined his next move.

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