



Written by [Thomas R. Eddlem](#) on June 28, 2012

Accused Wiki-Leaker Bradley Manning Wins Discovery in Court Case

The attorney for accused document leaker former U.S. Army Private Bradley Manning won a pretrial motion for full discovery of exculpatory evidence in military court June 25, according to [various news sources](#). Manning's [attorney](#) Lt. Col. David E. Coombs had also filed a [motion](#) where he "requests the Court to suspend these proceedings and order the Government to state with specificity the steps it has taken to comply with its discovery obligations," but the presiding military judge Colonel Denise Lind denied that defense motion to suspend plans for a trial until full discovery of evidence was provided by the prosecution.



Manning is charged with leaking the [Collateral Murder](#) video to the whistleblower website Wikileaks, which shows a U.S. helicopter gunship killing Iraqi civilians and Reuters journalists they had mistaken as terrorist suspects. The video later shows the gunship pilots deliberately shooting a Reuters photographer they had wounded, a [war crime](#). Manning is also charged with leaking hundreds of thousands of documents on the [Iraq war](#) and [Afghan War](#), as well as [U.S. State Department diplomatic cables](#).

Collectively, it is the largest leak of classified documents in U.S. history, though the impact on national security is disputed. Manning could face a lifetime behind bars if convicted on all [22 charges](#), and possibly even the death penalty. (Prosecutors [claim](#) they are not seeking the death penalty.)

Coombs was specifically seeking information on federal government damage assessment from the leaks from various security agencies, as much of the charges related to "aiding the enemy" hinge on whether or not there were tangible benefits to the nation's enemies. Wikileaks and its supporters charge that the leaker provided a great public service, not damage to U.S. national security, though the whistle-blower website would not confirm if its source is Manning.

In a December 15 statement last year on the Wikileaks website, founder Julian Assange [defended](#) publication of the documents and launched an attack on the U.S. treatment of Manning in prison:

If it is the case that he is indeed the source of this or other WikiLeaks materials, Manning would have singlehandedly changed hundreds of thousands of people's lives for the better. This material has contributed to ending dictatorships in the Middle East, it has exposed torture and wrongdoing in all the corners of the world and it has held diplomatic bodies and politicians accountable for the words, deals and pacts held behind close doors.

The Obama Administration's treatment of Bradley Manning has been inhumane and degrading. 64 Members of the European Parliament (MEPs) have signed an open letter to the US Government recalling the "abusive treatment tantamount to torture" that Manning has been subjected to, and



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the letter complains that the UN Special Rapporteur on Torture had not been granted access to Bradley Manning privately in order to conduct an investigation of his treatment by US military authorities. 250 top legal scholars in the US have signed a letter to decry the violation of the Eighth Amendment's prohibition of cruel and unusual punishment and the Fifth Amendment's guarantee against punishment without trial.

Manning has been held in prison for more than two years awaiting trial, about half of which was under solitary confinement conditions far more harsh than most inmates.

The Obama administration has attempted to strangle the whistle-blower website financially by urging private banks not to honor transfers to Wikileaks' bank account, with some success, and Assange's [letter](#) attacked those efforts:

We are a media and publishing organisation and journalists who are protected by the First Amendment. The Obama administration has turned to outsourcing its retaliation against WikiLeaks to private companies, credit card companies and banks. It turns to the Bank of America, VISA, MasterCard, PayPal and Western Union to carry out the censorship that would be illegal for the government to do itself. They have been blocking donations to WikiLeaks since December 2010 in an attempt to financially strangle the organisation and its publishing activities.

The Manning defense team motion for evidence is a key part of the U.S. civilian and military judicial system. Under the [Sixth Amendment](#) to the U.S. Constitution, accused criminals are entitled to the information and witnesses the prosecution has access to, a process today known as "discovery." The Sixth Amendment simply refers to "the right to ... have compulsory process for obtaining witnesses in his favor."

Photo: Army Pfc. Bradley Manning, right, is escorted out of a courthouse in Fort Meade, Md., June 25, 2012, after a pre-trial hearing: AP Images



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