

Soldier

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The sanity board had been expected to explore such issues as Bales' deployment history, including a concussion that Browne has said he suffered during one of his three prior deployments to Iraq, as well as any prescription medication he may have been taking and whether some sort of psychotic episode led to the shooting.

In most cases, the only information given to prosecutors following a sanity board review consists of a brief diagnosis and the

can seek more information about the defendant's mental state during a pretrial hearing or further psychiatric care for the defendant.

However, if a defendant raises a mental health-related defense, prosecutors can obtain more of the details of the sanity board review, including any clinical interviews with the defendant.

It wasn't immediately clear if the sanity board would proceed without Bales' cooperation.

Bales, 38, a father of two from Lake Tapps, Wash., is accused of walking off the base where he was deployed in southern Afghanistan with a 9 mm pistol and M-4 rifle outfitted with a grenade launcher. Officials say he walked to two local villages, where he killed four men, four women, two boys and seven girls, and then burned

some of their bodies.

Dan Conway, a former Marine who is now an experienced civilian military defense lawyer, said that while it may not be typical for the Army to record or allow a lawyer to attend sanity board reviews, it's "perfectly reasonable, especially in a case of this magnitude."

"You want to be very cautious in allowing a client to be subject to that sort of clinical interview," Conway said. "It's his client sitting alone with a bunch of doctors. You

If Bales continues to refuse to participate in the sanity board, a judge could bar him from relying on a mental-health defense at his court martial

answers to three yes-or-no questions: Was the defendant suffering from a mental disease at the time of the offense? Was the defendant able to appreciate the wrongness of his or her actions? Is the defendant currently suffering from a mental disease and thus unable to understand the legal proceedings?

The answers to those questions help prosecutors decide whether it's fair to have the defendant stand trial, Ophardt said. If the answers are mixed, investigating officers

Chicks



PHOTO BY LISA LOVING

Baby chicks are springing up around the city, where more and more homeowners are keeping hens for their eggs.

don't want the doctors taking on the role of investigators."

If Bales continues to refuse to participate in the sanity board, a judge could possibly bar him from relying on a mental-health defense at his court martial, Conway suggested.

Browne also said Friday that one of the Army lawyers assigned to the defense team, Maj. Thomas Hurley, stepped aside in what

Browne described as a mutual decision. The pair had disagreed about certain aspects of the defense strategy, and, Browne said, Hurley ultimately leaked an email from Browne to a news agency.

The Army confirmed that Hurley was no longer on the defense team, but declined to say why. Capt. Anthony Osborne remains on the defense team.

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