

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943
 PRINCIPAL: 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. Control Information

Thru:	Commander, 2/12th Infantry Regiment FOB Falcon, Baghdad, Iraq APO AE 09361
To:	Commaner, C Company, 2/12th Infantry Regiment COP Chosen, Baghdad, Iraq APO AE 09361
Referred By:	SAC, CID Office: Al Asad CID Office (b)(6),(b)(7)(C)

USACRC Number:	0230-2007-CID899-23084
MP Report Number:	N/A
Sub-Installation:	AE09342DC
Referral Date:	9/27/2007
Suspense Date:	11/11/2007

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The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section. Provost Marshals must enter the "MP Report Number" (Block-1) for all cases referred to commanders. "Sub-Installation" (Block-1) is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

2. Offender Identification

Last Name:	(b)(6),(b)(7)(C)
First Name:	
Middle Name:	
Cadency:	

Grade:	E-5 U.S. Army (SGT)
SSN:	(b)(6),(b)(7)(C)
Date of Birth:	

3. Referral Information

Commander Decision Date: 9/27/2007

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
1	Larceny of Private Funds [7G2A1]	UCMJ Article 121	9/10/2007	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Declined Without Explanation
2				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
3				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
4				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

3. Referral Information (continue)

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
6				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
7				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
8				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
9				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
10				Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

NOTE: For each offense marked NO for action taken, you must supply a reason.

If you selected "YES" for any offense, continue to "Action Taken" (Block-4). If you selected "NO" for ALL offenses, go directly to "Commander's Remarks" (Block-10), sign, date, and return the form to the agent specified in "Referred By" (Block-1).

4. Action Taken

- Administrative**
 Non-Adverse Referrals
 Adverse Personnel Actions
- Non-Judicial (Article 15)**
 (see details below)
- Judicial**
 Court Martial or Civilian Criminal Court

Non-Judicial Punishment Authority (select one):

- Summarized
 Company Grade
 Field Grade
 Principal Assistant
- GCMCA Imposed
 General Officer Imposed

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate
- General Court Martial

Jurisdiction:

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	NO ACTION TAKEN -- Larceny of Private Funds [7G2A1]			
2				
3				
4				
5				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

5. NJP/Court-Martial/Civilian Criminal Court Proceeding Outcome (continued)

No.	Charged Offense	Plea	Finding Offense	Trial Finding
6				
7				
8				
9				
10				

PLEA: G=Guilty, C=No Contest, N=Not Guilty, D=Pre-Trial Diversion, TRIAL FINDING: DCV=Dismissed (Civil), DCR=Dismissed (Criminal), P=Finding for Plaintiff, F=Finding for Respondent, G=Guilty, C=No Contest, N=Not Guilty, S=Settlement

6. Administrative Actions

Non-Adverse

Agency	Referred	Responded
Family Advocacy		
Drug/Alcohol Abuse		
Special Referral		
Equal Opportunity		
Legal Office		
Mental Health		
Relief Agency		

Date Imposed	Type of Action	Oral	Written	
			Local	OMPF
	Counseling/Concern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reprimand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Censure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Admonition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adverse

Date Imposed	Description
	Withholding of Privileges
	Adverse Performance Evaluation (OER/NCOER/Academic Report)
	Relief for Cause (OER/NCOER)
	Mandatory Reassignment
	Transfer (such as rehabilitative)
	Adverse Record Entry - Flag
	Denial of Reenlistment or Continued Service
	Withholding of Promotion
	Delay of Promotion
	Promotion Revocation
	Clearance Revocation
	Control Roster (downgrade of clearance, PRP reclassification)
	Resignation
	Retirement
	Retirement at Lower Grade From: To:
	Transfer to Inactive Reserve

6. Administrative Actions (continued)

Date Imposed	Description
	Military Occupational Specialty Reclassification
	Debarment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Job Termination
	Job Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Leave Without Pay Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Loss of Warrant
	Voluntary Disclosure
	Restitution (to US Government) Amount :
	Restitution (to third party Non-US Government) Amount :
	Civil-Civil Action Initiation
	Other (return to states, etc.)
	Contract Suspension Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Contract Termination
	Cost Adjustment Amount :
	Bid Rejection
	Recoupment Amount :
	Denial of Continuation
	Other Contract Action

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

Proceed to Commander's Remarks (Block-10) if you chose Administrative Action

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
	Fine Amount :
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
	Probation Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance) Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

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9. Suspended Sanctions

Were Any Sanctions Suspended? Yes No

If no sanctions were suspended, proceed to "Commander's Remarks" (Block-10)

Suspended Sanction	Suspended Sanction Information	
Fine	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	Suspended Portion Time:
	Suspension Conditions:	
Extra Duty	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Restriction	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Correctional Custody	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Confinement	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Reduction in Grade	Date Suspended:	Suspension Duration:
	Suspension Conditions:	
Probation	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Special Assignment	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Total Forfeiture	Date Suspended:	Suspension Duration:
	Suspended Portion Time:	
	Suspension Conditions:	
Civil Recovery	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	
Civil Award	Date Suspended:	Suspension Duration:
	Suspended Portion US\$:	
	Suspension Conditions:	



10. Commander's Remarks

See attached memorandum for record.

11. Commanding Officer

Reporting

Was a DNA sample collected from the offender? Yes No

Name and Grade:	(b)(6),(b)(7)(C)	CW3	
Signature:	(b)(6),(b)(7)(C)		Signature Date: 9/27/2007
AKO e-Mail Address:	(b)(6),(b)(7)(C)		

Page(s) 7 referred to:

Department of the Army
Office of the Judge Advocate General
FOIA Public Liaison
ATTN: DAJA-AL
1777 North Kent – 10th Floor
Rosslyn, VA 22209

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Camp Liberty CID Office
BUILDING C-40, CAMP LIBERTY, IRAQ, APO, AE 09342

09 Feb 2008

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 1ST FINAL SUPPLEMENTAL (C)/SSI -
0230-2007-CID899-23084 - 5H1B / 7G2A1 / 5Y2E

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 SEP 2007, 1200 - 10 SEP 2007, 2359; MGRS MB 41477909, BAGHDAD, IRAQ
2. 24 MAR 2007, 1430 - 24 MAR 2007, 1530; MUHALLA 822, MGRS MB 4283078654, AL DOURA, BAGHDAD, IRAQ

DATE/TIME REPORTED: 22 SEP 2007, 0800

INVESTIGATED BY:

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

SUBJECT:

1. (b)(6) (b)(7)(C) SGT; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; C COMPANY, 2ND BATTALION, 12TH INFANTRY REGIMENT, (HOME STATION: FORT CARSON, CO), COMBAT OUTPOST CHOSEN, BAGHDAD, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09361; CT; [CRUELTY AND MALTREATMENT OF A DETAINEE], [LARCENY OF PRIVATE FUNDS], [MURDER (INSUFFICIENT EVIDENCE)]

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VICTIM:

1. (b)(6), (b)(7)(C) ALWAN; FRCIV; IRAQ; (POB); FEMALE;
OTHER: (b)(6), (b)(7)(C), BAGHDAD, IZ; [LARCENY OF
PRIVATE FUNDS]

2. [CHANGE] UNKNOWN, 1962137-0230-2007-CID899-I (DECEASED); FRCIV;
MALE; OTHER; [CRUELTY AND MALTREATMENT OF A DETAINEE], [MURDER
(INSUFFICIENT EVIDENCE)] (NFI)

INVESTIGATIVE SUMMARY:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

This investigation was initiated following a notification from MAJ (b)(6) (b)(7)(C) Office
of the Staff Judge Advocate, Forward Operating Base (FOB) Falcon, Iraq, that SGT
(b)(6), (b)(7)(C) stole \$10,000.00 from an unknown Iraqi female while conducting combat
operations.

A subsequent operational review of the CID Final Report of Investigation disclosed an
allegation that SGT (b)(6), (b)(7)(C) verbally refused to provide medical treatment to an
unidentified wounded detainee, whom his unit had just engaged in a firefight, and subsequently
admitted to stabbing the detainee.

Further investigation identified the unknown Iraqi female as Mrs. (b)(6), (b)(7)(C).

Further Investigation determined SGT (b)(6), (b)(7)(C) confessed to his Platoon Leader that he
stabbed one of the insurgents to make sure he was dead. A thorough investigation identified no
witnesses to the incident and the detainee's remains were released to the Iraqi Police; therefore,
no autopsy was conducted to determine the cause and manner of death.

STATUTES:

Article 118, UCMJ: Murder

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Article 121, UCMJ: Larceny of Private Funds

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

5. Agent's Investigation Report (AIR) of SA (b)(6), (b)(7)(C) 25 Sep 07.
6. Sworn Statement of 2LT (b)(6),(b)(7)(C) 22 Sep 07.
7. Rights Non-Waiver Certificate of SGT (b)(6),(b)(7)(C) 22 Sep 07.
8. Sworn Statement of SGT (b)(6),(b)(7)(C) 22 Sep 07.
9. AIR of SA (b)(6),(b)(7)(C) 03 Oct 07.
10. Sworn Statement of SFC (b)(6), (b)(7)(C) 02 Oct 07.
11. Sworn Statement of SSG (b)(6),(b)(7)(C) 02 Oct 07.
12. Sworn Statement of SSG (b)(6),(b)(7)(C) 02 Oct 07.
13. Sworn Statement of SGT (b)(6),(b)(7)(C) 02 Oct 07.
14. Sworn Statement of SGT (b)(6),(b)(7)(C) 02 Oct 07.
15. Claims/Condolence Form of Mrs. (b)(6),(b)(7)(C) 26 Sep 07.
16. Sworn Statement of SGT (b)(6),(b)(7)(C) 03 Oct 07.
17. Daily Staff Journal or Duty Log of 2/12th INF TOC, 24 May 07.
18. Sworn Statement of SPC (b)(6),(b)(7)(C) 03 Oct 07.
19. Compact Disk containing photographs (Unidentified Detainee).

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

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20. AIR of SA (b)(6), (b)(7) 08 Nov 07.
21. Affidavit Supporting Request for Authorization to Search and Seize, 08 Nov 07.
22. Search and Seizure Authorization, 08 Nov 07.
23. Recovery Scene AIR of SA (b)(6), (b)(7)(C) 08 Nov 07.
24. Photograph Packet (Recovery Scene).
25. Compact Disc containing all images associated with Exhibit 24. (USACIDC only)
26. Recovery Scene Sketch, 08 Nov 07.
27. Evidence/Property Custody Document, Document Number (DN) 0970-07.
28. AIR of SA (b)(6), (b)(7) 14 Nov 07.
29. Forensic Laboratory Examination Request, 13 Nov 07.
30. AIR of SA (b)(6), (b)(7) 26 Dec 07.
31. AIR of SA (b)(6), (b)(7), (C) 4 Dec 07.
32. Sworn Statement of (b)(6), (b)(7)(C) 04 Dec 07.

ADDED NOT ATTACHED:

Retained in the Evidence Depository, 11th Military Police Battalion (CID), Camp Victory, Iraq:

33. Bayonet (Item 1, DN 0970-07)
34. Interceptor Body Armor (Item 2, DN 0970-07)

The originals of Exhibits 5-14, 16, 18, 20-26, 28 and 30-32 were forwarded with the USACRC copy of this report. The originals of Exhibit 15, 17 and 19 were retained by 2/12th Infantry,

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FOB Falcon, Iraq. The original of Exhibit 27 was retained by the Evidence Custodian, 11th Military Police Battalion (CID), Camp Victory, Iraq. The original of Exhibit 29 was retained by the U.S. Army Criminal Investigation Laboratory, Forest Park, GA.

STATUS: This is a Final Supplemental (C) Report. A Commander's Report of Disciplinary or Administrative Action is pending.

CID REPORTS OF INVESTIGATION MAY BE SUBJECT TO A QUALITY ASSURANCE REVIEW BY CID HIGHER HEADQUARTERS.

Report Prepared By:

Report Approved By:

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

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

Special Agent

Special Agent in Charge

DISTRIBUTION:

11th MP BN (CID), Camp Victory, IZ
CDR, 20th/1149th MP DET (CID) (FWD), 11th MP BN (CID) (FWD), Camp Slayer,
IZ APO AE 09342
Chief, INV OPS, USACIDC
CDR, 3d MP GRP (CID), Forest Park, GA, ATTN: OPS
SJA, Trial Counsel, FOB FALCON, IZ, (ATTN: CPT (b)(6),(b)(7)(C))
SJA, 4ID, Camp Liberty, IZ
SJA, Chief Military Justice, 4ID, Camp Liberty, IZ
MP Desk, Camp Victory, Baghdad, Iraq
PMO, MND-B, Provost Marshal, 4ID, Camp Liberty, IZ
Director, U.S. Army Crime Records Center, 6010 6th Street, Fort Belvoir, VA 22060

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

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DATE: 04 OCT 2007
FROM: SAC, CAMP LIBERTY CID//CIRF-ZA-LIB//
TO: DIRECTOR, U.S. ARMY CRIME RECORDS CENTER (USACRC), FT BELVOIR VA
CHIEF, INVESTIGATIVE OPERATIONS, U.S. ARMY CRIMINAL INVESTIGATION DIVISION COMMAND, FORT BELVOIR, VA
COMMANDER, 3RD MILITARY GROUP (CID), 4699 NORTH 1ST STREET, FOREST PARK, GA 30297
COMMANDER, 22ND MILITARY POLICE BN (CID)(FWD), CAMP VICTORY BAGHDAD, IRAQ, APO AE 09344
OPERATIONS OFFICER, 22ND MILITARY POLICE BN (CID) (FWD), CAMP VICTORY, BAGHDAD, IRAQ, APO AE 093
ASSISTANT OPERATIONS OFFICER, 22ND MILITARY POLICE BATTALION (CID), CAMP VICTORY, BAGHDAD, IRAQ,
COMMANDER, 86TH MILITARY POLICE DETACHMENT (CID) (FWD), CAMP SLAYER, BAGHDAD, IRAQ
STAFF JUDGE ADVOCATE, 2/12TH INF, FOB FALCON, IRAQ, ATTN: MAJ KERCHER
PROVOST MARSHAL, PROVOST MARSHAL'S OFFICE, FOB FALCON, IRAQ
COMMANDER, 2/12TH INF, FOB FALCON, IRAQ, ATTN: LTC (b)(6),(b)(7)(C)
CG USACIDC FT BELVOIR VA //CIOP-ZA//
FSO, 22ND MP BN (CID)///CIRF-ZA-OP
FILE

SUBJECT: CID REPORT OF INVESTIGATION - 2ND SUPPLEMENTAL/SSI - 0230-2007-CID899-23084 - 5H1B / 7G2A1 / 5Y2E
(b)(6),(b)(7)(C)

DRAFTER:

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

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 SEP 2007, 1200 - 10 SEP 2007, 2359; GRID MB 41477909, BAGHDAD, AE 09361

2. 24 MAR 2007, 1430 - 24 MAR 2007, 1530; MUHALLA 822, GRID MB 42830

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

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78654, AL DOURA, BAGHDAD, IRAQ

2. DATE/TIME REPORTED: 22 SEP 2007, 0800

3. INVESTIGATED BY:

SA (b)(2),(b)(6),(b)(7)(C)
SA
SA
SA

4. SUBJECT:

1 (b)(6),(b)(7)(C) SGT; (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C) MALE; WHITE; C COMPANY, 2ND BATTALION, 12TH
INFANTRY REGIMENT, (HOME STATION: FORT CARSON, CO), COMBAT OUTPOST
CHOSEN, BAGHDAD, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST
09361; CT ; [LARCENY OF PRIVATE PROPERTY], [CRUELTY AND MALTREATMENT
OF A DETAINEE (UNDER INVESTIGATION)], [MURDER (UNDER INVESTIGATION)]

5. VICTIM:

1. [CHANGE] (b)(6),(b)(7)(C) CIV; IRAQ; BAGHDAD,
IRAQ; FEMALE; WHITE; (b)(6),(b)(7)(C) M820), BAGHDAD, IZ;
[LARCENY OF PRIVATE PROPERTY]

2. UNKNOWN-1962137-0230-2007-CID899-I ; [CRUELTY AND
MALTREATMENT OF A DETAINEE (UNDER INVESTIGATION)], [MURDER (UNDER
INVESTIGATION)] (NFI)

6. INVESTIGATIVE SUMMARY:

THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR
PRELIMINARY INVESTIGATION AND MAY BE CHANGED PRIOR TO THE
COMPLETION OF THE INVESTIGATION.

2D SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING SUBMITTED TO FURTHER IDENTIFY THE
VICTIM OF LARCENY AND TO ELABORATE ON THE INCIDENT OF MURDER.

(b)(6),(b)(7)(C) ALLEGED AMERICAN SOLDIERS STOLE MONEY WHEN

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THEY CONDUCT A CORDON AND SEARCH OF HER RESIDENCE. (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C) STATED A SOLDIER RETURNED SOME OF THE MONEY; HOWEVER, SHE
(C) WAS STILL MISSING APPROXIMATELY \$4,050.00 US DOLLARS AND 125,000 IRAQI
DINAR, TOTALING APPROXIMATELY \$4,151 US DOLLARS.

DURING THE COURSE OF THIS INVESTIGATION, IT WAS DETERMINED SOLDIERS
OF C COMPANY, 2-12TH INFANTRY REGIMENT, COMBAT OUTPOST CHOSEN,
BAGHDAD, IRAQ, ENGAGED TWO INDIVIDUALS THAT WERE LOCATED ON A
ROOF TOP IN THE VICINITY OF GRID MB 42830 78654 AFTER RECEIVING SMALL
ARMS FIRE FROM THEIR LOCATION. THE ENGAGEMENT RESULTED IN ONE
ENEMY KILLED IN ACTION AND ONE WOUNDED. SGT (b)(6),(b)(7)(C) WAS ORDERED
(C) TO PROVIDE MEDICAL CARE TO THE WOUNDED INDIVIDUAL; HOWEVER, SGT
(b)(6),(b)(7)(C) INDICATED THERE WAS NOTHING HE COULD DO AND THAT THE
INDIVIDUAL DIED. THE TWO DECEASED INDIVIDUALS WERE PLACED IN BODY
BAGS AND TRANSPORTED TO 2/7/2 NATIONAL POLICE BATTALION
HEADQUARTERS, BAGHDAD, IRAQ, FOR DISPOSITION. THE IDENTITY OF THE
INDIVIDUALS AND THE LOCATION OF THE REMAINS WERE NOT KNOWN.

USACIDC INTERVIEWED MEMBERS OF THE ELEMENT THAT WERE INVOLVED IN
THE ENGAGEMENT. THERE WERE NO WITNESSES TO SGT (b)(6),(b)(7)(C) TREATING
(C) OR STABBING THE WOUNDED INDIVIDUAL. FURTHERMORE, WITNESSES
INDICATED THE INJURIES SUSTAINED BY THE INDIVIDUAL APPEARED TO BE
GUNSHOT WOUNDS AS OPPOSED TO STAB WOUNDS.

INVESTIGATION CONTINUES BY USACIDC.

1ST SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING SUBMITTED TO REOPEN THIS
INVESTIGATION TO CONDUCT FURTHER INVESTIGATIVE ACTIVITY.

DURING ADMINISTRATIVE REVIEW OF THIS INVESTIGATION, IT WAS
DETERMINED 1LT (b)(6),(b)(7)(C), C COMPANY, 2-12 INFANTRY REGIMENT,
COMBAT OUTPOST (COP) CHOSEN, BAGHDAD, IRAQ, WAS INTERVIEWED BY
USACIDC WHEREIN HE PROVIDED A SWORN STATEMENT ALLEGING SGT
(b)(6),(b)(7)(C) CONFESSED TO STABBING AN INJURED UNKNOWN IRAQI MALE THAT
HE WAS SUPPOSE TO BE PROVIDING MEDICAL CARE.

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

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1LT (b)(6),(b)(7)(C) STATED HIS PLATOON WAS CONDUCTING COMBAT OPERATIONS WHEN THEY ENGAGED THE ENEMY, WHICH RESULTED IN TWO UNKNOWN IRAQI MALES BEING SHOT. 1LT (b)(6),(b)(7)(C) RELATED ONE OF THE INDIVIDUALS WAS BREATHING THE OTHER WAS DECEASED. HE ORDERED SGT (b)(6),(b)(7)(C) TO PROVIDE MEDICAL CARE TO THE INJURED INDIVIDUAL. 1LT (b)(6),(b)(7)(C) STATED SGT (b)(6),(b)(7)(C) LATER INFORMED HIM THAT THE INDIVIDUAL WAS ALREADY DEAD AND THERE WAS NOTHING HE COULD DO; HOWEVER, ON 11 SEP 07, SGT (b)(6),(b)(7)(C) INFORMED HIM THAT HE HAD STABBED THE INJURED UNKNOWN IRAQI MALE.

(b)(6),(b)(7)(C) SGT (b)(6),(b)(7)(C) WAS INTERVIEWED BY USACIDC WHEREIN HE INVOKED HIS LEGAL RIGHTS AND REQUESTED A LAWYER.

INVESTIGATION CONTINUES BY USACIDC.

FINAL REPORT:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

THIS INVESTIGATION WAS INITIATED WHEN MAJ (b)(6),(b)(7)(C) OFFICE OF THE STAFF JUDGE ADVOCATE (OSJA), 4TH BRIGADE COMBAT TEAM, 1ST INFANTRY DIVISION (4/1 INF), FORWARD OPERATING BASE (FOB) FALCON, IRAQ, NOTIFIED THIS OFFICE THAT SGT (b)(6),(b)(7)(C) C COMPANY, 2ND BATTALION, 12TH INFANTRY REGIMENT (2/12TH INF), COMBAT OUTPOST (COP) CHOSEN, IRAQ, STOLE \$10,000 U.S. DOLLARS FROM AN UNKNOWN IRAQI FEMALE, WHILE CONDUCTING COMBAT OPERATIONS.

INVESTIGATION DETERMINED SGT (b)(6),(b)(7)(C) COMMITTED THE OFFENSE OF LARCENY WHEN HE STOLE \$10,000 U.S. DOLLARS FROM AN UNKNOWN IRAQI FEMALE WHILE CONDUCTING A CORDON AND SEARCH OF HER RESIDENCE.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

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8. USACIDC REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DATE: 28 SEP 2007
FROM: SAC, CAMP LIBERTY CID//CIRF-ZA-LIB//
TO: DIRECTOR, U.S. ARMY CRIME RECORDS CENTER (USACRC), FT BELVOIR VA
CHIEF, INVESTIGATIVE OPERATIONS, U.S. ARMY CRIMINAL INVESTIGATION DIVISION COMMAND, FORT BELVOIR, VA
COMMANDER, 3RD MILITARY GROUP (CID), 4699 NORTH 1ST STREET, FOREST PARK, GA 30297
COMMANDER, 22ND MILITARY POLICE BN (CID)(FWD), CAMP VICTORY BAGHDAD, IRAQ, APO AE 09344
OPERATIONS OFFICER, 22ND MILITARY POLICE BN (CID) (FWD), CAMP VICTORY, BAGHDAD, IRAQ, APO AE 093
ASSISTANT OPERATIONS OFFICER, 22ND MILITARY POLICE BATTALION (CID), CAMP VICTORY, BAGHDAD, IRAQ,
COMMANDER, 86TH MILITARY POLICE DETACHMENT (CID) (FWD), CAMP SLAYER, BAGHDAD, IRAQ
STAFF JUDGE ADVOCATE, 2/12TH INF, FOB FALCON, IRAQ, ATTN: MAJ (b)(6),(b)(7)(C)
PROVOST MARSHAL, PROVOST MARSHAL'S OFFICE, FOB FALCON, IRAQ, ATTN: LTC (b)(6),(b)(7)(C)
COMMANDER, 2/12TH INF, FOB FALCON, IRAQ, ATTN: LTC (b)(6),(b)(7)(C)
CG USACIDC FT BELVOIR VA //CIOP-ZA//
FSO, 22ND MP BN (CID)///CIRF-ZA-OP
FILE

SUBJECT: CID REPORT OF INVESTIGATION - 1ST SUPPLEMENTAL/SSI - 0230-2007-CID899-23084 - 5H1B / 7G2A1 / 5Y2E

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

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

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 SEP 2007, 1200 - 10 SEP 2007, 2359; GRID MB 41477909, BAGHDAD, AE 09361

2. 24 MAR 2007, 0600 - 24 MAR 2007, 2000; UNKNOWN, BAGHDAD, IRAQ

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2. DATE/TIME REPORTED: 22 SEP 2007, 0800

3. INVESTIGATED BY:

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

SA

4. SUBJECT:

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

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

SGT

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

MALE; WHITE; C COMPANY, 2ND BATTALION, 12TH INFANTRY REGIMENT, (HOME STATION: FORT CARSON, CO), COMBAT OUTPOST CHOSEN, BAGHDAD, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09361; CT ; [LARCENY OF PRIVATE PROPERTY], [CRUELTY AND MALTREATMENT OF A DETAINEE (UNDER INVESTIGATION)], [MURDER (UNDER INVESTIGATION)]

5. VICTIM:

1. UNKNOWN-1961777-0230-2007-CID899-I ; [LARCENY OF PRIVATE PROPERTY] (NFI)

2. [ADD] UNKNOWN-1962137-0230-2007-CID899-I ; [CRUELTY AND MALTREATMENT OF A DETAINEE (UNDER INVESTIGATION)], [MURDER (UNDER INVESTIGATION)] (NFI)

6. INVESTIGATIVE SUMMARY:

THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY BE CHANGED PRIOR TO THE COMPLETION OF THE INVESTIGATION.

1ST SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING SUBMITTED TO REOPEN THIS INVESTIGATION TO CONDUCT FURTHER INVESTIGATIVE ACTIVITY.

DURING ADMINISTRATIVE REVIEW OF THIS INVESTIGATION, IT WAS DETERMINED 1LT (b)(6),(b)(7)(C) C COMPANY, 2-12 INFANTRY REGIMENT, COMBAT OUTPOST (COP) CHOSEN, BAGHDAD, IRAQ, WAS INTERVIEWED BY USACIDC WHEREIN HE PROVIDED A SWORN STATEMENT ALLEGING SGT (b)(6),(b)(7)(C) CONFESSED TO STABBING AN INJURED UNKNOWN IRAQI MALE THAT HE WAS SUPPOSE TO BE PROVIDING MEDICAL CARE.

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

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1LT (b)(6),(b)(7)(C) STATED HIS PLATOON WAS CONDUCTING COMBAT OPERATIONS WHEN THEY ENGAGED THE ENEMY, WHICH RESULTED IN TWO UNKNOWN IRAQI MALES BEING SHOT. 1LT (b)(6),(b)(7)(C) RELATED ONE OF THE INDIVIDUALS WAS BREATHING THE OTHER WAS DECEASED. HE ORDERED SGT (b)(6),(b)(7)(C) TO PROVIDE MEDICAL CARE TO THE INJURED INDIVIDUAL. 1LT (b)(6),(b)(7)(C) STATED SGT (b)(6),(b)(7)(C) LATER INFORMED HIM THAT THE INDIVIDUAL WAS ALREADY DEAD AND THERE WAS NOTHING HE COULD DO; HOWEVER, ON 11 SEP 07, SGT (b)(6),(b)(7)(C) INFORMED HIM THAT HE HAD STABBED THE INJURED UNKNOWN IRAQI MALE.

SGT (b)(6),(b)(7)(C) WAS INTERVIEWED BY USACIDC WHEREIN HE INVOKED HIS LEGAL RIGHTS AND REQUESTED A LAWYER.

INVESTIGATION CONTINUES BY USACIDC.

FINAL REPORT:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

THIS INVESTIGATION WAS INITIATED WHEN MAJ (b)(6),(b)(7)(C) OFFICE OF THE STAFF JUDGE ADVOCATE (OSJA), 4TH BRIGADE COMBAT TEAM, 1ST INFANTRY DIVISION (4/1 INF), FORWARD OPERATING BASE (FOB) FALCON, IRAQ, NOTIFIED THIS OFFICE THAT SGT (b)(6),(b)(7)(C) C COMPANY, 2ND BATTALION, 12TH INFANTRY REGIMENT (2/12TH INF), COMBAT OUTPOST (COP) CHOSEN, IRAQ, STOLE \$10,000 U.S. DOLLARS FROM AN UNKNOWN IRAQI FEMALE, WHILE CONDUCTING COMBAT OPERATIONS.

INVESTIGATION DETERMINED SGT (b)(6),(b)(7)(C) COMMITTED THE OFFENSE OF LARCENY WHEN HE STOLE \$10,000 U.S. DOLLARS FROM AN UNKNOWN IRAQI FEMALE WHILE CONDUCTING A CORDON AND SEARCH OF HER RESIDENCE.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

8. USACIDC REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF

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PROTECTIVE MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Camp Liberty CID Office
86th Military Police Detachment (CID), Building C-40, Camp Liberty, Iraq, APO,
AE 09342

27 Sep 2007

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL FINAL (C) - 0230-2007-CID899-23084
- 7G2A1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 SEP 2007, 1200 - 10 SEP 2007, 2359; GRID MB 41477909, BAGHDAD, AE
09361

DATE/TIME REPORTED: 22 SEP 2007, 0800

INVESTIGATED BY:

SA (b)(6), (b)(7)(C), (b)(7)(F)
SA [REDACTED]

SUBJECT:

1 (b)(6) (b)(7)(C) SGT: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C); MALE; WHITE; C COMPANY, 2ND BATTALION, 12TH
INFANTRY REGIMENT, (HOME STATION: FORT CARSON, CO), COMBAT OUTPOST
CHOSEN, BAGHDAD, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST
09361; CT ; [LARCENY OF PRIVATE PROPERTY]

VICTIM:

1. UNKNOWN-1961777-0230-2007-CID899-I ; [LARCENY OF PRIVATE
PROPERTY] (NFI)

INVESTIGATIVE SUMMARY:

1

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This is an "Operation Iraqi Freedom" investigation.

This investigation was initiated when MAJ (b)(6),(b)(7)(C) Office of the Staff Judge Advocate (OSJA), 4th Brigade Combat Team, 1st Infantry Division (4/1 INF), Forward Operating Base (FOB) Falcon, Iraq, notified this office that SGT (b)(6),(b)(7)(C) Company, 2nd Battalion, 12th Infantry Regiment (2/12th INF), Combat Outpost (COP) Chosen, Iraq, stole \$10,000 U.S. dollars from an unknown Iraqi female, while conducting combat operations.

Investigation determined SGT (b)(6),(b)(7)(C) committed the offense of Larceny when he stole \$10,000 U.S. dollars from an unknown Iraqi female while conducting a cordon and search of her residence.

STATUTES:

Article 121, UCMJ, Larceny

EXHIBITS:

Attached:

1. Agents Investigation Report (AIR) of SA (b)(6), (b)(7)(C) 25 Sep 07.
2. Sworn Statement of 1LT (b)(6),(b)(7)(C) 22 Sep 07, detailing his knowledge of the incident.
3. Non-Waiver Certificate of SGT (b)(6),(b)(7)(C) 22 Sep 07.
4. Sworn Statement of SGT (b)(6),(b)(7)(C) 22 Sep 07, detailing his knowledge of the incident.

Not Attached:

None.

The originals of Exhibits 1 through 4 are forwarded with the USACRC copy of this report.

STATUS: This is an Initial/Final (C) report. This investigation is being closed under the

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provisions of Chapter 4, Paragraph 10 (5), CIDR 195-1. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is pending.

Report Prepared By:

Report Approved By:

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

Special Agent

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

Special Agent in Charge

DISTRIBUTION:

- 1-Director, U.S. Army Crime Records Center (USACRC), Ft Belvoir, VA
- 1-Chief, Investigative Operations, U.S. Army Criminal Investigation Division
Command, Fort Belvoir, VA
- 1- Commander, 3rd Military Group (CID), 4699 North 1st Street, Forest Park, GA
30297
- 1- Commander, 22nd Military Police BN (CID)(FWD), Camp Victory, Baghdad, Iraq,
APO AE 09344
- 1- Operations Officer, 22nd Military Police BN (CID) (FWD), Camp Victory,
Baghdad, Iraq, APO AE 093
- 1- Assistant Operations Officer, 22nd Military Police Battalion (CID), Camp Victory,
Baghdad, Iraq,
- 1- Commander, 86th Military Police Detachment (CID) (FWD), Camp Slayer,
Baghdad, Iraq
- 1-Staff Judge Advocate, 2/12th INF, FOB Falcon, Iraq, ATTN: MAJ (b)(6),(b)(7)(C)
- 1-Provost Marshal, Provost Marshal's Office, FOB Falcon, Iraq
- 1-Commander, 2/12th INF, FOB Falcon, Iraq, ATTN: LTC (b)(6),(b)(7)(C)
- 1-File

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

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0230-07-CID899-23084

PAGE 1 OF 2 PAGES

DETAILS

BASIS FOR INVESTIGATION: On 22 Sep 07, MAJ (b)(6), (b)(7)(C) Office of the Staff Judge Advocate (OSJA), 4th Brigade Combat Team, 1st Infantry Division (4/1 INF), Forward Operating Base (FOB) Falcon, Baghdad, Iraq, notified this office that SGT (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment (2/12th INF), Combat Outpost (COP) Chosen, Baghdad, Iraq, stole \$10,000 U.S. dollars from an unknown Iraqi female, while conducting combat operations.

About 0900, 22 Sep 07, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, coordinated with MAJ (b)(6), (b)(7)(C) who provided all available information pertaining to this investigation.

About 1600, 22 Sep 07, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) Commander, C Company, 2/12th INF, COP Chosen, Baghdad, Iraq, who provided a verbal statement wherein he related he was not present during the mission on 10 Sep 07. CPT (b)(6), (b)(7)(C) further related the incident was reported to him by 1LT (b)(6), (b)(7)(C) Platoon Leader, C Company, 2/12th INF, COP Chosen, Baghdad, Iraq, on 10 Sep 07. CPT (b)(6), (b)(7)(C) related upon being informed of the incident, he reported it to LTC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Commander, 2/12th INF, FOB Falcon, Baghdad, Iraq, on 11 Sep 07. CPT (b)(6), (b)(7)(C) related he then verbally advised SGT (b)(6), (b)(7)(C) of his legal rights and removed him from the battle roster. CPT (b)(6), (b)(7)(C) had no further information to provide to this investigation.

About 1630, 22 Sep 07, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) Platoon Sergeant, C Company, 2/12th INF, COP Chosen, Baghdad, Iraq, who provided a verbal statement wherein he related he was not present during the mission on 10 Sep 07. SFC (b)(6), (b)(7)(C) further related the incident was reported to him by (b)(6), (b)(7)(C) on 10 Sep 07, at which time they notified CPT (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) had no further information to provide to this investigation.

About 1828, 22 Sep 07, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) who provided a sworn statement wherein he related on 10 Sep 07 about 2130 hours, while conducting combat operations in the Muhalla District, Baghdad, Iraq (MB (b)(6), (b)(7)(C)), an unknown Iraqi female approached him and reported persons unknown, by unknown means stole \$10,000 U.S. dollars from her residence. 1LT (b)(6), (b)(7)(C) related he then questioned the Soldiers of his platoon, who denied stealing the money. 1LT (b)(6), (b)(7)(C) related as he was beginning to leave the area of operations, the unknown Iraqi female then re-approached him and again claimed someone stole \$10,000 U.S. dollars from her residence. 1LT (b)(6), (b)(7)(C) again questioned his Soldiers, who denied stealing the money. At that time, he heard SGT (b)(6), (b)(7)(C) C Company, 2/12th INF, COP Chosen, Baghdad, Iraq, requested an interpreter to report to his vehicle. Upon the interpreters arrival at SGT (b)(6), (b)(7)(C) vehicle, he observed SGT (b)(6), (b)(7)(C) and the interpreter, Essam, NFI, return to the unknown Iraqi females residence. Upon returning to the vehicle, SGT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) loaded into their vehicles and prepared to leave the area of operations, when the unknown Iraqi female again approached 1LT (b)(6), (b)(7)(C) and claimed that some of the money, but not all, had been returned. 1LT (b)(6), (b)(7)(C) related he then returned to COP (b)(6), (b)(7)(C) with his

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

86TH MP DET(CID) (FWD), 22ND MP BN
Camp Liberty, Iraq, APO AE 09342

SIGNATURE

DATE

25 Sep 07

EXHIBIT

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0230-07-CID899-23084

PAGE 2 OF 2 PAGES

DETAILS

platoon and question the Soldiers involved. 1LT (b)(6), (b)(7)(C) related SGT (b)(6), (b)(7)(C) confessed to stealing the money from the unknown Iraqi female's residence. (See Sworn Statement)

About 1840, 22 Sep 07, SA (b)(6), (b)(7)(C) advised SGT (b)(6), (b)(7)(C) of his legal rights, which he invoked when he requested a lawyer. (See Non-Waiver Certificate)

About 1930, 22 Sep 07, SA (b)(6), (b)(7)(C) briefed 1LT (b)(6), (b)(7)(C) on all aspects of this investigation.

About 2010, 22 Sep 07, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) who provided a sworn statement wherein he related approximately two to three weeks ago, while conducting combat operations in the Muhalla District, Baghdad, Iraq, he was approached by SGT (b)(6), (b)(7)(C) who admitted stealing money from an unknown Iraqi female while conducting a cordon and search of her residence. SGT (b)(6), (b)(7)(C) related SGT (b)(6), (b)(7)(C) then handed him a stack of \$100 U.S. dollar bills. SGT (b)(6), (b)(7)(C) further related he did not count the money and returned it all to the unknown Iraqi female while inside her residence. (See Sworn Statement)

About 1030, 25 Sep 07, SA (b)(6), (b)(7)(C) apprised MAJ (b)(6), (b)(7)(C) of this investigation. MAJ (b)(6), (b)(7)(C) opined credible information existed to believe SGT (b)(6), (b)(7)(C) committed the offense of Larceny.

About 1108, 25 Sep 07, SA (b)(6), (b)(7)(C) briefed LTC (b)(6), (b)(7)(C) on all aspects of this investigation.

LAW ENFORCEMENT RECORDS: A check of the files of this office and the U.S. Army Crimes Records Center (USACRC) revealed no derogatory information pertaining to SGT (b)(6), (b)(7)(C)///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

86TH MP DET(CID) (FWD), 22ND MP BN
Camp Liberty, Iraq, APO AE 09342

SIG

DATE

25 Sep 07

EXHIBIT

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LAW ENFORCEMENT 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 FOB Falcon, Baghdad, Iraq	DATE 22 Sep 07	TIME 1828	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS O-1/AD	
ORGANIZATION OR ADDRESS C Company, 2/12 th INF REG FOB Falcon, Baghdad, Iraq (b)(6), (b)(7)(C)			
_____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On 10 Sept 07 at about 2130 hrs my patrol was conducting engagement in M820 vic grid MB (b)(6), (b)(7)(C) I was moving with SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) my interpreter SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were working one house ahead of me as a search team. In a house on the W side of the street we found an extra magazine and a strand of christmas lights. The extra mag, and lights, which can be used to detonate pressure plate IEDs are indicators that further search and extra questioning are needed. The search and questioning turned up nothing. We confiscated the magazine and continued south. About two houses S, the female from the mag/x-mas lights house approached us, very upset, and claimed \$10,000 in American currency was missing from her home. She said the money was kept in a plastic bag, in the bedroom dresser. No one mentioned finding any money. I told her I would look into the problem. I told her to check and make sure it was not moved during the search. She checked, came back and claimed it was still missing. No one (b)(6), (b)(7)(C) I pulled my unit together and asked if anyone had taken money from the home. No one replied that they had. SGT (b)(6), (b)(7)(C) was defensive, asking "what such a poor family was doing with such a large amount of money anyway?" I don't recall mentioning how much she had said was missing. I took time to explain the impact and implications (b)(6), (b)(7)(C)			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 6 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.

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LAW ENFORCEMENT CENTER~~

(b)(6), (b)(7)(C) FILE NUMBER: (b)(6), (b)(7)(C)

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

STATEMENT OF

TAKEN AT

1828

DATED 22 Sep 07 CONTINUED

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

of theft, I told them if they had taken the money they needed to give it to me before we left the street. Everyone denied involvement. I told the woman we did not have the money and continued mission. We moved on. The woman approached again alleging the same. We have received false claims before, however, it struck me as odd that she would make claims while we were still there, when it was in my ability to confirm or deny her story as a lie. I began to believe there was merit in her claim. When we were wrapping up on the block, I pulled the element in again. I told them once more the implications of theft. I told them it was a serious accusation, and things would be worse if we left the area with the issue unresolved. I loaded my element and planned to search when we were safe back at the COP. As we were ready to pull away SGT (b)(6), (b)(7)(C) asked for the terp. I watched SGT (b)(6), (b)(7)(C) return to the home with Essam. I assumed the money was being returned. SGT (b)(6), (b)(7)(C) got back in his truck, but the woman again waved me down as we began to leave. I stopped. She told me that some, but not all of the money was returned. She had not lied the first time, so perhaps she was again telling the truth. I told her I would continue to investigate. Once back at the COP, I again questioned the individuals involved. SGT (b)(6), (b)(7)(C) admitted that he had taken the money. I asked him if SGT (b)(6), (b)(7)(C) had returned all the money for him. He said he had. I reported the incident to the COC and had SFC (b)(6), (b)(7)(C) search his belongings and area. We did not find any money. I told SGT (b)(6), (b)(7)(C) that the accusations would probably not go away, and that the best thing he could do is return the money if he still had any. The (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
ACLU-RDI 5567 p.28

PAGE 2 OF 0 PAGES

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18 L 0426 ACLU DD II CID ROI 5205

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LAW ENFORCEMENT SECURITY

(b)(6), (b)(7)(C) FILE NUMBER: (b)(6), (b)(7)(C)

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

1828

(b)(6), (b)(7)(C) STATEMENT OF TAKEN AT DATED 22 Sep 07 CONTINUED

(b)(6), (b)(7)(C) said he did not have nor know the whereabouts of any remaining stolen money. Over the following hours and day the women continued to call our tip line, claiming \$4,000 American was missing. SGT (b)(6), (b)(7)(C) said he gave all the money back. The following day, 11 SEPT 07, at about 1400 hrs my platoon returned to the COP following mission. SGT (b)(6), (b)(7)(C) belongings had been searched already. We were downloading our gear when SGT (b)(6), (b)(7)(C) approached me. He made a statement similar to the following: "Sir, I know my head is on the chopping block for the money I took last night. I guess you should also know that those guys we shot in 822, the one you told me to treat, well I stabbed one of them to make sure he was dead." The incident was on 24 May 2007 in 822. My platoon was conducting a target raid based on information from air support. While on a rooftop SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) saw the two target individuals jumping rooftops to escape us. One turned and pointed a 9mm pistol at them. They engaged. SSG (b)(6), (b)(7)(C) guided my element on the two enemy. I found the two slumped and bleeding in the back courtyard of a home. One individual had a 9mm pistol next to him. We cleared the pistol away. Both individuals were bleeding, one was still breathing. When SSG (b)(6), (b)(7)(C) arrived I told him to move the enemy into the front courtyard where I had set up a base of operations. I ordered SGT (b)(6), (b)(7)(C) to treat the individual who was still bleeding. SGT (b)(6), (b)(7)(C) made a statement similar to the following: "Sir, I'm not treating an enemy who just tried to kill me." I ordered him to do his job and try. When the bodies were (b)(6), (b)(7)(C)

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

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

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LAW ENFORCEMENT SENSITIVE

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

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

FILE NUMBER:

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

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

TAKEN AT

1028

DATED 22 Sep 07 CONTINUED

in the courtyard, SGT (b)(6), (b)(7)(C) told me that the individual who was breathing was now already dead, and there was nothing he could do. The first I heard of SGT (b)(6), (b)(7)(C) possibly stabbing the man was on 11 Sept, when he told me. (b)(6), (b)(7)(C)

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

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

Q: What do you mean by "extra magazine"?

A: I more than they are allowed by policy to have.

Q: Can you identify the unknown Iraqi female?

A: NO.

Q: Can you identify where the unknown Iraqi female lived?

A: YES. West side of 25th St. M 822

Q: Can you describe the unknown Iraqi female?

A: Shorter and wider than me.

Q: Did the unknown Iraqi female tell you how much money she was missing when she initially reported the theft to you?

A: \$10,000⁰⁰ American

Q: When you questioned SGT (b)(6), (b)(7)(C) pertaining to this investigation, what did he say to you?

A: I don't remember.

Q: How did you become aware that SGT (b)(6), (b)(7)(C) stole the unknown Iraqi female's money?

A: He told me.

Q: Did you advise SGT (b)(6), (b)(7)(C) of his legal rights prior to questioning?

A: NO.

Q: Did SGT (b)(6), (b)(7)(C) provide you with anymore information pertaining to this incident?

A: NOT THAT I REMEMBER.

Q: What was the approximate time of the second incident?

A: Daylight

Q: Did you see the two Iraqi males alive?

A: One seemed to be breathing / chest moving. (b)(6), (b)(7)(C)

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

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

[REDACTED]

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

FILE NUMBER:

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

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

STATEMENT OF

TAKEN AT

1828

DATED 22 Sep 07

CONTINUED

Q: Can you identify either Iraqi males?

A: NO

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

Q: Did you witness SGT (b)(6), (b)(7)(C) perform any first aid on either Iraqi males?

A: I know he at least prepped his kit and prepared to work. Then I went back to give a SITREP. Next I heard was that there was nothing to be done, he was dead.

Q: What condition did the alive Iraqi male appear to be in when you saw him last?

A: Shot multiple times, chances of survival, even with medical attention seemed very unlikely.

Q: What happened to the remains of the two deceased Iraqi male?

A: Put in body bags, handed over to either the National Police or Iraqi Police.

Q: What do the Iraqi Police do with the remains once they receive them?

A: Either turn over to the families or hospitals to get death certificate for burial.

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

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

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

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

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

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

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

FILE NUMBER:

STATEMENT OF

TAKEN AT

1878

DATED 22 Sep 07 CONTINUED:

STATEMENT (Continued)

[Large redacted area with diagonal line and handwritten "Not Used"]

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

Not Used

AFFIDAVIT

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

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 6. 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)

WITNESSES:

Organization or address line 1

Organization or address line 2

Organization or address line 3

Organization or address line 4

INITIALS OF PERSON MAKING STATEMENT

(Signature line with redacted name)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of September, 20 07 at FOB Falcon, Baghdad, Iraq

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

(Signature line with redacted name and title SA)

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

10 USC 936

(Authority To Administer Oaths)

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

PAGE 6 OF 6 PAGES

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

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION Camp Liberty CID Office		2. DATE (b)(6), (b)(7)(C) 22 Sep 07	3. TIME (b)(6), (b)(7)(C) 1840	4. FILE NO.
5. NAME (Last, First, MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS C Company 2/12 INF Reg FOB Falcon, Baghdad, Iraq		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E5 /AD			

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/

Homicide, Desecration of Human Remains, and Larceny III

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)
Have you requested a lawyer after being advised of your legal rights within the last thirty days? **no** (b)(6), (b)(7)(C)

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print)		[Signature]	
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INVESTIGATOR (b)(6), (b)(7)(C)	
2a. NAME (Type or Print)		5. TY SA	(b)(6), (b)(7)(C), (b)(7)(F)
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INV Camp Liberty CID Office APO AE 09342	

Section C. Non-Waiver

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

2. SIGN [Signature] (b)(6), (b)(7)(C)

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

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 FoB Falcon, Baghdad, Iraq	DATE ^{(b)(6), (b)(7)(C)} 22 SEP07	TIME ^{(b)(6), (b)(7)(C)} 2010	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS ^{(b)(6), (b)(7)(C)} E-5 / (A1)	
ORGANIZATION OR ADDRESS C Co 2-12 INF Bn, FoB Falcon, IRAQ			

I, ^{(b)(6), (b)(7)(C)} **(b)(6), (b)(7)(C)**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Approximately two to three weeks ago, while conducting a routine cordon and search in Muhalha 820, an incident arose where a female local national said money (in the sum of \$10,000) was missing from her home. After we searched the premises the female approached both Lt. ^{(b)(6), (b)(7)(C)} and myself to make the allegations. We both dismissed the information immediately and took it as a false statement directly pursuant to her making her accusation. The patrol continued with the search. About midway down the block, Lt. ^{(b)(6), (b)(7)(C)} approached me and asked for my opinion. I stated that I was in the house and didn't see anyone take anything, and that I didn't think anyone would do that. Lt. ^{(b)(6), (b)(7)(C)} then asked another NCO (SGT ^{(b)(6), (b)(7)(C)}) the same question and he gave pretty much the same response. Lt. ^{(b)(6), (b)(7)(C)} then pulled all the dismounts from the patrol into a courtyard and asked if anyone took the money. He stated that he had a vibe about the situation and that the female was overwhelmingly emphatic about the fact that Americans stole their money. No one said anything and Lt. ^{(b)(6), (b)(7)(C)} gave his word that if the money was returned, he would not pursue the situation any further. Still, no one said anything and we continued with the search. Towards the end of the "Block Party" a soldier, SGT ^{(b)(6), (b)(7)(C)} **(b)(6), (b)(7)(C)** approached me and told me that he had made a mistake and that he wanted to rectify it. He came to me in confidence because he trusted me and knew that I would return the money - no questions asked.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT ^{(b)(6), (b)(7)(C)}	PAGE 1 OF <u>8</u> PAGES ^{(b)(6), (b)(7)(C)}
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

(b)(6), (b)(7)(C)FBI/ALCON
TAKEN ATFILE NUMBER **(b)(6), (b)(7)(C)**
22 SEP 07
DATED

CONTINUED

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

HANDED ME A STACK OF AMERICAN \$100 DOLLAR BILLS. I DID NOT COUNT IT. I IMMEDIATELY CALLED LT. **(b)(6), (b)(7)(C)** ON THE RADIO AND REQUESTED A TIEUP. I DID NOT INFORM THE LT. **(b)(6), (b)(7)(C)** THAT I HAD THE MONEY. ONCE I LINED UP WITH THE TIEUP, WE WENT TO THE HOUSE, WHERE THE MONEY WAS TAKEN FROM. I ASKED THE MALE OF THE HOUSE TO ACCOMPANY ME INSIDE AND I GAVE THE STACK OF MONEY TO HIM. HE WAS VERY THANKFUL, AND I TOLD HIM THAT I WAS VERY SORRY AND NOT TO JUDGE ALL AMERICANS BASED ON THIS INCIDENT. DIRECTLY AFTER THAT, WE MOUNTED IN THE VEHICLES AND PREPARED TO LEAVE. THE FEMALE CAME TO THE TRUCKS ONE LAST TIME AND SAID SOMETHING TO LT. **(b)(6), (b)(7)(C)** PRIOR TO US LEAVING. UPON RETURN TO THE COPT LT. **(b)(6), (b)(7)(C)** TOLD ME THAT SHE SAID SOME OF THE MONEY WAS MISSING. I TOLD HIM THAT I WOULD NOT BETRAY THE CONFIDENCE OF THE SOLDIER WHO GAVE ME THE MONEY AND ASKED ME TO RETURN IT. THROUGH LOGICAL DEDUCTION HE ASSUMED IT WAS ONE OF TWO PEOPLE AND PULLED THEM OUTSIDE TO QUESTION THEM FURTHER. THESE TWO INDIVIDUALS WERE SGT **(b)(6), (b)(7)(C)** AND SGT **(b)(6), (b)(7)(C)**. SGT **(b)(6), (b)(7)(C)** ADMITTED TO THE OFFENSE ALMOST IMMEDIATELY AND HIS PERSONAL EFFECTS WERE THOROUGHLY SEARCHED BY SSG **(b)(6), (b)(7)(C)** AND SSG **(b)(6), (b)(7)(C)**. IT IS MY UNDERSTANDING THAT THEY DID NOT FIND ANYTHING. IT IS MY BELIEF THAT SGT **(b)(6), (b)(7)(C)** SAW A LARGE SUM OF MONEY AND GAVE IN TO TEMPTATION WITHOUT THINKING IT THROUGH. ONCE HE REALIZED WHAT HE HAD DONE HE WAS EITHER TOO AFRAID OR EMBARRASSED TO RETURN THE MONEY HIMSELF. I DO BELIEVE THAT HE RETURNED IT ALL, AND THAT HE CORRECTED HIS ERROR IN JUDGEMENT PRIOR TO IT BECOMING AN ISSUE.

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

000026

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

FOR IIRAB
TAKEN AT

FILE NUMBER (b)(6), (b)(7)(C)
22 SEP 07
DATED CONTINUED

STATEMENT OF

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

Q: Michella 820 is in Baghdad Iraq, correct?

A: YES

Q: Why did you take the original complaint as false?

A: WE HEAR IT A LOT, AFTER WE CONDUCT SEARCHES OF HOUSES

Q: Why do you think you hear money was stolen after your troops conduct searches?

A: WE ~~ARE~~ ACCUSED, ON A DAILY BASIS, OF EITHER STEALING, BREAKING SOMETHING, DETAINING THE WRONG PEOPLE, OR BRINGING GENERAL ANGER TO THE PEOPLE OF IIRAB.

Q: Can you identify the female local national?

A: I DON'T REMEMBER HER NAME OR WHAT SHE LOOKED LIKE

Q: Do you normally have money missing when your teams conduct the cordon searches?

A: NO - I AM VERY ADMANT ABOUT NOT STEALING FROM THESE PEOPLE (IIRAB'S)

Q: What is your duty position on these missions?

A: TEAM LEADER / TRUCK COMMANDER

Q: Did you brief your team prior to the search?

A: I BRIEFED MY CREW ON THE MISSION FOR THAT DAY AND ACTIONS ON CONTACT AS WELL AS A ROE BRIEF TO MY CUNNER

Q: What is a Block Party?

A: A CORDON + SEARCH TYPICALLY ON A CITY BLOCK

Q: What is your relationship to SGT (b)(6), (b)(7)(C)?

A: I HAVE KNOWN SGT (b)(6), (b)(7)(C) FOR APPROXIMATELY 6 MONTHS I AM NOT IN HIS DIRECT CHAIN OF COMMAND BUT HE WAS RIDING IN MY TRUCK ON THE DAY OF THE INCIDENT. PROFESSIONALLY, I WOULD SAY SGT (b)(6), (b)(7)(C) IS AN OUTSTANDING SOLDIER AND A GREAT MEDIC. PERSONALLY - HE IS A GOOD FRIEND AND I AM (b)(6), (b)(7)(C)

Q: How many times has SGT (b)(6), (b)(7)(C) rode with you on mission?

A: I DON'T KNOW - AS A MEDIC, HE RIDES WITH A LOT OF DIFFERENT VEHICLES DEPENDING ON THE MISSION

Q: On the day of the incident what was SGT (b)(6), (b)(7)(C) duty?

A: HE WAS THE PLATOON MEDIC AND ASSISTED WITH THE SEARCHING (b)(6), (b)(7)(C)

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

Fcb Falcon
TAKEN AT

FILE NUMBER: (b)(6), (b)(7)(C)
22 SEP 07
DATED

CONTINUED

STATEMENT OF

(b)(6), (b)(7)(C) Was Sgt (b)(6), (b)(7)(C) paired up with someone or was he to search an area alone?

A: HE WAS NOT PAIRED WITH ANYONE. IT IS NOT UNCOMMON TO HAVE 1 MAN SEARCH A ROOM AFTER THE HOUSE IS CLEARED.

Q: Did you see or do you know what areas (b)(6), (b)(7)(C) had to search?

A: I BELIEVE HE WAS ON THE BOTTOM FLOOR OF THE HOUSE BUT CANNOT SAY FOR SURE. I DON'T REMEMBER EXACTLY IF I SAW HIM SEARCHING.

Q: How long between the completion of the search of muthalla 820 and the time the female made her complaint?

A: IT WAS ALMOST IMMEDIATELY AFTER WE WITHDREW FROM THE HOUSE

Q: How long between the (b)(6), (b)(7)(C) inquiry of the theft or the time Sgt (b)(6), (b)(7)(C) gave you the money?

A: I WOULD SAY BETWEEN 30 MINUTES TO AN HOUR. WE SEARCHED ABOUT 5 OR 6 MORE HOUSES AND WENT BACK TO THE COP HE GAVE THE MONEY TO ME AT (b)(6), (b)(7)(C) THE LAST HOUSE PRIOR TO GOING TO THE COP

Q: Did you ask why (b)(6), (b)(7)(C) he took the money?

A: NO

Q: Why do you think he took the money?

A: I HAVE NO IDEA.

Q: As Sgt (b)(6), (b)(7)(C) friend, did you expect him to do something like this?

A: NO

Q: How he done anything like this before?

A: NOT THAT I KNOW OF

Q: Did he have any financial problems?

A: NOT THAT I AM AWARE OF

Q: Where were you when Sgt (b)(6), (b)(7)(C) gave you the money?

A: WE WERE ON THE LAST HOUSE TO BE SEARCHED - HE APPROACHED ME ON THE INSIDE OF THE HOUSE.

Q: Explain where he had the money how he gave it to you and what he said as he was doing this.

A: HE PULLED THE MONEY OUT OF HIS FLAK JACKET AND HANDED (b)(6), (b)(7)(C)

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

F03 FALCON
TAKEN AT

FILE NUMBER: (b)(6), (b)(7)(C)
22 SEP 07
DATED

CONTINUED

(b)(6), (b)(7)(C) TO ME. I DON'T REMEMBER HIS EXACT WORDS BUT HE WAS VERY APOLOGETIC AND CONCERNED.

Q: Did anyone see him give you the money?

A: NO

Q: Describe how SGT (b)(6), (b)(7)(C) gave you the money from his Flak jacket?

A: HE PULLED IT OUT OF THE SADDLE COMPARTMENT AND HANDED IT TO ME. ~~IT WAS~~ (b)(6), (b)(7)(C) I DON'T RECALL IF IT WAS WRAPPED, OR HOW BIG IT WAS. HE HANDED ME A STACK OF MONEY.

Q: Did it appear that more money was still in his vest?

A: I DON'T KNOW

Q: Did you count the money?

A: NO

Q: When you returned the money to the male of the house, did he appear to (b)(6), (b)(7)(C) as if all of the money was returned?

A: YES - HE WAS VERY THANKFUL AND APPRECIATIVE

Q: Describe exactly how you returned the money to the male of the house.

A: I, ALONG WITH THE INTERPRETOR, WENT TO THE HOUSE. I EXPLAINED (b)(6), (b)(7)(C) ASKED, THROUGH THE TERP, WHERE THE MONEY WAS TAKEN FROM. THE MALE SHOWED ME AND I HANDED HIM THE MONEY IN THE ROOM WHERE IT WAS TAKEN FROM. THE TERP WAS NOT IN THE ROOM WHEN I GAVE HIM THE MONEY AND THE MALE HUGGED ME AND SAID SHUKRAN. WHILE LEAVING I ASKED THE TERP TO TELL THE MAN NOT TO JUDGE AMERICANS ON THIS INCIDENT AND THAT I WAS SORRY IT OCCURRED.

Q: Did the interpreter ever see the money?

A: NO - NOT THAT I RECALL

Q: How long before (b)(6), (b)(7)(C) between returning the money & the lady yelled female said something to Lt (b)(6), (b)(7)(C)?

A: ALMOST IMMEDIATELY AFTER WE LEFT AND GOT INTO THE TRUCK - WITHIN 1 MINUTE

Q: Did you fan through the money? (b)(6), (b)(7)(C)

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

STATEMENT OF

F0B FALCON
TAKEN AT

FILE NUMBER:

22 SEP 07 (b)(6), (b)(7)(C)
DATED

CONTINUED

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

Q: No - I don't recall fanning through or how big the stack was. I saw a \$100 dollar bill on the top and that is all I remember. I put the stack in my cargo pocket and moved to link up with the team. I believe that the stack was between 1 to 2 inches.

Q: Do you recall what the female looked like?

A: Not exactly - she was wearing a black veil, about 5'4" to 5'6" approximately 175 lbs to 200 lbs. Nothing distinctive about her face that I recall.

Q: Describe the male you returned the money to.

A: Between ~~(b)(6), (b)(7)(C)~~ 5'0" to 5'6" to 5'8" approximately 170 lbs. I never got his name and there was nothing distinctive about him that I remember. There were 2 to 3 other males at the house. I think I recall them being his sons. He appeared to be the man of the house.

Q: Why didn't you count the money?

A: I didn't see a need to - I figured if he was going to return it, why would he hold any back.

Q: Do you believe all of the money was returned?

A: Yes I do - I believe so (b)(6), (b)(7)(C)

Q: Did SGT (b)(6), (b)(7)(C) say the money all of the money was returned?

A: Yes he did, when LT. (b)(6), (b)(7)(C) asked him after we returned to the camp that night.

Q: Did you ask SGT (b)(6), (b)(7)(C) if he returned all of the money?

A: No - he told LT. (b)(6), (b)(7)(C) that he returned all of it and I believe him.

Q: Regarding a mission ^{where} SGT (b)(6), (b)(7)(C) said ^{(b)(6), (b)(7)(C)} may have murdered a possible insurgent, did ^{(b)(6), (b)(7)(C)} do you have any knowledge of this?

A: No I do not (b)(6), (b)(7)(C)

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

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

FOB FALCON

FILE NUMBER:

22 SEP 67

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

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

TAKEN AT

DATED

CONTINUED

Q: Did SGT (b)(6), (b)(7)(C) mention anything of this nature to you?
A: NO

Q: Did you write the narrative portion of this statement?
A: YES

Q: Have you heard anything of this nature, ^(inter) specifically pertaining to SGT (b)(6), (b)(7)(C)?
A: NO

Q: Did you write the answers to the question and answer portion of this statement?
A: YES

Q: Are you withholding any information in an attempt to protect anyone?
A: NO

Q: Are you being ^{completely} truthful in this statement?
A: YES

Q: Do you have anything to add to your statement?
A: NO (b)(6), (b)(7)(C)

END OF STATEMENT

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0230-07-CID899-23084

PAGE 1 OF 2 PAGES

DETAILS

BASIS FOR INVESTIGATION: On 22 Sep 07, MAJ (b)(6), (b)(7)(C) Office of the Staff Judge Advocate (OSJA), 4th Brigade Combat Team, 1st Infantry Division (4/1 INF), Forward Operating Base (FOB) Falcon, Baghdad, Iraq, notified this office that SGT (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment (2/12th INF), Combat Outpost (COP) Chosen, Baghdad, Iraq, stole \$10,000 U.S. dollars from an unknown Iraqi female, while conducting combat operations.

About 0900, 22 Sep 07, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, coordinated with MAJ (b)(6), (b)(7)(C) who provided all available information pertaining to this investigation.

About 1600, 22 Sep 07, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) Commander, C Company, 2/12th INF, COP Chosen, Baghdad, Iraq, who provided a verbal statement wherein he related he was not present during the mission on 10 Sep 07. CPT (b)(6), (b)(7)(C) further related the incident was reported to him by 1LT (b)(6), (b)(7)(C) Platoon Leader, C Company, 2/12th INF, COP Chosen, Baghdad, Iraq, on 10 Sep 07. CPT (b)(6), (b)(7)(C) related upon being informed of the incident, he reported it to LTC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Commander, 2/12th INF, FOB Falcon, Baghdad, Iraq, on 11 Sep 07. CPT (b)(6), (b)(7)(C) related he then verbally advised SGT (b)(6), (b)(7)(C) of his legal rights and removed him from the battle roster. CPT (b)(6), (b)(7)(C) had no further information to provide to this investigation.

About 1630, 22 Sep 07, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) Platoon Sergeant, C Company, 2/12th INF, COP Chosen, Baghdad, Iraq, who provided a verbal statement wherein he related he was not present during the mission on 10 Sep 07. SFC (b)(6), (b)(7)(C) further related the incident was reported to him by (b)(6), (b)(7)(C) on 10 Sep 07, at which time they notified CPT (b)(6), (b)(7)(C). SFC (b)(6), (b)(7)(C) had no further information to provide to this investigation.

About 1828, 22 Sep 07, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) who provided a sworn statement wherein he related on 10 Sep 07 about 2130 hours, while conducting combat operations in the Muhalla District, Baghdad, Iraq (MB (b)(6), (b)(7)(C)), an unknown Iraqi female approached him and reported persons unknown, by unknown means stole \$10,000 U.S. dollars from her residence. 1LT (b)(6), (b)(7)(C) related he then questioned the Soldiers of his platoon, who denied stealing the money. 1LT (b)(6), (b)(7)(C) related as he was beginning to leave the area of operations, the unknown Iraqi female then re-approached him and again claimed someone stole \$10,000 U.S. dollars from her residence. 1LT (b)(6), (b)(7)(C) again questioned his Soldiers, who denied stealing the money. At that time, he heard SGT (b)(6), (b)(7)(C) C Company, 2/12th INF, COP Chosen, Baghdad, Iraq, requested an interpreter to report to his vehicle. Upon the interpreters arrival at SGT (b)(6), (b)(7)(C) vehicle, he observed SGT (b)(6), (b)(7)(C) and the interpreter, Essam, NFI, return to the unknown Iraqi females residence. Upon returning to the vehicle, SGT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) loaded into their vehicles and prepared to leave the area of operations, when the unknown Iraqi female again approached 1LT (b)(6), (b)(7)(C) and claimed that some of the money, but not all, had been returned. 1LT (b)(6), (b)(7)(C) related he then returned to COP (b)(6), (b)(7)(C) with his

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		86 TH MP DET(CID) (FWD), 22 ND MP BN Camp Liberty, Iraq, APO AE 09342	
SIGN		DATE	EXHIBIT
		25 Sep 07	5

~~FOR OFFICIAL USE ONLY~~

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER
0230-07-CID899-23084

PAGE 2 OF 2 PAGES

DETAILS

platoon and question the Soldiers involved. 1LT (b)(6), (b)(7)(C) related SGT (b)(6), (b)(7)(C) confessed to stealing the money from the unknown Iraqi female's residence. (See Sworn Statement)

About 1840, 22 Sep 07, SA (b)(6), (b)(7)(C) advised SGT (b)(6), (b)(7)(C) of his legal rights, which he invoked when he requested a lawyer. (See Non-Waiver Certificate)

About 1930, 22 Sep 07, SA (b)(6), (b)(7)(C) briefed 1LT (b)(6), (b)(7)(C) on all aspects of this investigation.

About 2010, 22 Sep 07, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) who provided a sworn statement wherein he related approximately two to three weeks ago, while conducting combat operations in the Muhalla District, Baghdad, Iraq, he was approached by SGT (b)(6), (b)(7)(C) who admitted stealing money from an unknown Iraqi female while conducting a cordon and search of her residence. SGT (b)(6), (b)(7)(C) related SGT (b)(6), (b)(7)(C) then handed him a stack of \$100 U.S. dollar bills. SGT (b)(6), (b)(7)(C) further related he did not count the money and returned it all to the unknown Iraqi female while inside her residence. (See Sworn Statement)

About 1030, 25 Sep 07, SA (b)(6), (b)(7)(C) apprised MAJ (b)(6), (b)(7)(C) of this investigation. MAJ (b)(6), (b)(7)(C) opined credible information existed to believe SGT (b)(6), (b)(7)(C) committed the offense of Larceny.

About 1108, 25 Sep 07, SA (b)(6), (b)(7)(C) briefed LTC (b)(6), (b)(7)(C) on all aspects of this investigation.

LAW ENFORCEMENT RECORDS: A check of the files of this office and the U.S. Army Crimes Records Center (USACRC) revealed no derogatory information pertaining to SGT (b)(6), (b)(7)(C)///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		86 TH MP DET(CID) (FWD), 22 ND MP BN Camp Liberty, Iraq, APO AE 09342	
SIG		DATE	EXHIBIT
		25 Sep 07	5

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LAW ENFORCEMENT 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 FOB Falcon, Baghdad, Iraq	DATE 22 Sep 07	TIME 1820	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS O-1/AD	
ORGANIZATION OR ADDRESS C Company, 2/12 th INF REG FOB Falcon, Baghdad, Iraq			

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

On 10 Sept 07 at about 2130 hrs my patrol was conducting engagement in M820 via grid MB (b)(6), (b)(7)(C). I was moving with SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) my interpreter. SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), and SGT (b)(6), (b)(7)(C) were working 'one house ahead of' me as a search team. In a house on the W side of the street we found an extra magazine and a strand of christmas lights. The extra mag, and lights, which can be used to detonate pressure plate IEDs are indicators that further search and extra questioning are needed. The search and questioning turned up nothing. We confiscated the magazine and continued south. About two houses S, the female from the mag/x-mas lights house approached us, very upset, and claimed \$10,000 in American currency was missing from her home. She said the money was kept in a plastic bag, in the bedroom dresser. No one mentioned finding any money. I told her I would look into the problem. I told her to check and make sure it was not moved during the search. She checked, came back and claimed it was still missing. ~~No one res~~ (b)(6), (b)(7)(C) I pulled my unit together and asked if anyone had taken money from the home. No one replied that they had. SGT (b)(6), (b)(7)(C) was defensive, asking "what such a poor family' was doing with such a large amount of money anyway?" I don't recall mentioning how much she had said was missing. I took time to explain the impact and implications (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 6 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED."
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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LAW ENFORCEMENT SENSITIVE

(b)(6), (b)(7)(C) FILE NUMBER: (b)(6), (b)(7)(C)

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

STATEMENT OF

TAKEN AT

1828

DATED 22 Sep 07 CONTINUED

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

of theft, I told them if they had taken the money they needed to give it to me before we left the street. Everyone denied involvement. I told the woman we did not have the money and continued mission. We moved on. The woman approached again alleging the same. We have received false claims before, however, it struck me as odd that she would make claims while we were still there, when it was in my ability to confirm or deny her story as a lie. I began to believe there was merit in her claim. When we were wrapping up on the block, I pulled the element in again. I told them once more the implications of theft. I told them it was a serious accusation, and things would be worse if we left the area with the issue unresolved. I loaded my element and planned to search when we were safe back at the COP. As we were ready to pull away SGT (b)(6), (b)(7)(C) asked for the perp. I watched SGT (b)(6), (b)(7)(C) return to the home with (b)(6), (b)(7)(C) I assumed the money was being returned. SGT (b)(6), (b)(7)(C) got back in his truck, but the woman again waved me down as we began to leave. I stopped. She told me that some, but not all of the money was returned. She had not lied the first time, so perhaps she was again telling the truth. I told her I would continue to investigate. Once back at the COP I again questioned the individuals involved. SGT (b)(6), (b)(7)(C) admitted that he had taken the money. I asked him if SGT (b)(6), (b)(7)(C) had returned all the money for him. He said he had. I reported the incident to the COC and had SFC (b)(6), (b)(7)(C) search his belongings and area. We did not find any money. I told SGT (b)(6), (b)(7)(C) that the accusations would probably not go away, and that the best thing he could do is return the money if he still had any. He (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
ACLU-RDI 5567 p.45

PAGE 2 OF 0 PAGES

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LAW ENFORCEMENT SENSITIVE

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

6

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

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

FILE NUMBER: (b)(6), (b)(7)(C)

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

TAKEN AT

1828

DATED 22 Sep 07 CONTINUED

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

said he did not have nor know the whereabouts of any remaining stolen money. Over the following hours and day the woman continued to call our tip line, claiming \$4,000 American was missing. SGT (b)(6), (b)(7)(C) said he gave all the money back. The following day, 11 SEPT 07, at about 1400 hrs my platoon returned to the COP following mission. SGT (b)(6), (b)(7)(C) belongings had been searched already. We were downloading our gear when SGT (b)(6), (b)(7)(C) approached me. He made a statement similar to the following: "Sir, I know my head is on the chopping block for the money I took last night. I guess you should also know that those guys we shot in B22, the one you told me to treat, well I stabbed one of them to make sure he was dead." The incident was on 24 May 2007 in B22. My platoon was conducting a target raid based on information from air support. While on a rooftop SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) saw the two target individuals jumping rooftops to escape us. One turned and pointed a 9mm pistol at them. They engaged. SSG (b)(6), (b)(7)(C) guided my element on the two enemy. I found the two slumped and bleeding in the back courtyard of a home. One individual had a 9mm pistol next to him. We cleared the pistol away. Both individuals were bleeding, one was still breathing. When SSG (b)(6), (b)(7)(C) arrived I told him to move the enemy into the front courtyard where I had set up a base of operations. I ordered SGT (b)(6), (b)(7)(C) to treat the individual who was still bleeding. SGT (b)(6), (b)(7)(C) made a statement similar to the following: "Sir, I'm not treating an enemy who just tried to kill me." I ordered him to do his job and try. When the bodies were (b)(6), (b)(7)(C)

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

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

 INITIALS OF PERSON MAKING STATEMENT:
 ACLU-RDI 5567 p.46
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PAGE 3 OF 6 PAGES

~~LAW ENFORCEMENT SENSITIVE~~

10-L-0126 ACLU DD II CID ROI 5223

EXHIBIT

6

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LAW ENFORCEMENT SENSITIVE

(b)(6), (b)(7)(C) FILE NUMBER: (b)(6), (b)(7)(C)

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 1828 DATED 22 Sep 07 CONTINUED

In the courtyard, SGT (b)(6), (b)(7)(C) told me that the individual who was breathing was now, dreadfully dead, and there was nothing he could do. The first I heard of SGT (b)(6), (b)(7)(C) possibly stabbing the man was on 11 Sept, when he told me. (b)(6), (b)(7)(C)

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

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

Q: What do you mean by "extra magazine"?

A: I more than they are allowed by policy to have.

Q: Can you identify the unknown Iraqi female?

A: NO.

Q: Can you identify where the unknown Iraqi female lived?

A: YES. West side of 25th St. M 822

Q: Can you describe the unknown Iraqi female?

A: Shorter and wider than me.

Q: Did the unknown Iraqi female tell you how much money she was missing when she initially reported the theft to you?

A: \$10,000^{ea} American

Q: When you questioned SGT (b)(6), (b)(7)(C) pertaining to this investigation, what did he say to you?

A: I don't remember.

Q: How did you become aware that SGT (b)(6), (b)(7)(C) stole the unknown Iraqi females money?

A: He told me.

Q: Did you advise SGT (b)(6), (b)(7)(C) of his legal rights prior to questioning?

A: NO.

Q: Did SGT (b)(6), (b)(7)(C) provide you with anymore information pertaining to this incident?

A: NOT THAT I REMEMBER.

Q: What was the approximate time of the second incident?

A: Daylight

Q: Did you see the two Iraqi males alive?

A: One seemed to be breathing / chest moving. (b)(6), (b)(7)(C)

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

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

6

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

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

FILE NUMBER:

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

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

STATEMENT OF

TAKEN AT

1828

DATED 22 Sep 07 CONTINUED

Q: Can you identify either Iraqi males?

A: NO

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

Q: Did you witness SGT (b)(6), (b)(7)(C) perform any first aid on either Iraqi males?

A: I know he at least prepped his kit and prepared to work. Then I went back to give a SITREP. Next I heard was that there was nothing to be done, he was dead.

Q: What condition did the alive Iraqi male appear to be in when you saw him last?

A: Shot multiple times, chances of survival, even with medical attention seemed very unlikely.

Q: What happened to the remains of the two deceased Iraqi male?

A: Put in body bags, handed over to either the National Police or Iraqi Police.

Q: What do the Iraqi Police do with the remains once they receive them?

A: Either turn over to the families or hospitals to get death certificate for burrial.

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

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

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

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

6

FOR OFFICIAL USE ONLY

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

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

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

FILE NUMBER:

STATEMENT OF

TAKEN AT 1878

DATED 22 Sep 07 CONTINUED:

STATEMENT (Continued)

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

Not Used

AFFIDAVIT

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

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 ... 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)

WITNESSES:

(Signature)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of September, 20 07 at FOB Falcon, Baghdad, Iraq

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

ORGANIZATION OR ADDRESS

(Signature)

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

10 USC 936

(Authority To Administer Oaths)

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 6 OF 6 PAGES

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

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:	Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE:	To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES:	Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE:	Disclosure of your Social Security Number is voluntary.
1. LOCATION Camp Liberty CID Office	2. DATE ^{(b)(6), (b)(7)(C)} 22 Sep 07 3. TIME ^{(b)(6), (b)(7)(C)} 1840 4. FILE NO.
5. NAME (Last, First, MI) ^{(b)(6), (b)(7)(C)}	8. ORGANIZATION OR ADDRESS C Company 2/12 INF Reg FOB Falcon, Baghdad, Iraq
6. SSN ^{(b)(6), (b)(7)(C)}	7. GRADE/STATUS E5 /AD

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army ^{(b)(6), (b)(7)(C)} Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected ^{(b)(6), (b)(7)(C)} Homicide, Desecration of Human Remains, and Larceny III ^{(b)(6), (b)(7)(C)}

^{(b)(6), (b)(7)(C)} He/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

^{(b)(6), (b)(7)(C)} I do not have to answer any questions or say anything.

^{(b)(6), (b)(7)(C)} Anything I say or do can be used as evidence against me in a criminal trial.

^{(b)(6), (b)(7)(C)} For personnel subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

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

^{(b)(6), (b)(7)(C)} If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)
Have you requested a lawyer after being advised of your legal rights within the last thirty days? no ^{(b)(6), (b)(7)(C)}

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		<u>[Signature]</u>
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INVESTIGATOR
		^{(b)(6), (b)(7)(C)}
2a. NAME (Type or Print)		5. TITLE
		SA ^{(b)(6), (b)(7)(C), (b)(7)(F)}
b. ORGANIZATION OR ADDRESS AND PHONE		6. OFFICE
		Camp Liberty CID Office APO AE 09342

Section C. Non-Waiver

1. I do not want to give up my rights:

I want a lawyer. I do not want to be questioned or say anything.

2. SIGNATURE ^{(b)(6), (b)(7)(C)} [Signature]

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA Form 2029) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.

FOR OFFICIAL USE ONLY

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 FoB Falcon, Baghdad, Iraq	DATE ^{(b)(6), (b)(7)(C)} 22 SEP 07	TIME ^{(b)(6), (b)(7)(C)} 2010	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS ^{(b)(6), (b)(7)(C)} E-5 / (41)	
ORGANIZATION OR ADDRESS C Co 2-12 INF Bn, FoB Falcon, Iraq			

^{(b)(6), (b)(7)(C)} I, **(b)(6), (b)(7)(C)**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Approximately two to three weeks ago, while conducting a routine cordon and search in Muthalla 820, an incident arose where a female local national said money (in the sum of \$10,000) was missing from her home. After we searched the premises, the female approached both LT **(b)(6), (b)(7)(C)** and myself to make the allegations. We both dismissed the information immediately and took it as a false statement. Directly pursuant to her making her accusation, the patrol continued with the search. About midway down the block, LT **(b)(6), (b)(7)(C)** approached me and asked for my opinion. I stated that I was in the house and didn't see anyone take anything, and that I didn't think anyone would do that. LT **(b)(6), (b)(7)(C)** then asked another NCO (SGT **(b)(6), (b)(7)(C)**) the same question and he gave pretty much the same response. LT **(b)(6), (b)(7)(C)** then pulled all the dismounts from the patrol into a courtyard and asked if anyone took the money. He stated that he had a vibe about the situation and that the female was overwhelmingly emphatic about the fact that Americans stole their money. No one said anything and LT **(b)(6), (b)(7)(C)** gave his word that if the money was returned, he would not pursue the situation any further. Still, no one said anything and we continued with the search. Towards the end of the "Black Party" a soldier, SGT **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** approached me and told me that he had made a mistake and that he wanted to rectify it. He came to me in confidence because he trusted me and knew that I would return the money - no questions asked.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT ^{(b)(6), (b)(7)(C)}	PAGE 1 OF <u>8</u> PAGES ^{(b)(6), (b)(7)(C)}
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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LAW ENFORCEMENT SENSITIVE

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

STATEMENT OF

FCB/Alcon
TAKEN AT

FILE NUMBER (b)(6), (b)(7)(C)
22 SEP 07
DATED CONTINUED

(b)(6), (b)(7)(C) HANDED ME A STACK OF AMERICAN \$100 DOLLAR BILLS. I DID NOT COUNT IT. I IMMEDIATELY CALLED LT. (b)(6), (b)(7)(C) ON THE RADIO AND REQUESTED A TIEP. I DID NOT INFORM THE LT. (b)(6), (b)(7)(C) THAT I HAD THE MONEY. ONCE I LINKED UP WITH THE TIEP, WE WENT TO THE HOUSE, WHERE THE MONEY WAS TAKEN FROM. I ASKED THE MALE OF THE HOUSE TO ACCOMPANY ME INSIDE AND I GAVE THE STACK OF MONEY TO HIM. HE WAS VERY THANKFUL, AND I TOLD HIM THAT I WAS VERY SORRY AND NOT TO JUDGE ALL AMERICANS BASED ON THIS INCIDENT. DIRECTLY AFTER THAT, WE MOUNTED IN THE VEHICLES AND PREPARED TO LEAVE. THE FEMALE CAME TO THE TRUCKS ONE LAST TIME AND SAID SOMETHING TO LT. (b)(6), (b)(7)(C) PRIOR TO US LEAVING. UPON RETURNING TO THE COP LT. (b)(6), (b)(7)(C) TOLD ME THAT SHE SAID SOME OF THE MONEY WAS MISSING. I TOLD HIM THAT I WOULD NOT BETRAY THE CONFIDENCE OF THE SOLDIER WHO GAVE ME THE MONEY AND ASKED ME TO RETURN IT. THROUGH LOGICAL DEDUCTION - HE ASSUMED IT WAS ONE OF TWO PEOPLE AND PULLED THEM OUTSIDE TO QUESTION THEM FURTHER. THESE TWO INDIVIDUALS WERE SGT (b)(6), (b)(7)(C) AND SGT (b)(6), (b)(7)(C). SGT (b)(6), (b)(7)(C) ADMITTED TO THE OFFENSE ALMOST IMMEDIATELY AND HIS PERSONAL EFFECTS WERE THOROUGHLY SEARCHED BY SSG (b)(6), (b)(7)(C) AND SSG (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) IT IS MY UNDERSTANDING THAT THEY DID NOT FIND ANYTHING. IT IS MY BELIEF THAT SGT (b)(6), (b)(7)(C) SAW A LARGE SUM OF MONEY AND GAVE IN TO TEMPTATION WITHOUT THINKING IT THROUGH. ONCE HE REALIZED WHAT HE HAD DONE HE WAS EITHER TOO AFRAID OR EMBARRASSED TO RETURN THE MONEY HIMSELF. I DO BELIEVE THAT HE RETURNED IT ALL, AND THAT HE CORRECTED HIS ERROR IN JUDGEMENT PRIOR TO IT BECOMING AN ISSUE.

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

EXHIBIT

FOR OFFICIAL USE ONLY
MULTI-COMPARTMENT SENSITIVE

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

KOB I'Alca
TAKEN AT

FILE NUMBER: (b)(6), (b)(7)(C)
22 SEP 07
DATED

CONTINUED

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

Q: michelle 820 is in Baghdad Iraq, correct?

A: YES

Q: Why did you take the original complaint as false?

A: WE HEAR IT A LOT, AFTER WE CONDUCT SEARCHES OF HOUSES

Q: Why do you think you hear money was stolen after your troops conduct searches?

A: WE ~~HEAR~~ ACCUSED, ON A DAILY BASIS, OF EITHER STEALING, BREAKING SOMETHING, DETAINING THE WRONG PEOPLE, OR BRINGING GENERAL UNREST TO THE PEOPLE OF IRAQ.

Q: Can you identify the female local national?

A: I DON'T REMEMBER HER NAME OR WHAT SHE LOOKED LIKE

Q: Do you normally have money missing when your teams conduct the cordon searches?

A: NO - I AM VERY ADMIRANT ABOUT NOT STEALING FROM THESE PEOPLE (IRAQI'S)

Q: What is your duty position on these missions?

A: TEAM LEADER / TRUCK COMMANDER

Q: Did you brief your team prior to the search?

A: I BRIEFED MY CREW ON THE MISSION FOR THAT DAY AND ACTIONS ON CONTACT AS WELL AS A ROE BRIEF TO MY GUNNER

Q: What is a Block Party?

A: A CORDON + SEARCH TYPICALLY ON A CITY BLOCK

Q: What is your relationship to SGT (b)(6), (b)(7)(C)

A: I HAVE KNOWN SGT (b)(6), (b)(7)(C) FOR APPROXIMATELY 6 MONTHS. I AM NOT IN HIS DIRECT CHAIN OF COMMAND BUT HE WAS RIDING IN MY TRUCK ON THE DAY OF THE INCIDENT. PROFESSIONALLY, I WOULD SAY SGT (b)(6), (b)(7)(C) IS AN OUTSTANDING SOLDIER AND A GREAT MEDIC. PERSONALLY - HE IS A GOOD FRIEND AND ~~IS A~~ (b)(6), (b)(7)(C)

Q: How many times has SGT (b)(6), (b)(7)(C) rode with you on mission?

A: I DON'T KNOW - AS A MEDIC, HE RIDES WITH A LOT OF DIFFERENT VEHICLES DEPENDING ON THE MISSION

Q: On the day of the incident what was SGT (b)(6), (b)(7)(C) duty?

A: HE WAS THE PLATOON MEDIC AND ASSISTED WITH THE SEARCHING (b)(6), (b)(7)(C)

OFFICIAL USE ONLY
ENFORCEMENT SENSITIVE

FILE NUMBER: (b)(6), (b)(7)(C)
22 SEP 67
DATED CONTINUED

Fcb Falcon
TAKEN AT

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

STATEMENT OF

Q: Was SGT (b)(6), (b)(7)(C) paired up with someone or was he to search an area alone?

A: HE WAS NOT PAIRED WITH ANYONE. IT IS NOT UNCOMMON TO HAVE 1 MAN SEARCH A ROOM AFTER THE HOUSE IS CLEARED.

Q: Did you see or do you know what areas (b)(6), (b)(7)(C) had to search?

A: I BELIEVE HE WAS ON THE BOTTOM FLOOR OF THE HOUSE BUT CANNOT SAY FOR SURE. I DON'T REMEMBER EXACTLY IF I SAW HIM SEARCHING.

Q: How long between the completion of the search of mullhalla 820 and the time the female made her complaint?

A: IT WAS ALMOST IMMEDIATELY AFTER WE WITHDREW FROM THE HOUSE

Q: How long between the (b)(6), (b)(7)(C) inquiry of the theft or the time SGT (b)(6), (b)(7)(C) gave you the money?

A: I WOULD SAY BETWEEN 30 MINUTES TO AN HOUR. WE SEARCHED ABOUT 5 OR 6 MORE HOUSES AND WENT BACK TO THE COP HE GAVE THE MONEY TO ME AT THE LAST HOUSE PRIOR TO going to THE COP

Q: Did you ask why (b)(6), (b)(7)(C) he took the money?

A: NO

Q: Why do you think he took the money?

A: I HAVE NO IDEA.

Q: As SGT (b)(6), (b)(7)(C) friend, did you expect him to do something like this?

A: NO

Q: Has he done anything like this before?

A: NOT THAT I KNOW OF

Q: Did he have any financial problems?

A: NOT THAT I AM AWARE OF

Q: Where were you when SGT (b)(6), (b)(7)(C) gave you the money?

A: WE WERE ON THE LAST HOUSE TO BE SEARCHED - HE APPROACHED ME ON THE INSIDE OF THE HOUSE.

Q: Explain where he had the money, how he gave it to you and what he said as he was doing this.

A: HE PULLED THE MONEY OUT OF HIS FLAK JACKET AND HANDED

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LAW ENFORCEMENT SENSITIVE

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

FBI FAICEN
TAKEN AT

FILE NUMBER (b)(6), (b)(7)(C)
22 SEP 67
DATED

CONTINUED

(b)(6), (b)(7)(C) TO ME. I DON'T REMEMBER HIS EXACT WORDS BUT HE WAS VERY APOLEGETIC AND EAGER.

Q: Did anyone see him give you the money?

A: NO

Q: Describe how SGT (b)(6), (b)(7)(C) gave you the money from his Flak jacket?

A: HE PULLED IT OUT OF THE SADDLE COMPARTMENT AND HANDED IT TO ME. IT WAS (b)(6), (b)(7)(C) DON'T RECALL IF IT WAS WRAPPED, OR HOW BIG IT WAS. HE HANDED ME A STACK OF MONEY.

Q: Did it appear that more money was still in his vest?

A: I DON'T KNOW

Q: Did you count the money?

A: NO

Q: When you returned the money to the male of the house, did he appear to (b)(6), (b)(7)(C) if all of the money was returned?

A: YES - HE WAS VERY THANKFUL AND APPRECIATIVE

Q: Describe exactly how you returned the money to the male of the house.

A: I, ALONG WITH THE INTERPRETOR, WENT TO THE HOUSE. I EXPLAINED (b)(6), (b)(7)(C) THROUGH THE TERP, WHERE THE MONEY WAS TAKEN FROM. THE MALE SHOWED ME AND I HANDED HIM THE MONEY IN THE ROOM WHERE IT WAS TAKEN FROM. THE TERP WAS NOT IN THE ROOM WHEN I GAVE HIM THE MONEY AND THE MALE HUGGED ME AND SAID SHUKRAN. WHILE LEAVING I ASKED THE TERP TO TELL THE MAN NOT TO JUDGE AMERICANS ON THIS INCIDENT AND THAT I WAS SORRY IT OCCURRED.

Q: Did the interpreter ever see the money?

A: NO - NOT THAT I RECALL

Q: How long before (b)(6), (b)(7)(C) between returning the money & the lady yelled female said something to Lt (b)(6), (b)(7)(C)

A: ALMOST IMMEDIATELY AFTER WE LEFT AND GOT INTO THE TRUCK - WITHIN 1 MINUTE

Q: Did you fan through the money? (b)(6), (b)(7)(C)

EXHIBIT 18

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

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

FBI FALCON
TAKEN AT

FILE NUMBER:
2256707 (b)(6), (b)(7)(C)
DATED

CONTINUED

STATEMENT OF

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

11. No - I don't recall fanning through or how big the stack was. I saw a \$100 dollar bill on the top and that is all I remember. I put the stack in my cargo pocket and moved to link-up with the team. I believe that the stack was between 1 to 2 inches.

Q: Do you recall what the female looked like?

A: Not exactly - she was wearing a black veil, about 5'4" to 5'6" approximately 175 lbs to 200 lbs. Nothing distinctive about her face that I recall.

Q: Describe the male you returned the money to.

A: Between (b)(6), (b)(7)(C) 4'10" to 5'0" or 5'6" to 5'8" approximately 170 lbs. I never got his name and there was nothing distinctive about him that I remember. There were 2 to 3 other males at the house. I think I recall them being his sons. He appeared to be the man of the house.

Q: Why didn't you count the money?

A: I didn't see a need to - I figured if he was going to return it, why would he hold any back.

Q: Do you believe all of the money was returned?

A: Yes I do - I believe I got (b)(6), (b)(7)(C)

Q: Did SGT (b)(6), (b)(7)(C) say the money all of the money was returned?

A: Yes he did, when Lt. (b)(6), (b)(7)(C) asked him after we returned to the car that night.

Q: Did you ask SGT (b)(6), (b)(7)(C) if he returned all of the money?

A: No - he told Lt. (b)(6), (b)(7)(C) that he returned all of it and I believe him.

Q: Regarding a mission ^{where} SGT (b)(6), (b)(7)(C) said (b)(6), (b)(7)(C) may have murdered a possible insurgent, did (b)(6), (b)(7)(C) do you have any knowledge of this?

A: No I do not (b)(6), (b)(7)(C)

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

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LAW ENFORCEMENT SENSITIVE

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

POB FALCON

FILE NUMBER:
22 SEP 07 (b)(6), (b)(7)(C)
DATED

CONTINUED

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

TAKEN AT

Q: Did SGT (b)(6), (b)(7)(C) mention anything of this nature to you?

A: NO

Q: Did you write the narrative portion of this statement?

A: YES

Q: Have you heard anything of this nature, specifically ^(murder) (b)(6), (b)(7)(C) pertaining to SGT (b)(6), (b)(7)(C)?

A: NO

Q: Did you write the answers to the question and answer portion of this statement?

A: YES

Q: Are you withholding any information in attempt to protect anyone?

A: NO

Q: Are you being ^{completely} (b)(6), (b)(7)(C) truthful in this statement?

A: YES

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

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

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

END OF STATEMENT

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

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

FOB Falcon

FILE NUMBER (b)(6), (b)(7)(C)

STATEMENT OF

TAKEN AT

DATED 22 SEPT 07 CONTINUED:

STATEMENT (Continued)

Multiple horizontal lines for the statement content.

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 8. 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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of September, 20 07 at FOB Falcon, Iraq

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

USC 10, 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 8 OF 8 PAGES

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER:

0230-07-CID899-23084

PAGE 1 OF 4 PAGES

DETAILS

About 1930, 2 Oct 07, SA (b)(2), (b)(6), (b)(7)(C) this office, interviewed SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment, Combat Outpost (COP) Chosen, Baghdad, Iraq, who provided a sworn statement wherein he related he conducted a search of SGT (b)(6), (b)(7)(C) room, vehicle, and personal belongings for the stolen money which did not result in locating anything of evidentiary value. SFC (b)(6), (b)(7)(C) further stated he had no knowledge pertaining to the incident on 24 May 07 regarding SGT (b)(6), (b)(7)(C) stabbing an unknown Iraqi male. (See Sworn Statement)

About 1950, 2 Oct 07, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) Interpreter assigned with C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq, who stated he was present during the search of the Iraqi woman's house that alleged money was stolen; however, he stated he did not participate in the searching procedures. Mr. (b)(6), (b)(7)(C) stated the Iraqi woman was very adamant that money was stolen during the search of her residence. He indicated there was no food in the home nor was the furniture of good quality; therefore, he did not understand why the occupants of the home would have such a large amount of money. Mr. (b)(6), (b)(7)(C) related he was asked my SGT (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq, to accompany him to the Iraqi woman's house. He stated he translated for SGT (b)(6), (b)(7)(C) who requested to speak to the man of the house. Mr. (b)(6), (b)(7)(C) related SGT (b)(6), (b)(7)(C) returned the money and apologized to the family and asked them not to judge Americans based on this incident. Mr. (b)(6), (b)(7)(C) stated he did not see the money and no one counted it in his presents. He related the Iraqi woman thanked them and then they departed the home. He denied knowing who provided the money to SGT (b)(6), (b)(7)(C) for him to return. Mr. (b)(6), (b)(7)(C) stated prior to the convoy departing; the Iraqi woman returned stating not all the money was returned. Mr. (b)(6), (b)(7)(C) was not involved in the patrol that was conducted on 24 May 07 and had no knowledge regarding this incident.

About 2133, 2 Oct 07, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq, who provided a sworn statement wherein he related he conducted a search of SGT (b)(6), (b)(7)(C) room, vehicle, and personal belongings for the stolen money which did not result in locating anything of evidentiary value. SSG (b)(6), (b)(7)(C) stated he was involved in an attack on 24 May 07 at M822 wherein two Iraqi males were killed during a fire fight. SSG (b)(6), (b)(7)(C) related he observed SGT (b)(6), (b)(7)(C) preparing to provide medical care on one of the Iraqi males prior to him dieing. He did not witness SGT (b)(6), (b)(7)(C) stab the Iraqi male nor did he observe any wounds that appear to be stab wounds. (See Sworn Statement)

About 2212, 2 Oct 07, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq, who provided a sworn statement

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION
(b)(6), (b)(7)(C), (b)(7)(F)	86 TH MP DET(CID) (FWD), 22 ND MP BN (CID) Camp Liberty, Iraq, APO AE 09342
DATE	EXHIBIT
3 Oct 07	9

ACLU DD FORM 154 (Rev. 1/94)
1 FEB 77
15567 p.59

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10-L-0126 ACLU DD II CID ROI 5236

AGENT'S INVESTIGATION REPORT

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DETAILS

wherein he related he conducted a search of SGT (b)(6), (b)(7)(C) room, vehicle, and personal belongings for the stolen money which did not result in locating anything of evidentiary value. SSG (b)(6), (b)(7)(C) also stated he was involved in an attack on 24 May 07 at M822 on the rooftop of a building wherein SGT (b)(6), (b)(7)(C) was summoned to provided medical care to an injured Iraqi male. SSG (b)(6), (b)(7)(C) related he was unable to see SGT (b)(6), (b)(7)(C) treat the man from the rooftop and he had no additional information regarding this incident. (See Sworn Statement)

About 2317, 2 Oct 07, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq, who provided a sworn statement wherein he related he was involved with the search of the Iraqi woman's house that alleged money was stolen; however, he did not see any large amounts of money nor did he witness anyone take any money from the residence. SGT (b)(6), (b)(7)(C) further stated he had no knowledge pertaining to the incident on 24 May 07 regarding SGT (b)(6), (b)(7)(C) stabbing an unknown Iraqi male other than hearing rumors about the incident. (See Sworn Statement)

About 2347, 2 Oct 07, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq, who provided a sworn statement wherein he related he was involved with the search of the Iraqi woman's house that alleged money was stolen; however, he did not see any large amounts of money nor did he witness anyone take any money from the residence. SGT (b)(6), (b)(7)(C) further stated he had no knowledge pertaining to the incident on 24 May 07 regarding SGT (b)(6), (b)(7)(C) stabbing an unknown Iraqi male other than hearing rumors about the incident. (See Sworn Statement)

About 2350, 2 Oct 07, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Commander, C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq, who provided the Claims/Condolence Form of Mrs. (b)(6), (b)(7)(C) Baghdad, Iraq, who was identified as the victim of Larceny. (See Claims/Condolence Form)

Agent's Comment: Mrs. (b)(6), (b)(7)(C) alleged U.S. Soldiers stole \$10,000 of U.S. currency and 125,000 Iraqi Dinar when they conducted a cordon and search of her residence. Mrs. (b)(6), (b)(7)(C) stated a Soldier returned some of the money; however, she was still missing approximately \$4,050 of U.S. currency and 125,000 Iraqi Dinar, totaling approximately \$4,151 U.S. currency.

About 0014, 3 Oct 07, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq, who provided a sworn statement wherein he related he was involved with the search of the Iraqi woman's house that alleged money was stolen; however, he did not see any large amounts of money nor did he witness anyone take any

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

86TH MP DET(CID) (FWD), 22ND MP BN (CID)
Camp Liberty, Iraq, APO AE 09342

DATE

3 Oct 07

EXHIBIT

9

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DETAILS

money from the residence. SGT (b)(6), (b)(7)(C) further stated he had no knowledge pertaining to the incident on 24 May 07 regarding SGT (b)(6), (b)(7)(C) stabbing an unknown Iraqi male. (See Sworn Statement)

About 0045, 3 Oct 07, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who provided the Daily Staff Journal or Duty Log pertaining to 24 May 07 and 10 Sep 07. (See Daily Staff Journal or Duty Log)

Agent's Comment: A review of the Daily Staff Journal or Duty Log pertaining to 24 May 07 indicated around 1430, 1LT (b)(6), (b)(7)(C) platoon engaged two individuals, one of which had a 9mm pistol, on a roof top located within the vicinity of MP (b)(6), (b)(7)(C) resulting in one Killed in Action (KIA) and one wounded. Around 1445, a medic (SGT (b)(6), (b)(7)(C)) worked on the wounded Anti Iraqi Forces (AIF) but could not save him; total KIA was two. Approximately 1530, the two deceased were placed in body bags. Around 1645, the two bodies were transported to 2/7/2 National Police (NP) Headquarters for disposition.

A review of the Daily Staff Journal or Duty Log pertaining to 10 Sep 07 did not reveal any significant information pertaining to the incident of Larceny.

About 0105, 3 Oct 07, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq, who provided a sworn statement wherein he related while searching houses in M820 an Iraqi woman claimed money was stolen from her residence. SPC (b)(6), (b)(7)(C) stated he did not search the same house as SGT (b)(6), (b)(7)(C) and had no knowledge of him stealing or returning any money. SPC (b)(6), (b)(7)(C) further stated he was on patrol in M822 when his unit was involved in a small arms fire attack. SPC (b)(6), (b)(7)(C) stated he was in the vehicle during the incident and did not observe the individuals that were killed during the incident. SPC (b)(6), (b)(7)(C) indicated he had no knowledge of SGT (b)(6), (b)(7)(C) stabbing an unknown Iraqi male. (See Sworn Statement)

About 0130, 3 Oct 07, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who provided digital photographs that were exposed of the two unknown Iraqi males that were shot during the engagement on 24 May 07 and the location for the incident. (See Photographic Packet)

About 1015, 3 Oct 07, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) briefed LTC (b)(6), (b)(7)(C) Battalion Commander, 2nd Battalion, 12th Infantry Regiment, Forward Operating Base (FOB) Falcon, Baghdad, Iraq, on all aspects of this investigation.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

86TH MP DET(CID) (FWD), 22ND MP BN (CID)
Camp Liberty, Iraq, APO AE 09342

DATE

3 Oct 07

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DETAILS

About 1040, 3 Oct 07, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) briefed MAJ (b)(6), (b)(7)(C), Office of the Staff Judge Advocate, 4th Brigade Combat Team, 1st Infantry Division, FOB Falcon, Baghdad, Iraq, on all aspects of this investigation.

About 0950, 3 Oct 07, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Article 15-6 Investigating Officer, 2nd Battalion, 12th Infantry Regiment, FOB Falcon, Baghdad, Iraq. CPT (b)(6), (b)(7)(C) stated he interviewed several people during the course of this investigation (USACIDC interviewed the same individuals). He related he spoke to SGT (b)(6), (b)(7)(C) briefly to inform him that he was conducting an Article 15-6 Investigation, at which time SGT (b)(6), (b)(7)(C) began asking him questions regarding possible punishment. CPT (b)(6), (b)(7)(C) related he informed SGT (b)(6), (b)(7)(C) that he could not talk to him regarding the incident without advising him of his legal rights and that he was of the understanding that SGT (b)(6), (b)(7)(C) wanted a lawyer. CPT (b)(6), (b)(7)(C) indicated SGT (b)(6), (b)(7)(C) then stated that he knew he had stolen the money but he had given it all back and he did not feel that he should lose rank due to the incident. He further stated SGT (b)(6), (b)(7)(C) indicated he was not worried about the other incident (murder) because that was all "just rumors". CPT (b)(6), (b)(7)(C) further stated that SGT (b)(6), (b)(7)(C) denied telling 1LT (b)(6), (b)(7)(C) that he stabbed the Iraqi male but admitted to making a comment to the effect of "I know you probably hear" that he had stabbed the wounded Iraqi male. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

86TH MP DET(CID) (FWD), 22ND MP BN (CID)
Camp Liberty, Iraq, APO AE 09342

DATE

3 Oct 07

EXHIBIT

9

FOR SWORN STATEMENT

For use of this form, R 190.45; the proponent agency is Office of The Director, Chief of Staff for Personnel.

LOCATION <u>LOP Chosen</u>	DATE (b)(6), (b)(7)(C) <u>2007 10 02</u> TIME (b)(6), (b)(7)(C) <u>1930</u>	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME <u>(b)(6), (b)(7)(C)</u>	SOCIAL SECURITY NUMBER <u>(b)(6), (b)(7)(C)</u>	GRADE/STATUS <u>E7 / RA</u>
ORGANIZATION OR ADDRESS <u>C Co 2-12 IN</u>		

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

On or about 10 sept 07, one of my sections had a patrol in M820. My PL came back late that night & went to bed. The next morning he informed me that some money had been taken from a lady last night by SGT (b)(6), (b)(7)(C). He said the money was given back but she said that it was not all of it. Myself & the PL informed the 1SG & CO about the incident. We were told to search his belongings by the CO. I took 2 SSG's and conducted the search of his room first. We then searched his gear in the truck to include IBA & Ade bag. Nothing was found. (b)(6), (b)(7)(C)

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

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

Q: During the search of SGT (b)(6), (b)(7)(C) room and belonging did you find any money at all?

A: SSG (b)(6), (b)(7)(C) found some money not sure the amount but was not a lot. (b)(6), (b)(7)(C)

Q: Where was this money found at?

A: In his wallet (b)(6), (b)(7)(C)

Q: Did you search SGT (b)(6), (b)(7)(C) sappy plate compartments on his IBA during your search?

A: SSG (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) did search the compartments (b)(6), (b)(7)(C)

Q: How many hours had passed between time of incident and search of SGT (b)(6), (b)(7)(C) room and gear?

A: About 7-9 hours. (b)(6), (b)(7)(C)

Q: To your knowledge, do you know of anyone's who saw SGT (b)(6), (b)(7)(C) take the money from house or get rid of the money? (b)(6), (b)(7)(C)

A: I have no knowledge. (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FILE NUMBER:

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

TAKEN AT 1930

DATED 20071002 CONTINUED

Q: Do you have any knowledge of SGT (b)(6), (b)(7)(C) having financial issues?

A: I did have him tell me about him + his wife fighting while on leave, but other than that I don't know of any issues. (b)(6), (b)(7)(C)

Q: Do you know how much money was stolen from the house during search?

A: No, just the amount that was missing. (b)(6), (b)(7)(C)

Q: Were you part of the patrol in M820 on 10 Sep 02?

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

Q: Do you have any knowledge of the incident that occurred on 24 May 07 at M822 involving SGT (b)(6), (b)(7)(C)?

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

Q: How were you treated during this interview?

A: Professionally + Fair (b)(6), (b)(7)(C)

Q: How long have you known SGT (b)(6), (b)(7)(C)?

A: About 6 months. (b)(6), (b)(7)(C)

Q: How what is your relationship to SGT (b)(6), (b)(7)(C)?

A: He is my Platoon medic. (b)(6), (b)(7)(C)

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

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

SWORN STATEMENT

0230-07 015 899-2308

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

LOCATION COP Chosen, Baghdad, Iraq	DATE 20 OCT 07	TIME 2133	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-5 / AD
ORGANIZATION OR ADDRESS C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq			

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

On 10 May 07 my platoon was conducting a patrol in M822. We received a report that CCA (b)(6), (b)(7)(C) had observed individual shooting mortars out of a truck and had tracked them to a location in southern M822. My platoon, along with our Battalion CO, moved to the location and began a cordon and search of the area. Shortly after arriving we took some small arms fire. We continued mission and shortly thereafter I received traffic on my ICOM that our rooftop OP had killed 2 guys. I moved to the bodies and found that one was still alive. By that time SGT (b)(6), (b)(7)(C) had arrived and my PL, 1LT (b)(6), (b)(7)(C) ordered the medic to treat the surviving LW. He began treatment and I went back to my Humvee to relieve bodybags. When I returned the LW had died. We drug the bodies to the courtyard and zipped them up, and then took them to the IP station. Within the next week or so I did hear rumors that SGT (b)(6), (b)(7)(C) had killed the man with his knife, but nothing that occurred that day led me to believe that they were true.

On or around Sept 12 2007, myself along with SSG (b)(6), (b)(7)(C) and supervised by SFC (b)(6), (b)(7)(C) conducted search of all of SGT (b)(6), (b)(7)(C) personal property and equipment. We found nothing suspicious.

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

Q: Regarding the incident that took place in May 07, could the actual date be 24 May 07?
A: Yes. It was 24 May 07.

Q: What is "CCA"?
A: Close Combat Air support? Apache Helicopters

Q: Did you observe the two guys that were killed by the rooftop OP? (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 1 JUL 72

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

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

FILE NUMBER:

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2133

DATED 2 OCTOBER

CONTINUED

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

A: I did not see them until after they had been shot.

Q: Did you at anytime see either of the two local nationals (W) alive after they were shot?

A: Yes. The older, larger man was laying on the ground still breathing. The smaller one was dead on top of an air conditioning unit.

Q: Did you observe anyone provide the man who was breathing medical care?

A: Yes. As I was leaving, SGT (b)(6), (b)(7)(C), our medic, had begun treatment.

Q: Do you recall exactly what he was doing?

A: He had opened his aid bag and was putting a bandage on the man's chest.

Q: Upon returning with the body bag, how did you determine the second W had died?

A: I think that SGT (b)(6), (b)(7)(C) told me, but it was obvious that the man was dead.

Q: Did you observe the wounds of the second W?

A: It looked like he had been shot multiple times, mostly to the body.

Q: Did any of wounds appear to be stab wounds?

A: Not that I saw.

Q: Are you aware of SGT (b)(6), (b)(7)(C) carry/having a knife?

A: Yes. He always carries an AK-47 bayonet on his flak vest.

Q: Do you recall seeing during this incident?

A: I do not recall it specifically that day, but he has had it as long as I can remember, so I would assume that he had it.

Q: What was SGT (b)(6), (b)(7)(C) demeanor when you returned with the body bags?

A: Nothing different that I could (b)(6), (b)(7)(C) remember.

Q: Did SGT (b)(6), (b)(7)(C) ever tell you how the second Iraqi male (P.N) died?

A: No. I think he just told me that he was dead.

Q: You mentioned that you heard rumors about (b)(6), (b)(7)(C)

~~CONFIDENTIAL~~

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

FILE NUMBER (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2133

DATED 20 OCT 07 CONTINUED

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

SGT (b)(6), (b)(7)(C) stabbing the local National, do you recall when you heard that and from whom?

A: I dont recall specifically ~~who or when~~ who or when, i'd heard it several times at first around the time of the incident then later when the other incident occurred.

Q: what exactly was the rumor?

A: The rumor was that SGT (b)(6), (b)(7)(C) finished the LN off with his knife

Q: Did you ever ask SGT (b)(6), (b)(7)(C) about this incident?

A: NO

Q: Regarding the incident that took place in sep 07, why did you search SGT (b)(6), (b)(7)(C) area and belongings?

A: I was ordered to by SFC (b)(6), (b)(7)(C) after SGT (b)(6), (b)(7)(C) was accused of stealing money from a LN woman.

Q: Were you present at the house were the woman lived who alleged ~~she~~ stole someone stole money during the search?

A: NO

Q: Prior to conducting the search of SGT (b)(6), (b)(7)(C) area were you aware of the incident concerning the stolen money?

A: No

Q: During the search, did you find any money?

A: Yes. I found less than \$50 in SGT (b)(6), (b)(7)(C) wallet.

Q: what all did you search?

A: we searched all his bags and clothing around his bunks and also his AID Bag, IBA, and the Humvee that he rides in

Q: Did you search the compartments of SGT (b)(6), (b)(7)(C) IBA were the sapi plates are inserted?

A: Yes. There was nothing in there

Q: Did SGT (b)(6), (b)(7)(C) make any comments while you were conducting the search?

A: Nothing pertaining to the money. He was cooperative and just made small talk.

Q: What is your relationship with SGT (b)(6), (b)(7)(C)?

A: He ~~is~~ was our medic. I was not in his chain of command

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

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

PAGE 3 OF 4 PAGES

STATEMENT OF

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

TAKEN AT 2133

FILE NUMBER

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

CONTINUED:

STATEMENT (Continued)

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

and was never particularly close to him. I've known him roughly 10 months.

Q: Are you telling the truth in this statement?

A: Yes

Q: Are you hiding or withholding information in an attempt to protect anyone?

A: No

Q: How were you treated during this interview?

A: Excellent

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)

NOT

USED

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

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

(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 4. 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, this 2nd day of Oct, 2007 at FDP Chosen, Baghdad, Iraq

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

(Signature of Person Administering Oath)

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

Special Agent

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 PAGES

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 COP chosen	DATE (b)(6), (b)(7)(C) 20 OCT 07	TIME (b)(6), (b)(7)(C) 2212	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 / A D	

ORGANIZATION OR ADDRESS
C Co, 2/12 Inf BN, COP chosen, Baghdad, IZ

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

On mid Sept myself and ssg (b)(6), (b)(7)(C) were ordered by sfc (b)(6), (b)(7)(C) to search Sgt. (b)(6), (b)(7)(C) room, his equipment, and the truck he was riding on during the night of the mission that the money was missing. While searching his room we found no money, we searched all of his possessions and through his gear. After we were done with that we moved to the truck and searched his gear and the truck as well. We found no money. After the truck we also searched him and found no money as well. Sgt. (b)(6), (b)(7)(C) was present during all of these searches.

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

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

Q: How well do you know Sgt (b)(6), (b)(7)(C)

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

Q: What is your relationship to Sgt (b)(6), (b)(7)(C)

A: A working one, he is our platoon medic (b)(6), (b)(7)(C)

Q: Did you go on the patrol, that this incident with the money stolen occurred?

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

Q: During the search did Sgt (b)(6), (b)(7)(C) say anything pertaining to the incident with the stolen money?

A: That he thought it was strange that "she" would have that much American money at her house (b)(6), (b)(7)(C)

Q: Do (b)(6), (b)(7)(C) you know of any financial problems with Sgt (b)(6), (b)(7)(C)?

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

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 5 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 20CT07

FILE NUMBER: (b)(6), (b)(7)(C)
DATED 2212 CONTINUED

Q: Did you search SGT (b)(6), (b)(7)(C) IBA?

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

Q: To your knowledge, do you know of anyone's who witnessed SGT (b)(6), (b)(7)(C) take the money from the house, or get rid of the money?

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

Q: Do you ~~has~~ have any knowledge of the incident that occurred on 24 May 07 at M822 involving SGT (b)(6), (b)(7)(C) and the death of the Iraqi male?

A: Yes, It was rumored that he stabbed a wounded AIF person in M822. (b)(6), (b)(7)(C)

Q: What does AIF stand for?

A: Anti-Iraqi forces (b)(6), (b)(7)(C)

Q: Were you on patrol with SGT (b)(6), (b)(7)(C) at M822, if so explain the events that happened?

A: Yes. Sometime in May we entered a house and went to a footplate (b)(6), (b)(7)(C) FOP position to provide overwatch we cleared the rooftop and looked down the western part from the rooftop and down three stories we saw two men. One was pointing a weapon directly at us and the other from my view I could not see. If he had a weapon, I was looking at the pistol pointing at me. We opened fire on them, killing one right away (he dropped and was crumpled against a wall) and the other hid behind cover so we could not tell how or if how bad wounded. We also fired some more rounds into the cover to make sure. Sgt. (b)(6), (b)(7)(C) was called to treat one of them who was "seriously" injured and we didn't think was going to make it. (Another element moved to where the 2 AIF were at and they determined that one was still alive). SGT (b)(6), (b)(7)(C) moved to there location to treat him. After several minutes the call came that he died. DBS.

Q: From your position could you see SGT (b)(6), (b)(7)(C) treat the wounded AIF?

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2 OCT 07

FILE NUMBER: (b)(6), (b)(7)(C)
DATED 2212 CONTINUED

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

Q: Can you describe the AIF that was wounded, that was treated by SGT (b)(6), (b)(7)(C)?

A: No because he moved behind cover and I could not see him. We shot some rounds through the cover (cinder block walls and a metal "tin roof"). (b)(6), (b)(7)(C)

Q: Were you on the roof the whole time?

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

Q: Did SGT (b)(6), (b)(7)(C) say anything to you about treating the AIF, or did you hear him say anything about treatment?

A: That the casualty was going to die and there wasn't much he could do for him. (b)(6), (b)(7)(C)

Q: After the AIF that was wounded was treated and later deceased, did you see his body?

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

Q: Do you know if SGT (b)(6), (b)(7)(C) was carrying a knife on the day in question?

A: He normally carries a bayonet when he's out on missions. It has a wood handle, it might be an Iraqi Army one. (b)(6), (b)(7)(C)

Q: Did you at any time see either of the two AIF: alive after they were shot?

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

Q: Did SGT (b)(6), (b)(7)(C) ever tell you how the second AIF died?

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

Q: You mentioned that you heard rumors about SGT (b)(6), (b)(7)(C) stabbing the AIF, do you recall when you heard that and from whom?

A: During a meeting with other NCO's the day after the money incident happened. (b)(6), (b)(7)(C)

Q: What exactly was the rumor?

A: That he stabbed an AIF in the eye. (b)(6), (b)(7)(C)

FILE NUMBER:

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 20107

(b)(6), (b)(7)(C) DATED 2212

CONTINUED

Q: Did you ever ask SGT (b)(6), (b)(7)(C) about this incident?

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

Q: What was SGT (b)(6), (b)(7)(C) demeanor ~~when you~~ after the incident, the engagement with AIF?

A: He was proud and happy about engaging 2 enemy personnel (b)(6), (b)(7)(C)

Q: Are you telling the truth in this statement?

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

Q: Are you hiding or withholding any information in an attempt to protect anyone?

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

Q: How were you treated during this interview?

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

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)

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

FILE NUMBER:

STATEMENT OF [REDACTED] TAKEN AT 20CTO 7 DATED 2212 CONTINUED:

STATEMENT (Continued)

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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 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 2nd day of October, 2007 at COP Croson, Baghdad, Iraq.

(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

10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 5 PAGES

SWORN STATEMENT

0230-07-CID 899-2308

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

LOCATION COP Chosen, Baghdad, Iraq	DATE 02 Oct 07	TIME 2317	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-5/AO
ORGANIZATION OR ADDRESS C Company 2nd Battalion Infantry Regiment, COP Chosen, Baghdad, Iraq (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Around the beginning of September, I was on patrol through 820 late at night when my LT decided to conduct a cordon and greet on a street of houses. After dismounting our trucks myself, SGT (b)(6), (b)(7)(C) LT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and one of our interpreters go into the first house on the left hand side of the first vehicle of our convoy. After going around the outside of the house, I followed the others into the house. Only flash lights flickering in the back of the house I simply went into the first room I could see off the living room to find SGT (b)(6), (b)(7)(C) looking around through drawers and having found an AK47 with 2 mags I secured the AK and went back into the living room to take up guard pretty much on the weapon and things that started being brought out of the rest of the house, the pipe came to; A strand of Christmas lights, many 7D. sized pictures of the males in the house, and random ID type stuff. As the others were already in the rest of the house I stayed in the living guarding the oldest male and the pipe of things brought out. The LT talked to the males, found nothing and so we left the house to continue with our Black party. after getting down about 4 houses (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 1 JUL 72

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

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

FILE NUMBER:

STATEMENT OF SGT (b)(6), (b)(7)(C) TAKEN AT 2317

DATED 02 Oct 07 CONTINUED

a woman came out of the front house crying and screaming about someone had taken her money, a supposed 10,000 dollars. The LT, after talking to her with the tarp, he pulled all the T/COs aside in the courtyard and told us what she was yelling about and asked if any of us took her money, having not taken her money I had nothing to say, as did no one else so he told her sorry no one has it and we moved on. A few more houses down the woman was still following us crying. The LT took us aside again and again no one said they took it so as we were wrapping it up I got back into my truck that was in the rear of the 4 truck column and awaited roll out. Driving for Sgt (b)(6), (b)(7)(C) with Spc (b)(6), (b)(7)(C) Gunning we just sat for about 10 minutes or so and we rolled out.

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

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

Q: During the search of the house (b)(6), (b)(7)(C) the woman alleged to have money stolen from her, did you see Sgt (b)(6), (b)(7)(C) conducting any searches?

A: As the others were searching I was stationary in the living room so I do not know which room he was searching or where (b)(6), (b)(7)(C) he was.

Q: Do you recall seeing a large sum of money during that search?

A: Being where I was I didn't see anything but the items that were brought out of the rest of the house into the living room and there was no money brought to the pthe.

Q: Did you see anyone return to that house after your (b)(6), (b)(7)(C) anyone (b)(6), (b)(7)(C)

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

PAGE 2 OF 4 PAGES

FILE NUMBER: (b)(6), (b)(7)(C)

STATEMENT OF SGT (b)(6), (b)(7)(C) TAKEN AT 2317 DATED 02 Oct 07 CONTINUED

Convoy prepared for departure?

A: No, as I climbed back behind the wheel I talked to the Gunner and wasted the waiting time with whatever would pass the time till we left.

Q: Did SPC (b)(6), (b)(7)(C) participate in any of the searches?

A: No, as a gunner, he never leaves the turret to guard our rear as well as the vehicle.

Q: Do you have any additional information pertaining to this incident?

A: No, not having seen anything other than what I had, I'm sorry I can't be more help.

Q: Were you present during a mission that occurred on 24 May 07 (b)(6), (b)(7)(C) 822 wherein two Local Nationals were killed after they (b)(6), (b)(7)(C) posed a threat?

A: No, I was home on leave/emergency leave because my wife and I lost our daughter.

Q: Have you heard any information regarding SGT (b)(6), (b)(7)(C) stabbing an injured Local National?

A: Only rumors, but there are always rumors about everything and anything sometimes.

Q: What rumors did you hear about SGT (b)(6), (b)(7)(C) stabbing an injured Local National?

A: That he died while giving aid.

Q: Did you ever ask SGT (b)(6), (b)(7)(C) about this incident?

A: No, I took it as just another "rumor" they don't always come out true so didn't feel a need to do a follow up.

Q: Do you recall when you heard the rumor and from whom?

A: About the time I came back from leave, I don't recall from whom.

Q: Do you have any additional information pertaining to this incident?

A: I can't think of anything else I might of heard. (b)(6), (b)(7)(C)

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

PAGE 3 OF 21 PAGES

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

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

FILE NUMBER:

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

STATEMENT OF

TAKEN AT

2317

DATE

2 Oct 07

CONTINUED:

STATEMENT (Continued)

Q: What is your relationship with SGT (b)(6), (b)(7)(C) and how long have you known him?

A: Having not known him that long, only since he came to our platoon in April of this year, seemed to be a working relationship mostly, nothing overly social.

Q: Are you telling the truth in this statement?

A: Yes

Q: Are you hiding or withholding any information in an attempt to protect anyone?

A: No

Q: How were you treated during this interview?

A: Very well

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)

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

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

NOT

USED

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 4. 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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of Oct, 20 07 at COP Chosen, Baghdad, Iraq

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 PAGES

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 COP Chosen, Baghdad, Iraq.	DATE (b)(6), (b)(7)(C) 2 Oct 07	TIME (b)(6), (b)(7)(C) 23:47	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-5 / A.D.	
ORGANIZATION OR ADDRESS C Co, 2/12th INF BN, COP Chosen, Baghdad, Iraq.			

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

that on a patrol in sector 820 my small section of hummer started to clear houses. One of the houses I took a small squad into. first we cleared the house. I talk to the people of the house two men and one woman. I asked for there weapon and they did not have one. I continue to search the house while talking to the older man. Asking did about his water and electroy. I found some X-mass light and some pass ports that did not look right, I radio the Lt and told him about it. He came over and talk to the man and made the decision that the family was good after checking there names out on battlin net. My team moved on to the next house and started to search clear and search when the Lt called me to bring the team back. we came back to the house and he was standing out front and ask me if anyone took any thing from the house. I stop ask every one individually in my team if they took any thing, they said no. Then the Lt gave a grace period and said he would not take action if they just return the money. The money was not return. He believed us that we ~~my~~ did not have the money but the woman was persectant. my team continued to clear the rest of the street and then mounted up in our hummer. I wait in my truck for a good moment before we left that street to continue the patrol. when get back to the cop the Lt talk to me ask me if there was more money. I told him I did not know there was any money that was returned. Then he ask (b)(6), (b)(7)(C) if there was any more money and he said no.

Q: SA (b)(6), (b)(7)(C)
 A: SGT (b)(6), (b)(7)(C)
 Q: How well do you know SGT (b)(6), (b)(7)(C)?
 A: For working with him (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FILE NUMBER: (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 23:47

DATED 02 Oct 07 CONTINUED

Q: What is your relationship with Sgt (b)(6), (b)(7)(C)?

A: He is the medic (b)(6), (b)(7)(C)

Q: During the search of the house in 820, were was Sgt (b)(6), (b)(7)(C)?

A: I think he was up stairs (b)(6), (b)(7)(C)

Q: During the search of the house, where woman lives that made the complaint the allegation, did you see any large amounts of US money?

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

Q: Do you know how much money was taken from the house?

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

Q: Was it brought to your attention that there was a large amount of US money found in the house?

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

Q: Is it common after searching a house, for an Iraqi national to report make allegation of missing items?

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

Q: Did you see anyone return to that house after your convoy prepared for departure?

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

Q: Do you have any additional information pertaining to this incident?

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

Q: Were you present during a mission that occurred on 24 May 07 in 822 wherein two local nationals were killed after they posed a threat?

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

Q: Have you heard any information regarding Sgt (b)(6), (b)(7)(C) stabbing or injured local national?

A: Yes I heard that he stabbed someone (b)(6), (b)(7)(C)

Q: How and where did you hear the information from?

A: Lt (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) did in a leadership meeting (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 23:47

FILE NUMBER: (b)(6), (b)(7)(C) DATED October CONTINUED:

STATEMENT (Continued)

Q: Did you ever ask SGT (b)(6), (b)(7)(C) about this incident?

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

Q: Do you have any additional information pertaining to this incident?

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

Q: Are you telling the truth in this statement?

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

Q: Are you hiding or withholding any information in an attempt to protect anyone?

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

Q: How were you treating during this interview?

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

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

A: No // End of statement // (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 (b)(6), (b)(7)(C) OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT AND 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 2nd day of October, 20 07 at COP chosen, Baghdad, Iraq

(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

10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

U230-07 CID 899-23084

For use of this form AR 190-45: the prominent agency of the Office of The Chief of Staff for Personnel.

LOCATION COP Chosen, Baghdad, Iraq	DATE (b)(6), (b)(7)(C) 30 OCT 07	TIME (b)(6), (b)(7)(C) 0014	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-5/AD

ORGANIZATION OR ADDRESS
C Company, 2nd Battalion, 12th Infantry Regiment, COP Chosen, Baghdad, Iraq
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

IN THE EARLY PART OF SEPTEMBER, 2007, I WAS OUT WITH 3RD PLATOON DOING A BLOCK PARTY IN A NEIGHBORHOOD IN 820. AFTER SEARCHING A HOME, ON OUR WAY TO ANOTHER HOME, AN IRAQI WOMAN FOLLOWED US DOWN THE STREET YELLING. OUR TERP TOLD US THAT SHE WAS MISSING 10,000 DOLLARS. LT. (b)(6), (b)(7)(C) HAD HER LEAVE AFTER WE FINISHED THAT HOUSE. SHE CAME BACK, SAYING THE SAME THING, CRYING. LT. (b)(6), (b)(7)(C) SENT HER AWAY AGAIN. AFTER FINISHING THE NEXT HOUSE, LT. (b)(6), (b)(7)(C) GROUPED US TOGETHER AND TOLD US THAT HE THOUGHT IT WAS STRANGE FOR SOMEONE TO BE THAT PERSISTENT. HE SAID IF SOMEONE TOOK IT, GIVE IT BACK, NO QUESTIONS ASKED. THAT WAS THE LAST FORMAL DISCUSSION ON THE MATTER. SHORTLY AFTER FINISHING THE BLOCK PARTY, WE WERE IN OUR TRUCKS GOING TO THE SIDE OF A POSSIBLE VBIED. ON OUR WAY THERE SGT (b)(6), (b)(7)(C) WAS MAKING MANY REMARKS ABOUT HOW HE THOUGHT IT WAS STRANGE THAT IT LOOKED LIKE LT. (b)(6), (b)(7)(C) WAS LOOKING AT HIM THE WHOLE TIME HE GAVE US THE GROUP TALK. ONE COMMENT HE MADE WAS "WE ALL KNOW I'M THE DIRTIEST MOTHER FUCKER HERE, BUT I DIDN'T DO IT." IT SEEMED TO ME THAT HE WAS TRYING VERY HARD TO MAKE US BELIEVE THAT HE DIDN'T DO IT.

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

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

Q: Were you present during the search of the Iraqi woman's house?

A: YES

Q: During the search of that house, did you see a large sum of money?

A: NO

Q: During the search of that house, did you see sgt (b)(6), (b)(7)(C)? (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (b)(7)(C) 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 1 JUL 72

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

FILE NUMBER:

STATEMENT OF SGT (b)(6), (b)(7)(C) TAKEN AT 0614 DATED 30CT07 CONTINUED

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

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

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

A: YES - IN PASSING; SGT (b)(6), (b)(7)(C) AND I STAYED DOWNSTAIRS

Q: Do you know which rooms where SGT (b)(6), (b)(7)(C) searched?

A: NO

Q: Do you know who took the money from the Iraqi woman's house?

A: YES - A DAY OR 2 LATER I THINK LT. (b)(6), (b)(7)(C) TOLD THE NCO'S THAT SGT.

(b)(6), (b)(7)(C) RETURNED THE MONEY AND WILL NOW BE INVESTIGATED.

Q: Did you see anyone return to the house of the Iraqi woman prior to your convoy departing that block?

A: NO

Q: Do you have any ~~extra~~ additional information pertaining to this ~~in~~ incident?

A: NO

Q: Were you present during a mission that occurred on 24 May 07 in 822?

A: NO - I JUST GOT HERE BEGINNING OF SEPTEMBER 07

Q: Do you have any information pertaining to an incident wherein SGT (b)(6), (b)(7)(C) allegedly stabbed an injured Iraqi male?

A: NO

Q: Are you telling the truth in this statement?

A: YES

Q: Are you hiding or withholding any information in an attempt to protect anyone?

A: NO

Q: How were you treated during this interview?

A: FINE

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

A: N (b)(6), (b)(7)(C) // END OF STATEMENT ///

~~NOT USED~~

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

PAGE 2 OF 3 PAGES

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 COP Chosen	DATE (b)(6), (b)(7)(C) 3 OCT 07	TIME (b)(6), (b)(7)(C) 0105	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-4 / A.D.	

ORGANIZATION OR ADDRESS
C Co 2/12th INF BN, COP Chosen, Baghdad, Iraq.

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

3rd plt C co 2-12 INF. was on a patrol in M820 and did a block party in the South eastern part of the area. We was searching the houses and talking to the people that lived on the street about the area. To see if they had heard about anything going on that was bad. While we was searching and talking a female kept coming to us saying that there was money taken from her house. Well once she came to us a few times my platoon leader pulled everyone one aside to find out if we took any money or seen anyone take anything. After he talked to us we got in the trucks and left. As for someone doing another insident, We 3rd plt C co. 2-12 INF was in M822 and I think it was a company mission but not sure. We took small arms fire and was trying to get roof top coverage. ~~See~~ (b)(6), (b)(7)(C) that we could find where it was coming from. While all of that was going on Myself was in my truck talking to the CCA that was on station giving us air support. Once they had made visual contact with the enemy they shot at them and hit them. The roof coverage then engaged the two men & was talking the ground troops in to the location. It took a ~~minute~~ (b)(6), (b)(7)(C) few seconds because they couldn't find the correct gate. That is the only two people that CCA could find for us to return fire at. After that we finished are mission and left M822 (b)(6), (b)(7)(C)

Q: SA (b)(6), (b)(7)(C)
A: SPC (b)(6), (b)(7)(C)
Q: Do you know SGT (b)(6), (b)(7)(C) ?
A: Yes he is are platoon medic. (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FILE NUMBER:

STATEMENT OF

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

TAKEN AT 0105

DATED 3 Oct 07

CONTINUED

Q: How long have you known SGT (b)(6), (b)(7)(C)?

A: I have known him for about 11 or 12 months. (b)(6), (b)(7)(C)

Q: Were you in the same house as SGT (b)(6), (b)(7)(C) during the searches?

A: No I ~~was~~ was with other team (b)(6), (b)(7)(C)

Q: What does CCA stand for?

A: Close Combat Airsupport (b)(6), (b)(7)(C)

Q: During the search of the house of the woman alleged to have money stolen from her, did you see SGT (b)(6), (b)(7)(C) conducting any searches?

A: No, I didn't see him until we all was leaving the house. (b)(6), (b)(7)(C)

Q: Did you see anyone take a large sum of money?

A: No I did not. (b)(6), (b)(7)(C)

Q: Is it normal after searches are done, for the local nationals to make allegation of stolen items?

A: We have had some allegation but it is just oh my cell phone is missing then we give it to them because it is sitting next to there ID cards. (b)(6), (b)(7)(C)

Q: At any time did you see SGT (b)(6), (b)(7)(C) with a large sum of money?

A: No because I didn't see him till everyone left the house. (b)(6), (b)(7)(C)

Q: Did you see anyone return to that house after everyone left the house to move to next house?

A: No because after the house next to it was finished we all left to go back to the cop. (b)(6), (b)(7)(C)

Q: Are you aware of the amount of money that was taken from the house?

A: No I don't recall. (b)(6), (b)(7)(C)

Q: Were you aware that some of the money was returned?

A: No I don't know any money could of been returned if we never took any. (b)(6), (b)(7)(C)

Q: Did SGT (b)(6), (b)(7)(C) say anything to you about the money that was taken from the house?

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

TAKEN AT 0106

FILE NUMBER: (b)(6), (b)(7)(C)
DATED 3 Oct 07 CONTINUED

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

Q: Do you have any more ~~any~~ information about this incident?

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

Q: Did you during the incident that happened at M&Z, did you observe the two guys that were killed by the roof top op?

A: No, I was in the truck talking to CCA. (b)(6), (b)(7)(C)

Q: From your truck, what did you observe regarding the attack by the enemies?

A: No, the roof top ops and the fire fight was behind my truck. All I could see was my Company Commander and the BN. Commander was talking to ~~an~~ each other in the street. (b)(6), (b)(7)(C)

Q: Have you heard any rumors pertaining to Sgt (b)(6), (b)(7)(C) and this incident?

A: Yes, He told some people that he was being investigated for this as well ~~ell~~ for something else. (b)(6), (b)(7)(C)

Q: Do you have anymore information about this incident?

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

Q: Are you telling the truth in this statement?

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

Q: Are you hiding or withholding any information in an attempt to protect anyone?

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

Q: How were you treated during this interview?

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

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

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 0105 DATED 3 Oct 07 CONTINUED: FILE NUMBER: (b)(6), (b)(7)(C)

STATEMENT (Continued)

[Large empty lined area for the statement content]

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 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED (b)(6), (b)(7)(C) EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT AND 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 3rd day of October, 20 07 at CGP Chosen

ORGANIZATION OR ADDRESS

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

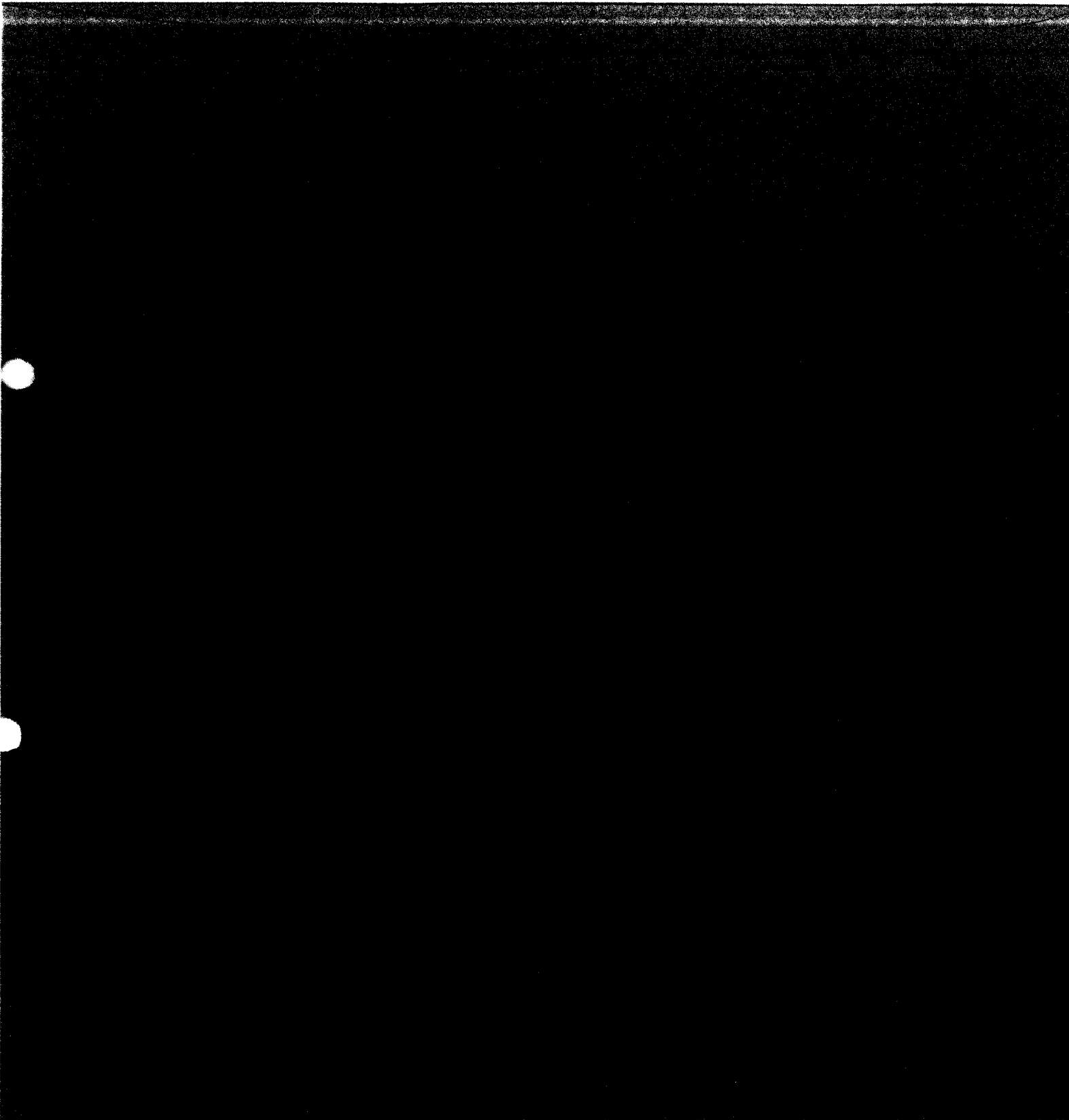
ORGANIZATION OR ADDRESS

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

10 USC 936
(Authority To Administer Oaths)

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

PAGE 4 OF 4 PAGES



0230-07-CID899-23084

Roof where victim was initially shot



000093

10-L-0126 ACLU DD II CID ROI 5281

~~For Official Use Only~~

Exhibit _____

0230-07-CID899-23084

Weapon Cache on Roof



000097

10-L-0126 ACLU DD II CID ROI 5287

~~For Official Use Only~~

Exhibit _____

0230-07-CID899-23084

Weapon Cache on Roof



000098

10-L-0126 ACLU DD II CID ROI 5288

~~For Official Use Only~~

Exhibit _____

0230-07-CID899-23084

St44 Hs13 (Incident Location)



000099

10-L-0126 ACLU DD II CID ROI 5289

~~For Official Use Only~~

Exhibit _____

0230-07-CID899-23084

Mr. Salmen Mohammed MORAD
(Resident of St44, Hs13)



000101
10-L-0126 ACLU DD II CID ROI 5292

~~For Official Use Only~~

Exhibit _____

0230-07-CID899-23084

Mr. MORAD's Peg Leg



000102
10-L-0126 ACLU DD II CID ROI 5293

~~For Official Use Only~~

Exhibit _____

0230-07-CID899-23084

Mr. MORAD's Vehicle



000103
10-L-0126 ACLU DD II CID ROI 5294

~~For Official Use Only~~

Exhibit _____

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0230-07-CID899-23084

PAGE 1 OF 1 PAGES

DETAILS

About 1900, 8 Nov 07, SA **(b)(6), (b)(7)(C)** interviewed SSG **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** C Company (C CO), 2-12th Infantry (INF) Battalion (BN), Command Operations Post (COP) Chosen, Iraq, who stated he saw SGT **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)**, Headquarters and Headquarters Company (HHC), 1-12th INF BN, Forward Operating Base (FOB) Falcon, Iraq, bayonet on his Interceptor Ballistic Armor (IBA) last week. SSG **(b)(6), (b)(7)(C)** stated the bayonet belonged to SGT **(b)(6), (b)(7)(C)** and it was the same bayonet he wore for all Operation Iraqi Freedom (OIF) missions.

About 2100, 8 Nov 07, SA **(b)(6), (b)(7)(C)** this office, coordinated with CPT **(b)(6), (b)(7)(C)** and CPT **(b)(6), (b)(7)(C)** 0719, both Part-Time Military Magistrate, Office of the Staff Judge Advocate (OSJA), Camp Liberty, Iraq, who provided a Search and Seizure Authorization of SGT **(b)(6), (b)(7)(C)** barracks room; for any knives or sharp objects that could be used as a weapon and anything that the weapon may have come in contact with. (See Search and Seizure Authorization)
 ///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

SIGNATURE

ORGANIZATION

Camp Liberty CID Office
Camp Liberty, Iraq, APO AE 09342

DATE

08 Nov 07

EXHIBIT

20

CID FORM 104

1 FEB 77

AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND
For use of this form, see AR 27-10; the proponent agency is OTJAG.

BEFORE COMPLETING THIS FORM, SEE INSTRUCTIONS ON PAGE 2

I, Special Agent (SA) (b)(6), (b)(7)(C), amp Liberty CID, 20th Military Police(MP) Detachment
(Name) (Organization or Address)

11th MP Battalion (BN) (CID), Camp Liberty, Baghdad, Iraq, United States Army Criminal Investigation Command

having been duly sworn, on oath depose and state that:

On 22 Sep 07, This investigation was initiated when MAJ (b)(6), (b)(7)(C) Office of the Staff Judge Advocate (OSJA), 4th Brigade Combat Team (BCT), 1st Infantry (INF) Division (DIV), Forward Operating Base (FOB) Falcon, Iraq, notified this office that Mrs. (b)(6), (b)(7)(C), House 25, Street 27, Al-Doura (M820), Baghdad, IZ, reported SGT (b)(6), (b)(7)(C) C Company (CO), 2-12 INF, Combat Outpost (COP) Chosen, Baghdad, Iraq, stole \$10,000 from her residence, while conducting combat operations.

On 22 Sep 07, SGT (b)(6), (b)(7)(C) was advised of his legal right in which he invoked and requested legal counsel.

2. The affiant further states that:

On 28 Sep 07, after an administrative review it was determined 1LT (b)(6), (b)(7)(C) C CO, 2-12 INF, COP Chosen, Baghdad, Iraq, was interviewed wherein he related when he instructed SGT (b)(6), (b)(7)(C) to administer medical attention to the injured unknown Iraqi male, he replied, "Sir, I'm not treating an enemy who just tired to kill me." 1LT (b)(6), (b)(7)(C) related SGT (b)(6), (b)(7)(C) later confessed he stabbed the injured unknown Iraqi male he was ordered to provide medical care for. 1LT (b)(6), (b)(7)(C) related SGT (b)(6), (b)(7)(C) said to him, "I guess ya should also know that those guys we shot, the one you told me to treat, well I stabbed on of them to make sure he was dead."

On 02 Oct 07, SSG (b)(6), (b)(7)(C) C Co, 2-12 INF, COP Chosen, Baghdad, Iraq, related he always saw SGT (b)(6), (b)(7)(C) with a knife, an AK-47 Iraqi Bayonet, affixed to his Interceptor Ballistic Armor (IBA). When asked did SSG (b)(6), (b)(7)(C) believe SGT (b)(6), (b)(7)(C) had the Bayonet with him the day of the incident, SSG (b)(6), (b)(7)(C) replied, "I do not recall it specifically that day, but he has had it as long as I can remember, so I would assume that he had it."

On 08 Nov 07, SSG (b)(6), (b)(7)(C) related he saw SGT (b)(6), (b)(7)(C) with the bayonet sometime in Sep 07, in which he concealed behind his ammunition pouches on his IBA. SSG (b)(6), (b)(7)(C) also related he saw SGT (b)(6), (b)(7)(C) with the Bayonet right after the mission in question.

On 08 Nov 07, CPT (b)(6), (b)(7)(C) Commander, Headquarters and Headquarters Company, 2/12 Infantry Battalion, FOB Falcon, Iraq, and the Platoon Sergeant (NFI), related they last saw SGT (b)(6), (b)(7)(C) with his knife affixed to his IBA about one week ago and since then, he believed SGT (b)(6), (b)(7)(C) IBA has been in his barrack's room.

Through training and experience, and based on the aforementioned circumstances, the subscribing agent has probable cause to believe SGT (b)(6), (b)(7)(C) is still in possession of the weapon, that was used in the crime of stabbing an injured unknown Iraqi male. As a Soldier in a combat environment, it would be mission essential that SGT (b)(6), (b)(7)(C) carry this Bayonet with him at all times.

That subscribing agent requests authorization to search the person and personal belongings of SGT (b)(6), (b)(7)(C) for any knives or sharp objects that could have been used as a weapon, any part there of the weapon, and anything that the weapon may have come into contact with for trace evidence.

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of SGT (b)(6), (b)(7)(C)
(the person) (and)

Room 134, Building 1105, Forward Operating Base Falcon, Iraq, APO AE 09310
(the quarters or billets) (and)

N/A and (seizure) (apprehension) of any evidence of the criminal offenses
(the automobile) (items/persons searched for)

Cruelty and Maltreatment of a Detainee and/or Murder

TYPED NAME AND ORGANIZATION OF AFFIANT
Special Agent (b)(6), (b)(7)(C)
Camp Liberty, Bagdad, Iraq
US Army Criminal Investigation Command

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 08 DAY OF Nov 2007 AT 2020

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY
ADMINISTERING THE OATH
(b)(6), (b)(7)(C) CPT
OSJA, MND-B Part Time Military Magistrate

SIGNATURE OF AUTHORITY ADMINISTERING THE OATH
(b)(6), (b)(7)(C)

INSTRUCTIONS FOR

AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND

1. In paragraph 1, set forth a concise, factual statement of the offense that has been committed or the probable cause to believe that it has been committed. Use additional page if necessary.
2. In paragraph 2, set forth facts establishing probable cause for believing that the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended are connected with the offense mentioned in paragraph 1, plus facts establishing probable cause to believe that the property to be seized or the person(s) to be apprehended are presently located on the person, premises, or place to be searched. Before a person may conclude that probable cause to search exists, he or she must first have a reasonable belief that the person, property or evidence sought is located in the place or on the person to be searched. The facts stated in paragraphs 1 and 2 must be based on either the personal knowledge of the person signing the affidavit or on hearsay information which he/she has plus the underlying circumstances from which he/she has concluded that the hearsay information is trustworthy. If the information is based on personal knowledge, the affidavit should so indicate. If the information is based on hearsay information, paragraph 2 must set forth some of the underlying circumstances from which the person signing the affidavit has concluded that the informant (whose identity need not be disclosed) or his/her information was trustworthy. Use additional pages if necessary.
3. In paragraph 3, the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended should be described with particularity and in detail. Authorization for a search may issue with respect to a search for fruits or products of an offense, the instrumentality or means of committing the offense, contraband or other property the possession of which is an offense, the person who committed the offense, and under certain circumstances for evidentiary matters.

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

SEARCH AND SEIZURE AUTHORIZATION

For use of this form, see AR 27-10; the proponent agency is UTJAG

TO: (Name and Organization of the person to whom authorization is given)

Special Agent (b)(6), (b)(7)(C) and Special Agent (b)(6), (b)(7)(C) 20th Military Police Detachment 11th Military Police Battalion (CID), Camp Liberty, Iraq.

(An affidavit) (A sworn) or (unsworn) oral statement having been made before me by Special Agent (b)(6), (b)(7)(C) (Name of Affiant)

Camp Liberty CID Office, 20th Military Police Detachment 11th Military Police Battalion (CID), Camp Liberty, Iraq. (Organization or Address of Affiant)

(which affidavit is attached hereto and made a part of this authorization), and as I am satisfied that there is probable cause to believe that the matters mentioned in the affidavit are true and correct, that the offense set forth therein has been committed, and that the property to be seized is located (on the person) (at the place) to be searched, you are hereby ordered to search the (person) (place) known as

SGT (b)(6), (b)(7)(C) C Co, 2-12 INF, Room 134, Building 1105, FOB FALCON, Iraq, APO AE 09310

for the property described as Any knives or sharp objects that could have been used as a weapon, any part there of the weapon, and anything that the weapon may have come into contact with, including, but not limited to, a sheath, for trace evidence.

bringing this order to the attention of the (person searched) (person in possession, if any person be found at the place or on the premises searched). The search will be made in the (daytime) (nighttime), and if the property is found there, you shall seize it, issue a receipt therefor to the person from whom the property is taken or in whose possession the property is found, deliver the property to:

Evidence Custodian, 11th Military Police Battalion (CID), Camp Victory, Baghdad, Iraq (Name and Organization of Authorized Custodian)

and prepare a written inventory of the property. If there is no person at the searched place to whom the receipt may be delivered, the receipt will be left in a conspicuous location at the place or on the premises where the property is found.

Dated this 8 day of November, 2007

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL (b)(6), (b)(7)(C) O-3	DUTY POSITION OF AUTHORIZING OFFICIAL Part-time Military Magistrate
ORGANIZATION OF AUTHORIZING OFFICIAL Office of the Staff Judge Advocate 1st Cavalry Division and MND-B	SIGNATURE OF AUTHORIZING OFFICIAL (b)(6), (b)(7)(C)

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0230-07-CID899-23084

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

Recovery Scene Examination: About 2150, 8 Nov 07, SA (b)(6), (b)(7)(C) conducted a recovery scene examination of Room 134, Building 1105, located on Forward Operating Base (FOB) Falcon, Iraq.

Characteristics of the Scene: Room 134 was approximately centered of Building 1105 located on the first floor. The room was concrete, metal, plastic and wood type in construction and contained four walls, a floor and a ceiling. The room contained two twin beds, two wall lockers, two plastic storage bins, two tables and a chair.

Conditions of the Scene: The room appeared cluttered with military clothing and military gear throughout the floor and walls. There were no unusual odors detected. The floor, walls and all items within were dry, dirty and dusty in condition.

Factors Pertinent to the Entry/Exit (E/E): There was an E/E located in the south wall of the room. The E/E contained a door that was unlocked and functioned properly.

Environmental Factors: The outside temperature was approximately 70 degrees Fahrenheit, clear skies and dark due to night fall. The temperature inside the room was approximately 80 degrees Fahrenheit.

Scene Documentation: SA (b)(6), (b)(7)(C) exposed photographs of the scene using a 5.1 mega pixel, Sony Cyber-Shot digital camera and prepared a sketch depicting the recovery scene examination. (See Photograph Packet/Sketch)

Search for Latent Impressions: A search for latent impressions was not conducted due to the nature of the offense.

Collection of Evidence: An Individual Body Armor (IBA) and bayonet was collected as evidence and documented on an Evidence Property Custody Document (EPCD), Document Number (DN) 0970-07. (See EPCD)

Search Beyond the Scene: A search beyond the scene reveal nothing of evidentiary value.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Camp Liberty CID Office

Camp Liberty, Iraq, APO AE 09342

SIGNATURE

DATE

08 Nov 07

EXHIBIT

23

CID FORM 94

1 FEB 77



PHOTOGRAPH PACKET

<u>NUMBER</u>	<u>DESCRIPTION OF PHOTOGRAPHS</u>
1-7	Photographs depicting location of recovery scene.
8-13	Photographs depicting 360 degree view of crime scene.
14	Photograph depicting location of evidence.
15-16	Photographs depicting bayonet wit and without scale.
17-18	Photographs depicting IBA with and without scale.

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~~LAW ENFORCEMENT SENSITIVE~~

0230-07-CID899-23084

Photograph 1 of 18



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Exhibit _____

Photograph 2 of 18



Photograph 3 of 18



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Photograph 4 of 18



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~~LAW ENFORCEMENT SENSITIVE~~

Exhibit _____

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0230-07-CID899-23084

Photograph 5 of 18



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Exhibit _____

Photograph 6 of 18



Photograph 7 of 18



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

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

Photograph 8 of 18



Photograph 9 of 18



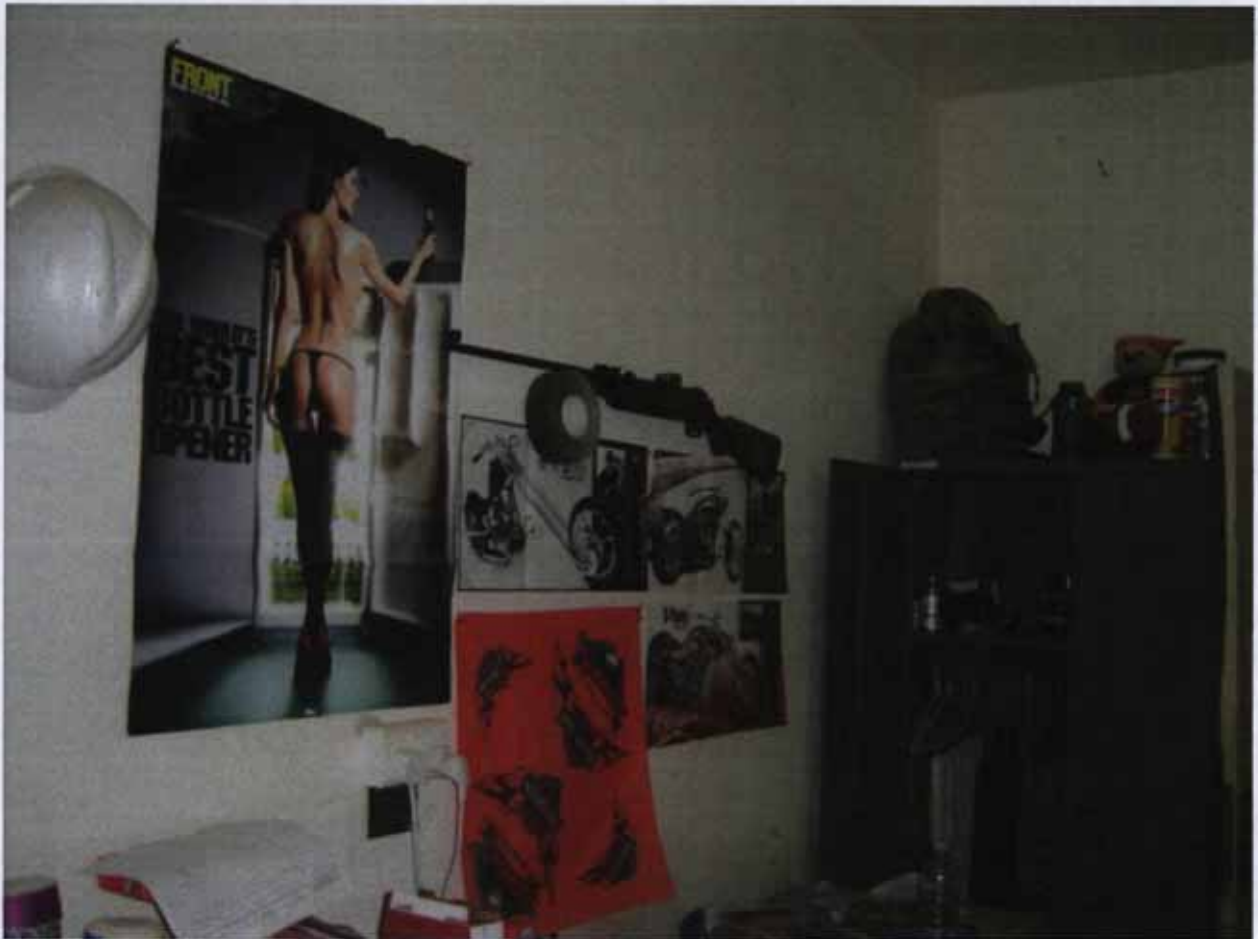
Photograph 10 of 18



Photograph 11 of 18



Photograph 12 of 18



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Photograph 13 of 18



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Exhibit _____

Photograph 14 of 18



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Photograph 15 of 18



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0230-07-CID899-23084

Photograph 16 of 18



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Exhibit _____

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0230-07-CID899-23084

Photograph 17 of 18



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Exhibit _____

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Photograph 18 of 18



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Exhibit _____

Photograph 7 of 18



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

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

Photograph 8 of 18



Photograph 9 of 18



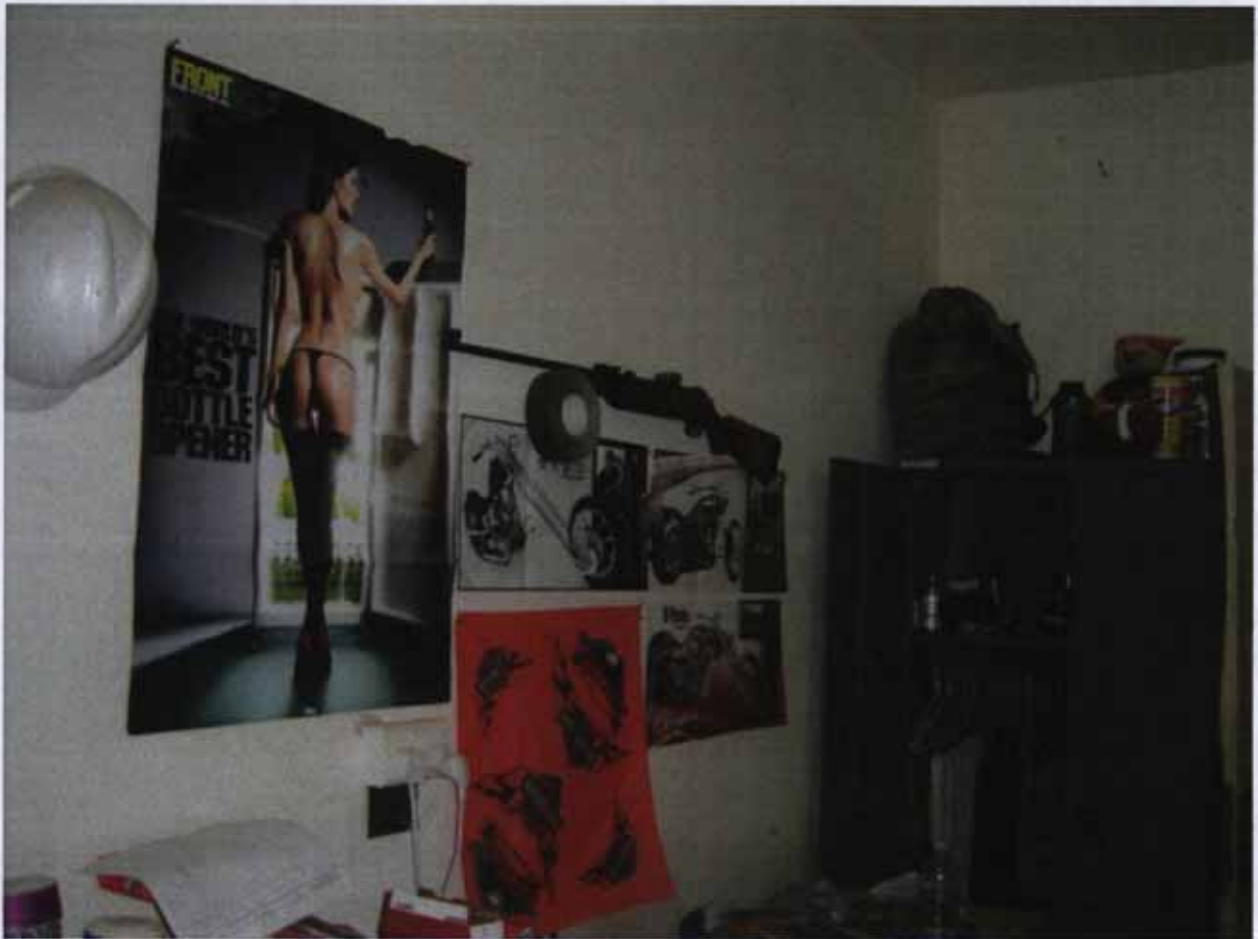
Photograph 10 of 18



Photograph 11 of 18



Photograph 12 of 18



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Photograph 13 of 18



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Exhibit _____

Photograph 14 of 18



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Photograph 15 of 18



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Photograph 16 of 18



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Photograph 17 of 18



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Exhibit _____