

DEPARTMENT OF THE ARMY
43RD MILITARY POLICE DETACHMENT (CID) (FWD)
10TH MILITARY POLICE BATTALION
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
OPERATION IRAQI FREEDOM APO AE 09323-2647

CIRC-AB (43)

8 Aug 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/FINAL (C) - 0088-03-CID469-60177-5N2B1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 30 JUN 2003/0830 - 30 JUN 2003/0900; Traffic Control Point 12, Baqubah, Iraq.

DATE/TIME REPORTED: 25 JUL 2003, 0900

INVESTIGATED BY: SA [REDACTED] SA [REDACTED] SA [REDACTED] *ribbl 02*

705 b65 SUBJECT: 1. [REDACTED] PFC; [REDACTED] *705 b65*
[REDACTED] M; Black; C Company, 2/8th Infantry Bn, 4ID, Camp Scunior, Baqubah, Iraq; FC; [ROBBERY]

VICTIM: 1. Iraqi Local National (NFI); [ROBBERY]

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" Report of Investigation. The delay in dispatching this report was due to intermittent communications abilities at forward sites in Iraq.

This office was notified by the Staff Judge Advocate, 2nd Brigade Combat Team (BCT), 4ID, Camp War Horse, Baqubah, Iraq, of a Robbery.

705 b65
Investigation established probable cause to believe PFC [REDACTED] committed the offense of Robbery, when he stole about \$750.00 and several thousand Iraqi Dinar from an unknown Iraqi Local National, who was traveling through the unit's traffic control point. PFC [REDACTED] then threatened the Iraqi man with his rifle, when he refused to leave without his money. The victim never came forward and was identified.

1
DOD-DOACID001041

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/FINAL (C) - 0088-03-CID469-60177-5N2B1

STATUTES:

Article 122, UCMJ: Robbery

EXHIBITS/SUBSTANTIATION:

ATTACHED:

*15
205*

1. Agent's Investigation Report (AIR) of SA ^{7C1 b61} [redacted] 5 Aug 03, documenting the initial notification, the interview of PFC [redacted], and the interviews of unit members who were at the TCP during the incident and afterward.

2. Packet comprised of statements provided by the unit, 30 Jun 03.

3. Waiver Certificate and Sworn Statement of PFC [redacted] 5 Aug 03, in which he admitted confiscating money from an Iraqi Local National and then refusing to return it to the Iraqi man, even though he was told by his leadership that no money would be confiscated.

*15
205*

4. Sworn Statement of PFC ^{7C4 b64} [redacted] Aug 03, in which he saw PFC [redacted] arguing with an Iraqi Local National about money PFC [redacted] had confiscated.

5. Sworn Statement of SGT ^{7C4 b64} [redacted] 5 Aug 03, in which he stated he saw PFC [redacted] and an Iraqi Local National arguing about money that PFC [redacted] had confiscated from the Iraqi man.

6. Sworn Statement of SGT ^{7C4 b64} [redacted], 5 Aug 03, in which he stated PFC [redacted] told him he overheard PFC [redacted] talking with SPC [redacted] about money behind his vehicle, and found Iraqi money stuffed in an MRE box. ^{7C5 b65}

*15
205*

7. Sworn Statement of SSG ^{7C4 b64} [redacted] 5 Aug 03, in which he stated he was told by an Iraqi Local National and some medics in the unit that PFC [redacted] had taken the Iraqi man's money and refused to return it to the man.

8. Waiver Certificate and Sworn Statement of SPC ^{7C4 b64} [redacted] 5 Aug 03, who stated he did not conspire with PFC [redacted] to steal the Iraqi Local National's money and then hide it inside an MRE box. ^{7C5 b65}

NOT ATTACHED:

FOR OFFICIAL USE ONLY

000 2



SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/FINAL (C) - 0088-03-CID469-60177-5N2B1

None.


The originals of Exhibits 1 and 3 through 8 are forwarded with the USACRC copy of this report. The originals of Exhibit 2 are retained in the files of the Staff Judge Advocate, D-Main, 4ID, Camp Iron Horse, Tikrit, Iraq.

STATUS: This is an Initial/Final (C) Report. This investigation is being terminated IAW CIDR 195-1, 4-17 (a)(6), in that the Special Agent in Charge has determined that furtherance of this investigation would be of little or no value or leads remaining to be developed are not significant. Leads remaining include the canvass interviews of unit members who worked the TCP.


Report Prepared By:

7C1 b61

Special Agent,  *02*

Report Approved By:


Special Agent in Charge

DISTRIBUTION:

- 1 - Director, USACRC, 6010 6th Street, Fort Belvoir, VA 22060-5505 (Original)
- 1 - CDR, 10th MP BN (FWD), USACIDC, Baghdad, Iraq, (email copy only)
- 1 - Action Commander
THRU: Commander, 2/8th Infantry, 4ID
TO: Commander, B Company, 2/8th Infantry, 4ID
- 1 - SJA, 4ID, ATTN: MAJ  D-Main Tikrit, Iraq (e-mail copy only) *7C1 b61 3*
- 1 - PM, 4ID, D-Main, Tikrit, Iraq (e-mail copy only)
- 1 - File

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DOD-DOACID001043

AGENT'S INVESTIGATION REPORT CID Regulation 195-1	ROI NUMBER 0088-03-CID469-601
	PAGE 1 OF 2 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0900, 25 Jul 03, this office was notified by the Staff Judge Advocate, 2nd Brigade Combat Team (BCT), 4ID, Camp War Horse, Baqubah, Iraq, of a robbery at a traffic control point (TCP) by an infantry soldier. (See packet of statements for details)

About 0945, 5 Aug 03, SA ^{7C11661} [redacted] advised PFC ^{7C064} [redacted] of his rights, which he waived, and rendered a sworn statement in which he admitted to confiscating money from an Iraqi Local National and then refusing to return it to the Iraqi man, even though he was told by his leadership that no money would be confiscated. PFC [redacted] denied he told the Iraqi man he would harm him with his rifle, if the Iraqi man did not leave. He also denied he intended to keep the money and stated he was going to turn the money in at the end of the mission; however, because the Iraqi man reported the incident, he lied to his leadership because he thought they would think he was trying to steal the money. (See Waiver Certificate and Sworn Statement for details)

About 0950, 5 Aug 03, SA ^{7C11661} [redacted] interviewed PFC ^{7C064} [redacted] HHC, 1/67th Armor, 4ID, Camp Scunion, Baqubah, Iraq, who rendered a sworn statement in which he saw PFC [redacted] arguing with an Iraqi Local National about money PFC [redacted] had confiscated. PFC [redacted] stated he heard PFC [redacted] tell the Iraqi man he was not getting his money back and to leave or he (PFC [redacted]) would shoot him. (See Sworn Statement for details)

About 1027, 5 Aug 03, SA ^{7C11661} [redacted] interviewed SGT ^{7C064} [redacted] HHC, 1/67th Armor, 4ID, Camp Scunion, Baqubah, Iraq, who rendered a sworn statement in which he stated he saw a PFC [redacted] and an Iraqi Local National arguing about money that PFC [redacted] had confiscated from the Iraqi man. (See Waiver Certificate and Sworn Statement for details)

About 1027, 5 Aug 03, SA ^{7C11661} [redacted] interviewed SGT ^{7C064} [redacted] B Co, 2/8th Infantry, 4ID, Camp Scunion, Baqubah, Iraq, who rendered a sworn statement in which he stated PFC [redacted] had told him he over heard PFC [redacted] talking with SPC [redacted] about money behind his vehicle, and found Iraqi money stuffed in a MRE box. (See Sworn Statement for details)

7C11661
4

2
08
3

7C11661

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA ^{7C11661} [redacted] b2		ORGANIZATION 43 rd MP Det (CID) (FWD), Camp Iron Horse, Iraq APO AE 09323-2647
SIGNATURE [redacted]	DATE 5 Aug 03	EXHIBIT 1

DETAILS

701 b61
704 b64
 About 1047, 5 Aug 03, SA [redacted] interviewed SSG [redacted], C Co, 1/67th Armor, 4ID, Camp Scunion, Baqubah, Iraq, who rendered a sworn statement in which he stated he was told by an Iraqi Local National and some medics in the unit that PFC [redacted] had taken the Iraqi man's money and refused to return it to the man. (See Sworn Statement for details). *705 b65*

701 b61
704 b64
 About 1042, 5 Aug 03, SA [redacted] interviewed SPC [redacted], B Co, 2/8th Infantry, 4ID, Camp Scunion, Baqubah, Iraq, who stated he did not conspire with PFC [redacted] to steal the Iraqi Local National's money and then hide it inside an MRE box. (See Sworn Statement for details)

701 b61
704 b64
 About 1315, 5 Aug 03, SA [redacted] interviewed PFC [redacted] and SPC [redacted], B Co, 2/8th Infantry, 4ID, Camp Scunion, Baqubah, Iraq, who stated while he was sitting in his vehicle, he overheard PFC [redacted] and SPC [redacted] talking about spending money. PFC [redacted] stated he heard over the radio just prior to them coming over to his vehicle that some money was taken from an Iraqi man, so he asked them not to put the money in his vehicle and that he did not want anything to do with the money. PFC [redacted] stated PFC [redacted] offered him some of the money if he would keep quiet and not report the incident, which he stated he declined. He stated he saw PFC [redacted] put the money inside an MRE box in the vehicle. He stated he notified an NCO who searched the MRE box and found Iraqi money inside. *705 b65*

701 b61
704 b64
 About 1330, 5 Aug 03, SA [redacted] interviewed 2LT [redacted], C Co, 1/67th Armor, 4ID, Camp Scunion, Baqubah, Iraq, who stated he was in charge of the TCP and prior to the mission put out to the NCOs what would be taken from Iraqis traveling through the TCP. He stated he recalled a soldier asking him about confiscating large sums of money, which he stated they were not confiscating money.///END OF STATEMENT///

<small>TYPED</small> [redacted]	<small>ORGANIZATION</small> 43 rd MP Det (CID) (FWD), Camp Iron Horse, Iraq APO AE 09323-2647	
<small>STON</small> [redacted]	<small>DATE</small> 5 Aug 03	<small>EXHIBIT</small> 1

Page(s)

6-28

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS JACQUELINE SCOTT
scottj@centcom.osa.mil
(813) 827 5341/2830

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

7c4 b6d

LOCATION	DATE 2003/06/30	TIME 0230	FILE NUMBER 0088-03-420469
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-5	

ORGANIZATION OR ADDRESS
HHC 1-67 AR

[REDACTED] 7c4 b6d . WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 30th of June 2003 at around 0830 I was standing on the ramp of my M113 Tracked ambulance when I heard on one of the walkie talkies that an infantryman who was eating lunch next to my track had on that they found \$900.00 on an Iraqi civilian and they were asking what to do. The soldier on the humvee told them to find Lt. [REDACTED] and ask him what to do. About 15 minutes later I saw a short black soldier walking in front of my track with an Iraqi Civilian who was arguing with him about some missing money. The soldier told kept telling him to leave the area and that the Americans confiscate any money found. Someone during all of this from the checkpoint he was guarding yelled out to the soldier by my track and asked him what he was doing. He replied that the Iraqi Civilian was upset about the service of his truck and then he left and went back to his checkpoint. The Iraqi civilian then left and went back to his blue truck and left the area. About 45 minutes later I heard on our company net Red 4 Golf calling Lt. [REDACTED] and asking him if he knew anything about anyone confiscating \$900.00. Lt. [REDACTED] stated that he had no knowledge on the subject. That is when I came up on the net and told Red 4 Golf that I overheard some infantrymen talking about finding \$900.00 on an Iraqi civilian. That is when SSG [REDACTED] came to my track with the same Iraqi Civilian that I saw earlier by my track arguing with the young black soldier. I told him what I knew and he and Lt. [REDACTED] went to the other checkpoint manned by the infantry from 2-8 to try and sort things out.

END OF STATEMENT [REDACTED] 7c4 b6d
[REDACTED] 7c4 b6d

[REDACTED] 7c4 b6d
[REDACTED] 7c4 b6d
30 JUN 03

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES" WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

For official use only

Exhibit 2

STATEMENT (Continued)

30 Jun 03

rubbed

[REDACTED]

rubbed

[REDACTED]

30 Jun 03

30 Jun 03

30 Jun 03

rubbed

AFFIDAVIT

I, Set [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT 704 b6/4

[REDACTED]
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of Aug 2003 at Camp S...

[REDACTED] 704 b6/4
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

50 [REDACTED]
(Type Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

136 [REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

USAPPC V2 00

For official use only

Exhibit 2

RIGHTS WAIVER/HEARING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is DCSPER.

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

LOCATION Camp Scurion, 1-67th AR TC Baqubah Iraq	DATE 5 Aug 03	TIME 0945	FILE NO.
NAME (Last - First - MI) [REDACTED]	ORGANIZATION OR ADDRESS B Co, 1-67th AR, 4ID 2-8 INF		
SOCIAL SECURITY NO. [REDACTED]	GRADE/STATUS 7C51665 PFC/E-3	Comp Scurion Baqubah Iraq	

SECTION A - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

RIGHTS

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command (CID) and wanted to question me about the following offense(s) of

which I am suspected/accused: Robbery, Conspiracy //

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any questions or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. However, I understand that I must make my own arrangements to obtain a lawyer and this will be at no expense to the Government. I further understand that if I cannot afford to pay for a lawyer, one may be appointed to represent me.

- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

COMMENT (Continue on reverse side)

WAIVER

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me. 7C51665

WITNESSES (If available)	SIGNATURE OF INTERVIEWEE [REDACTED] 7C51665
1. NAME (Type or Print)	[REDACTED]
ORGANIZATION OR ADDRESS AND PHONE	SIGNATURE OF INVESTIGATOR [REDACTED] 7C1661
2. NAME (Type or Print)	TYPED NAME OF INVESTIGATOR SA [REDACTED] 7C1661
ORGANIZATION OR ADDRESS AND PHONE	ORGANIZATION OF INVESTIGATOR 43rd MP Det (CID) (FWD) APO AE 09323

NON-WAIVER

I do not want to give up my rights

I want a lawyer.

I do not want to be questioned or say anything.

SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUBJECT SUSPECT/ACCUSED.

JA FORM MAY 81 3881

EDITION OF MAY 78 IS OBSOLETE.

For Official Use Only

Exhibit 3

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 1-67 TCC, CP SCUNION Bagubah Iraq	2. DATE (YYYYMMDD) 5 Aug 03	3. TIME 1720hrs	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS PFC/E-3	
8. ORGANIZATION OR ADDRESS B CO, 2-8 INF, 4ID CP SCUNION, BAGUBAH Iraq			

7c
b6
5

9. [REDACTED] 7cstb65 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: SA [REDACTED] 7cstb61

A: PFC [REDACTED] 7cstb65

Q: Did you take the Iraqi man's money?

A: Yes. The sack I found in his vehicle contained \$750.00 and several stacks 250 dinari, which appeared to be over one million dinari. In the past, when working TCP's, I was instructed to confiscate \$100.00 and over without documentation and one million dinari. I took the sack of money and told the Iraqi man I was confiscating it. I put the sack off to the side and walked over to the LT and told him about the money. He stated that we were not confiscating large amounts of money, only weapons. I went back to the TCP point and saw the Iraqi man had left. The money was still off the side. The Iraqi man then returned and I walked over to him and he asked for his money. I told him he would not get his money because I was confiscating it and he would have to go to Camp War Horse to get it. I didn't want to give him the money because I didn't believe his story about why he had all that money.

Q: Did unit members ask you about the money?

A: Yes, some NCO's and the LT asked me about the money I said I didn't have it

Q: What did you do with the sack of money?

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 7cstb65	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

For official use only

Exhibit 3

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF PKC [REDACTED] ⁷⁵_{bbs} TAKEN AT CP Scunior DATED 5 Aug 03

9. STATEMENT (Continued)

A: After a search was conducted by the unit, the sack was never found where I had left it earlier. I wanted to get rid of the money, meaning I wanted it to be found. I took the money (still in the sack) and put it in a MRE Box, where it was found, shortly thereafter by the LT. ~~MRE Box was searched earlier, etc.~~ ^{7C3463} ^{7C3463} ^{7C3464}

Q: Did you talk with [REDACTED] about spending the money, while taking a break?

A: Yes we did talk about it, but knew it would not be worth it to take the money and get caught.

Q: Did you tell [REDACTED] you would give him some of the money?

A: No. We just talked about how we would spend that amount of money.

Q: Why did you keep the money, after the LT told you not to confiscate money?

A: Because I did not believe the Iraqi man about why he had that large amount of money. I knew it was wrong, and I made the wrong decision.

Q: Was it your intent to steal this Iraqi man's money?

A: No. I was going to turn it in. When it got blown out of proportion, I knew I could get in trouble and it looked like I was stealing the money. I lied because I was afraid I would get in trouble. I did not confiscate the money for my own, I wanted to turn it in.

Q: When the Iraqi man asked you for his money, did you threaten him with your weapon if he did not leave?

A: No I told him I was confiscating the money. He tried to touch my arm and I told him if he touched me I would "break his wrists".

00008

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] 75 bbs

PAGE 2 OF 3 PAGES

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Exhibit 3

STATEMENT OF 8FC [REDACTED] 705265 TAKEN AT CP SULLION DATED 5 Aug 03

9. STATEMENT (Continued)

Q: Do you have any thing to add?
 A: At the time I took the money, I thought I was doing the right thing, even after the LT said we were not confiscating money. I made the wrong choice, I didn't speak up later because the unit leader would have thought I was trying to steal the Iraqi man's money. I was only trying to do the right thing.
 Q: Do you have any thing else to Add?
 A: No. // END OF STATEMENT // [REDACTED] 705265

705 665

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] 705265
 (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of AUG, 2003 at CP SULLION

ORGANIZATION OR ADDRESS

[REDACTED] 701 661
 (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 701 661
 (Typed Name of Person Administering Oath)
Art 136, UCMS
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

705265
[REDACTED]

PAGE 3 OF 3 PAGES

For OFFICIAL USE ONLY

Exhibit 3

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary. 7041 b64 7041 b64

1. LOCATION: Camp Scunior, Bagdalah, Iraq
2. DATE (YYYYMM): 20030905
TIME: 0950
3. FILE NUMBER:
5. GRADE/STATUS: E-31 RA
8. ORGANIZATION OR ADDRESS: HHC 167 Armor

[Redacted] 7041 b64 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 30 Jun 2003 Sgt [Redacted] and me were the medics for a TCP, run by C. Co 1-67 AR. At about 0800-0900 while Sgt [Redacted] 7041 b64 and me were watching the radios in our M-113 medic truck an Infantry soldier and Iraqi stopped about 20 feet in front of our truck. The Iraqi asked the soldier for his money and the soldier said, no, I'm not giving you your money. When the Iraqi asked again the soldier said, I'm not giving you your money we have to take all American money. No leave or I'll shoot. At that time the Iraqi went right and the soldier went left back to his point at the [Redacted] 7041 b64

Q: SA? [Redacted] 7041 b64
A: PFC [Redacted] 7041 b64

Q: Can you describe the soldier yelling at the Iraqi man?
A: I do not know his name but he was the only Black Infantry soldier at the TCP. He's about 5'7", red build.

Q: How many soldiers were at the checkpoint?

A: Around 22 soldiers

Q: Did you see any money in the black soldier's hands?

A: No.

Q: Do you have anything else to add to this statement?

A: No!!! End of Statement!!! End of Statement [Redacted] 7041 b64

10. EXHIBIT: [Redacted] OF PERSON MAKING STATEMENT: [Redacted] 7041 b64 PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

FOR OFFICIAL USE ONLY

Exhibit 4

STATEMENT OF [REDACTED] TAKEN AT Camp Sarrudin DATED 5 Aug 03

9 STATEMENT (Continued) 705 b65

705 b65

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

[REDACTED] 705 b65
(Signature of Person making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of August, 2003 at Camp Sarrudin, Baghdad, Iraq

ORGANIZATION OR ADDRESS

[REDACTED] 705 b65
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 705 b65
(Typed Name of Person Administering Oath)
A, t 136 (b) (4) UCMJ
(Authority To Administer Oaths)

INITIALS ON MAKING STATEMENT 705 b65

PAGE 2 OF 2 PAGES

For OFFICIAL USE ONLY

Exhibit 4

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSM).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Sewier, Iraq	2. DATE (YYYYMMDD) 20030805	3. TIME 0927	4. FILE NUMBER 2088-03-20469
5. [REDACTED] 704/b64	6. S. [REDACTED]	7. GRADE/STATUS E5/RA	
8. ORGANIZATION OR ADDRESS HHC, 1-67 Armor Battalion, Fort Hood, TX 76544 (deployed to Iraq.)			
9. [REDACTED] 704/b64, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			

Q: Do you recall who the infantry man was that was next to you with a walkie talkie?

A: THE INFANTRYMAN WAS A SGT. WHO WAS SITTING ON A HUMMER WITH HIS BACK TURNED TO ME.

Q: In your statement you stated that the soldier in the Hummer told them to find LT. [REDACTED] was this over the radio?
704/b64

A: YES, THE SGT IN THE HUMMER TOLD THE SOLDIER CALLING HIM TO FIND THE "LT." THAT WAS WALKING AROUND, & TO TAKE CARE OF IT.

Q: Do you recall the call sign used over the radio?

A: I DO NOT RECALL THE CALL SIGN EXCEPT FOR THE NUMBER 5 AFTER THE CALL SIGN. [REDACTED] 704/b64

Q: You stated you saw a ~~black~~ ^{short black} soldier speaking to a civilian, did you notice a name tag on the soldier?

A: THE SOLDIER WAS ABOUT 15 FT. AWAY FROM ME & I WAS NOT LOOKING FOR A NAME TAG. 704/b64

10. EXHIBIT	11. NAME OF PERSON MAKING STATEMENT [REDACTED] 704/b64	PAGE 1 OF 3
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED		

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EXHIBIT 5

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Sgt [REDACTED] 704 1064 TAKEN AT Camp Sula DATED 5 AUG 03 Seo

9. STATEMENT (Continued)

Q: Describe the clothing the Iraqi civilian was wearing?

A: He was wearing a white article of clothing that covered his entire body all the way down to his ankles, 1 piece.

Q: ~~was~~ ^{was} there anyone else with the local national?

A: The only person I saw him with, was when he got into his blue pick-up truck.

Q: Have you seen the short black soldier before this incident?

A: NO

Q: Did you notice any rank or anything significant about this soldier?

A: I did not notice rank, he did not wear glasses that I could see, he seemed to look like he worked out on free weights.

Q: How do you know that the civilian was arguing about money with the soldier?

A: He kept repeating himself saying money, money, my money.

Q: Did you witness the initial stop of the civilian in the blue truck?

A: NO

Q: How far was the blue truck from your location?

A: ABOUT 100 meters

Q: Did you witness the short black soldier take any money from the civilian Iraqi?

A: NO

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

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EXHIBIT 5

STATEMENT OF

SAT

TAKEN AT

Camp Scurion

DATED

5 AUG 03 SAC

9. STATEMENT (Continued)

7C4 b64

Q: Other than the radio communication, did you hear any other soldier talking about the missing money?

A: NO

Q: You stated in your statement taken on 30 JUN 03 that around 0800 you were standing on your M113 track ambushed when you heard out of the woods talking on an infantry man next to you regarding finding 900.00 dollars on an Iraqi civilian. You also stated that you heard a soldier on a Hummer yell them over the radio to find Lt. [redacted] ask [redacted] what to do. You stated that about 15 minutes later you saw a black soldier speaking with an Iraqi civilian. The soldier kept telling them to leave. The Iraqi returned 45 minutes later after you heard over the radio regarding quarter of the missing money. You notified Red 4 that you overheard an infantryman talking about the 900.00 dollars found on the civilian. SSG [redacted] then came with the Iraqi civilian which you recognized as previously arguing with the short black soldier. Then they departed. Is this what you provided in your previous statement?

A: YES.

Q: Do you have anything else to add to this statement?

A: NO. // END OF STATEMENT //

AFFIDAVIT

I, [redacted] 7C4 b64, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. SAC

[redacted] 7C4 b64
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of AUG 2003

at Camp Scurion [redacted]

[redacted] 7C1 b61
(Signature of Person Administering Oath)

SA [redacted] 7C1 b61
(Typed Name of Person Administering Oath)

136 2105 701 001
(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

[redacted]

PAGE 3 OF 3 PAGES

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Exhibit 5

SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is Office of The Deputy Chief of Staff for Personnel

LOCATION CAMP SCUNION, BAQUBAH, IRAQ	DATE 5 JUN 03	TIME 10:27	FILE NUMBER 704 664
LAST NAME FIRST NAME MIDDLE NAME [REDACTED] 704 664	SOCIAL SECURITY NUMBER [REDACTED] 704 664	GRADE/STATUS SGT/AD	
ORGANIZATION OR ADDRESS B, 218 INFANTRY, 410, UNIT 92407, APO AE 09323-2607			

I, [REDACTED] 704 664, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

AT 0630, 30 JUN 03, I WAS TASKED AT TCP 12. I WAS BRIEFED TO CONFISCATE WEAPONS AND MONEY, LARGE SUMS, FROM IRAQI'S WHO CAME THROUGH THE CHECKPOINT. ABOUT 0930, I FOUND A LARGE GARBAGE BAG OF IRAQI DINAR AND HAD PVT [REDACTED] 704 664 ASK THE LT ON DUTY, CALL SIGN "RED ONE" ABOUT TAKING THE MONEY. THE LT SAID "NO" THERE WASNT A NEED TO TAKE IT. ABOUT 1 HOUR LATER, SSG [REDACTED] 704 664 CAME BY TO SAY THAT AN IRAQI MAN STATED HE WAS MISSING ABOUT \$2000.00 IN AMERICAN MONEY. I SAW PFC [REDACTED] 704 664 AND ASKED HIM WHAT HE WAS DOING ON AND PFC [REDACTED] 704 664 SAID HE HEARD PVT [REDACTED] 704 664 TALKING ABOUT THE MONEY BEHIND THE TAILGATE, NEAR A MRE BOX. I WENT TO THE MRE BOX AND FOUND SOME IRAQI DINAR ON TOP OF THE TRASH BUT I DID NOT SEE ANY AMERICAN MONEY.

Q: SA [REDACTED] 704 664 A: SGT [REDACTED] 704 664

Q: DID YOU SEE ANYONE TAKE ANY AMERICAN MONEY OR IRAQI DINAR FROM ANYONE DURING THE CHECKPOINT SEARCHES?

A: I DID NOT SEE ANYONE TAKE ANY MONEY.

Q: DID YOU SEE PVT [REDACTED] 704 664 OR ANYONE ELSE PLACE ANY MONEY IN THE MRE BOX?

A: NO

Q: DURING THE SEARCH OF THE SOLDIERS, WAS ANY MONEY FOUND?

A: NOT ON THE SOLDIERS.

Q: WERE YOU AND THE OTHER SOLDIERS TOLD TO PROVIDE

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] 704 664	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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Exhibit 6

70464

1042 5/11/03

THE LOCAL NATIONALS WITH RECEIPTS FOR THE ITEMS THAT WERE SEIZED?

A: No at the time, But later we will have to an CP.

Q: DID ANYONE COUNT THE DINAR THAT WAS FOUND ON THE MRE TRASH?

A: The LT ⁷⁰⁴⁶⁴ counted the money but was not told how much.

Q: ~~WAS Q13~~ WHO WAS THE "LT" ON DUTY?
~~70464~~

A: ⁷⁰⁴⁶⁴ this is his call sign.

Q: IN YOUR INITIAL STATEMENT, DATED 30 JUN 03, YOU STATED YOU TOLD PFC ⁷⁰⁴⁶⁴ THAT "SOMEONE HAS TO BE A BUDDY FUCKER." WHAT DID YOU MEAN?

A: That someone needs to do the right thing. I was not meaning he ⁷⁰⁴⁶⁴ was doing wrong But he has to tell on someone.

Q: DO YOU KNOW WHO STOLE THE MONEY FROM THE MRE?

A: No I don't know how stole the money Because no one was NOLVES at any time.

Q: DO YOU WISH TO ADD ANYTHING TO THIS STATEMENT?

A: NO /// END OF STATEMENT /// ⁷⁰⁴⁶⁴

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Exhibit 6

INITIAL ⁷⁰⁴⁶⁴ PAGE 2 OF 3 PAGES

STATEMENT (Continued)

704, b6, b7C
[REDACTED] USED

AFFIDAVIT

I, [REDACTED] 704, b6, b7C, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 AND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INC

WITNESSES:

[REDACTED] 704 b6, b7C

3W

to administer oaths, this 27 day of AUG-2003 at CAMP SCUNION, IRAQ

ORGANIZATION OR ADDRESS

[REDACTED] 704 b6, b7C
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 704 b6, b7C
(Typed Name of Person Administering Oath)

Article 136 UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

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Exhibit 6

SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Camp Saurion, Bagdadh, Iraq	DATE 9 Aug 1947	TIME [REDACTED]	FILE NUMBER 704 1604
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SERIAL NUMBER [REDACTED]		GRADE/STATUS E-6 RA
ORGANIZATION OR ADDRESS C Company 1st			

[REDACTED] 704 1604 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

OK about 30 June 63 and IRAQI man approached me at a traffic control point to complain that another soldier on the opposite side of our check point had stolen his money at gunpoint and had also threatened to shoot him. At first I did not want to believe that one of our soldiers would do that but after about 1 hr of waiting the IRAQI man persisted and pleaded with me. He then told me again what had happened and I asked him if he would be able to point out the soldier. He said yes. I walked him back through the TCP when I then talked to the medics of C. Co 1st AF. I kept the IRAQI man about 10 meters away under guard and the medics told me the same story as the local national. This was done without the medics talking to him at all. The story was the same and the medics told me they heard a few guys on the radio and near by that they had confiscated alot of American money from an IRAQI man that came through 705-600 our TCP. I then asked the man to point out the soldier and he pointed to SP [REDACTED] an infantry man from 2-8 inf. when I confronted him and asked him about the money he became slightly belligerent and denied it all saying "you can search me now!" and that "your medics dont know shit." I never told him I talked to the medics. And also saying who do you believe me or an IRAQI? I then talked to his NCO and he confronted him. [REDACTED] 704 1604 we stood there and he denied it. I talked with my Lt. Subj [REDACTED] and 556 [REDACTED] 704 1604 also talked to the NCO and soldier and again he flatly was denying taking any money. It [REDACTED] stayed around the area and the driver of the Humvee told him to look into the MRE trash box. In the used portion of Spangalt; Lt [REDACTED] found a large sum of money. at or around \$1,000. He then called myself, 556 [REDACTED] 704 1604 and the soldiers NCOs and we talked. Everyone agreed that the soldier screwed up and that something needed to be done. when asked what I would do I said you want want my answer wait till I cool down, but at a minimum it needed to be reported. when we came back from the mission myself, 556 [REDACTED] 704 1604 and Lt [REDACTED] 704 1604 reported the issue to CPT. 703 1103 [REDACTED] 704 1604

Q: SA [REDACTED] 701601
 A: 556 [REDACTED] 7041604
 Q: What time did the Iraqi man approach you?
 A: Between 10am and 12 noon
 Q: What did the medics tell you?
 A: The medics told me that they heard a group of soldiers begging

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] 7041604	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED" THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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Exhibit 7

STATEMENT (Continued)

about taking money (a large sum) from one of the Iraqi locals coming through the check point.

Q: Did the medics know who stole the money?

A: No they only heard them bragging about it, and laughing.

Q: How did the money get into the MRE box?

A: Only the person who did it or the driver would know.

Q: How did the Iraqi man identify SPC [redacted] TC5605

A: He spoke [redacted] TC4604 limited english and also pointed him out.

Q: What did the Iraqi say in english?

A: He described the soldier in detail and 5 minutes later pointed him out. He said "a dark soldier, built (muscular) and pronounced the first part of his name [redacted] TC5605

Q: Is there an SOP which states what to do with found money at the TC's?

A: yes. Nothing is to be done with it.

Q: Do you have anything else to add to this statement?

A: Only that the soldier showed absolutely no remorse either before or after the money was found.

Q: Do you have anything further to add to this statement?

A: NO. (1) End of Statement 1. [redacted] TC4604

AFFIDAVIT

I, [redacted] TC4604, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. [redacted] TC4604

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of August 2003 at Camp Sauron, Baghdad, Iraq

ORGANIZATION OR ADDRESS

[redacted] TC1661 (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

S.A. [redacted] TC1661 (Typed Name of Person Administering Oath)

Article 136 UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[redacted] TC4604

PAGE 2 OF 2 PAGES

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Exhibit 7

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
 For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION <u>Camp Sincion, Iraq</u>	2. DATE <u>5 AUG 03</u>	3. TIME <u>1042</u>	4. FILE NO. <u>0028-03-220469</u>
6. SSN [REDACTED] <u>704 7064</u>	8. ORGANIZATION OR ADDRESS <u>B Co. 2/8th Infantry Battalion</u> <u>Fort Hood TX 76544</u> <u>Deployed to Iraq.</u>		

PART I - RIGHTS/WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation and wanted to question me [REDACTED] regarding offense(s) of which I am suspected/accused of Larceny of Private Goods / Conspiracy III

When he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:
 I do not have to answer any questions or say anything.
 Anything I say or do can be used as evidence against me in a criminal trial.
 For personnel subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

I am now willing to discuss the offense(s) under investigation, with or without a lawyer present. I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

HAVE you been advised of your legal rights with the part 2002 in what you noted of before?

Section B. Waiver

I understand my rights as stated above. I am willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me. 704 7064

1a. NAME (Type or Print)	3. SIGNATURE OF INTERVIEWEE
1b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR
2a. NAME (Type or Print)	5. TYPE
2b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR

Section C. Non-Waiver

1. I do not want to give up my rights:
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA form 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.

For Official Use only

Exhibit 8

SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Selmion
2. DATE (YYYYMM): 2003 08 05
3. TIME: 1216
4. FILE NUMBER: 0088-03-220 469
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted]
6. GRADE/STATUS: E-4/RA
8. ORGANIZATION OR ADDRESS: B Co. 2/8th Infantry, Fort Hood, TX 76544 deployed to Iraq.
9. [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Did you find any money?
A: On 30 Jun 03 while at the TCP I found out that [redacted] had confiscated some money. I saw him talking with an Iraqi civilian but didn't know what it was about. Later I went to urinate and I saw [redacted] with some money in his hand. I remember conversing with him but do not recall what the topic was about. Later it was said that some money was missing, it belonged to an Iraqi civilian. I don't know what happened to the money. I didn't hear about this incident anymore until I later wrote a statement.

Q: Did you steal any money from the Iraqi civilian?

A: No.

Q: Did you agree with PFC [redacted] to steal the money belonging to the Iraqi civilian?

A: NO.

10. EXHIBIT: [redacted] MAKING STATEMENT PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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Exhibit 8

STATEMENT OF [REDACTED] 704 664 TAKEN AT Camp Sardin, IRAQ DATED 5 Aug 03

9. STATEMENT (Continued)

Q: Did you know that the money PFC [REDACTED] 705 665 had shown you belonged to the Iraqi civilian?

A: NO.

Q: Did you even touch the money?

A: No.

Q: Did you even discuss keeping money which was confiscated with PFC [REDACTED] 705 665

A: Yes, However I never took any money from him. It was just said in jest.

Q: Do you know who places this money in the MRE box?

A: No.

Q: Do you have anything else to add to the statement?

A: No. /// END OF STATEMENT /// [REDACTED] 704 664

AFFIDAVIT

I, [REDACTED] 704 664, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] 704 664
(Signature of Person Making Statement)

WITNESSES.

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of Aug 2003 at Camp Sardin, Iraq.

ORGANIZATION OR ADDRESS

[REDACTED] 701 661
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 701 666
(Typed Name of Person Administering Oath)
ART 136 UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] 704 664

PAGE 1 OF 2 PAGES

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(For official use only)

Exhibit 8

