

Court weighs fate of sailor who killed gay shipmate

Associated Press

YOKOSUKA, Japan — Accepting a sailor's guilty plea in the killing of his homosexual shipmate, a military court opened hearings yesterday to determine whether he will spend the rest of his life in prison.

The plea by Navy Airman Apprentice Terry Helvey — part of a plea bargain — means the eight-member jury of military officers will decide only on the sentence.

The case has become a cause celebre for many gay-rights activists, coming as Washington is debating lifting a ban on homosexuals in the military. Gay-rights activists say the killing illustrated a pervasive animosity toward homosexuals in the U.S. military.

No motive for the killing of Allen Schindler was offered in yesterday's testimony or in pretrial hearings.

The presiding judge, Cmdr. David Holcombe, accepted Helvey's plea of guilty to murder with intent to commit great bodily harm, for which the maximum sentence is life. The plea was part of a pretrial agreement under which Helvey would not be tried for premeditated murder, for which he could have faced the death penalty.

Holcombe also accepted Helvey's pleas of guilty to two counts of assault on Navy shore patrolmen and of making false statements and a plea of innocent to a charge of obstructing justice.

Helvey, 21, of Westland, Mich., is being tried for killing his USS Belleau Wood shipmate last October in a public restroom in a park near Sasebo Naval Base.

Another of Schindler's shipmates, Airman Charles Vins, 21, of Sturgis, Mich., was arrested with Helvey and found guilty of not reporting a crime and resisting arrest. Vins served four months in a military jail under a pretrial agreement to testify against Helvey.

At the time he was killed, Schindler was awaiting discharge from the Navy for acknowledging in September that he was gay.