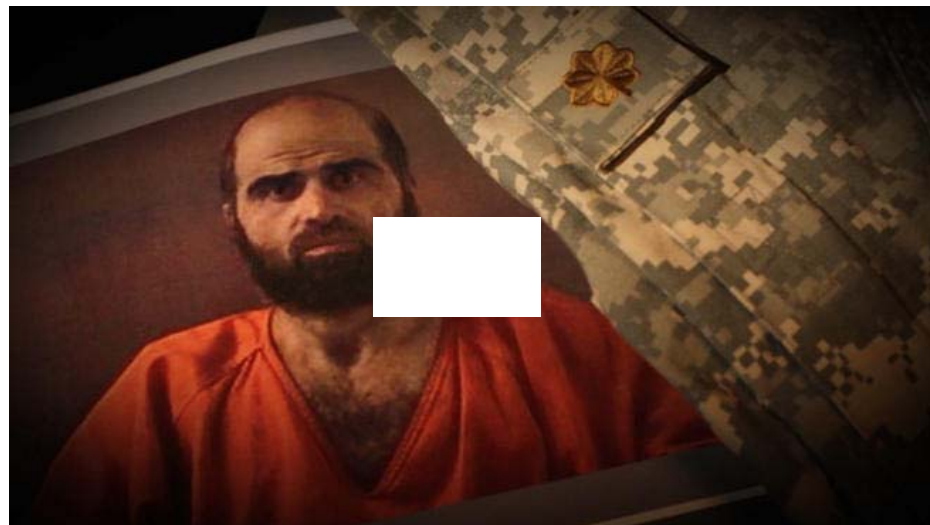


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Accused Fort Hood Shooter Paid \$278,000 While Awaiting Trial

Injured soldier outraged suspected shooter receives salary while his family financially struggles in recovery

By Scott Friedman | Tuesday, May 21, 2013 | Updated 4:45 PM CDT



Scott Friedman, NBC 5 Investigates

The Department of Defense confirms to NBC 5 Investigates that accused Fort Hood shooter Major Nidal Hasan has been paid more than \$278,000 since the Nov. 5, 2009 shooting that left 13 dead 32 injured.

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building," said Burnett. "Just blood everywhere and then the thought of -- that's my blood everywhere." Burnett nearly died. He's had more than a dozen surgeries since the shooting, and says post-traumatic stress still keeps him up at night. Burnett is now fighting a new battle; only this one is against the U.S. Army. The Army has not classified the wounds of the Ft. Hood victims as "combat related" and declines to label the shooting a "terrorist attack". The "combat related" designation is an important one, for without it Burnett and other shooting victims are not given combat-related pay, they are not eligible for Purple Heart retirement or medical benefits given to other soldiers wounded either at war or during the Sept. 11, 2001 attack on the Pentagon. As a result, Burnett, his wife Torey, and the families of other Fort Hood victims miss out on thousands of dollars of potential benefits and pay every year. To Burnett the shooting felt like combat. "You take three rounds and lose five good friends and watch seven other people get killed in front of you. Do you have another term that we can classify that as?" asked Burnett. The Army has categorized the shooting as a case of "workplace violence." "Sickens me. Absolutely sickens me. Workplace violence? I don't even know if I have the words to say," said Burnett. "They don't need to be treated like this. They don't need to sit and fight every day for this benefit or that," said Torey Burnett. As that fight continues, Burnett was stunned to see a letter detailing the more \$278,000 Hasan has been paid since his arrest. **NBC 5 Investigates** received the letter from the Department of Defense in response to a request under the Freedom of Information Act. "There have been times when my wife and I cannot afford groceries. We cannot afford gas in our car," Burnett said. "Literally, times where we ate Ramen noodles for weeks on end. This [that Hasan is still earning a paycheck] makes me sick to my stomach," said Burnett. Burnett isn't alone in his outrage. "We're giving the defendant in this case every benefit of the doubt. But yet we're not giving the benefits to the victims," said Rep. Thomas Rooney (R) Florida. Rooney, a former prosecutor at Fort Hood, recently signed a bi-partisan letter urging defense secretary Chuck Hagel to "...reclassify the



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victims' deaths and injuries as 'combat related'..."

The letter said the current situation has "...resulted in an embarrassing lack of care and treatment for the victims and their families."

"What happened here is not a case of workplace violence. What happened here was an attack on our military by a terrorist element specifically targeting our military, which just so happened to be in the United States of America," said Rooney.

Reports from the Federal Bureau of Investigation showed Hasan was communicating with a member of Al Qaida prior to the shooting.

Additionally, the government's National Counterterrorism Center lists the shooting at Fort Hood as a "high fatality terrorist attack."

Rooney said he's also willing to consider whether Congress should change the rules, so the Army could suspend the pay of soldiers arrested for crimes against fellow soldiers.

NBC 5 Investigates wanted to ask Pentagon officials about Hasan's pay and the decision to classify the shooting as workplace violence, but the Army turned down requests for an interview. However, the Army's Chief of Media Relations told **NBC 5 Investigates**: "The Department of Defense is committed to the integrity of the ongoing court martial proceedings of Major Nidal Hasan and for that reason will not further characterize, at this time, the incident that occurred at Fort Hood on Nov. 5, 2009."

Burnett, who recently retired from the Army and moved to Arkansas to live with family and save some money, has joined dozens of other Fort Hood victims in a lawsuit against the Army demanding the benefits they believe they've been unfairly denied.

"I refuse to continue letting Nidal Hasan win. And I leave the "Major" part out, because even though, unfortunately, he's still being paid better than I am, he doesn't deserve that rank," said Burnett.

A lawyer who once represented Hasan previously claimed his client couldn't find a bank that would deposit his Army paychecks, but a spokesman at Fort Hood told **NBC 5 Investigates** that that issue has since been resolved; meaning Hasan or his family can access the money.

The Army could get some money back from Hasan by demanding re-payment for the cost of treating the wounds he sustained when a police officer shot him during the incident. However, military officials would not tell **NBC 5 Investigates** if they plan to do that.

With the trial expected to begin this summer, Hasan's lawyer declined to comment on this story.

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