

~~FOR OFFICIAL USE ONLY~~
~~Law Enforcement Sensitive~~

DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Tikrit CID Office, COB Speicher, APO AE 09393

04 Aug 2006

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0044-2006-CID469-75424 -
5H1P

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 29 SEP 2003, 1701 - 29 SEP 2003, 2359; VICINITY OF GRID COORDINATE
38SLC996836, SAMARA, IRAQ

DATE/TIME REPORTED: 06 MAR 2006, 1436

INVESTIGATED BY:

SA (b)(6), (b)(7)(C)
SA
SA
SA

SUBJECT:

1. UNKNOWN, SOLDIER 2 ; MALE; 2D PLATOON (PLT), B COMPANY (CO),
1-8TH INFANTRY (INF);; CT ; [MURDER (UNFOUNDED)] (NFI)

2. UNKNOWN, SOLDIER 1 ; MALE; 2D PLT, B CO, 1-8TH INF;; CT ; [MURDER
(UNFOUNDED)] (NFI)

VICTIM:

1. UNKNOWN, VICTIM 3 (DECEASED) ; IRAQ; MALE; WHITE; XZ ; [MURDER
(UNFOUNDED)] (NFI)

2. UNKNOWN, VICTIM 1 (DECEASED) ; IRAQ; MALE; WHITE; XZ ; [MURDER
(UNFOUNDED)] (NFI)

3. UNKNOWN, VICTIM 2 (DECEASED) ; IRAQ; MALE; WHITE; XZ ; [MURDER
(UNFOUNDED)] (NFI)

1

~~FOR OFFICIAL USE ONLY~~
~~Law Enforcement Sensitive~~

INVESTIGATIVE SUMMARY:

Mr. (b)(6),(b)(7)(C) a former detainee, Internment Serial Number (b)(6),(b)(7)(C) and a victim of alleged detainee abuse, listed in CID Report of Investigation (ROI) 0143-05-CID469-35767, reported to this office that he witnessed the murder of three unknown Iraqi males by US Forces. During a re-interview relating to CID ROI 0143-05-CID469-35767, (b)(6),(b)(7)(C) alleged he witnessed a tracked vehicle operated by US Forces run over and crush to death three detainees. The alleged incident occurred during (b)(6),(b)(7)(C) capture by US Forces and (b)(6),(b)(7)(C) claimed he and the three decedents were part of a group of Iraqi men who had been captured by US Forces, flexicuffed and made to lay down on a street in Samarra.

Investigation established there was no probable cause to believe the offense of Murder occurred as alleged by (b)(6),(b)(7)(C). Investigation revealed no physical or testimonial evidence to support the allegation made by (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) did not initially report the allegation when previously interviewed by CID during Jul 05. Agents interviewed the mayor of Samarra, the president of the Samarra City Council, the Chief of Police for Samarra, as well as numerous Iraqi Police officers and members of the Iraqi Army based in Samarra. Agents also conducted canvass interviews of long-time residents of the neighborhood where the alleged incident occurred. Agents interviewed members of the US Army Civil Affairs and Psychological Operations (PSYOPS) teams responsible for the area, the Military Police Transition Team, as well as civilian contractors working as International Police Liaison Officers in Samarra. None of the interviewees had ever heard of such an incident and Civil Affairs reported there had been no claims filed pertaining to any similar incident. Agents also interviewed former members of B CO, 1-8 INF, the unit that was involved in the capture of (b)(6),(b)(7)(C). The Soldiers confirmed an Iraqi man was shot and killed when he attempted to fire a rocket propelled grenade (RPG) at US Forces; however, they all denied running over any Iraqi Nationals or witnessing a US vehicle run over anyone.

STATUTES:

Article 118, UCMJ: Murder (Unfounded)

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA (b)(6),(b)(7)(C) 25 Mar 06, detailing the basis for

~~FOR OFFICIAL USE ONLY~~
~~Law Enforcement Sensitive~~

investigation, interviews of (b)(6),(b)(7)(C) the Mayor of Samarra and Iraqi Police Officers.

2. Arabic Language Sworn Statement of (b)(6),(b)(7)(C) 10 Dec 05, wherein he alleged US Forces ran over and crushed three detainees. (US Army Crime Records Center [USACRC] and file only)

3. English translation of (b)(6),(b)(7)(C) statement, Exhibit 2, translated by Mr. (b)(6),(b)(7)(C) Category Two Interpreter, Titan Corporation, COB Speicher.

4. Arabic language Sworn Statement of (b)(6),(b)(7)(C) 5 Mar 06, wherein he provided additional details regarding his allegation that US Forces ran over three detainees in Samarra. (USACRC and file only)

5. English translation of (b)(6),(b)(7)(C) statement, Exhibit 4, translated by (b)(6),(b)(7)(C)

6. AIR of SA (b)(6),(b)(7)(C) 12 Apr 06, detailing coordination with 3-187 INF BN, Iraqi Security Forces, Civil Affairs, the Mayor of Samarra, PSYOPS and the President of the Samarra City Council; canvass interviews of residents at the location of the alleged incident.

7. AIR of SA (b)(6),(b)(7)(C) 29 Apr 06, detailing the interview of (b)(6),(b)(7)(C) and attempts to re-interview ABASS.

8. Sworn Statement of (b)(6),(b)(7)(C) 20 Apr 06, detailing the US Forces operation in Samarra on 29 Sep 03. (b)(6),(b)(7)(C) denied that US Forces ran over or crushed any detainees.

9. AIR of SA (b)(6),(b)(7)(C) 9 May 06, detailing operational guidance and review of statements collected during CID ROI 0143-05-CID469-35767.

10. Sworn Statement of (b)(6),(b)(7)(C) 6 Sep 05, detailing his platoon's role in Samarra during 2003. (b)(6),(b)(7)(C) detailed the operation during Sep 03, in which US Forces shot and killed an insurgent after he tried to fire a RPG at them. (b)(6),(b)(7)(C) also detailed the detention of numerous Iraqi men following the incident.

11. Sworn Statement of (b)(6),(b)(7)(C) 8 Sep 05, detailing his platoon's role in Samarra during 2003.

12. Sworn Statement of (b)(6),(b)(7)(C) Sep 05, detailing the operations he conducted in Samarra during 2003.

13. Sworn Statement of (b)(6),(b)(7)(C) 28 Sep 05, detailing his knowledge of the operations in

~~FOR OFFICIAL USE ONLY~~
Law Enforcement Sensitive

Samarra during 2003.

14. Sworn Statement of (b)(6),(b)(7)(C) 3 Oct 05, detailing his knowledge of the incident in Samarra where US Forces killed an insurgent who attempted to fire a RPG at them .

15. Sworn Statement of (b)(6),(b)(7)(C) 5 Oct 05, detailing the operations he conducted in Samarra during 2003.

16. AIR of SA (b)(6),(b)(7)(C) 23 May 06, detailing interviews of (b)(6),(b)(7)(C) and efforts to re-interview (b)(6),(b)(7)(C)

17. Notification of Rights of (b)(6),(b)(7)(C) 15 May 06, wherein he waived his rights.

18. AIR of SA (b)(6),(b)(7)(C) 86th MP DET (CID), Fort Benning, GA, 20 Jun 06, detailing the re-interviews of (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C)

19. Sworn Statement of (b)(6),(b)(7)(C) 20 Jun 06, detailing his operations in Samarra between Sep and Oct 03.

20. Sworn Statement of (b)(6),(b)(7)(C) 20 Jun 06, detailing what he heard on the radio the night of the RPG attack.

21. AIR of SA (b)(6),(b)(7)(C) West Point Resident Agency, West Point, NY, 20 Jun 06, detailing the re-interview of (b)(6),(b)(7)(C)

22. Sworn Statement of (b)(6),(b)(7)(C) 19 Jun 06, wherein he denied any knowledge of US Forces running over any detainees in Iraq.

23. AIR of SA (b)(6),(b)(7)(C) 31st MP DET (CID), Logistical Support Area (LSA) Anaconda, Balad, IZ, 21 Jun 06, detailing the re-interview of (b)(6),(b)(7)(C)

24. Sworn Statement of (b)(6),(b)(7)(C) 19 Jun 06, detailing the operations he conducted in Samarra on or around Sep 03. (b)(6),(b)(7)(C) denied any knowledge of US Forces running over any detainees.

25. AIR of SA (b)(6),(b)(7)(C) 22 Jun 06, detailing re-interview of (b)(6),(b)(7)(C)

26. Sworn Statement of (b)(6),(b)(7)(C) 22 Jun 06, wherein he stated he had heard of the operation in Samarra where an insurgent was killed after he tried to fire a RPG at US Forces, but had no direct knowledge of what happened. He denied any knowledge of US Forces running

~~FOR OFFICIAL USE ONLY~~
~~Law Enforcement Sensitive~~

over any detainees in Iraq.

27. AIR of SA (b)(6),(b)(7)(C) [redacted] Ansbach Resident Agency, Ansbach, Germany, 27 Jun 06, detailing the interview of (b)(6),(b)(7) [redacted]

28. Sworn Statement of (b)(6),(b)(7) [redacted] 27 Jun 06, wherein he denied any knowledge of US Forces running over any detainees.

29. AIR of SA (b)(6),(b)(7)(C) [redacted] 48th MP DET (CID), Fort Carson, CO, 5 Jul 06, detailing the interview of (b)(6),(b)(7) [redacted]

30. AIR of SA (b)(6),(b)(7)(C) [redacted] 19 Jul 06, detailing interview of (b)(6),(b)(7) [redacted] and coordinations with SJA Claims and the Chief of Justice, SJA, COB Speicher, who opined there was no probable cause to believe the offense of Murder occurred as alleged by ABASS.

31. Email from (b)(6),(b)(7) [redacted] 2 Jul 06, wherein he provided details of his knowledge and participation in the operation in Samarra during Sep 03.

NOT ATTACHED

None

The originals of Exhibits 1, 6 - 9, 16, 18 and 19 - 31 are forwarded with the USACRC copy of this report. The originals of Exhibits 2 - 5, 10 - 15, and 17 are retained at USACRC as part of CID ROI 0143-05-CID469-35767.

STATUS: This is a Final (C) Report. This investigation is being terminated in accordance with CIDR 195-1, paragraph 4-17 (a) (5), in that ABASS' cooperation is necessary for the satisfactory resolution of the investigation, and such cooperation is not forthcoming. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is not required.

LEADS REMAINING: Re-interview of (b)(6),(b) [redacted] Interviews of Soldiers mentioned in the initial statements of (b)(6),(b)(7)(C) [redacted] and (b)(6),(b)(7)(C) [redacted]

~~FOR OFFICIAL USE ONLY~~
Law Enforcement Sensitive

REPORT PREPARED BY

REPORT APPROVED BY

SA (b)(6),(b)(7)(C)
Special Agent

(b)(6),(b)(7)(C)
Special Agent-in-Charge

DISTRIBUTION:

- 1 - Director, USACRC, Ft Belvoir, VA
- 1 - CDR, USACIDC, ATTN: CIOP-ZA, 6010 6th Street, Ft Belvoir, VA 22060
- 1 - CDR, 3D MP GP (CID), ATTN: Operations, Forest Park, GA 30297
- 1 - CDR, 10th MP BN (CID), Camp Victory, Baghdad, IZ
- 1 - CDR, 31st MP DET (CID), LSA Anaconda, Balad, IZ (email only)
- 1 - PM, 101st ABN DIV (AASLT), COB Speicher (email only)
- 1 - PM OPS, 101st ABN DIV (AASLT), COB Speicher (email only)
- 1 - SGS, 101st ABN DIV (AASLT), COB Speicher (email only)
- 1 - Staff Judge Advocate, 101st ABN DIV (AASLT), COB Speicher (email only)
- 1 - Chief of Justice, 101st ABN DIV (AASLT), COB Speicher (email only)
- 1 - File

~~FOR OFFICIAL USE ONLY~~
Law Enforcement Sensitive

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0044-06-CID469-75424

PAGE 1 OF 2

DETAILS

About 1436, 6 Mar 06, (b)(6), (b)(7)(C) a former detainee (Internment Serial Number (b)(6), (b)(7)(C) and a victim of alleged detainee abuse (listed in CID Report of Investigation (ROI) 0143-05-CID469-35767), rendered a sworn statement to SA (b)(6), (b)(7)(C) this office, that he witnessed the murder of three unknown Iraqi males by US Forces. During a re-interview relating to CID ROI 0143-05-CID469-35767, (b)(6), (b)(7)(C) alleged he witnessed a tracked vehicle operated by US Forces run over and crush to death three detainees. The alleged incident occurred on 29 Sep 03, during (b)(6), (b)(7)(C) capture by US Forces and (b)(6), (b)(7)(C) claimed he and the three decedents were part of a group of Iraqi men who had been captured by US Forces, flexi-cuffed and made to lay down on a street in Samarra. (See sworn statement for details)

AGENT'S COMMENT: During a previous interview regarding CID ROI 0143-05-CID469-35767 on 10 Dec 05, (b)(6), (b)(7)(C) rendered a sworn statement in which he alleged US Forces ran over detainees in Samarra; however, this matter was not pursued at that time. (See sworn statement for details)

About 1500, 25 Mar 06, SA (b)(6), (b)(7)(C) SA (b)(2), (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) Category Two Interpreter, Titan Corporation, arrived at the Kaufman Compound where the Samara Joint Coordination Center (JCC) was located. SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) both civilian contractors working as International Police Liaison Officers (IPLO) for the Civilian Police Assistance Training Team (CPATT) in Samarra. (b)(6), (b)(7)(C) stated he had been residing and working at the Samarra JCC for over two years and had never heard of such an incident. He related the local Iraqi populace would not keep quite about such a significant event, and that he believed he would have heard of it during his tenure at the Samarra JCC.

About 1540, 25 Mar 06, with the assistance of Mr. (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed 1st Lt (b)(6), (b)(7)(C), Officer on Duty, Iraqi Police (IP), Samarra. He had recently moved to this location and was not working there during the time period of the alleged incident; however, he had never heard of this incident.

About 1550, 25 Mar 06, with the assistance of Mr. (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed 1st Lt (b)(6), (b)(7)(C), IP, Samarra, who had not heard of this alleged incident. He stated he was working as an IP in Samarra during the time period of the alleged incident.

About 1555, 25 Mar 06, Mr. (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) conducted a telephonic interview of Lt Col (b)(6), (b)(7)(C) the Mayor of Samara. He stated he had been the Mayor for about two years, and that he was a long-time resident of Samara. (b)(6), (b)(7)(C) had never heard of the alleged incident and stated an incident where three Local Nationals (LN) were killed by US forces would have been well known (common knowledge) due to the size of Samara and because the entire city was mostly one tribe.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C)

ORGANIZATION

31st MP Detachment (CID) (-), COB Speicher, Tikrit Iraq, APO AE 09393

SIGNATURE (b)(6), (b)(7)(C)

DATE

25 Mar 06

EXHIBIT

1

CID FOR (automated)

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

7

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0044-06-CID469-75424

PAGE 2 OF 2

DETAILS

About 1600, 25 Mar 06, Mr. (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) conducted a telephonic interview of Major (b)(6), (b)(7)(C) Chief of Police for Samarra, who stated he had never heard of any similar incident.

About 1610, 25 Mar 06, with the assistance of Mr. (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed Lt Col (b)(6), (b)(7)(C) Intel Chief for Dijla/Mukasaifa Station, Samarra, who stated he had never heard of such an incident.

About 1620, 25 Mar 06, with the assistance of Mr. (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed an Intel Officer at the Dijla/Mukasaifa Station. The officer refused to provide his name for fear of repercussions, but stated he had never heard of such an incident.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

31st MP Detachment (CID) (-), COB Speicher, Tikrit Iraq, APO AE 09393

SIGNATURE (b)(6), (b)(7)(C)

DATE

25 Mar 06

EXHIBIT

1

CID FC
(automated)

~~LAW ENFORCEMENT SENSITIVE~~

Sworn Statement of (b)(6), (b)(7)(C) [redacted]
10 Dec 05, 1035

I (b)(6) (b)(7)(C) [redacted] had school examination in Samarra I finish my examination I was willing to go home on my way home the American army stop me in Samarra. I came out of the taxi they hold me and they hit me with their weapons they hit me on my back everywhere on my body one of the Soldiers struck me on my nose I started bleeding badly then they lay me on the street they were trying to run us over, they did run down three in our group then they transferred me to Samarra station after that they move me to the airport after interrogation they lay me on the ground then they give me water I throw up then DOC came he give me pain killer then he took care of my nose after that they transferred me to Tikrit then American Soldier electrocute me and I fell on my head after that he apologized to me after that they transferred me to Abu Ghraib one of the female Soldiers tortured me and assault me on part of my body also she took my clothes off me and started to torture me, then she brought bucket water in it she would put my head in the water then she lifted my head up also everyday make me do push ups made me run in the hall after that they transferred me to Traveler Public Stadium after that they released me then I went home and my state of mind very tired not like I used to be

Q: (b)(6) (b)(7)(C) [redacted]
A: [redacted]

Q: What was the number of the Soldiers that apprehended you?

A: The number of the Soldiers was six.

Q: With what did the Soldiers hit you?

A: They used their feet their hands and stocks of their weapons.

Q: How many times did you get hit?

A: They were continually hitting me for about half hour.

Q: Are you sure the Americans drove over three people with a military vehicle?

A: Yes.

Q: Did you see the military vehicle drive over three people?

EXHIBIT 3
Page 1 of 4 pages

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

- A: Yes.
- Q: Describe the military vehicle.
- A: Desert color it had tracks did not have a barrel.
- Q: Which kind of injury did you get when the American Soldiers hit you?
- A: In Samarra they hit me on my nose on my tummy on my back with stocks they hit me on my right hand I had dislocated bone.
- Q: In Tikrit what was the number of Soldiers that hit you?
- A: One male Soldier.
- Q: Describe him for me.
- A: Reddish not too fat not too thin medium.
- Q: With what did he hit you?
- A: With electric gun.
- Q: Where did he hit you?
- A: On my right shoulder the effect took on my left hand.
- Q: How did you know it was electric gun?
- A: In my opinion it was electric gun.
- Q: What did the gun look like?
- A: Black in color it had wire like telephone.
- Q: We showed you a 9mm American gun. Does it look like the same gun?
- A: The color was the same but it was thicker and it had wire on it.
- Q: Did they torture you in Abu Ghraib?
- A: Yes.
- Q: Can you describe the Soldiers who tortured you?
- A: One female Soldier she was short with black hair she had one side burn blond & one side black, the color of her face was light brown, the soldier with her he was tall fat he had belly he wore eye glasses he did not have his top on.
- Q: What they did to you?
- A: They took my clothes off they tie me to the steel bars she was hitting me at my sensitive area then started playing at the sensitive place she hit me on my testicles and penis.
- Q: Are you telling us this story this way so you can get more compensation?
- A: No.
- Q: Is everything in this statement correct?

EXHIBIT 3
Page 2 of 4 pages

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

A: Yes.

Q: Why did you not tell us all this information in last interview?

A: They did not asking me this question.

Q: Do you want to add anything to your statement?

A: No // END OF STATEMENT//

EXHIBIT 3
Page 3 of 4 pages

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

Signed:

(b)(6) (b)(7)(C)
[Redacted signature]

Dated:

10 Dec 2005

This translation was generated to the best of my ability as a Category II Interpreter

(b)(6) (b)(7)(C)
[Redacted signature]

EXHIBIT 3
Page 4 of 4 pages

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

Sworn Statement of (b)(6), (b)(7)(C)
6 Mar 06, 1436

I (b)(6), (b)(7)(C) was in the city of Samarra due to I had school examination when I finish the examination I wanted to go home until it was dark I got in a taxi to go home then the American Soldiers stopped us soon they took me out the car one of the Soldiers hit me on my back with his weapon, also on my tummy on my nose then he drag me to the street then he lay me on the street then they tie my hand I was the fifth one on the ground then the tank started run over us it run over three of us then they put them in white Bag then they moved them onto the Hummer then they moved us to the prison in Samarra then they interrogated me then they transfer me to the air base where they interrogate me then the interrogator hit me on my face then they took me outside the tent then female Soldier give me water then we got transfer to Tikrit palaces they put us in camp after awhile one of the American Soldiers electrocute me on my back then I fell on my head then he told me he was sorry then I was moved to Abu Ghraib then one female Soldier started to torture me then she took my clothes off me completely naked then she hit me on my penis then she make us stand on top of each other then she brought plastic pail with water in it then she put hot sauce in it then she pushed my head in the water till my face turn red almost I choked then they moved me to Traveler public stadium then I was released my state of mind very tired so were my nerves I had to go to Egypt for treatment also went to Baghdad – Monsor District also I quite my schooling I am scared from them. With thanks.

Q: (b)(6), (b)(7)(C)

A: (b)(6), (b)(7)

Q: What was the year this case it happen?

A: In year 2003.

Q: Do you remember in which month it happened?

A: No.

Q: How many people were in the car with you when you got detained?

A: There were three persons in the car.

EXHIBIT 5
Page 1 of 4 Pages

Q: Did all the people get into the taxi same time?
A: No the three persons were in the taxi when I got in it .
Q: Where you were going in the taxi?
A: I was going home.
Q: Where did they stop you when they took you down from the taxi?
A: Al-jiberya District.
Q: Were you aware of which house you got stopped?
A: No I was not aware
Q: What was the number of the Soldiers who took you out the taxi
A: Two
Q: When they took out from the taxi what was the number of the soldiers who hit you?
A: Six Soldiers.
Q: What you were beaten with?
A: With the bottoms of their rifles and they kick me on my face.
Q: Did you see any persons from the detainees run over with military vehicle?
A: Yes
Q: What was the number of the people who got run over?
A: Three people.
Q: We show you picture #1 and picture #2 which one of these two military vehicles were used to run over the people?
A: They used #1.
Q: How many persons were lying on the street?
A: Thirteen or fourteen persons.
Q: What was the distance between you and the ones who got run over?
A: The distance was about half a meter.
Q: Did part of the body or blood splash on you?
A: Only blood splash on my left side of my body after they got run over.
Q: When the three people got run over did any of the Soldiers say anything?
A: Yes he said stop!
Q: The three people who run over, were they alive before they run over?
A: Yes.

Q: The bodies got run over was it in one piece or chopped up?
A: It was in one piece it did not get chopped.
Q: When you got detained how much time went by until they give you food?
A: Three days.
Q: When you were in Abu Ghraib can you describe the female Soldier?
A: Yes her hair was black she was short her hair was cut short like boys was medium built.
Q: You saw pictures of three female Soldiers pictures #1 #2 #3 which picture did things against you?
A: It was number 3.
Q: Was there Soldier present when the female Soldier abuse you
A: Yes there was Soldier present.
Q: We show you five Soldiers picture what was the number of the Soldier who was present when you were abused?
A: The number of the Soldier who was present while I was abuse was #5
Q: Did they took your clothes off and they lay you on top each other
A: Yes.
Q: Did you see any one taking your picture while in that position?
A: No
Q: How many times the female Soldier played or touched your sexual organ?
A: I do not know exactly but more than twice
Q: Did the female Soldier touch your sexual organ only?
A: Yes.
Q: Do you have anything else you want to add to your statement
A: No///END OF STATEMENT///

Signed:

(b)(6), (b)(7)(C)

Dated:

6 Mar 06

This translation was generated to the best of my ability as a Category II Interpreter.

(b)(6), (b)(7)(C)

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0044-06-CID469-75424

PAGE 1 OF 2

DETAILS

About 1030, 3 Apr 06, SA (b)(6), (b)(7)(C) this office, briefed LTC (b)(6), (b)(7)(C) and CSM (b)(6), (b)(7)(C) 3/187th INF, Forward Operating Base (FOB) Brassfield-Mora, Samarra, IZ regarding this investigation, due to Samarra falling with their unit's area of responsibility. Neither of them had ever heard anything about US forces running over Iraqi Nationals with a tracked vehicle. They both expressed that this incident would have been a major event in the community and that it would still be a topic of discussion and that the families of the decedents would have undoubtedly filed claims regarding this incident.

About 2230, 3 Apr 06, SA (b)(6), (b)(7)(C) met with CSM (b)(6), (b)(7)(C) and discussed this case. SA (b)(6), (b)(7)(C) informed CSM (b)(6), (b)(7)(C) that this office was looking for information from Iraqi Police (IP) or local city officials who were in Samarra during the time period in question. CSM (b)(6), (b)(7)(C) advised that they had coordinated a meeting at FOB Brassfield-Mora on 8 Apr 06, with the Iraqi Security Force (ISF), IPs and some of the local council members.

About 1100, 8 Apr 06, SA (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) addressed the ISF meeting on FOB Brassfield-Mora. SA (b)(6), (b)(7)(C) questioned, LTC (b)(6), (b)(7)(C) CDR, 3/3 Commandos, COL (b)(6), (b)(7)(C) 2/1/4 Iraqi Army, MAJ (b)(6), (b)(7)(C) S-3, 2/1/4 Iraqi Army and LTC (b)(6), (b)(7)(C), Iraqi Police Executive Officer, Samarra (resident at time of incident). None of these individuals were aware of any incident matching what (b)(6), (b)(7)(C) alleged.

About 1130, 8 Apr 06, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) HHC, 3/187 INF, who stated he would arrange to have SA (b)(6), (b)(7)(C) go with Civil Affairs on 12 Apr 06 to speak to the City Council President of Samarra and take SA (b)(6), (b)(7)(C) to the location of the incident. (b)(6), (b)(7)(C) stated they had been to this location often and had never been approached about this incident.

About 1254, 8 Apr 06, Mr. (b)(6), (b)(7)(C) was contacted by the Mayor of Samarra who requested more time to look into this matter.

About 1300, 8 Apr 06, Mr. (b)(6), (b)(7)(C) was contacted by (b)(6), (b)(7)(C) mother who informed Mr. (b)(6), (b)(7)(C) ABASS was in the hospital.

About 1315, 8 Apr 06, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) S2, 3/187 INF, who stated no Significant Activity (SIGACTS) Reports from the time frame of the incident had been saved. The SIGACTS go back only to mid 2004.

About 1100, 12 Apr 06, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) SA (b)(2), (b)(6), (b)(7)(C) this office, and Mr. (b)(6), (b)(7)(C) spoke to (b)(6), (b)(7)(C) a Samarra resident for 40 years and Iraqi National Guard member. He did not have any recollection on an incident like (b)(6), (b)(7)(C) described.

TYPE SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION 31 st MP Detachment (CID) (-), COB Speicher, Tikrit Iraq, APO AE 09393	
(b)(6), (b)(7)(C)	DATE 12 Apr 06	EXHIBIT 6

OFFICIAL USE ONLY/LAW ENFORCEMENT SENSITIVE
10-L-0126 ACLU DD IF CID ROI 4590

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0044-06-CID469-75424

PAGE 2 OF 2

DETAILS

About 1300, 12 Apr 06, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) canvassed the location where (b)(6), (b)(7)(C) alleged the murders happened and spoke to several longtime residents. They had no recollection of an incident like (b)(6), (b)(7)(C) described

About 1420, 12 Apr 06, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) spoke to the President of the Samarra City Council. He did not have any recollection of an incident like (b)(6), (b)(7)(C) described and stated a review of city records for the time period in question revealed no similar incident(s).///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

31st MP Detachment (CID) (-), COB Speicher, Tikrit Iraq, APO AE 09393

SIG (b)(6), (b)(7)(C)

DATE

12 Apr 06

EXHIBIT

6

USE ONLY/LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU DD II CID ROI 4591

26

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0044-06-CID469-75424

PAGE 1 OF 1

DETAILS

On 17 Apr 06, Mr. (b)(6), (b)(7)(C) coordinated with (b)(6), (b)(7)(C) and scheduled an interview for 22 Apr 06.

About 1700, 20 Apr 06, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) HHC 3rd Brigade Combat Team, COB Speicher, Tikrit, IZ, who provided a sworn statement detailing (b)(6), (b)(7)(C) capture. CPT (b)(6), (b)(7)(C) deny anyone was run over by any vehicle during the capture. (see sworn statement)

On 22 Apr 06, Mr. (b)(6), (b)(7)(C) attempted to contact (b)(6), (b)(7)(C) throughout the day with negative results, until 1700. At 1700 (b)(6), (b)(7)(C) was contacted and claimed no interview arraigned for 22 Apr 06 to his knowledge. The interview rescheduled for 29 Apr 06.

About 29 Apr 06, (b)(6), (b)(7)(C) fails to arrive for scheduled interview, and Mr. (b)(6), (b)(7)(C) attempted to contact (b)(6), (b)(7)(C) with negative results///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER
SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION
31st MP Detachment (CID) (-), COB Speicher,
Tikrit Iraq, APO AE 09393

(b)(6), (b)(7)(C)

DATE
29 Apr 06

EXHIBIT
7

OFFICIAL USE ONLY/LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

UU44-U0 C-13409-75424

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

LOCATION COB Spiecher, Tikrit, Iraq	DATE (b)(6), (b)(7)(C) 20 Apr 06	TIME (b)(6), (b)(7)(C) 1801	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS 03/AD	
HHC 3rd Brigade COB Spiecher, Tikrit, Iraq			

(b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the night of 29SEP03, my platoon was tasked with manning the southern OP, an open area south of Samarra between the industrial area and the cemetery. ~~As we~~ ^{(b)(6), (b)(7)(C)} We were a mixed element of tanks and Bradleys. We ~~proceed~~ ^{(b)(6), (b)(7)(C)} proceeded south along Samarra's eastern Boundary Road. We were halfway down when we spotted children running back into their houses. Two older males remained out and fired 2 RPG's at us, 1 of which narrowly missed me. We stopped the patrol and I dismounted my infantry squad and ordered them to clear through the area. While this occurred, my gunner spotted ^{(b)(6), (b)(7)(C)} a group of individuals pointing at us approximately 200m south of our position. As my infantry squad continued clearing, my gunner alerted me that another individual had come out of the alley holding something. He was viewing the scene through thermal sights. My gunner then identified the shape of an RPG ~~launcher~~ ^{(b)(6), (b)(7)(C)} and warhead. I immediately ordered him to fire. My gunner fired, killing the RPG gunner and wounding the individuals with him that were pointing at us. ^{(b)(6), (b)(7)(C)} I then ordered my infantry squad to move up to the area where the KIA was. While they were moving, my gunner spotted another group of individuals further away that were pointing at us in the same manner as the previous group. I ordered my gunner to engage them with the coaxial machine gun. One man was hit and ~~dropped~~ ^{(b)(6), (b)(7)(C)} the other ducked into a gateway. The wounded man was immediately grabbed and pulled into the gateway. I pushed my Bradley up to the KIA's position. A ORF element that had been dispatched from FOB Pannels arrived. I gave them instructions to search all the houses in the same alleyway as the KIA and to obtain any individuals with burns or shrapnel wounds consistent with the effects of 25mm HE ammunition. ^{(b)(6), (b)(7)(C)} I then dismounted and moved to the area where we had shot at ~~the~~ ^{(b)(6), (b)(7)(C)} the two individuals with the coax. The ~~two~~ ^{(b)(6), (b)(7)(C)} fire team and I ~~also~~ ^{(b)(6), (b)(7)(C)} found a large pool of blood ^{(b)(6), (b)(7)(C)} and bloodstreaks leading to the house. We cleared the house and found nothing. As we came out of the front, a car pulled up with its headlights off, driving very slowly. I signaled for the vehicle to stop, using "Kif". Fearful VBIED, ~~and~~ ^{(b)(6), (b)(7)(C)} and proximity to the area where we shot an insurgent, I motioned and yelled (in english) to get out of the cars. The driver and passenger made no movement, so we opened the car doors and motioned for them to come out. ^{(b)(6), (b)(7)(C)} After several attempts,

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF <u>4</u> PAGES
---------	--	--------------------------

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.

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT LOB Speicher, Tikrit Iraq DATED 20 Apr 06

CONTINUED

STATEMENT (Continued)

We grabbed the individuals by the (b)(6), (b)(7)(C) and tugged on them, (b)(6), (b)(7)(C) warning for them to exit the vehicle. They continued to be recalcitrant, so we finally pulled them from the vehicle and searched both them and the vehicle, with a focus on (b)(6), (b)(7)(C) concealed weapons, explosives, or evidence (blood) that they may have helped (b)(6), (b)(7)(C) any individuals flee the scene. By this time the MP's had arrived, and the ORF with my other infantry squads had rounded up the seven walking wounded (from 25mm fire) plus other individuals who had attempted to run or hide from our soldiers. We brought the two men from the car over to the MP's. The detainees that had 25mm wounds were prone with hands flex cuffed behind their backs. We immediately turned over all detainees (approximately 15) to the MP's, who used their own vehicles to haul the EPW's back to the CMOC. My Bradleys and tanks were arrayed to control avenues of approach into the engagement area, and the detainees were (b)(6), (b)(7)(C) consolidated at one spot within this perimeter. At no time were any detainees near any Bradleys. (b)(6), (b)(7)(C)

Q (b)(6), (b)(7)(C)

A (b)(6), (b)(7)(C)

Q. At any time did you or soldiers pull the people in the vehicle out through a window?

A. No (b)(6), (b)(7)(C)

Q. Was the KIA placed in a body bag?

A. Yes, though I did not witness this event. (b)(6), (b)(7)(C)

Q. Do you know what color the body bag was?

A. It was black. (b)(6), (b)(7)(C)

Q. Were the detainees placed against a wall?

A. Yes (b)(6), (b)(7)(C)

Q. Were the detainees then laid face down in the street?

A. Only those that had been spotting for the RPL shooters. (b)(6), (b)(7)(C)

Q. How many detainees, total, were there?

A. There were 15. (b)(6), (b)(7)(C)

Q. Who took control of the detainees at the scene?

A. (b)(6), (b)(7)(C) Initially the ORF element, but upon arrival, the MP platoon. (b)(6), (b)(7)(C)

Q. At any time did you order, witness, or did you yourself drive over any detainees with a Bradley?

A. No. (b)(6), (b)(7)(C)

Q. Did you or any of your soldiers ever strike any of the detainees?

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 2 OF 4 PAGES

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 5

STATEMENT OF (b)(6), (b)(7)(C)

TAKEN AT Co Speicher, Tikrit Iraq

DATED 20 April 06

CONTINUED

STATEMENT (Continued)

A. No. (b)(6), (b)(7)(C)

Q. Did you witness any of the MPs strike the detainees?

A. No (b)(6), (b)(7)(C)

Q. Were the Bradleys close to where the detainees were being held?

A. The closest one was 100m away. (b)(6), (b)(7)(C)

Q. What unit did the MPs belong to?

A. They were attached to 1-66 AR. (b)(6), (b)(7)(C)

Q. Did any of the detainees resist capture?

A. Some detainees ran and tried to hide. The seven walking wounded did not. The individuals in the car were recalcitrant in following our directions. (b)(6), (b)(7)(C)

Q. How many insurgents were killed during this engagement?

A. One confirmed KIA, another believed to be KIA due to amount of blood found on the ground. (b)(6), (b)(7)(C)

Q. How many bodies were at the scene?

A. One. (b)(6), (b)(7)(C)

Q. To be clear, were any detainees run over by a Bradley that night?

A. No (b)(6), (b)(7)(C)

Q. How do you know what color the body bag was?

A. I saw it at the CMOC under white light. ~~It had the~~ (b)(6), (b)(7)(C) It was partially open, showing the remains. (b)(6), (b)(7)(C)

Q. How many individuals were in the vehicle?

A. Two (b)(6), (b)(7)(C)

Q. Did you stop any other vehicles?

A. No. No other vehicles came into the engagement area. (b)(6), (b)(7)(C)

Q. Did any of the detainees get run over by any vehicle?

A. No (b)(6), (b)(7)(C)

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

A. No (b)(6), (b)(7)(C) // END OF STATEMENT //

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 3 OF 4 PAGES

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

EXHIBIT 8

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0044-06-CID469-75424

PAGE 1 OF 1

DETAILS

Analysis of (b)(6), (b)(7)(C) allegation vs. lack of corroboration

(b)(6), (b)(7)(C) alleged three individuals were intentionally run over by a Bradley Fighting Vehicle during his capture on 29 Sep 03. (b)(6), (b)(7)(C) further alleged the incident was in the Samarra newspapers and that there were many witnesses. Over the course of this investigation agents from this office traveled to Samarra twice and interviewed local Iraqi Police Officers, Iraqi Army Soldiers, members of an Iraqi Police Intel Unit, the Mayor of Samarra, city council members and the president of the city council. None of them had ever heard of this alleged incident and they all stated they believed it would have been common knowledge among the residents of Samarra. The agents also canvassed the neighborhood where the incident allegedly occurred. None of the residents, many of whom have lived there for over 15 years, had ever heard of this alleged atrocity. Agents interviewed US Military Civil Affairs personnel and PsyOps personnel at FOB Brassfield-Mora, and none of them had any information on this incident. They were not aware of any complaints or claims relating to such an incident. SA (b)(6), (b)(7)(C) re-interviewed CPT (b)(6), (b)(7)(C) who was leading the patrol on the date that the complainant was captured. CPT (b)(6), (b)(7)(C) re-iterated that, although they did kill some insurgents during a fire-fight, they did not run over anyone on the street. All of the interviewees denied any knowledge of US Forces running over any detainees in Samarra. This allegation originally came to light when (b)(6), (b)(7)(C) came in to the COB Speicher Civil Military Operations Center to file a claim for a skin disorder and lice, as well as psychological effects resulting from his detention. Following that, (b)(6), (b)(7)(C) began to complain about all aspects of his treatment while he was detained, with the seriousness of his allegations increasing with each new interview. No evidence was found to support any of (b)(6), (b)(7)(C) allegations and he has now fled Iraq after avoiding several attempts for a re-interview. According to his mother, (b)(6), (b)(7)(C) allegedly went to Jordan and will not be returning to Iraq.

About 1300, 9 May 06, SA (b)(6), (b)(7)(C) reviewed statements taken from other members of the capture team based on ROI 0143-05-CID469-35767, and determined there was no testimonial corroboration of (b)(6), (b)(7)(C) allegation. (see sworn statements)///LAST ENTRY///

TYPE
SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION
31st MP Detachment (CID) (-), COB Speicher,
Tikrit Iraq, APO AE 09393

DATE
9 May 06

EXHIBIT

9

~~OFFICIAL USE ONLY/LAW ENFORCEMENT SENSITIVE~~

10-L-0126 ACLU DD II CID ROI 4597

32

SWORN STATEMENT

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

LOCATION BUILDINGS 5000	DATE 06 SEPT 03	TIME 2153	FILE NUMBER 0387-05-CID 013
LAST NAME, FIRST NAME, MIDDLE INITIAL (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)		GRADE/STATUS CPT/AD

ORGANIZATION OR ADDRESS
B CO 4TH RAUVER TRAINING BATTALION FORT BENNING GA 31905

(b)(6), (b)(7)(C), CPT (b)(6), (b)(7)(C)

TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the time period in question, I was a First Lieutenant and a platoon leader (2nd PLT) in Bravo Company, 1-8 Infantry (M). On or about 05AUG03, my platoon was attached to Alpha Company, 1-66 AR. We conducted patrol and cordon and search operations as directed by CPT (b)(6), (b)(7)(C), the Alpha 1-66 Commander. Anytime we apprehended anyone, they were turned over to the 1-66 CMOC. The CMOC housed the 1-66 AR mortar platoon, the 1-66 AR S-2 section (headed by the S-2, CPT (b)(6), (b)(7)(C)), and an MP platoon. The ~~1-66~~ battalion was commanded by LTC (b)(6), (b)(7)(C). On ~~the night of~~ 18 SEPT 03, my platoon began taking heavy enemy contact in various sections of Samarra. This occurred ~~at~~ nearly every other night. Because of the size of the engagements, ~~our~~ brigade commander, COL (b)(6), (b)(7)(C) decided to move all of Bravo 1-8 Infantry (M) to Samarra. On the night of 29 SEPT 03, ~~my~~ patrol consisting of ~~my platoon and~~ ~~one~~ of my Bradley sections and a section of tanks was ambushed in Sector 9 of Samarra. The result ~~was~~ ~~to~~ at least two enemy KIA and 7 wounded that were all detained. That night,

EXHIBIT	INITIALS OF (b)(6), (b)(7)(C) MAKING STATEMENT	PAGE 1 OF 10 PAGES
---------	--	--------------------

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.

we brought in the detainees to the CMOC. ^{All} [REDACTED] had been wounded in the exchange. The detainees were ^{(b)(6), (b)(7)(C)} all placed in a waiting area, ^{(b)(6), (b)(7)(C)} blind folded and flex cuffed. They were brought in one by one to examine the recovered remains of a KIA. This KIA had been clutching an RPG launcher when my PLT found him. I stepped through to the room where the KIA was. One of the detainees was in there, along with three MPs and a translator. The translator knew I was the platoon leader of the element that had brought in the detainees. He immediately asked why my platoon had not killed the man in the room. I replied that we had tried. He brought me to the man and showed me his right shoulder, which had a Saddam Kedayeen tattoo. ^{(b)(6), (b)(7)(C)} He stated we should kill any individual with that tattoo. ^{(b)(6), (b)(7)(C)} He then stated ~~if not, then we had to beat them~~ in addition that if we wanted to hit detainees, to strike the body and not the face. He went on by saying body blows could be denied, but facial strikes could not. One of my NCO's was with me and this caused us to look at each other, but we did not pass on that information. On the day of the 29th of September, the rest of Bravo 1-8 Infantry joined us in Samarra. I fell back under my organic company commander, CPT ^{(b)(6), (b)(7)(C)} [REDACTED]. We conducted missions as directed by LTC ^{(b)(6), (b)(7)(C)} [REDACTED]. Each time, the detainees were turned over to H66AR at the CMOC. During this time period, we ^{(b)(6), (b)(7)(C)} overheard the MPs talking about how they let the translator handle interrogations, and even rough up detainees. ^{(b)(6), (b)(7)(C)} I signed nearly all detainee paperwork for my company because the ^{(b)(6), (b)(7)(C)} ~~MP's~~ MP's had been seeing my face for over two months and I had a good working relationship with them and their platoon leader, a female first lieutenant of African descent. My company returned under the control of 1-8 IN(M) in Balad on the 15th of October 2003. ^{(b)(6), (b)(7)(C)}

2. SA ^{(b)(6), (b)(7)(C)} [REDACTED]

INITIALS OF PERSON MAKING STATEMENT ^{(b)(6), (b)(7)(C)} [REDACTED]
DA FORM 2823, JUL 72

PAGE 2 OF 10 PAGES.

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED

1: CPT (b)(6), (b)(7)(C)

2: How long were you DEPLOYED TO IRAQ?

1: Approximately one year.

2: WHERE DID YOU DEPLOY FROM?

1: I deployed from Fort Carson, CO.

2: WHEN DID YOU ACTUALLY SET BOOTS ON THE GROUND IN IRAQ?

1: I crossed into Iraq on April 17, 2003 with the 1st BDE, 4th ID TOC.

2: DID YOU OR YOUR SOLDIERS EVER DETAIN ANY IRAQI NATIONALS AT A POLICE STATION IN SAMARRA, IRAQ?

1: Yes

2: WHAT WAS YOUR STANDARD OPERATING PROCEDURE IN DEALING WITH IRAQI CITIZENS?

1: Once apprehended by my platoon, all detainees were immediately flex cuffed and blind folded. On an index card, we would write the time, date, grid coordinate of apprehension, circumstances surrounding apprehension, what (b)(6) the detainee was wearing, and the NCO in charge of the fire team that apprehended the person. We then placed them (detainees) in the Bradley, brought them to the CMOC operated by 1-16 ABN, and turned the individuals over to the MP's. I then filled out the official detainee paperwork at the CMOC and departed.

2: WHAT DOES CMOC STAND FOR?

1: (b)(6), (b)(7)(C) Civil Military Operation Center.

2: WHAT WAS THE MISSION OF THE CMOC?

1: As I saw it, the mission of the CMOC was to process intelligence collected in Samarra, to act as a base for MP operations, and to process claims made by the (b)(6), (b)(7)(C) citizens of Samarra. It also acted as an (b)(6), (b)(7)(C) information center for Iraqis with detained loved ones.

2: WHAT IS CPT (b)(6), (b)(7)(C) FULL NAME?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 3 OF 10 PAGES.

1. CPT (b)(6), (b)(7)(C) first name was (b)(6), (b)(7)(C), though I'm not completely sure.

2. DID CPT (b)(6), (b)(7)(C) EVER GIVE AN ORDER TO ABUSE ANY DETAINEES?

3. No.

4. WHAT WAS CPT (b)(6), (b)(7)(C) FULL NAME?

5. I do not know.

6. ARE CPT (b)(6), (b)(7)(C) AND CPT (b)(6), (b)(7)(C) STILL IN IRAQ?

7. No. They redeployed in March of 2004 to Fort Hood, TX. Their unit, 1-66 AR, is a subordinate element of 1st BDE, 4th ID.

8. DID CPT (b)(6), (b)(7)(C) EVER GIVE AN ORDER TO ABUSE IRAQI DETAINEES?

9. Not that I am aware of, although I do know that he was present during some of the interrogations.

10. DID CPT (b)(6), (b)(7)(C) EVER TELL YOU WHAT HAPPENED DURING THE INTERROGATIONS?

11. No, we only received the resulting intelligence.

12. WHAT WAS LTC (b)(6), (b)(7)(C) FULL NAME?

13. I do not know his full name.

14. IS HE STILL IN IRAQ?

15. No.

16. DID LTC (b)(6), (b)(7)(C) EVER GIVE AN ORDER TO ABUSE DETAINEES?

17. No. He only acknowledged that detainees had been taken and intelligence had been collected.

18. DID COL (b)(6), (b)(7)(C) EVER GIVE ANY ORDERS TO ABUSE

19. DETAINEES?

20. No. Most of the time, he was located on LSA Anaconda at Strike Main (3 BCT 10C)

21. WHEN THE DETAINEES WERE PLACED IN A WAITING AREA, HOW WERE THEY TREATED?

22. They were left alone unless they were being belligerent. At that time, the translator was brought in to speak briefly. In one instance, I saw the MP's physically restrain a belligerent with two male MP's grabbing him and forcing him to the ground.

23. WHAT DO YOU MEAN WHEN YOU SAY BELLIGERENT?

Q: When I say belligerent, I am referring to any type of behavior causing a disturbance, for example yelling or getting up and moving around.

Q: WERE YOU STATED YOU SAW THE MP'S PHYSICALLY RESTRAIN AN INDIVIDUAL DETAINEE, CAN YOU ELABORATE?

A: The detainee (b)(6), (b)(7)(C) did not have a blindfold and had gotten up and was approaching the MP's in a manner that appeared threatening, making statements in Arabic that had a threatening inflection. Because there were 5 other detainees in the room, the MP's needed to deal with this quickly. They wrestled the individual to the ground and sat him back against the wall and blindfolded him.

Q: WHO WERE THE MP'S THAT WRESTLED HIM TO THE GROUND?

A: I have no (b)(6), (b)(7) names, but I know one of them was a staff sergeant.

Q: WHAT UNIT WERE THEY FROM?

A: I think they were part of the MP platoon attached to 1st BDE, 4th ID. The S-2 section from 1-06 AB would (b)(6), (b)(7)(C) know better than me.

Q: DID YOU EVER SEE THE MP'S STRIKE ANY OF THE DETAINEES?

A: No, though I did see detainees shoved.

Q: WHO SHOVED THE DETAINEES?

A: The MP's.

Q: AFTER THE DETAINEES WERE BROUGHT IN TO EXAMINE THE KILLED IN ACTION, WHAT HAPPENED TO THEM?

A: They were placed in the holding cell located in the back of the compound.

Q: WERE THEY EVER STRUCK WHILE BEING PLACED IN THE HOLDING CELL?

A: Not that I am aware of. I did not see them after they were moved from the interrogation room.

Q: WHAT WAS THE TRANSLATOR'S NAME?

A: I do not know, but I know he was an Iraqi (b)(6), (b)(7)(C) national not from the Samarra area. I believe he was from Baghdad.

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 5 OF 10 PAGES.

DA FORM 2823, JUL 72

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

Q: DID YOU EVER WITNESS THE INTERROGATIONS?

A: I witnessed two.

Q: WHAT HAPPENED DURING THE INTERROGATIONS?

A: The detainees were shown the remains of an enemy KIA. The S-2 had the MPs do this to judge the reactions of the detainees. They were asked to identify him, their relationship (with the KIA), why they were with him during the ambush, and why they allowed the KIA to fire RPG'S at us. They were asked where they got their weapons, the location of any other stockpiled weapons, and if they knew anyone else who had weapons and wanted to kill Americans. The interrogator would yell in the faces of the detainees and even grab and shake them while the MPs and S-2 watched.

Q: WHAT WERE THE NAMES OF THE TRANSLATORS?

A: 1-66 AR had two translators that I am aware of. One was called (b)(6), (b)(7)(C). He was about 5'6" and alternated months with and without a beard. The one regularly at the CMOC (b)(6), (b)(7)(C) (I do not know his name) was middle aged, roughly 5'8", and spoke excellent English.

Q: WHEN YOU SAID HE HAD A FEDAYEN TATTOO, CAN YOU ELABORATE?

A: It was on his right shoulder. It (b)(6), (b)(7)(C) consisted of a heart with wings and a sunburst around it, consistent with published pictures of Fedayeen tattoos.

Q: WHEN YOU STATED THAT "HE SAID WE SHOULD KILL ANY INDIVIDUAL WITH THAT TATTOO, HE THEN STATED IN ADDITION THAT IF WE WANTED TO HIT DETAINEMENTS, TO SPECIFICALLY HIT THE BODY AND NOT THE FACE," WHO TOLD YOU THAT?

A: The translator at the CMOC

Q: YOU SAID THAT ONE OF YOUR NEEDS WAS WITH YOU AND THAT CAUSED YOU TO LOOK AT EACH OTHER, WHO WAS THAT?

A: SSG (b)(6), (b)(7)(C), BC, 1-8 INCM).

Q: WHERE IS SSG (b)(6), (b)(7)(C) NOW?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 6 OF 10 PAGES.

A: He is at Fort Carson, CO.

Q: WHO WERE ALL THE SOLDIERS WITH YOU WHEN YOU APPREHENDED THE DETAINEES AND TURNED THEM OVER TO THE MP'S?

A: SFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) were the two NCO's that normally come into the MP station C/MOC with me.

Q: WHAT IS CPT (b)(6), (b)(7)(C) FULL NAME?

A: CPT (b)(6), (b)(7)(C)

Q: DID CPT (b)(6), (b)(7)(C) EVER GIVE AN ORDER TO STRIKE THE DETAINEES?

A: No.

Q: WHEN YOU SAID "WE OVERTHEARD THE MP'S TALKING ABOUT HOW THEY GET THE TRANSLATOR HANDLE INTERROGATIONS, AND EVEN ROUND UP DETAINEES," WHAT DID YOU MEAN?

A: I am referring to SSG (b)(6), (b)(7)(C) and myself.

Q: WHEN YOU SAY "ROUND UP DETAINEES," CAN YOU ELABORATE?

A: I believe that the translator was allowed to strike detainees, given his harsh attitude toward detainees we brought in, and given his telling SSG (b)(6), (b)(7)(C) and myself how to hit detainees. I know I heard more than once that the translator at the C/MOC had hit detainees, but I cannot attribute that fact to any one person.

Q: WHEN YOU SAID "I HAD A GOOD WORKING RELATIONSHIP WITH THEM AND THEIR PLATOON LEADER, A FEMALE FIRST LIEUTENANT OF AFRICAN DESCENT," WHO WAS THAT?

I do not recall the name of the MP platoon leader, but my interactions with her and her soldiers were friendly and to the point. We learned their paperwork requirements, and they learned our apprehension SOPs, and it made detainees detainee handovers smooth.

Q: WHEN YOU SAY FRIENDLY AND TO THE POINT, WHAT DO YOU MEAN?

A: They respected me both as an infantry officer and a person, and they did not there was no friction between us because of being in different units and different branches.

Q: YOU SAID THE MP'S AND S-2 WOULD WATCH AS THE TRANSLATOR CONDUCTED THE INTERVIEWS?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 7 OF 10 PAGES.

WHO WERE THEY?

A: One of the people in there was the S-2, CPT (b)(6), (b)(7)(C)

Q: DID YOU SEE CPT (b)(6), (b)(7)(C) STRIKE ANY DETAINEES?

A: No.

Q: DID CPT (b)(6), (b)(7)(C) TRY TO STOP THE TRANSLATOR FROM STRIKING THE DETAINEES?

A: No. We all watched.

Q: WHO WAS ~~THE~~ ALL WATCHED WERE THE SOLDIERS THAT WATCHED?

A: Myself, CPT (b)(6), (b)(7)(C) and 3 ~~AF~~ male MP's. SSG (b)(6), (b)(7)(C) was outside ~~but~~ but did not enter the room until the Fedayeen talker was being shown.

Q: DID ANYONE TRY AND STOP THE TRANSLATOR FROM STRIKING THE DETAINEES?

A: No.

Q: DID YOU OR ANY OF YOUR SOLDIERS STRIKE ANY DETAINEES?

A: No.

Q: DO YOU RECALL A DETAINEE BY THE NAME OF (b)(6), (b)(7)(C)?

A: No. We apprehended so many people in Somalia that I am extremely hard pressed to remember any ~~an~~ individual.

Q: ARE THERE ANY OTHER SOLDIERS WERE AT FORT BELVINGE THAT WERE WITH YOU WHILE YOU WERE DEPLOYED?

A: CPT (b)(6), (b)(7)(C) (IOBC), SFC (b)(6), (b)(7)(C) (IOBC), CPT (b)(6), (b)(7)(C) (BCTB). All were in Bravo 1-8 IN(M) on 07 OCT 05. SFC (b)(6), (b)(7)(C) was a squad leader in my platoon at the time, CPT (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) were the other two platoon leaders in Bravo Company at the time.

Q: DID ANY OF THEM GIVE AN ORDER TO STRIKE ANY DETAINEES?

A: No.

Q: DO YOU KNOW ANY OF THE MP'S AT THE DIF, FOB DANGLER, TIKRET, IRAD?

A: No.

Q: DID YOU OR ANY OF YOUR SOLDIERS CARRY RAZERS?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 8 OF 10 PAGES.

"STATEMENT OF CONTINUED."

TAKEN AT

DATED

A: No.

Q: DID YOU WITNESS ANY ACTS OF ABUSE TOWARDS MR. (b)(6), (b)(7)(C) OR ANY OTHER DETAINEES?

A: No.

Q: HOW WERE YOU TREATED DURING THIS INTERVIEW?

A: I was treated fairly and impartially.

Q: HOW WERE THE DETAINEES BLINDFOLDED?

A: Most of the time we used strips of cloth that we obtained from torn up t-shirts. Prior to that, our battalion policy was to use sand bags, which we occasionally resorted to if we were out of cloth.

Q: DID YOU ANSWER ALL QUESTIONS WITH YOUR OWN WORDS WRITTEN BY YOU?

A: Yes.

Q: IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD TO THIS STATEMENT?

A: No. /// END OF STATEMENT /// (b)(6), (b)(7)(C)

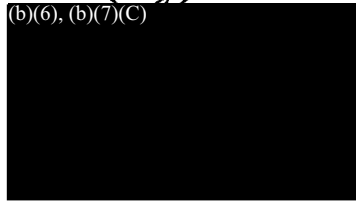
INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 09 OF 10 PAGES.

DA FORM 2823, JUL 72

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

STATEMENT (Continued)

(b)(6), (b)(7)(C)



AFFIDAVIT

(b)(6), (b)(7)(C)

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 10. 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 INFLUENCE.

(b)(6), (b)(7)(C)

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6TH day of SEPT, 2005 at BLOCK 500

(b)(6), (b)(7)(C)

(Administering Oath)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA UCMS ART 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 10 OF 10 PAGES

SWORN STATEMENT

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

LOCATION Bldg 108, Ft Benning, GA	DATE 08 SEP 05	TIME 1415	FILE NUMBER 0387-05-CID-003
L. (b)(6), (b)(7)(C)	SQ (b)(6), (b)(7)(C)		GRADE/STATUS O-3

O **A Co, 2-11 IN**

I, **CPT (b)(6), (b)(7)(C)** want to make the following statement under oath:

I was 3rd platoon leader, B Co, 1-8 IN while on deployment to Iraq from 04 APR 03 to 05 APR 04. During mid september 03 and to mid October 03 Bravo Company was assigned to 1-65 AB in Samarra. During approximately one month of operations the company lived at FOB Daniels. At no time during this month was I at the CMOC (Civil Military Operations Center) at the same time. I have no knowledge of the prisoner or complaint. Prisoner procedures usually entailed the MP platoon at the CMOC meeting us in the city and transferring the prisoners and paperwork to them. After a handover, the infantry platoons had no contact with the prisoners. If we did bring prisoners to the CMOC, the Bradley's would park outside the main gate and we would escort the prisoner in. The MPs and my soldiers would guard the prisoner inside the CMOC until I ~~to~~ completed the paperwork on the prisoner. Following the completion of the paperwork, all control of the prisoner would be with the MPs and my platoon would move out. I had to do this on only one occasion in mid October 2003 and no 2nd platoon soldiers were present.

- Q: SA (b)(6), (b)(7)(C)
- A: CPT (b)(6), (b)(7)(C)
- Q: WHAT WAS THE DATE THAT YOU BRACKET THE PRISONERS INTO THE CMOC?
- A: It was closer to the 15th of October, I cannot remember the exact date.
- Q: AT ANY TIME, DID YOU RECEIVE AN ORDER TO STRIKE OR ABUSE ANY DETAINEE WHILE DEPLOYED?
- A: NO
- Q: DID YOU EVER WITNESS ANY DETAINEE BEING STRUCK OR ABUSED?
- A: No
- Q: WHO IS CPT (b)(6), (b)(7)(C)?
- A: 2nd PLT Leader, B Co, 1-8 IN until 17 NOV 03 then mortar PL, HHC 1-8 IN
- Q: DID YOU EVER SEE (b)(6), (b)(7)(C) DROP OFF ANY DETAINEE WITH CPT (b)(6), (b)(7)(C)?
- A: No
- Q: DO YOU REMEMBER THE NAMES OF ANY DETAINEES?
- A: No
- Q: DO YOU REMEMBER THE NAMES OF ANY TRANSLATORS?
- A: No
- Q: WHAT UNIT WERE THE MPs FROM?
- A: My only that they were from Ft Hood
- Q: DO YOU REMEMBER ANY OF THE MP'S OR PLATOON LEADERS NAMES?
- A: No (b)(6), (b)(7)(C)

EXHIBIT	INITIALS (b)(6), (b)(7)(C)	PERSON MAKING STATEMENT	PAGE 1 OF PAGES 3
---------	----------------------------	-------------------------	-------------------

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

JA FORM 2823 (AUTOMATED)

STATEMENT OF

TAKEN AT

DATED

Case # 036705-41013

CONTINUED:

Q. DID YOU OR YOUR SOLDIERS EVER CARRY TASERS?

A. No

Q. WERE YOU EVER AT FOB MCKENZIE?

A. No

Q. DO YOU REMEMBER A DETAINEE BY THE NAME OF MR. (b)(6), (b)(7)(C)?

A. No

Q. THE ONE INCIDENT THAT YOU DROPPED OFF THE PRISONER AT THE CMOC, HOW WERE THEY TREATED?

A. Prisoner remained remained flex cuffed and blind folded. He was escorted in by a five team through the main gate. We sat him down in the main hall and my soldiers watched him as I completed the paperwork. He was in the same position sitting on the floor, against the wall when I handed him over to the MP's and left.

Q. WHEN YOU SAY HE, DO YOU RECALL A NAME?

A. No

Q. WHAT WAS THE MISSTAY OF THE CMOC?

A. It housed an SF team, a MP PLT and the mortar platoon. The compound was inside the city unlike our FOB's and I guess is where the marshalled for operations inside the city and met with town leadership.

Q. DID YOU WITNESS ANY INTERROGATIONS AT THE CMOC.

A. No

Q. DID YOU CONDUCT ANY INTERROGATIONS?

A. No

Q. IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD TO THIS STATEMENT?

A. No /// END OF STATEMENT /// (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

STATEMENT OF

TAKEN AT

DATED

CONTINUED:

Large lined area for the statement, mostly redacted with a diagonal line and a black box.

(b)(6), (b)(7)(C)

USED
08/25/05

(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) 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 OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 7th DAY OF SEP, 2005 AT BLDG 108, FOLT Bldg on 31901

SA (b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

(Name of Person Administering Oath)

ARTICLE 136, UCMJ

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGES 3 OF 3 PAGES

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

LOCATION BLDG 3240	DATE (b)(6), (b)(7)(C) 9 SEP 03	TIME (b)(6), (b)(7)(C) 1100	FILE NUMBER
L (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	GRADE/STATUS 03 / RA	

ORGANIZATION OR ADDRESS
DCO 3/4 IN BLTB FOOTBATTAL OF

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I arrived in Iraq on or about 16 SEP 03 and was assigned to B/1-8 IN shortly thereafter. During my time in IRAQ I operated in both Samarra and Balad. Our mission was to capture anti-coalition forces and provide security for our area of operation. As far as standard operating procedures (SOP's) for handling detainees, they were as follows: We would get information as to the whereabouts of a target from higher, whether it was a grid to their house, or a place and time where the target would be on a given day and cordon off the area w/ vehicles and soldiers. Then one element would enter the house in an attempt to identify the target. Once inside, w/ the aid of an interpreter, we would figure out if the person we were talking to was in fact the target. If he was the target we would zip tie his hands or tie his hands using prison cuffs. We would then mark a 3x5 card w/ his name, a target number if we were given one, and a grid to where we found him. In the absence of a 3x5 card, we would write the same information on his shirt. Upon identifying the target, we would search the house for weapons, or anti-coalition flyers/paraphernalia. Once we finished the search we placed the detainee in (b)(6), (b)(7)(C)

EXHIBIT	INIT (b)(6), (b)(7)(C) PERSON MAKING STATEMENT	PAGE 1 OF 5 PAGES
---------	--	-------------------

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.

DA FORM 2823, JUL 72 SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

"STATEMENT OF (b)(6), (b)(7)(C)
CONTINUED."

TAKEN AT DLDC 3240

DATED 9 SEP 68

Q: DID YOU EVER HEAR ANYBODY GIVE AN ORDER TO STRIKE OR ABUSE ANY IRAQI DETAINEES?

A: NO

Q: WHAT WERE THE STANDARD OPERATING PROCEDURES FOR DETAINEE INTERROGATIONS?

A: The main questions we asked detainees or potential detainees was their name, if they knew where a particular target was, if they had any weapons, if they saw ^{heard} mortars fire and where. That is as far into questioning I/my platoon went into.

Q: DID YOU OR ANYONE IN YOUR PLATOON WITNESS INTERROGATIONS AT THE CMOC?

A: (b)(6), (b)(7)(C) TO THE BEST OF MY KNOWLEDGE NO.

Q: DID YOU KNOW THE TRANSLATORS AT THE CMOC?

A: NO

Q: CAN YOU REMEMBER ANY NAMES OF THE MP'S THAT WERE ASSIGNED TO THE CMOC?

A: NO

Q: DID ANY OF THE MP'S AT THE CMOC TELL YOU ABOUT THE INTERROGATIONS?

A: NO

Q: DID YOU OR YOUR SOLDIERS EVER CARRY TAGS?

A: NO

Q: DO YOU RECALL AN IRAQI DETAINEE BY THE NAME OF MR. (b)(6), (b)(7)(C)?

A: (b)(6), (b)(7)(C)

A: NO

Q: DID YOU OR MEMBERS OF YOUR PLATOON EVER WITNESS ANY MP'S STRIKING ANY IRAQI DETAINEES?

A: TO THE BEST OF MY KNOWLEDGE, NO.

Q: HOW WERE YOU TREATED DURING THESE INTERROGATIONS?

A: Respectfully.

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 5 PAGES.

DA FORM 2823, JUL 72

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

"STATE MENT OF (b)(6), (b)(7)(C)
CONTINUED."

TAKEN AT BLDG 3240

DATED 9 SEP06

(b)(6), (b)(7)(C)

a vehicle and moved him either to the CMOC or the holding facility controlled by Battalion (1-66 AR or 1-8 in). After turning the detainees over to the proper authorities, we did not see them. As ~~far~~ ^{(b)(6), (b)(7)(C)} far as detainee abuse, I did not see any. I left Samarra in February and went back to Balad and pulled security on LSA Anacarda by way of counter-mortar ops. I left Iraq March 04 ^{(b)(6), (b)(7)(C)}

D: SA (b)(6), (b)(7)(C)

F: CPT (b)(6), (b)(7)(C)

D: DID YOU EVER DROP OFF DETAINEES AT THE POLICE STATION IN SAMARRA?

F: To the best of my memory I don't remember dropping off any detainees at the Iraqi police station in Samarra (my platoon)

D: HOW MANY TIMES DID YOU OR YOUR PLATOON DROP OFF IRAQI DETAINEES?

F: To the best of my memory I would say that my platoon dropped off detainees to the CMOC and Battalion holding facility approx. 10 times.

D: WHAT WAS THE MISSION OF THE CMOC?

F: I am not aware of the exact mission.

D: WHAT DOES CMOC STAND FOR?

F: @ I believe Civilian military operating center.

D: DID YOU EVER RECEIVE AN ORDER TO STRIKE OR ABUSE ANY IRAQI DETAINEES?

F: NO

D: DID YOU EVER GIVE AN ORDER TO STRIKE OR ABUSE ANY IRAQI DETAINEES?

F: NO

D: DID YOU EVER WITNESS ANY IRAQI DETAINEES BEING ABUSED?

F: NO

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 3 OF 5 PAGES.

DA FORM 2823, JUL 72

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED

ACLU-RDI 5516 p.40

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE 10-1-0126 AGLU DD II CID ROI 4613

48

EXHIBIT 12

"STATEMENT OF (b)(6), (b)(7)(C) CONTINUED."

TAKEN AT DLDG 3240

DATED 9 SEP 65

Q: CAN YOU DESCRIBE OR NAME THE MP PLATOON LEADER AT THE COMC?

A: NO

Q: DID YOU ANSWER ALL QUESTIONS WHERE WAS THE BATTACON HOLDING FACILITY?

A: INSIDE THE FOB (b)(6), (b)(7)(C)

Q: AT ANY TIME DID YOU HEAR OF ANY TRANSLATORS STRIKING ANY DETAINEES?

A: NO

Q: AT ANY TIME DID YOU HEAR OF ANYONE ABUSING OR STRIKING ANY DETAINEES?

A: NO

Q: DO YOU REMEMBER A DETAINEE NAMED (b)(6), (b)(7)(C)?

A: NO

Q: DID YOU ANSWER ALL QUESTIONS WITH YOUR OWN WORDS AS WRITTEN BY ME?

A: YES

Q: DO YOU HAVE ANYTHING ELSE TO ADD TO THIS STATEMENT?

A: NO /// END OF STATEMENT /// (b)(6), (b)

"STATEMENT OF (b)(6), (b)(7)(C)
STATEMENT (Continued)

TAKEN AT BLDG 3240

DATED 9 Sep 05

(b)(6), (b)(7)(C)

USSR
9 SEP 05

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 9th day of SEP, 2005 at BLDG 3240 BCTB, F36A

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Article 136 UCMJ / 5 USC 303

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

10-1-0126 ACIU DD II CID ROP 4615

12

~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~
 SWORN STATEMENT

FILE NUMBER : 0363-05-CID056
 LOCATION : 48th MP DET (CID), Fort Carson, CO 80913
 DATE : 28 Sep 05 TIME: 1345
 NAME : (b)(6), (b)(7)(C)
 SSAN : (b)(6), (b)(7)(C) Grade/Status: E-6/SSG
 ORG/ADDRESS : B CO 1/8th INF, Fort Carson, CO 80913

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER

OATH:

- Q. SA (b)(6), (b)(7)(C)
 A. SSG (b)(6), (b)(7)(C)
 Q. When were you deployed to Iraq?
 A. April 4, 2003 through April 2004.
 Q. What unit were you assigned to while you were deployed to Iraq?
 A. B CO 1/8th INF.
 Q. Do you know anyone by the name of Mr. (b)(6), (b)(7)(C)?
 A. No.
 Q. Do you remember if you captured a Mr. (b)(6), (b)(7)(C) while in Iraq?
 A. No.
 Q. Did you conduct operations in the Samarra area during Oct 2003?
 A. Yes.
 Q. What unit were you attached to?
 A. 1/66th Armor.
 Q. Do you know CPT (b)(6), (b)(7)(C)?
 A. Roger, he is my old company commander. He is at Stanford University.
 Q. Do you know CPT (b)(6), (b)(7)(C)?
 A. Yes, he is at Fort Irwin.
 Q. Do you know CPT (b)(6), (b)(7)(C)?
 A. No, I have never heard of that name.
 Q. Do you know COL (b)(6), (b)(7)(C)?
 A. Yes, he works at the Pentagon.
 Q. Do you know LTC (b)(6), (b)(7)(C)?
 A. Roger, he was the commander of 1/66th AR. I do not know where he is at.
 Q. Do you know SSG (b)(6), (b)(7)(C)?
 A. Yes, he is a SFC now. He is at West Point, the S-3.
 Q. At anytime during your time in Iraq, did you ever capture anyone with a Saddam Fedayeen tattoo?
 A. Yes, several times. In Sammara we were capturing between 40 to 70 suspected insurgents about every night.
 Q. At anytime in Iraq, were you ever ordered to strike, punch, hit, slap, kick or abuse a detainee?
 A. Never. It wasn't allowed in our battalion (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Page 1 of 4 Pages

~~FOR OFFICIAL USE ONLY~~

~~FOR OFFICIAL USE ONLY~~

~~LAW ENFORCEMENT SENSITIVE~~

"Statement of SSG (b)(6), (b)(7)(C) taken on 28 Sep 05, at Fort Carson, CO, continued:"

(b)(6), (b)(7)(C)

At anytime while in Iraq, did you ever witness and MP or a translator strike, hit, kick, slap or abuse a detainee?

A. Never.

Q. Why would Mr. (b)(6), (b)(7)(C) say an MP abused him while in detention?

A. I don't know, I have no clue who this (b)(6), (b)(7)(C) guy is.

Q. Do you remember when you were in Sammarra?

A. From Aug 03 until the first week of Nov 03 and then we returned back in Dec 03 until Jan 04.

Q. What were your duties while in Sammarra?

A. Patrols and operation Ivy Blizzard.

Q. What elements from the 1/8th INF were in Sammarra with you?

A. We relieved A CO, 1/8th INF in Aug 03 and we then in Dec 03 and Jan 04 the whole brigade was in Sammarra for Ivy Blizzard.

Q. Do you know CPT (b)(6), (b)(7)(C)

A. Yes. He was the platoon leader for 2nd platoon, B CO 1/8th INF. He went to the mortar platoon in Dec 03.

Q. If your unit captured an insurgent, what were the procedures?

A. We would zip-tie them, put a sandbag over his head, date time and grid of capture and a brief reason why we captured them, send all of the information to CPT (b)(6), (b)(7)(C) and then transport them to the Civil Military Operations Center (CMOC) basically a jail, then turn all that were captured to the MP's.

Q. After you turned over all detainees to the MP's, what happened?

A. We dropped them off and rolled back out.

Q. Were you ever present for an interrogation of a detainee?

A. Yes, I think I was, he was a detainee that turned informant.

Q. Do you remember who conducted that interrogation?

A. It was an MP and an interrogator, but I couldn't tell you their names.

Q. During this interrogation, did anyone abuse the detainee?

A. No, not at all.

Q. Did you ever witness a translator or MP shake a detainee?

A. No.

Q. Did you ever witness any of your soldiers abuse a detainee?

A. No.

Q. Did you know any of the MP's at the DIF, FOB Danger, Tikrit, Iraq?

A. I have never even heard of it, that was not our AO, it was 1/22 INF AO.

Q. Other than you, are there any soldiers in your unit right now who served with CPT (b)(6), (b)(7)(C) in Iraq?

A. I am the last one.

Q. Do you know of any soldiers assigned to A CO, 1/8th INF who served with CPT (b)(6), (b)(7)(C) in Iraq?

A. None of them.

Q. Why do you say that no soldiers for A CO, 1/8th INF served with CPT (b)(6), (b)(7)(C) in Iraq?

A. There are no soldiers in A CO that were in B CO at all while we were in Iraq.

Q. Do you know any of the soldiers in 1/66th AR BN that CPT (b)(6), (b)(7)(C) served with in Iraq?

A. We didn't do too many patrols with those guys, I don't remember any of their names. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

Page 2 of 4 Pages

FOR OFFICIAL USE ONLY

Case No. 10-L-0126-ACLU DD II CID ROI 4618-10056/0143-05-CID469-35767

"Statement of SSG (b)(6), (b)(7)(C) taken on 28 Sep 05, at Fort Carson, CO, continued."

- (b)(6), (b)(7)(C) ever order you to strike a detainee?
- A. Never.
- Q. Did CPT (b)(6), (b)(7)(C) ever order you to strike a detainee?
- A. Never.
- Q. Did CPT (b)(6), (b)(7)(C) ever order you to strike a detainee?
- A. I don't even know that guy.
- Q. Did COL (b)(6), (b)(7)(C) ever order you to strike a detainee?
- A. No.
- Q. Did LTC (b)(6), (b)(7)(C) ever order you to strike a detainee?
- A. No.
- Q. Do you know of a detainee that your unit captured by the name of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)?
- Q. No.
- Q. Do you know where 1/66th AR BN is located?
- A. There is no 1/66th AR BN, because of the Unit of Action stuff, they disbanded and I don't know what they are now. They are out of Fort Hood.
- Q. Do you know where 1/22 INF is located?
- A. Fort Hood.
- Q. Do you know what unit the MP's from the CMOC were from?
- A. I know they were from the 720th Military Police, it was only a small portion of MP's that were up at the CMOC, the rest got pulled out.
- Q. Can you describe their unit patch?
- A. Round, with a wolf howling up at the sky with lines through it.
- Q. Who was your first line supervisor while in Samarra?
- A. CPT (b)(6), (b)(7)(C)
- Q. Do you know who was in charge of the MP's at the CMOC?
- A. No.
- Q. Do you know who was in charge of the translators at the CMOC?
- A. No.
- Q. What nationality were the translators at the CMOC?
- A. They were from the Middle East.
- Q. Do you know the names of the translators from the CMOC?
- A. No.
- Q. Do you have anything else to add to this statement?
- A. No.///End of Statement/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, SSG (b)(6), (b)(7)(C) HAVE OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTOOD 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

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)
Page 3 of 4 Pages

FOR OFFICIAL USE ONLY

10-L-0126-ACLU DD II CID ROI 4618-10056/0143-05-CID469-35767 EXH53IT

"Statement of SSG (b)(6), (b)(7)(C) taken on 28 Sep 05, at Fort Carson, CO, continued."

FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

ORGANIZATION AND ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of September, 2005, at Fort Carson, CO.

(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Art. 136 UCMJ
(Authority to Administer Oath)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT:

(b)(6), (b)(7)(C)

Page 4 of 9 Pages

~~FOR OFFICIAL USE ONLY~~

EXHIBIT 54

SWORN STATEMENT

File Number :
 Location : Fort Irwin, CA (b)(6), (b)(7)
 Date : October (b)(6), (b)(7) 2005 (C)
 Time : 1744 (b)(6), (b)(7)
 Statement of : (b)(6), (b)(7)(C)
 Grade/Status : CPT/AD
 SSN : (b)(6), (b)(7)(C)
 Org/Address : A Company, Operations (Ops) Group (Grp), Fort Irwin, CA
 92310

I, CPT (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: SA (b)(6), (b)(7)(C)

A: CPT (b)(6), (b)(7)(C)

Q: When were you deployed to Iraq?

A: From 6 Apr 03 to 25 Mar 04.

Q: Where you located?

A: In the Samara, Iraq area. I was at FOB Stoddard, FOB Daniels, and FOB Brassfield-Mora. I was never stationed at the CMOC, but only conducted business there.

Q: What is an FOB?

A: A Forward Operating Base.

Q: What is a CMOC?

A: Civil Military Operations Center. It was our battalion and a detainee facility. We were there till 15 Nov 03 when we pulled out of there and went to FOB Brassfield-Mora. We moved to get out of the range of mortars.

Q: You mentioned that the CMOC was used for a detainee facility. Explain?

A: The facility was ran by a platoon sized element of MPs. I don't remember what unit they were, but they were from the MP unit in Tikrit. The other units there was the Mortar Platoon from the 1/66th Armor Battalion, we also had the Bn S-2, and the HHC Commander that was overall in charge of the CMOC.

Q: Did you conduct any operations in the Samara area during October 2003?

A: Yes, we did daily security patrolling inside of the city and counter mortar patrolling around the city. October was an extremely violent month for us. We would come in contact with single shot RPG ambushes and mortar attacks up to three times a day.

Q: Did you capture anyone during this time?

A: Yes. A pretty large number during that month. We captured a good number of suspected insurgents, I cant remember how many. We would capture insurgents by opportunity or as a result of Human Intelligence. We called those cordon and searches.

Q: Explain to me your procedures for detaining an insurgent or someone.

A: Once someone has been identified as a detainee, we would use as minimum of a force as necessary, as directed from Battalion. We would use flex cuffs on them with their hands behind their back, we usually did not cuff their feet unless they were about to run or something. We would use cravats to cover their eyes or use an empty sandbag. We did not cover their nose or their mouths. We would then transport them back to the CMOC. There we would pull up right to the front entrance and the MPS would be there waiting for us. (b)(6), (b)(7)(C) MPS would escort them

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT _____

PAGE 1 OF 3

~~FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE~~ EXHIBIT 14

10-L-0126 ACLU DD II CID ROI 4620

55

STATEMENT OF: CPT (b)(6), (b)(7)(C), A Co, Ops Grp, Fort Irwin, CA 92310; TAKEN AT: FORT IRWIN, CALIFORNIA; DATED: 3 Oct 05; CONTINUED: inside and sit them down Indian style against the wall. They would sit there until we would finish our sworn statements detailing how they were captured. Once we were done, then the MPs would escort them in the back of the CMOC to a cell for holding. They would sit there till they were eventually transported to Tikrit, Iraq. The battalion's policy was that they would not sit there for more than a day. The names of the detainees that were captured were said during the battalion daily BUB.

Q: During the capture of the detainees, do you remember capturing anyone by the name of Mr. (b)(6), (b)(7)(C)?

A: No, I don't remember anyone by that name only because we captured hundreds of detainees.

Q: During the capture of the detainees, do you remember capturing anyone by the name of (b)(6), (b)(7)(C)?

A: No I don't remember anyone by that name.

Q: At anytime in Iraq, did you witness or hear of any MPs or any other American Soldiers, hit, slap, strike, punch or otherwise abuse any detainees?

A: There was a specific example I can think of where we were doing a cordon search and we raided the wrong house. When we entered the house, the occupant rushed the lead guy and he was hit in the chin with the rifle. The man was medically treated immediately. We then raided the house next door, which was the right house. These were insurgents that had not actually been detained yet. They were not harmed while they were detained in flex cuffs. We always briefed that once a detainee was flex cuffed, we were not to harm them.

Q: Did you observe any translators hit slap, strike, punch or otherwise abuse any detainees?

A: No. None. There was one contracted interpreter. He worked for Titan and he was assigned to the Battalion Commander.

Q: Do you know his name?

A: His name was (b)(6), (b)(7)(C). He was of Middle Eastern decent. I think he lived in Ohio in the states. He was a big bald guy with a moustache. For the most part, he traveled with the Battalion Commander.

Q: Did you get to use his translator services?

A: He was not a free agent by no means that we can use. If we wanted to use him we had to get special permission from the Battalion Commander.

Q: Have you ever witnessed any incidents where a detainee was hit in the back by a MP or an American soldier using the buttstock of their weapon?

A: No definitely not.

Q: Have you ever witnessed or heard of any incidents where a detainee's head was hit against the ground?

A: No.

Q: Have you ever witnessed or heard of any incidents where a detainee was tased while being detained?

A: Never.

Q: Did anyone have any tasers there?

A: No. That was never used in our area.

Q: Do you (b)(6), (b)(7)(C) anything else that you would like to add to this statement?

NO (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT _____

PAGE 2 OF 3

~~FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE~~ EXHIBIT 14 56

STATEMENT OF: CPT (b)(6), (b)(7)(C) A Co, Ops Grp, Fort Irwin, CA 92310; TAKEN AT: FORT IRWIN, CALIFORNIA; DATED: 3 Oct 05; CONTINUED:

AFFIDAVIT

I, CPT (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 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 (b)(6), (b)(7)(C) OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath,

(b)(6), (b)(7)(C) at Fort Irwin, California

th)

SA (b)(6), (b)(7)(C), (b)(7)(F) FORT IRWIN RESIDENT AGENCY (CID) FORT IRWIN, CA 92310

(Typed Name of Person Administering Oath)

Article 136

(Authority to Administer Oath)

WITNESSES:

ORGANIZATION OR ADDRESS

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT _____

(b)(6), (b)(7)(C)

PAGE 3 OF 3

~~FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE~~ EXHIBIT 14 57

10-L-0126 ACLU DD II CID ROI 4622

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 West Point, NY 10996	DATE 6 Oct 05	TIME 0909	NUMBER (b)(6), (b)(7)(C)
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SSN (b)(6), (b)(7)(C)	GRADE/STATUS E-7/AD	
ORGANIZATION OR ADDRESS Directorate of Operations Plans & Security			

I, SFC (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the time period of 10 Sept 03 thru 15 Nov 03 I SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) was assigned to 2nd PLT B Co 1st BN, 8th IN as a Squad Leader. My Platoon Leader was 1LT (b)(6), (b)(7)(C) Our platoon was crossed attached to A Co 1/66 AR operating in the city of Samarra, Iraq (FOB DANIELS) during this time period we were under constant attack from RPGs, small arms and mortars every time we entered the city. I remember the incident with a RPG attack in which the PL's Bradley was ambushed and the gunner shot a insurgent with the 25mm main gun this happened in the lower West part of the city, (reason I remember this one over others was the body was blown in 2 and we found his hand still attached to the RPG launcher). The platoon cordon off the area and began a search for any other insurgents that were involved and I recall detaining 3-4 males with blood spray / body matter (from the KIA) on their clothing during this as well as 2 AK-47 machine guns that were tossed in the area. We also treated a female Iraqi with bullet wounds to the right leg. Because of the KIA the MP from the CMOC responded to the scene and was in charge of picking up the remains and the detainees. I witness the remains (parts) being placed into a body bag and placed on the hood of the MPs Hummer. I did not go inside any rooms with the remains or detainees during this incident. I stayed on location and do not believe that we "the platoon" transported the detainees to the CMOC as I recall they were taken on scene by the MPs. I did not witness anyone violating our ROE which was clear no physical contact once a subject was placed in flex cuffs. During this time period SEP thru Nov 03 our platoon probably took in 1500-1600 detainees in Samarra, SOP was who ever detained, transported them to the CMOC and turned the detainees over to the MPs there (take in documents were done as well as sworn statements). Usually the senior guy on the scene and two soldiers went into the building during turn over.

Q: Did you type the above statement?

A: Yes.

Q: What does ROE stand for?

A: Rules of Engagement.

Q: What does SOP stand for?

A: Standard Operating Procedures.

Q: Did you ever hear any conversation between your Platoon Leader and a translator about how the unit should kill certain insurgents rather than capturing them?

A: No.

Q: Did you ever witness any insurgent or detainee get struck by a US soldier after he was flex cuffed?

A: No.

EXHIBIT # 19

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES 58

(b)(6), (b)(7)(C)

For Official Use Only 10-L-0126 ACLU DD II CID ROI 4623

Law Enforcement Sensitive

STATEMENT OF SFC (b)(6), (b)(7)(C) TAKEN AT West Point, NY 10996 DATED 6 Oct 05 CONTINUED:

Q: Do you recall the name (b)(6), (b)(7)(C) ?

A: No.

Q: Did you ever go to the police station in Samarra?

A: Yes, but not that night the insurgent was killed and found clutching the RPG.

Q: What does CMOC stand for?

A: Combined Military Operations Center.

Q: What was the SOP for dealing with insurgents the unit captured?

A: Flex cuff them, fill out a shoe tag on them detailing where capture happened, why they were captured and whether they were carrying a weapon. Then we normally would transport them to the CMOC.

Q: Was it SOP to blindfold the insurgent?

A: Yes.

Q: Were you ever present for a detainee interrogation?

A: Yes, but not in Samarra.

Q: While in Iraq were you ever ordered to punch, kick, hit, or strike a detainee?

A: No.

Q: Do you know the names of any translators that were in Samarra?

A: Our platoon translator was called "(b)(6), (b)(7)(C)".

Q: Do you know why he was called (b)(6), (b)(7)(C)?

A: No.

Q: What nationality was (b)(6), (b)(7)(C) ?

A: Iraqi.

Q: Do you know what his real name was?

A: No.

Q: Do you know what happened to (b)(6), (b)(7)(C) when the unit left Samarra?

A: As far as I know he stayed there and hooked up with the replacement unit. I was not present for the handoff.

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

A: No. ///End of Statement/// (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES 59

AFFIDAVIT

(b)(6), (b)(7)(C) 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.

(b)(6), (b)(7)(C)
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths at West Point, New York, on the 6th day of October, 2005.

(b)(6), (b)(7)(C)
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

(b)(6), (b)(7)(C)

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0044-06-CID469-75424

PAGE 1 OF 1

DETAILS

About 1150, 15 May 06, SA (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) of his legal rights, which he waived. (b)(6), (b)(7)(C) was interviewed and provided a verbal statement wherein he maintained his allegations and agreed to be re-interviewed on Friday 19 May 06.

About 0945, 19 May 06, (b)(6), (b)(7)(C) did not arrive for the scheduled interview. Mr (b)(6), (b)(7)(C) contacted (b)(6), (b)(7)(C) who stated the road to COB Speicher was blocked. The interview was rescheduled for 20 May 06

About 1900, 20 May 06, (b)(6), (b)(7)(C) arrived for the scheduled interview at approximately 1445, due to the hour of arrival and the fact (b)(6), (b)(7)(C) took a taxi (which was waiting for him) to COB Speicher. SA (b)(6), (b)(7)(C) refused to interview (b)(6), (b)(7)(C) due to his arriving late and because of the waiting taxi. The interview was rescheduled for 23 May 06

About 1900, 23 May 06, (b)(6), (b)(7)(C) did not arrive for scheduled interview. ///LAST ENTRY///

TYPE, AGENT'S NAME AND SEQUENCE NUMBER
SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION
31st MP Detachment (CID) (-), COB Speicher,
Tikrit Iraq, APO AE 09393

(b)(6), (b)(7)(C)

DATE

23 May 06

EXHIBIT

16

~~OFFICIAL USE ONLY/LAW ENFORCEMENT SENSITIVE~~

61

NOTIFICATION BEFORE QUESTIONING

Date and Time

15 May 06 / 1150

Location

COB Speicher, Tikrit, Iraq APO AE 09393

I am an investigator with the United States military. Before we ask you any questions, we want to be sure that you understand the following:

- a. You do not have to answer any question or say anything. Even if you have already spoken to other authorities, you do not have to speak to us now.
- b. If you do speak with us, anything that you say may be used against you in a court in the United States or elsewhere.
- c. If you decide to speak with us now, you may still stop answering questions at any time.

I am willing to answer questions.

I am not willing to answer any questions.

(b)(6), (b)(7)(C)

Signature of Interviewee

(b)(6), (b)(7)(C)

Printed Name of Interviewee

AGENT'S INVESTIGATION REPORT:

86th Military Police Detachment, 3rd MP GRP (CID), 7214 Gillespie Street, Fort Benning,

GA 31905-3782

0238-06-CID013-

20 Jun 06

About 0900, 19 Jun 06, this office received a **Category 1** Request for Assistance (RFA)(0044-06-CID469-35767) from the 31st Military Police Detachment (CID)(FWD), 3rd MP Group (CID), Tikrit, Iraq, APO AE 09393, requesting this office interview CPT (b)(6), (b)(7)(C) HHC 2/54th Infantry Regiment (IR), Fort Benning, GA 31905 (FBGA) and CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) B Co., 2/11th IR, FBGA regarding their knowledge of three Iraqi Detainees being driven over by a Bradley Fighting Vehicle in Samara, on 29 Sep 03.

About 0945, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) who provided a statement, wherein he stated he had no knowledge of any detainee being driven over by a Bradley vehicle. (See Statement)

About 1130, 20 Jun 06, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) who provided a statement, wherein he stated he had no knowledge of any detainee being driven over by a Bradley vehicle. (See Statement)

About 1300, 20 Jun 06, SA (b)(6), (b)(7)(C) forwarded the RFA to 202nd MP Group (CID), Germany, to interview SPC (b)(6), (b)(7)(C) 6th Aviation Squadron, 6th Cavalry Division, Storck Barracks, Illesheim, Germany.

STATUS: This investigation is closed in the files of this office. Any further investigative activity will be documented under separate sequence. No further investigative activity is anticipated at this time.

///LAST ENTRY///

(b)(6), (b)(7)(C), (b)(7)(F)

Page 1 of 1 Page

EXHIBIT 18

~~FOR OFFICIAL USE ONLY~~
~~(Law Enforcement Sensitive)~~

10-L-0126 ACLU DD II CID ROI 4628

63

SWORN STATEMENT

FILE NUMBER: 0238-06-CID013-

LOCATION: CID Office, Fort Benning, GA 31905

DATE: 20 Jun 06 TIME: 1105 (b)(6), (b)(7)(C)

NAME: CPT (b)(6), (b)(7)(C)

SSAN: (b)(6), (b)(7)(C) Grade/Status: O-3

ORG/ADDRESS: B Co., 2/11th Infantry Regiment, Fort Benning, GA 31905

I, CPT (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the period of September and October 2003, I was the 3rd Platoon Leader of B Co, 1-8 IN in the city of Samarra attached to 1-66 AR. During that timeframe I conducted section level OP missions, PLT level escort missions, PLT level raids and mainly CO level patrols and raids. I have never heard of an incident during the period I was in Samarra of detainees being run over by a Bradley Fighting Vehicle (BFV). I have never witnessed such an event and it would be very hard to forget if I had. The BFV is a 30 ton tracked vehicle which would easy crush a human being and I never witnessed that happen in combat operations let alone willingly done to a detainee. A person being crushed would have most definitely been heard about throughout the entire unit. The result of a person being caught under the track would have been horrifying and traumatic to those that saw it and the story would have spread like wildfire. During operations, detainees would be kept off of linear danger areas such as roads and usually in the house courtyards for their protection and for the security of the soldiers guarding them. We never laid detainees out in the street and we moved them on the streets only when moving them to a transport vehicle. SPC (b)(6), (b)(7)(C) was a BFV gunner on the Platoon Leader vehicle in 2nd PLT. He is of fair complexion, taller in height and a stocky build. I have no recollection of SPC (b)(6), (b)(7)(C) dismounting his vehicle to handle detainees. It would have been improper for a BFV gunner to leave his position inside the vehicle as that would leave no one to operate the vehicles weapon systems. This also does not follow the company SOP for the vehicle crews. On the day our Company deployed from the Balad AO to Samarra, our 2nd PLT conducted an OP operation in the late evening. 2nd PLT was operating as a section sized element and was ambushed by an insurgent squad sized element along the eastern most edge of Samarra. My platoon was on QRF and moved to the ambush location in PLT size strength. Upon arriving at the location I dismounted my 3 infantry squads and conducted linkup with the 2nd PLT PL, now CPT (b)(6), (b)(7)(C). His element had been in an RPG ambush and his gunner, SPC (b)(6), (b)(7)(C) had killed the insurgent RPG gunner with a direct hit from the 25mm cannon on his BFV. The other insurgents in the squad were wounded and had been detained by a squad from 2nd PLT. I ordered my platoon to move one block to the interior of town and we searched approximately a 2 block radius looking for any other enemy forces. By the time I returned to the ambush location at the site where the insurgent had been literally blown to pieces, the MP platoon call sign Wolfpack, had arrived to collect the detainees from us. The squad from 2nd PLT moved the detainees to the MP unit and conducted the handover. As the detainees moved passed the dismembered RPG gunner they became frantic and were then handed over to the MPs. I was ordered to return to FOB Daniels and the last thing I saw was the MPs shoveling the RPG gunner into a body bag.

Q: (b)(6), (b)(7)(C)

A: (b)(6), (b)(7)(C)

Q: Did this agent provide you information regarding the incident under investigation, as being the same incident where an RPG insurgent was killed with little remaining?

A: Yes.

Q: When you arrived at the scene, where detainees already detained by 2nd PLT and how many?

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT:

Page 1 of 2 Pages

~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~

10-L-0126 ACLU DD II CID ROI 4629

EXHIBIT 19

STATEMENT OF (b)(6), (b)(7)(C)
CONTINUED.

TAKEN AT Fort Benning, GA

DATED 19 Jun 06

(b)(6), (b)(7)(C)

A: Yes. CPT (b)(6), (b)(7)(C) told me he had captured an unspecified number of detainees, but I did not see them or no their location.

Q: Where their any detainees/insurgents dead, besides the RPG insurgent?

A: No.

Q: Do you recall how many detainees were turned over to the MP?

A: About 4-6, I believe.

Q: Do you know any other identifying information for SPC (b)(6), (b)(7)(C)

A: No.

Q: Do you recall any of the Bradley drivers from your platoon or 2nd PLT?

A: I had SPC (b)(6), (b)(7)(C) in my vehicle. I can't recall any other names. (b)(6), (b)(7)(C) I think, reclassified to Aviation.

Q: Did you observe if the MP attempted to drive over the detainees?

A: No. They did not have track vehicles.

Q: Do you have any knowledge, be it second or first hand, of any detainees being driven over or threatened to be driven over by a Bradley or any other tracked vehicle?

A: No.

Q: Do you have anything else to add to this statement concerning any of the matters discussed.

A: No. /// End of Statement ///

AFFIDAVIT

I, CPT (b)(6), (b)(7)(C) HAVE HAD READ OR HAD READ TO ME, THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of June 2006

at Fort

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION AND ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~

SWORN STATEMENT

FILE NUMBER: 0238-06-CID013-
 LOCATION: CID Office, Fort Benning, GA 31905
 DATE: 20 Jun 06 TIME: 1210 (b)(6), (b)
 NAME: CPT (b)(6), (b)(7)(C)
 SSAN: (b)(6), (b)(7)(C) Grade/Status: O-3
 ORG/ADDRESS: HHC, 2/54th Infantry Regiment, Fort Benning, GA 31905

I, CPT (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 I was the 1st Platoon Leader in Bravo Company, 1st battalion 8th Infantry Regiment while deployed to Iraq. Our unit arrived to Samarra, Iraq at the end of September/beginning of October 2003. On the first night that we arrived into Samarra 2nd Platoon came under fire from insurgents. The Company Commander sent out 3rd Platoon as a QRF (Quick Reaction Force). My platoon stayed back at the FOB. Throughout the night I checked in periodically in the CP to get any updates and to check on what we were to be doing as far as Priorities of Work. My platoon did not go into the city that night. From what was said on the following day, an insurgent fired or attempted to fire an RPG and was shot dead. I did not hear of any insurgents being run over by a Bradley Fighting Vehicle or a tank of the unit we were attached to. Throughout my time in Samarra I did not hear of any insurgents being run over by a military vehicle.

Q: (b)(6), (b)(7)(C)

A:

Q: Did this agent provide you information regarding the incident under investigation, as being the same incident where an RPG insurgent was killed with little remaining of his body?

A: Yes.

Q: While listening to the radio traffic from that evening or conversations the following day, did you ascertain if any detainees/insurgents were killed other than the RPG insurgent?

A: No, I do not know.

Q: Do you know any identifying information for SPC (b)(6), (b)(7)(C)?

A: No.

Q: Do you recall any of the Bradley drivers from 3rd or 2nd PLT?

A: No.

Q: Do you have any knowledge, be it second or first hand, of any detainees being driven over or threatened to be driven over by a Bradley or any other tracked vehicle?

A: No.

Q: Do you have anything else to add to this statement concerning any of the matters discussed.

A: No. /// End of Statement ///

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

Page 1 of 2 Pages

~~FOR OFFICIAL USE ONLY~~

~~LAW ENFORCEMENT INFORMATION REPORT~~ N-0120-ACLU DD II CID ROI 4631

STATEMENT OF (b)(6), (b)(7)(C)
CONTINUED.

TAKEN AT Fort Benning, GA DATED 20 Jun 06

AFFIDAVIT

I, CPT (b)(6), (b)(7)(C), HAVE HAD READ OR HAD READ TO ME, THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION AND ADDRESS

(b)(6), (b)(7)(C)

(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of June 2006 at Ft

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

Page 2 of 2 Pages

~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

AGENT'S INVESTIGATION REPORT

ROI NUMBER: 0044-06-CID469-35767
0044-06-CID081-

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

This office received a Request for Assistance (RFA) from the 31st Military Police Detachment (CID), US Army Criminal Investigation Command (CID), Contingency Operating Base Speicher, Tikrit, Iraq, APO, AE 09393, to re-interview SFC (b)(6), (b)(7)(C) Directorate of Operations, Plan Security, USMA, West Point, NY (WPNY) 10996, to determine if he has any knowledge of, or can corroborate any part of, Mr. (b)(6), (b)(7)(C) allegation.

About 1047, 19 Jun 06, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) who provided a sworn statement, in which he related he was in Samarra, Iraq, during Sept - Nov 2003. SFC (b)(6), (b)(7)(C) stated he did not witness US Forces run over Iraqi male detainees with a Bradley Fighting Vehicle.

About 1245, 19 Jun 06, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) and determined he's currently residing at (b)(6), (b)(7)(C)

About 0930, 20 Jun 06, SA (b)(6), (b)(7)(C) coordinated with SFC (b)(6), (b)(7)(C) who provided the name of the Company Commander, CPT/MAJ (b)(6), (b)(7)(C) who was present during the incident.

STATUS: RFA was forwarded to Fort Carson, CO as per requesting office. This RFA is closed in the files of this office as all investigative activity requested has been completed.

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

(b)(6), (b)(7)(C), (b)(7)(F)	NUMBER	ORGANIZATION
		West Point Resident Agency, 3 rd MP Grp (CID) USACIDC, West Point, NY 10996
	DATE	EXHIBIT
	20 Jun 06	21

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

AC

SWORN STATEMENT

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

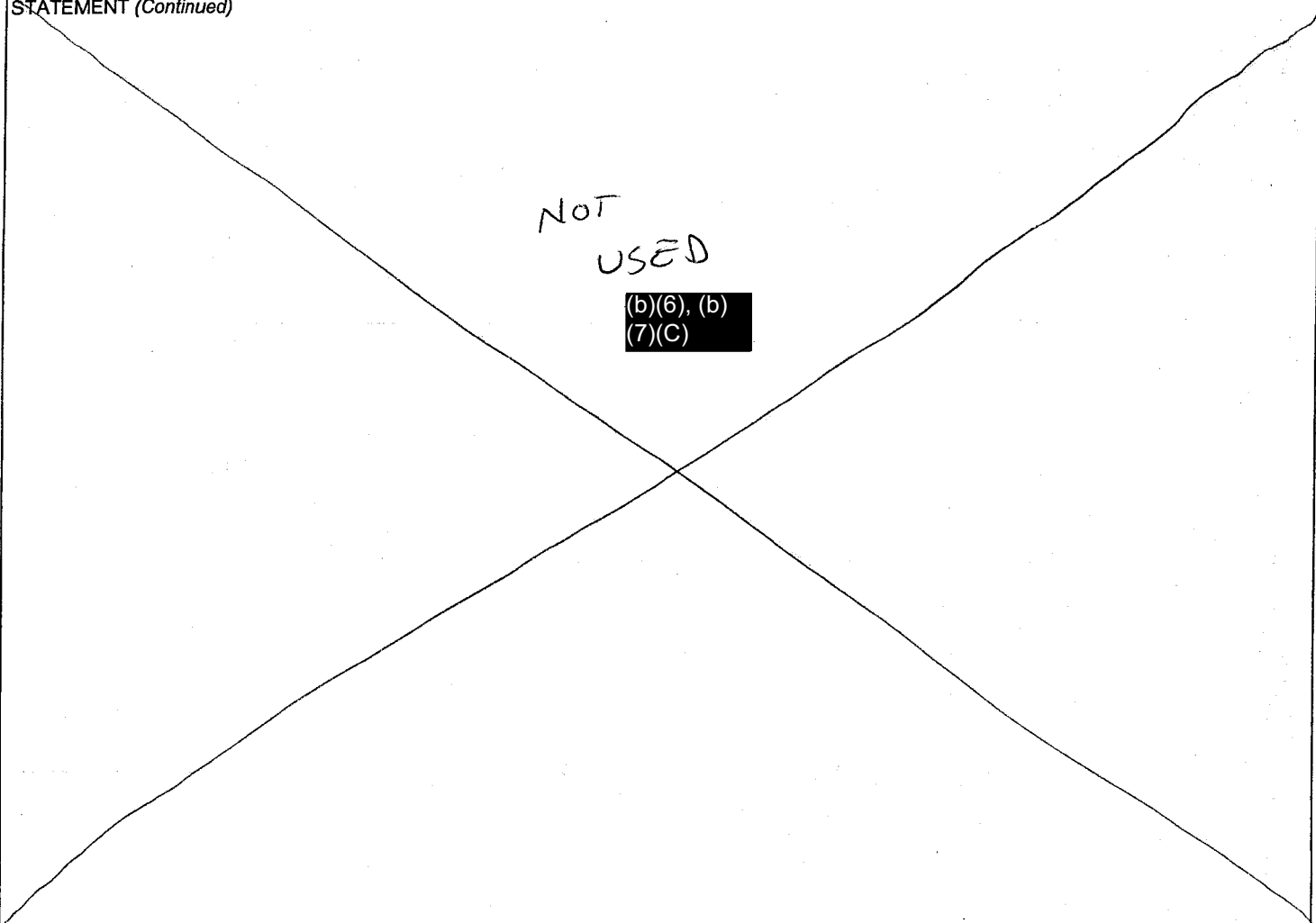
LOCATION West Point, NY 10996	DATE (b)(6), (b)(7)(C) 19 Jun 2006	TIME 1047 (b)(6), (b)(7)(C)	FILE NUMBER 0044-06-CID081
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SFC	
ORGANIZATION OR ADDRESS Directorate of Operations, Plans and Security, USMA, WPNY 10996			

(b)(6), (b)(7)(C), (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 I was assigned to B co 1-8 Infantry and serving in Samarra Iraq, during Sept - Nov 2003. I saw a lot of combat action as far as fire fights and mortar attacks but never witnessed anyone being ran over by a Bradley. Neither as it happen or afterwards.
 Q: Did you type the narrative above?
 A: Yes.
 Q: While you were serving in Samarra, Iraq, did you witness US Forces intentionally run over Iraqi male detainees with a Bradley Fighting Vehicle?
 A: No.
 Q: Do you know SPC (b)(6), (b)(7)(C)?
 A: Yes.
 Q: Who is SPC (b)(6), (b)(7)(C)?
 A: He was the platoon leaders gunner during that time frame.
 Q: What is SPC (b)(6), (b)(7)(C) first name?
 A: (b)(6), (b)(7)(C)
 Q: Do you know where SPC (b)(6), (b)(7)(C) is currently located?
 A: No. I know that he ETS out of the army around Aug 2004.
 Q: Did SPC (b)(6), (b)(7)(C) serve with you while you were in Samarra, Iraq?
 A: Yes.
 Q: During your time in Samarra, Iraq did you or SPC (b)(6), (b)(7)(C) collected the bodies of the Iraqis who were killed during the incident?
 A: I am not aware of any bodies during this incident and it is not common SOP for the platoon to collect bodies. In addition I did not witness a Bradley running over anyone.
 Q: What is the standard operation procedure that is taken by your platoon in the event where there is a death of an Iraqi?
 A: We notify the Battalion and the Battalion will notify the CMOC and the CMOC respond to the scene.
 Q: What does the acronym CMOC means?
 A: Civil Military Operations Center.
 Q: Do you have anything further you wish to add to this statement?
 A: No. **/// END OF STATEMENT ///** (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
---------	--	-------------------

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT West Point, NY 10996 DATED 19 June 2006 CONTINUED:
STATEMENT (Continued)



AFFIDAVIT

I, (b)(6), (b)(7)(C), 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.

WITNESSES:

(b)(6), (b)(7)(C)

Subscribed and sworn to before me on this 19th day of June, 2006, at West Point, New York.

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C), (b)(7)(F)
(Typed Name of Person Administering Oath)

Article 136(b)(4), UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0093-06-CID919

PAGE 1 OF 1 PAGES

DETAILS

About 1415, 18 Jun 06, this office received a Request for Assistance (RFA), 0044-06-CID469-357657, from the 31st Military Police Detachment (CID), Contingency Operating Base Speicher, Tikrit, IZ APO AE 09393 (COB Speicher), requesting this office interview SSG (b)(6), (b)(7)(C) B Company, 1st Battalion, 8th Infantry Regiment (B CO, 1/8 IN), Forward Operating Base Paliwoda, Balad, IZ APO AE 09391 (FOB Paliwoda), regarding the claims made against US soldiers by (b)(6), (b)(7)(C) and question SSG (b)(6), (b)(7)(C) about the identity and whereabouts of a US soldier named SPC (b)(6), (b)(7)(C).

About 1650, 19 Jun 06, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) who provided a sworn statement wherein he stated, he did not witness Iraqis run over by US tracked vehicles at any point during his deployment to Iraq in 2003. SSG (b)(6), (b)(7)(C) stated he did not witness any abuse of Iraqi detainees during his 2003 deployment. SSG (b)(6), (b)(7)(C) further stated he served with (b)(6), (b)(7)(C) (NFI), during the 2003 deployment to Iraq, however he left the military upon returning from Iraq in 2004, and SSG (b)(6), (b)(7)(C) last known whereabouts for Mr (b)(6), (b)(7)(C) was somewhere in the vicinity of (b)(6), (b)(7)(C) (See Sworn Statement of SSG (b)(6), (b)(7)(C) for details)

About 1430, 20 Jun 06, SA (b)(6), (b)(7)(C) coordinated with CW3 (b)(6), (b)(7)(C), Special Agent-in-Charge, COB Speicher, and reported the results of SSG (b)(6), (b)(7)(C) interview. CW3 (b)(6), (b)(7)(C) requested further coordination be made with SSG (b)(6), (b)(7)(C) to determine if any other current members of B CO, 1/8 IN, FOB Paliwoda, were present in Samara, Iraq on or about 29 Sep 03.

About 0900, 21 Jun 06, SA (b)(6), (b)(7)(C) coordinated with SSG (b)(6), (b)(7)(C) who reiterated no other current B CO, 1/8 IN, FOB Paliwoda, soldiers participated in operations near Samarra, Iraq in 2003. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C)		31 st MILITARY POLICE DETACHMENT (CID) LSA Anaconda, APO AE 09391	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	21 Jun 06	23	

SWORN STATEMENT

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

LOCATION FOB PALIWODA, IZ	DATE (b)(6), (b)(7) 19 Jun 04	TIME (b)(6), (b)(7) 1747	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-6/RA

ORGANIZATION OR ADDRESS

B CO, 1/8 IN, FOB PALIWODA, Balad, IZ APO AE 09391

(b)(6), (b)(7)(C)

want to make the following statement under oath:

During OIF I we conducted operations in the city of samarra in September of 2003. During that month our Alpha Section was involved in a Complex Ambush, with AIF soldiers. The gunner on B21 engaged a person holding an RPG-7 and some other individuals with the 25mm. Once the action stopped our Bravo section and some other vehicles moved to that location to find one EKIA and two EWIA. The wounded were treated and Detained, the EKIA was placed into a body bag on to a MP's vehicle. At No time During my deployments in IRAQ have I ever seen a person run over or run down by a vehicle. The gunners on the bradley's remained inside thier vehicles scanning for AIF. WE were trained by our commander's with specific guidance on detainee handling, we were never allowed to harm them and in our platoon we took it serious. The only handling we would have was putting them in the vehicles and taking them directly to the CMOC. At no time during my tour did I witness any abuse or hear of any. I also served with (b)(6), (b)(7)(C) in samarra, he was with us throughout the tour.

Q: SA (b)(6), (b)(7)(C)

A (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)
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 OF ANOTHER COPY OF THIS FORM.		PAGE 1 OF 4 PAGES

DA FORM 2823 (AUTOMATED)]

(b)(6), (b)(7)(C)

Q: Did you take part in military operations in the vicinity of the city of Samarra, Iraq on 29 SEP 03?

(b)(6), (b)(7)(C)
A: yes

Q: Was the MP vehicle you witnessed a body bag placed on the hood a HUMVEE?

(b)(6), (b)(7)(C)
A: yes

Q: Do you recall any Iraqis taken from a taxi being detained on that date?

(b)(6), (b)(7)(C)
A: NO

Q: Do you recall a detainee named (b)(6), (b)(7)(C) ?

(b)(6), (b)(7)(C)
A: NO

Q: Do you recall if the detainees taken that day were placed lying down on the ground?

(b)(6), (b)(7)(C)
A: Some could've been lying or sitting. Sop is to keep them close to the ground to prevent escape.

Q: Did you witness at that time, or have you ever witnessed detainees ran over by any track or wheeled vehicles?

(b)(6), (b)(7)(C)
A: NO

Q: Do you know where (b)(6), (b)(7)(C) is located now?

(b)(6), (b)(7)(C)
A: Not anymore. HE ETS'd from the Army when we returned from Iraq. He did live in Colorado, but I have not talked to him since last year in the summer. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGES 2 OF 4 PAGES

(b)(6), (b)(7)(C)

(b)(6),
(b)(7)(C)

Q: Do you have any type of contact information for (b)(6), (b)(7)(C)?

A: NO. His old email did not work after a while.

Q: Have you been truthful in this statement?

A: yes

Q: Is there anything you'd like to change in this statement?

A: NO

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

A: NO

END OF STATEMENT // (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGES 3 OF 9 PAGES

0073 -06-CID919-

(b)(6), (b)(7)(C)

Not used

I, (b)(6), (b)(7)(C)

AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 7. 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 OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 19th DAY OF Jun 2006 AT Fort Belvoir, Bldg 12 APO 95 09391

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

(Name of Person Administering Oath)

Article 136, UCMJ

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGES 4

(b)(6), (b)(7)(C)

OF 4

PAGES

DA Form 2823 (AUTOMATED)

AGENT'S INVESTIGATION REPORT:**86th Military Police Detachment, 3rd MP GRP (CID), 7214 Gillespie Street, Fort Benning,
GA 31905-3782**

0249-06-CID013-

22 Jun 06

About 0800, 22 Jun 06, this office received a Category 1 Request for Assistance (RFA)(0044-06-CID469-35767) from the 31st Military Police Detachment (CID)(FWD), 3rd MP Group (CID), Tikrit, Iraq, APO AE 09393, requesting this office interview SFC (b)(6), (b)(7)(C) A Co., 2/11th Infantry Regiment, Fort Benning, GA 31905 regarding his knowledge of three Iraqi detainees being driven over by a Bradley Fighting Vehicle in Samara, on 29 Sep 03.

About 0930, 22 Jun 06, SA (b)(6), (b)(7) interviewed SFC (b)(6), (b)(7)(C) who provided a statement, wherein he stated he had no knowledge of any detainee being driven over by a Bradley vehicle. (See Statement)

STATUS: This investigation is closed in the files of this office. Any further investigative activity will be documented under separate sequence. No further investigative activity is anticipated at this time.

///LAST ENTRY///

(b)(6), (b)(7)(C), (b)(7)(F)

Page 1 of 1 Page

EXHIBIT 25~~FOR OFFICIAL USE ONLY~~~~(Law Enforcement Sensitive)~~

SWORN STATEMENT

FILE NUMBER: 0249-06-CID013-
LOCATION: CID Office, Fort Benning, GA 31905
DATE: 22 Jun 06 TIME: 10:00 (b)(6), (b)(7)(C)
NAME: (b)(6), (b)(7)(C)
SSAN: (b)(6), (b)(7)(C) Grade/Status: E-7/AD
ORG/ADDRESS: A Co., 2/11th Infantry Regiment, Fort Benning, GA 31905

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I was 2nd Squad leader for 3rd platoon, A Co., 1/8 IN. Our platoon was already in Samara for about 50
days, when our Company also arrived. The first night the Company arrived, my squad had gate guard
duty on the base camp, I can't remember the name. I remember that 3rd Squad was on a patrol in Samara.
From what I was told at the time, they came under attack and SPC (b)(6), (b)(7)(C) the gunner on 1LT
(b)(6), (b)(7)(C) Bradley, shot and killed the insurgent with the RPG and nothing but his hand was left. That is
all I knew about the incident. I do not have any knowledge of how many insurgents were captured or if
any others were killed. I definitely do not know of nor have I heard of any detainees or insurgents being
ran over by a Bradley or any other track vehicle. As for SPC (b)(6), (b)(7)(C) he is out of the Army and I am
not sure of his name or where he lives. As for Bradley drivers in 3rd SQD, 3rd PLT or 2nd PLT, I can't
remember any other drivers names. I do not have any other information to add.

Q: (b)(6), (b)(7)(C)

A:

Q: Would you have known if someone would have ran over any detainees or insurgents?

A: Yes, I was very tight with my platoon during that time. Even if it happened in another platoon or
company, I would have heard about it. People ran their mouths so much over there.

Q: Do you have anything else to add to this statement concerning any of the matters discussed.

A: No. /// End of Statement ///

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE HAD READ OR HAD READ TO ME, THIS STATEMENT WHICH BEGINS ON PAGE 1
AND ENDS ON PAGE 1. I FULLY UNDERSTOOD 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, WITHOUT COERCION, UNLAWFUL INFLUENCE,
OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION AND ADDRESS

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 22nd day of June 2006
at For

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

Page 1 of 1 Page

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

EXHIBIT 24

10-L-0126 ACLU DD II CID ROI 4642

77

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER (0084-06-CID137)
0044-06-CID469-35767

PAGE 1 OF 1 PAGE

DETAILS

On 26 Jun 06, this office received a request for assistance (RFA) from the 31st Military Police Detachment (CID), Camp Speicher, Tikrit, Iraq, APO AE 09393, to locate, fully ID and interview SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) C Troop, 6/6 Cavalry, Storck Barracks, Illesheim, Germany, APO AE 09140, in reference to his knowledge of the murder of three Iraqi nationals in Samarra, Iraq.

About 0920, 27 Jun 06, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who provided a sworn statement wherein he stated he was unaware of anyone killing Iraqi nationals by running over them with a Bradley Fighting Vehicle. SPC (b)(6), (b)(7)(C) believed the incident did not occur as alleged. (See sworn statement of SPC (b)(6), (b)(7)(C) for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER
SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION
Ansbach Resident Agency, 1002D MP Battalion,
202D MP Group, USACIDC

(b)(6), (b)(7)(C)

DATE:
27 Jun 06

EXHIBIT

27

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 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: Bldg 5817-D Katterbach Kaserne, APO AE 09250
2. DATE (YYYYMMDD): 2006/06/27
3. TIME: 1007
4. FILE NUMBER: (b)(6), (b)(7)(C)
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E4/AD
8. ORGANIZATION OR ADDRESS: C Trp 6/6 Cavalry, Storck Barracks, Illesheim, Germany, APO AE 09140

9. (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Between April 2003- April 2004 I was deployed with 1/8 Inf 3rd Platoon to Iraq. There I served as a 240B gunner until August 15th 2003. August 15th I became a M2A2 (Bradley) driver. While in Samarra or any other time while deployed in Iraq I did not hear of or even see of any Iraqi's being lined up and being run over or even just being run over.
Q: Did you type the above statement?
A: Yes.
Q: Did you ever observe Iraqi detainees being made to lie down in the road following detention?
A: No.
Q: Where did your unit typically hold detainees following detention?
A: We would usually keep them off the road. Usually they were in a house or something when we captured them.
Q: Do you ever remember your unit pulling Iraqi's out of a Taxi and detaining them?
A: No.
Q: Do you believe if someone had run over Iraqi's with a Bradley Fighting Vehicle (BFV) that it would have been talked about within the unit?
A: Yes somewhere you would have heard about it.
Q: Do you believe anyone in your unit ever ran over Iraqi's with their BFV?
A: No.
Q: Do you know a SPC (b)(6), (b)(7)(C) who used to be a gunner in your unit?
A: Yes, he was a private then, he was in 2nd platoon.
Q: Did he ever discuss with you any incident where he had to dismount his BFV and assist with the collection of remains?
A: No, I never really talked to him.
Q: Could you think of a situation where a gunner on a BFV would dismount while in the red zone?
A: No.
Q: Do you have anything to add to this statement?
A: No.///END OF STATEMENT///

10. EXHIBIT
11. INITIALS OF PER (b)(6), (b)(7)(C) ELEMENT
PAGE 1 (b)(6), (b)(7)(C) PAGES

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 BE INDICATED.

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Ansbach CID DATED 2006/06/27

9. STATEMENT (Continued)
Not Used

AFFIDAVIT

(b)(6), (b)(7)(C), 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.

(b)(6), (b)(7)(C)

(Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of June, 2006 at Bldg 5817-D, Katterbach Kasere, APO AE 09250
(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)
Article 136 UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 2 OF 2 PAGES

~~FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE~~

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0229-06-CID056

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS:

BASIS FOR INVESTIGATION: About 1645, 19 Jun 06, this office received a CAT 1 Request For Assistance (RFA) from the 31st MP DET (CID), Contingency Operating Base Speicher, Tikrit, Iraq APO AE 09393, to interview SPC (b)(6), (b)(7)(C), B Company, 1st Battalion, 8th Infantry Regiment (1-8 INF) Fort Carson, CO 80913 (FCCO) in reference to him assisting in the collection of three Iraqi detainees bodies who were allegedly ran over by a Bradley in Sep 2003.

About 1035, 5 Jul 06, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) who stated he was the LT's Bradley gunner while deployed to Iraq. Mr. (b)(6), (b)(7)(C) stated he did not leave the gun while on a mission. Mr. (b)(6), (b)(7)(C) stated he had never picked up or assisted in picking up any bodies while in Iraq. Mr. (b)(6), (b)(7)(C) stated he remembered a mission at the end of Sep 03. Mr. (b)(6), (b)(7)(C) stated the unit he was attached to left FOB Daniels on a presence patrol. Mr. (b)(6), (b)(7)(C) stated they had a predetermined route. Mr. (b)(6), (b)(7)(C) stated the order of the vehicles was Tank, Bradley, Bradley, Tank. Mr. (b)(6), (b)(7)(C) stated while on the route the convoy rounded a corner where they were hit by two RPG's and some small arms. Mr. (b)(6), (b)(7)(C) stated the convoy stopped and established a security posture. Mr. (b)(6), (b)(7)(C) stated the lead tank went to locate the enemy. Mr. (b)(6), (b)(7)(C) stated he was the lead vehicle with a 10 to 2 line of fire. Mr. (b)(6), (b)(7)(C) stated they established a 360 degree security with rifle squads patrolling the alleys. Mr. (b)(6), (b)(7)(C) stated shortly after the perimeter was established he noticed a group of 6 or 7 Iraqi's about 300 meters in front of him. Mr. (b)(6), (b)(7)(C) stated he noticed one of the Iraqis kept kneeling and looked suspicious. Mr. (b)(6), (b)(7)(C) stated he noticed the Iraqi kept going in and out of a nearby alley. Mr. (b)(6), (b)(7)(C) stated the third time the Iraqi came out of the alley with what appeared to be an RPG. Mr. (b)(6), (b)(7)(C) stated he engaged the Iraqi and found out later he was Killed in Action. Mr. (b)(6), (b)(7)(C) stated he did not see any detainees get ran over by a Tank or Bradley and never assisted in collecting bodies while deployed. Mr. (b)(6), (b)(7)(C) stated he could not remember who was in the other vehicles he was the LT's gunner throughout the entire deployment.

There is no investigative activity anticipated. This case is closed within the files of this office.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

48th Military Police Detachment (CID)
Ft. Carson, CO 80913

DATE

5 Jul 06

EXHIBIT

29

(Automated)

Protective Marking is Excluded Form
Automatic Termination (Part 1) Ex. 1126

10-1-0126 ACLU DD II CID ROI 4646

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0044-06-CID469-75424

PAGE 1 OF 1

DETAILS

About 1700, 27 Jun 06, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Claims, Office of the Staff Judge Advocate, COB Speicher, Tikrit, IZ, who provided information gained from (b)(6), (b)(7)(C) mother that (b)(6), (b)(7)(C) was no longer in the country, and in fact was now in Jordan.

About 0519, 2 Jul 06, SA (b)(6), (b)(7)(C) received an email reply from MAJ (b)(6), (b)(7)(C) in response to a previous email inquiry from SA (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) confirmed he was at the scene of the incident but denied anyone was run over by any vehicles. (see email)

About 1058, 19 Jul 06, SA (b)(6), (b)(7)(C) briefed CPT (b)(6), (b)(7)(C) Chief of Justice, SJA, COB Speicher, Tikrit, IZ, APO AE 09393, on the status of the investigation. CPT (b)(6), (b)(7)(C) gave a legal opinion there was no probable cause to believe the offense of murder occurred as (b)(6), (b)(7)(C) alleged.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

31st MP Detachment (CID) (-), COB Speicher, Tikrit Iraq, APO AE 09393

DATE

19 Jul 06

EXHIBIT

30

(b)(6), (b)(7)(C)

OFFICIAL USE ONLY/LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU DD II CID ROI 4647

82

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C) @us.army.mil
Sent: Sunday, July 02, 2006 5:19 AM
To: (b)(6), (b)(7)(C)
Subject: Re: 0044-06-CID469

Agent (b)(6), (b)(7)(C)

The answers are typed after the questions below. I tried to be as detailed as possible.
v/r

MAJ (b)(6), (b)(7)(C)

----- Original Message -----

From: (b)(6), (b)(7)(C) @us.army.mil>
Date: Saturday, July 1, 2006 11:21 am
Subject: 0044-06-CID469

> Sir,
> If you could please answer the following questions and reply back to
> me I would appreciate it. Thanks again for your time Sir.
>
> Do you remember an incident occurring in Samarra on 29 Sep 03 where an
> insurgent attacked a Bradley Fighting Vehicle with a RPG, and was
> engaged himself by the main gun of the Bradley? The insurgent's
> body was
> essentially blown apart, leaving just the insurgent's hand or arm
> clutched on the launcher.

Yes, I do recall an incident like this around that time frame. (I'm not 100% on the exact date)

>
> What was your level of participation in this incident?
I was present at the scene of this attack on our element. We had a platoon sized (2 tanks, 2 bradleys) element moving from north to south on the eastern edge of Samarra, in the late evening hours. I don't remember exactly what time it was, but it was dark outside. We were moving to the south side of Samarra to establish a mounted counter-mortar OP. The AIF was extremely active in Samarra during that time frame-- they attacked us on a routine basis when we operated in and around the city. As we were moving south, I was travelling in the trail tank. We were almost to the southern edge of the city when an AIF attacker moved from an alley way and launched 4 RPGs at my tank in rapid-fire quick succession. All four of his shots were high. We actioned my tank to the rear in an attempt to pursue the AIF attacker. The other tank and the two bradleys established security, and the bradleys dismounted a squad to probe some of the alley ways. The AIF attacker repositioned into a lley ways along the bradley sections' flank. He fired about 4 additional RPGs at the bradleys and the other tank, all of which missed. As this happened, he was engaged by one of the bradleys. The bradley gunner fired a single 25MM HE round at the attacker. The squad that was dismounted actioned to the point of contact. They detained a total of 6 or 7 males that were in the immediate vicinity of the AIF attacker and attempting to flee. Several of these males had minor shrapnel wounds, most likely from shrapnel from the HE round.
> Other than the insurgent with the RPG, do you recall if any other
> localnationals were killed during this incident? If so, how
> many?

No one besides the attacker with the RPG was killed in this incident. Several of the 6 or 7 detainees from the incident had minor shrapnel wounds. We established security at the site of the attack, and called for a section of trucks from the battalion's attached MP platoon to come out and pick up the detainees and the body of the killed AIF attacker. They came out in their M1114 trucks and picked up the body and the detainees, evacuating all to the battalion's CMOC/detainee facility in the northeast part of Samarra. After we turned custody of the detainees over to to MP platoon, I never dealt with them again. They were taken to the CMOC for questioning and to ensure they received proper medical

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE EXHIBIT 31
10-L-0126 ACLU DD II CID ROI 4648

treatment. I remember hearing that all of them survived, the wounds were only minor.

> Did you actually see the body or bodies?

I saw the body of the attacker. The HE round exploded right at his mid-section. It blew his body in half. From his mid-chest level up, his body was still recognizable, except for shrapnel wounds. His lower body was blown up, although portions of his legs were recognizable. He had been wearing a red/white cloth to cover his head and face. His hands were still clenched-- I can't remember if he was still holding his RPG launcher or not.

> What types of wounds were visible on the bodies?

As I stated in the previous answer, the wounds were clearly caused by an explosive force. I would describe them as gaping and shrapnel wounds.

> Did any of the bodies appear to have been crushed?

No-- only the attacker was killed, by a single shot 25mm HE round.

> Do you know what happened to the body or bodies?

The MP platoon came and picked up the lone body, and took it to the CMOC. I'm not exactly sure what happened to it from there. I was not involved in CMOC operations at all. Once we handed over detainees or anything else to the CMOC, I did not have control from there. I think I heard that his family ended up claiming it several days later. I'm not 100% sure, but I believe he was a member of the Al Badri tribe. I think his brothers ended up swearing revenge on his behalf. One of his alleged brothers, (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) ended up becoming one of the most violent AIF attackers we faced for the duration of the tour. We were never able to detain him, but he was very high on our detain list. Again, I'm not 100% sure about this information, but I believe this to be the case.

> Did you ever see a group of detainees lying in a row on the roadway?

No, I never saw the detainees lying in a row. The infantry squad detained them, and sat them down along an alleyway wall. They remained there until the MP platoon's section of vehicles came to pick them up.

> Did you witness a Bradley Fighting Vehicle or any other type of

> vehicle run over any of the local nationals who were detained during

> that incident?

No, I did not witness anything like this. The detainees were properly secured by the infantry squad. They were consolidated in a safe spot along an alleyway wall. They remained there until the MP platoon section came to pick them up in their M114s. All of the detainees were treated properly, and received the best medical treatment we could provide if they needed it.

> If not, did you hear anything about any of the detainees being ran

> over and crushed during the incident?

No. No one was crushed during this incident. Furthermore, there were no vehicles crushed during this incident either.

> Do you recall the names of any of the Bradley drivers who were

> present during this incident?

No, I do not recall any of the Bradley Drivers names. We were operating as cross-attached elements, and the Bradley section's parent unit was 1-8 IN. I operated with a total of 4 different attached infantry platoons during the year long tour, all of them from 1-8 IN.

> If so, do you know where these drivers are now?

I do not know of these driver's whereabouts-- I do know that their parent unit was 1-8 IN.

> Do you recall the names of the medics who were assigned to this

> mission?

> If so, do you know where they are now?

> I do not recall the specific names of the medics who were assigned to this mission, nor do I know their whereabouts. The infantry platoons we worked with typically had their own medics come with them. The medics at the CMOC were staffed by 1-66 Armor HHC medics.

> Are you aware of any incident during 2003 in which a US military

> vehicle ran over and crushed to death an Iraqi local national?

No. I know of absolutely no incidents during which a US military vehicle ran over and crushed to death an Iraqi local national.

Overall, the conduct of all the soldiers involved in this engagement was extremely professional. I was impressed with the way the infantry squads and Bradley crewmen handled themselves.

> (b)(6), (b)(7)(C)

> Special Agent

> 31st MP DET (CID) (-)

> Contingency Operating Base Speicher

> Building #718

> Tikrit, IZ APO AF 00202

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

> (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C)> @us.army.mil > @us.army.mil

> "Some people are like Slinkies... Not really good for anything, but
> they still bring a smile to your face... when you push them down a
> flight of stairs"

> Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY If this e-mail is
> marked FOR OFFICIAL USE ONLY it may be exempt from mandatory
> disclosure under FOIA. DoD 5400.7R, "DoD Freedom of Information Act
> Program", DoD Directive 5230.9, "Clearance of DoD Information for
> Public Release", and DoD Instruction 5230.29, "Security and Policy
> Review of DoD Information for Public Release" apply.