

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: A1

To: CDR,
HHC, 1ST BCT
FORT CAMPBELL, KY 42223

Referred By: SAC, CID Office: Tikrit CID Office
(b)(6), (b)(7)(C)

USACRC Number: 0066-2008-CID469-51978-5H1A

MP Report Number: N/A

Sub-Installation: AE09393DC

Referral Date: 2/22/2009

Suspense Date: 4/8/2009

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: O-2 U.S. Army (1LT)

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

Date of Birth:

3. Referral Information

Commander Decision Date: 2/27/2009

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
1	Murder [5H1A]	UCMJ Article 118	5/16/2008	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Accepted
2	Obstruction of Justice [5X5]	UCMJ Article 134	5/16/2008	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Accepted
3	Conspiracy [5X1]	UCMJ Article 81	5/16/2008	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Accepted
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 (continued),

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
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

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

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	Murder - Intent to Kill or Harm - Shooting [5H1A]	N	Murder [5H1A] [5H1A]	G
2	Obstruction of Justice [5X5] [5X5]	N	Obstruction of Justice [5X5] [5X5]	N
3	Conspiracy [5X1] [5X1]	N	Conspiracy [5X1] [5X1]	N
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:
2/27/2009	Correctional Custody Days: 9125
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
2/27/2009	Dishonorable Discharge Effective Date: 2/27/2044
	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
2/27/2009	Total Forfeiture (all pay/allowance) Duration : 25 <input type="checkbox"/> Days <input type="checkbox"/> Months <input checked="" type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

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: 2/27/2009	Suspension Duration: 25 Years
	Suspended Portion Time: 50 Days	
	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

Not Guilty of Premeditated Murder but Guilty of the lesser included offense of Murder with intent to kill or inflict great bodily harm in violation of UCMJ Article 118(2).

USASCRC Number: 0066-2008-CID469-51978-5H1A

Sanction: A1 2009/02/27

11. Commanding Officer

Was a DNA sample collected from the offender? Yes No

Name and Grade:

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

Signature:

Signature Date: 4/13/2009

AKO e-Mail Address:

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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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: To: Commander 1st BCT Fort Campbell, KY 42223 Referred By: SAC, CID Office: Tikrit CID Office (b)(6),(b)(7)(C)	USACRC Number: 0066-2008-CID469-51978-5H1A MP Report Number: N/A Sub-Installation: AE09393DC Referral Date: 2/18/2009 Suspense Date: 4/4/2009
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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.

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2. Offender Identification

(b)(6),(b)(7)(C) Last Name: First Name: Middle Name: Cadency:	Grade: E-6 U.S. Army (SSG) SSN: (b)(6),(b)(7)(C) Date of Birth:
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3. Referral Information

Commander Decision Date: 2/18/2009

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
				Yes	No	Yes	No	
1	Murder [5H1A]	UCMJ Article 118	5/16/2008	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Accepted
2	Obstruction of Justice [5X5]	UCMJ Article 134	6/7/2008	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Accepted
3	Conspiracy [5X1]	UCMJ Article 81	5/16/2008	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Accepted
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"/>	

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

7

3. Referral Information (continued)

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

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

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	Murder [5H1A] [5H1A]	N	Murder [5H1A] [5H1A]	DCR
2	Obstruction of Justice [5X5] [5X5]	N	Obstruction of Justice [5X5] [5X5]	DCR
3	Conspiracy [5X1] [5X1]	N	Conspiracy [5X1] [5X1]	DCR
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:
2/18/2009	Correctional Custody Days: 17
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
2/18/2009	Bad Conduct Discharge Effective Date: 8/1/2010
	Dishonorable Discharge Effective Date:
2/18/2009	Reduction in Grade From: Staff Sergeant (SSG) To: Private (E1) (PVT)
	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
2/18/2009	Total Forfeiture (all pay/allowance) Duration : 17 <input type="checkbox"/> Days <input checked="" type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

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: 2/18/2009	Suspension Duration: 59 Days
	Suspended Portion Time: 59 Days	
	Suspension Conditions: Received 59 days of credit of a 17 month sentence	
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

To be reduced to E1; forfeit all pay and allowances; confined for 17 months; to be discharged from the service with a BCD; received 59 days of credit towards confinement.

Plead guilty and found guilty of ART 107, 128, and 93 of the UCMJ.

Plead not guilty and found not guilty (dismisson motion by Trial Counsel w/prejudice) of ART 78, 117 and 134 of the UCMJ.

(b)(6),(b)(7)(C) is due to testify against (b)(6),(b)(7)(C)

USASCRC Number: 0066-2008-CID469-51978-5H1A

Sanction: A2 2009/02/18

11. Commanding Officer

Was a DNA sample collected from the offender? Yes No

Name and Grade:	(b)(6),(b)(7)(C)	Special Agent in Charge/CW2
Signature:	(b)(6),(b)(7)(C)	Signature Date: 2/18/2009
AKO e-Mail Address:	(b)(6),(b)(7)(C)	@us.army.mil

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

DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Tikrit CID Office
38th MP DET (CID) (FWD), COB Speicher, Tikrit, IZ APO, APO AE 09393

15 Apr 2009

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0066-2008-CID469-51978 - 5H1A /
5X5 / 5X1 / 9G2B / 9G2C / 9G2F

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 16 MAY 2008, 1715 - 16 MAY 2008, 2004; GRID LD 59625 61025, ALBU
TU'MAH, BAYJI, IRAQ

2. 07 JUN 2008, 2100 - 07 JUN 2008, 2200; D COMPANY AREA, 1/327TH
INFANTRY REGIMENT, FOWARD OPERATING BASE SUMMERALL, BAYJI, IZ, AE
09393

3. 16 MAY 2008, 2000 - 21 MAY 2008, 2359; D COMPANY AREA, 1/327TH
INFANTRY REGIMENT, FOWARD OPERATING BASE SUMMERALL, BAYJI, IZ, AE
09393

DATE/TIME REPORTED: 13 JUN 2008, 1300

INVESTIGATED BY:

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

SA

SA

SA

SA

SA

SUBJECT:

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

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

(DOB); (POB); MALE;

WHITE; D COMPANY, 1/327TH INFANTRY REGIMENT, 1/101ST BRIGADE COMBAT

1

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

TEAM, (HOME STATION: FORT CAMPBELL, KY 42223), FOWARD OPERATING BASE SUMMERALL, BAYJI, IZ, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09393; CT ; [OBSTRUCTION OF JUSTICE], [MURDER], [CONSPIRACY]

2 (b)(6),(b)(7)(C) 1LT (b)(6),(b)(7)(C) (DOB); (POB); MALE; WHITE; D COMPANY, 1/327TH INFANTRY REGIMENT, 1/101ST BRIGADE COMBAT TEAM, (HOME STATION: FORT CAMPBELL, KY 42223), FOWARD OPERATING BASE SUMMERALL, BAYJI, IZ, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09393; CT ; [OBSTRUCTION OF JUSTICE], [MURDER], [CONSPIRACY]

VICTIM:

1. AL JOBOURI, ALI MANSOUR MUHAMMAD (DECEASED); FRCIV; IRAQ; (DOB); (POB); MALE; OTHER; VILLAGE OF ALBU-TU'MAH, BAYJI, IZ; XZ ; [MURDER], [CONSPIRACY]

2. U.S. GOVERNMENT; [OBSTRUCTION OF JUSTICE]

INVESTIGATIVE SUMMARY:

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

The Provost Marshal, 1st AD, COB Speicher, reported the suspected shooting of an Iraqi detainee by a U.S. Soldier.

Investigation disclosed 1LT (b)(6),(b)(7) conspired with SSG (b)(6),(b)(7) to murder Mr. MANSOUR. 1LT (b)(6),(b)(7) and SSG (b)(6),(b)(7) transported Mr. MANSOUR to a remote culvert and 1LT (b)(6),(b)(7) then shot Mr. MANSOUR two times with a 9mm pistol. SSG (b)(6),(b)(7) then activated an incendiary grenade and placed it on Mr. MANSOUR's remains. 1LT (b)(6),(b)(7) and SSG (b)(6),(b)(7) then left the area and instructed unit members to provide false statements pertaining to their actions on patrol that evening.

STATUTES:

Article 81, UCMJ: Conspiracy

Article 118, UCMJ: Murder

Article 134, UCMJ: Obstruction of Justice

EXHIBITS:

ATTACHED:

1. Agent's Investigation Report (AIR) of SA (b)(6),(b)(7)(C) 22 Jun 08.
2. Serious Incident Report, 11 Jun 08.
3. Timeline / Sequence of Events, prepared by MAJ (b)(6),(b)(7)(C)
4. Notes for LTC (b)(6),(b)(7)(C) and CPT (b)(6),(b)(7)(C) prepared by SGT (b)(6),(b)(7)(C)
5. Arabic Report of Investigation. (USACRC and USACIDC copies only)
6. English translation of the Report of Investigation, translated by (b)(6),(b)(7)(C)
7. Arabic Reply to Bayji Investigation Judge by the Criminal Investigation Office of Bayji, Iraq, 29 May 08. (USACRC and USACIDC copies only)
8. English translation of Reply to Bayji Investigation Judge, 29 May 09, translated by (b)(6),(b)(7)(C)
9. Arabic Autopsy Report of Mr. MANSOUR, 27 May 08. (USACRC and USACIDC copies only)
10. English translation of the Autopsy Report of Mr. MANSOUR, 27 May 08, translated by Mr. MINASIAN.
11. Arabic Death Certificate of Mr. MANSOUR, 27 May 08. (USACRC and USACIDC copies only)
12. English translation of the Death Certificate of Mr. MANSOUR, translated by (b)(6),(b)(7)(C)

13. Arabic Requests for Investigation, 27 May 08. (USACRC and USACIDC copies only)
14. English translation of the Requests for Investigation, 27 May 08, translated by Mr. MINASIAN.
15. Waiver Certificate and Statement of SSG (b)(6),(b)(7)(C) 11 Jun 08.
16. Statement of PV2 (b)(6),(b)(7)(C) 12 Jun 08.
17. Statement of 1SG (b)(6),(b)(7)(C) 12 Jun 08.
18. Statement of PV2 (b)(6),(b)(7)(C) 12 Jun 08.
19. Arabic Statement of (b)(6),(b)(7)(C) 12 Jun 08. (USACRC and USACIDC copies only)
20. English translation of (b)(6),(b)(7)(C) 2 Jun 08 statement, translated by (b)(6),(b)(7)(C)
21. Waiver Certificate and Arabic Statement of (b)(6),(b)(7)(C) 13 Jun 08. (USACRC and USACIDC copies only)
22. English translation of (b)(6),(b)(7)(C) 13 Jun 08 statement, translated by (b)(6),(b)(7)(C)
23. Arabic Statement of (b)(6),(b)(7)(C) 9 Jun 08. (USACRC and USACIDC copies only)
24. English translation of (b)(6),(b)(7)(C) 9 Jun 08 statement, translated by (b)(6),(b)(7)(C)
25. Compact disc containing images and video files pertaining to Mr. MANSOUR. (USACRC, USACIDC, SJA, and file copies only)
26. Statement of SPC (b)(6),(b)(7)(C) 13 Jun 08.
27. Non-Waiver Certificate of SSG (b)(6),(b)(7)(C) 13 Jun 08.
28. Statement of PV2 (b)(6),(b)(7)(C) 13 Jun 08.
29. Waiver Certificate and Statement of (b)(6),(b)(7)(C) 13 Jun 08.

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30. Sketch prepared by (b)(6),(b)(7)(C) 13 Jun 08, translated by (b)(6),(b)(7)(C)
31. Arabic Report of Statements provided by Bayji Iraqi Police. (USACRC and USACIDC copies only)
32. English translation of Report of Statements provided by Bayji Iraqi Police, translated by Mr. (b)(6),(b)(7)(C)
33. Arabic Iraqi Police Seize Report (collection of evidence), 17 May 08. (USACRC and USACIDC copies only)
34. English translation of Iraqi Police Seize Report, translated by (b)(6),(b)(7)(C)
35. Arabic Iraqi Police Drawing and Plan of Crime Scene, prepared by the Criminal Investigation Office of Bayji, Iraq, 21 May 08. (USACRC and USACIDC copies only)
36. English translation of Iraqi Police Drawing and Plan of Crime Scene, 21 May 08, translated by (b)(6),(b)(7)(C)
37. Arabic Iraqi Police Identification Document of the Criminal Investigation Office of Bayji, Iraq, 21 May 08. (USACRC and USACIDC copies only)
38. English translation of the Iraqi Police Identification Document, 21 May 08, translated by (b)(6),(b)(7)(C)
39. Statement of SPC (b)(6),(b)(7)(C) 14 Jun 08.
40. Statement of CPT (b)(6),(b)(7)(C) 4 Jun 08.
41. Arabic Statement of Mr. (b)(6),(b)(7)(C) 4 Jun 08. (USACRC and USACIDC copies only)
42. English translation of Mr. (b)(6),(b)(7)(C) 4 Jun 08 statement, translated by Mr. (b)(6),(b)(7)(C)

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43. Arabic Sketch prepared by Mr. (b)(6),(b)(7)(C) 14 Jun 08.
44. English translation of Mr. (b)(6),(b)(7)(C) 14 Jun 08 sketch, translated by Mr. (b)(6),(b)(7)(C)
45. Statement of SPC (b)(6),(b)(7)(C), 14 Jun 08.
46. Statement of SFC (b)(6),(b)(7)(C) 14 Jun 08.
47. Statement of PV2 (b)(6),(b)(7)(C) 15 Jun 08.
48. Arabic Statement of Mr. (b)(6),(b)(7)(C) 15 Jun 08. (USACRC and USACIDC copies only)
49. English translation of Mr. (b)(6),(b)(7)(C) 15 Jun 08 statement, translated by Mr. (b)(6),(b)(7)(C)
50. Arabic Statement of Mr. (b)(6),(b)(7)(C) 5 Jun 08. (USACRC and USACIDC copies only)
51. English translation of Mr. (b)(6),(b)(7)(C) 15 Jun 08 statement, translated by Mr. (b)(6),(b)(7)(C)
52. Statement of SPC (b)(6),(b)(7)(C) 15 Jun 08.
53. Statement of SPC (b)(6),(b)(7)(C) 15 Jun 08.
54. Statement of SPC (b)(6),(b)(7)(C) 15 Jun 08.
55. Statement of SPC (b)(6),(b)(7)(C) 16 Jun 08.
56. Statement of SGT (b)(6),(b)(7)(C) 16 Jun 08.
57. Statement of PFC (b)(6),(b)(7)(C) 16 Jun 08.
58. Statement of ILT (b)(6),(b)(7)(C) 16 Jun 08.
59. Statement of SPC (b)(6),(b)(7)(C) 17 Jun 08.

- 60. Statement of PV2 (b)(6),(b)(7)(C) 7 Jun 08.
- 61. Statement of SPC (b)(6),(b)(7)(C) 7 Jun 08.
- 62. Statement of SPC (b)(6),(b)(7)(C) 7 Jun 08.
- 63. Statement of SPC (b)(6),(b)(7)(C) 7 Jun 08.
- 64. Statement of SGT (b)(6),(b)(7)(C) 7 Jun 08.
- 65. Statement of PFC (b)(6),(b)(7)(C) 7 Jun 08.
- 66. Statement of PV2 (b)(6) 7 Jun 08.
- 67. Statement of PFC (b)(6),(b)(7)(C) Jun 08.
- 68. Statement of SPC (b)(6),(b)(7)(C) 7 Jun 08.
- 69. Statement of SPC (b)(6),(b)(7)(C) 7 Jun 08.
- 70. Statement of SPC (b)(6),(b)(7)(C) Jun 08.
- 71. Statement of PV2 (b)(6),(b)(7)(C) Jun 08.
- 72. Statement of SSC (b)(6),(b)(7)(C) 7 Jun 08.
- 73. Statement of SFC (b)(6),(b)(7)(C) 7 Jun 08.
- 74. Statement of PV2 (b)(6),(b)(7)(C) 6 Jun 08.
- 75. Statement of SGT (b)(6),(b)(7)(C) 7 Jun 08.
- 76. Trip Ticket of 5th PLT, D CO, 1/327th INF REG, pertaining to mission # 8, 16 May 08.
- 77. Mission Patrol Tracker pertaining to mission # 8, 16 May 08.

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78. Trip Ticket of 5th PLT, D CO, 1/327th INF REG, pertaining to mission # 11, 5 May 08.
79. Mission Patrol Tracker pertaining to mission # 11, 5 May 08.
80. Statement of SPC (b)(6),(b)(7)(C) 7 Jun 08.
81. Statement of SPC (b)(6),(b)(7)(C) 17 Jun 08.
82. Compact disc containing video of demonstration with AN-M14 TH3 Incendiary Grenade.
83. Statement of SGT (b)(6),(b)(7)(C) 18 Jun 08.
84. Search and Seizure Affidavit and Authorization pertaining to SSG (b)(6),(b)(7)(C) 8 Jun 08.
85. Search and Seizure Affidavit and Authorization pertaining to 1LT (b)(6),(b)(7)(C) 18 Jun 08.
86. Photographic Packet (Incendiary Grenade Test 2, 18 Jun 08). (USACRC, USACIDC, SJA, and file copies only)
87. Detainee Packet of (b)(6),(b)(7)(C) 5 May 08.
88. Statement of SFC (b)(6),(b)(7)(C) 21 Jun 08.
89. Statement of SPC (b)(6),(b)(7)(C) 21 Jun 08.
90. Non-Waiver Certificate of 1LT (b)(6),(b)(7)(C) 21 Jun 08.
91. AIR of SA (b)(6),(b)(7)(C) 18 Jun 08.
92. Aerial Photographs of Death Scene.
93. Death Scene Sketches prepared by SA (b)(6),(b)(7)(C) 18 Jun 08.
94. Photographic Packet (Death Scene). (USACRC, USACIDC, SJA, and file copies only)

- 95. AIR of SA (b)(6),(b)(7) [redacted], 10 Jul 08.
- 96. Statement of SPC (b)(6),(b)(7)(C) [redacted] 9 Jun 08.
- 97. Statement of SPC (b)(6),(b)(7)(C) [redacted] 9 Jun 08.
- 98. Statement of SPC (b)(6),(b)(7)(C) [redacted] 9 Jun 08.
- 99. Statement of SSG (b)(6),(b)(7)(C) [redacted] Jun 08.
- 100. Waiver Certificate and Statement of SPC (b)(6),(b)(7)(C) [redacted] 30 Jun 08.
- 101. Non-Waiver Certificate of SPC (b)(6),(b)(7)(C) [redacted] 1 Jul 08.
- 102. Non-Waiver Certificate of SGT (b)(6),(b)(7)(C) [redacted] 1 Jul 08.
- 103. Non-Waiver Certificate of SPC (b)(6),(b)(7)(C) [redacted] Jul 08.
- 104. Non-Waiver Certificate of SPC (b)(6),(b)(7)(C) [redacted] 1 Jul 08.
- 105. Non-Waiver Certificate of SPC (b)(6),(b)(7)(C) [redacted] 1 Jul 08.
- 106. Waiver Certificate and Statement of SF (b)(6),(b)(7)(C) [redacted] 1 Jul 08.
- 107. Statement of SSG (b)(6),(b)(7)(C) [redacted] 2 Jul 08.
- 108. Hand Receipt of SFC (b)(6),(b)(7)(C) [redacted] 4 May 08.
- 109. AIR of SA (b)(6),(b)(7)(C) [redacted] 3 Jul 08.
- 110. Search and Seizure Affidavit and Authorization pertaining to SSC (b)(6),(b)(7)(C) [redacted] 2 Jul 08.
- 111. Search and Seizure Affidavit and Authorization pertaining to 1LT [redacted] 12 Jul 08.
- 112. Search and Seizure Affidavit and Authorization pertaining to 1LT [redacted] 13 Jul 08.

113. Photographic Packet (Evidence). (USACRC, USACIDC, SJA, and file copies only)
114. AIR of SA (b)(6),(b)(7)(C) 25 Jul 08.
115. AIR of SA (b)(6),(b)(7)(C) 10 Aug 08.
116. AIR of SA (b)(6),(b)(7)(C) 22 Aug 08.
117. USACIL Latent Print Branch Final Report # 2008-CID131-1346, 21 Jul 08.
118. AIR of SA (b)(6),(b)(7)(C) Monterey CID Office, Presidio of Monterey, CA, 20 Aug 08.
119. Compact disc containing recorded interview of (b)(6),(b)(7)(C) 20 Aug 08.
120. AIR of SA (b)(6),(b)(7)(C) Fort Campbell CID Office, Fort Campbell, KY, 22 Aug 08.
121. Statement of SFC (b)(6),(b)(7)(C) 18 Aug 08.
122. Statement of SSG (b)(6),(b)(7)(C) 18 Aug 08.
123. AIR of SA (b)(6),(b)(7)(C), 3 Sep 08.
124. Unit Roll Number (URN) spreadsheet.
125. Compact disc containing URN spreadsheet and Blue Force Tracker Report, 16 May 08.
126. USACIL Trace Evidence Branch Final Report # 2008-CID131-1346, 18 Aug 08.
127. USACIL DNA Branch Final Report # 2008-CID131-1346, 13 Aug 08.
128. AIR of SA (b)(6),(b)(7)(C) Fort Sill CID Office, Fort Sill, OK, 9 Sep 08.
129. AIR of SA (b)(6),(b)(7)(C) 14 Oct 08.

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130. USACIL Firearms Branch Final Report # 2008-CID131-1346, 27 Aug 08.
131. AIR of SA (b)(6),(b)(7)(C) 17 Nov 08.
132. USACIL Garries Notice, 29 Oct 08.
133. USACIL Garries Notice, 13 Nov 08.
134. AIR of SA (b)(6),(b)(7)(C) 20 Feb 09.
135. USACIL DNA Branch Final Report # 2008-CID131-1346-A2/A3/A4, 3 Dec 08.
136. USACIL DNA Branch Final Report # 2008-CID141-1346-A5/A6/A7, 11 Feb 09.
137. Department of the Army Report of Results of Trial pertaining to SSG (b)(6),(b)(7)(C) 18 Feb 09.
138. AIR of SA (b)(6),(b)(7)(C) 13 Apr 09.
139. Department of the Army Report of Results of Trial pertaining to 1LT (b)(6),(b)(7)(C) 27 Feb 09.
140. USACIL Examination Requests, 21 and 26 Jun 08, 1 and 4 Jul 08, 12 Aug 08, 17 Nov 08, and 3 Feb 09.
141. Compact disc containing all photographic originals of Exhibits 86, 94, and 113. (USACRC and file copies only)
142. Evidence/Property Custody Documents, Document Numbers 0585-08, 0586-08, 0587-08, 0588-08, 0589-08, 0590-08, 0591-08, 0592-08, 0593-08, 0594-08, 0733-08, 0734-08, and 0790-08.

NOT ATTACHED:

None.

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The originals of 1, 6, 8, 10, 12, 14-32, 34, 36, 38-76, 78-86, 88-91, 93-95, 100-116, 118-123, 128, 129, 131, 134, 138, and 141 are forwarded with the USACRC copy of this report. The originals of Exhibits 2-4, 77, 87, 96-99, 124, 125, 137 and 139 are retained in the files of the 1/327th Infantry Regiment, 1/101st Brigade Combat Team, Fort Campbell, KY. The originals of Exhibits 5, 7, 9, 11, 13, 33, and 37 are retained in the files of the Bayji Police Station, Bayji, IZ. The original of Exhibit 92 is maintained in the files of Task Force Odin, COB Speicher, Tikrit, IZ. There are two originals of Exhibits 117, 126, 127, 130, 132, 133, 135, 136 and 140; one was maintained in the files of USACIL, Fort Gilliam, GA and the other original was forwarded with the USACRC copy of this report. The original of Exhibit 142 is retained in the files of the 10th MP BN (CID) (ABN), Camp Victory, Baghdad, IZ

STATUS: This is a Final Report. On 18 Feb 09, under a General Court-Martial, SSG (b)(6),(b)(7)
(C) received a sentence to be reduced to E1; forfeit all pay and allowances; confined for 17 months; and to be discharged from the service with a bad-conduct discharge. On 27 Feb 09, under a General Court-Martial, 1LT (b)(6),(b)(7)
(C) received a sentence to forfeit all pay and allowances; confined for 25 years; and to be discharged from the service. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is not required.

CID Reports of Investigation may be subject to a Quality Assurance Review by CID higher headquarters.

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

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Report Prepared By:

Report Approved By:

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

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

Special Agent in Charge

Special Agent in Charge

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA

CDR, 3RD MP GRP USACIDC, Forest Park, GA

CDR, 10th MP Bn (CID), Camp Victory, APO AE 09342

CDR, 38th MP DET (CID), Joint Base Balad, APO AE 09391

Garrison Cdr, COB Speicher, APO AE 09393

PMO, 25TH ID, COB Speicher, APO AE 09393

SJA, Chief of Justice, 25th STB, COB Speicher, APO AE 09393

Commander, 1st Battalion, 327th Infantry Regiment, Fort Campbell, KY 42223

Commander, 1st Brigade Combat Team, 101st Airborne Division (AASLT), Fort

Campbell, KY 42223

CDR, USAF Law & Order Det, COB Speicher, APO AE 09393

FILE

13

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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: A1

To: Commander
1st BCT
Fort Campbell, KY 42223

Referred By: SAC, CID Office; Tikrit CID Office
(b)(6), (b)(7)(C)

USACRC Number: 0066-2008-CID469-51978-5H1A

MP Report Number: N/A

Sub-Installation: AE09393DC

Referral Date: 2/18/2009

Suspense Date: 4/4/2009

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-6 U.S. Army (SSG)

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

Date of Birth:

3. Referral Information

Commander Decision Date: 2/18/2009

No.	Offense	Basis	Date	Sexual Harassment	Action Taken	Reason
1	Murder [5H1A]	UCMJ Article 118	5/16/2008	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Accepted
2	Obstruction of Justice [5X5]	UCMJ Article 134	6/7/2008	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Accepted
3	Conspiracy [5X1]	UCMJ Article 81	5/16/2008	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Accepted
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 (continued)

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

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

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	Murder [5H1A] [5H1A]	N	Murder [5H1A] [5H1A]	DCR
2	Obstruction of Justice [5X5] [5X5]	N	Obstruction of Justice [5X5] [5X5]	DCR
3	Conspiracy [5X1] [5X1]	N	Conspiracy [5X1] [5X1]	DCR
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:
2/18/2009	Correctional Custody Days: 17
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
2/18/2009	Bad Conduct Discharge Effective Date: 8/1/2010
	Dishonorable Discharge Effective Date:
2/18/2009	Reduction in Grade From: Staff Sergeant (SSG) To: Private (E1) (PVT)
	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
2/18/2009	Total Forfeiture (all pay/allowance) Duration : 17 <input type="checkbox"/> Days <input checked="" type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

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: 2/18/2009	Suspension Duration: 59 Days
	Suspended Portion Time: 59 Days	
	Suspension Conditions: Received 59 days of credit of a 17 month sentence	
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

To be reduced to E1; forfeit all pay and allowances; confined for 17 months; to be discharged from the service with a BCD; received 59 days of credit towards confinement.

Plead guilty and found guilty of ART 107, 128, and 93 of the UCMJ.

Plead not guilty and found not guilty (dismisson motion by Trial Counsel w/prejudice) of ART 78, 117 and 134 of the UCMJ.

(b)(6), (b)(7)(C) is due to testify against (b)(6), (b)(7)(C)

USASCRC Number: 0066-2008-CID469-51978-5H1A

Sanction: A2 2009/02/18

11. Commanding Officer

Was a DNA sample collected from the offender? Yes No

Name and Grade:	(b)(6), (b)(7)(C)	Special Agent in Charge/CW2
Signature:	(b)(6), (b)(7)(C)	Signature Date: 2/18/2009
AKO e-Mail Address:	(b)(6), (b)(7)(C)	@us.army.mil

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Tikrit CID Office
38th MP DET (CID) (FWD), COB Speicher, Tikrit, IZ APO, APO AE 09393

15 Apr 2009

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0066-2008-CID469-51978 - 5H1A /
5X5 / 5X1 / 9G2B / 9G2C / 9G2F

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 16 MAY 2008, 1715 - 16 MAY 2008, 2004; GRID LD 59625 61025, ALBU
TU'MAH, BAYJI, IRAQ

2. 07 JUN 2008, 2100 - 07 JUN 2008, 2200; D COMPANY AREA, 1/327TH
INFANTRY REGIMENT, FOWARD OPERATING BASE SUMMERALL, BAYJI, IZ, AE
09393

3. 16 MAY 2008, 2000 - 21 MAY 2008, 2359; D COMPANY AREA, 1/327TH
INFANTRY REGIMENT, FOWARD OPERATING BASE SUMMERALL, BAYJI, IZ, AE
09393

DATE/TIME REPORTED: 13 JUN 2008, 1300

INVESTIGATED BY:

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

SA

SA

SA

SA

SA

SA

SUBJECT:

1 (b)(6), (b)(7)(C) SSG; (b)(6), (b)(7)(C); (DOB); (POB); MALE;
WHITE; D COMPANY, 1/327TH INFANTRY REGIMENT, 1/101ST BRIGADE COMBAT

1

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TEAM, (HOME STATION: FORT CAMPBELL, KY 42223), FOWARD OPERATING BASE SUMMERALL, BAYJI, IZ, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09393; CT ; [OBSTRUCTION OF JUSTICE], [MURDER], [CONSPIRACY]

2. (b)(6), (b)(7)(C) 1LT; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; D COMPANY, 1/327TH INFANTRY REGIMENT, 1/101ST BRIGADE COMBAT TEAM, (HOME STATION: FORT CAMPBELL, KY 42223), FOWARD OPERATING BASE SUMMERALL, BAYJI, IZ, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09393; CT ; [OBSTRUCTION OF JUSTICE], [MURDER], [CONSPIRACY]

VICTIM:

1. AL JOBOURI, ALI MANSOUR MUHAMMAD (DECEASED); FRCIV; IRAQ; (DOB); (POB); MALE; OTHER; VILLAGE OF ALBU-TU'MAH, BAYJI, IZ; XZ ; [MURDER], [CONSPIRACY]

2. U.S. GOVERNMENT; [OBSTRUCTION OF JUSTICE]

INVESTIGATIVE SUMMARY:

THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION.

The Provost Marshal, 1st AD, COB Speicher, reported the suspected shooting of an Iraqi detainee by a U.S. Soldier.

Investigation disclosed 1LT (b)(6), (b)(7)(C) conspired with SSG (b)(6), (b)(7)(C) to murder Mr. MANSOUR. 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) transported Mr. MANSOUR to a remote culvert and 1LT (b)(6), (b)(7)(C) then shot Mr. MANSOUR two times with a 9mm pistol. SSG (b)(6), (b)(7)(C) then activated an incendiary grenade and placed it on Mr. MANSOUR's remains. 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) then left the area and instructed unit members to provide false statements pertaining to their actions on patrol that evening.

STATUTES:

Article 81, UCMJ: Conspiracy
Article 118, UCMJ: Murder

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Article 134, UCMJ: Obstruction of Justice

EXHIBITS:

ATTACHED:

1. Agent's Investigation Report (AIR) of SA (b)(6), (b)(7)(C) 22 Jun 08.
2. Serious Incident Report, 11 Jun 08.
3. Timeline / Sequence of Events, prepared by MAJ (b)(6), (b)(7)(C)
4. Notes for LTC (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) prepared by SGT (b)(6), (b)(7)(C)
5. Arabic Report of Investigation. (USACRC and USACIDC copies only)
6. English translation of the Report of Investigation, translated by Mr. (b)(6), (b)(7)(C)
7. Arabic Reply to Bayji Investigation Judge by the Criminal Investigation Office of Bayji, Iraq, 29 May 08. (USACRC and USACIDC copies only)
8. English translation of Reply to Bayji Investigation Judge, 29 May 09, translated by Mr. (b)(6), (b)(7)(C)
9. Arabic Autopsy Report of Mr. MANSOUR, 27 May 08. (USACRC and USACIDC copies only)
10. English translation of the Autopsy Report of Mr. MANSOUR, 27 May 08, translated by Mr. (b)(6), (b)(7)(C)
11. Arabic Death Certificate of Mr. MANSOUR, 27 May 08. (USACRC and USACIDC copies only)
12. English translation of the Death Certificate of Mr. MANSOUR, translated by Mr. (b)(6), (b)(7)(C)

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13. Arabic Requests for Investigation, 27 May 08. (USACRC and USACIDC copies only)
14. English translation of the Requests for Investigation, 27 May 08, translated by Mr. (b)(6), (b)(7)(C)
15. Waiver Certificate and Statement of SSG (b)(6), (b)(7)(C) 11 Jun 08.
16. Statement of PV2 (b)(6), (b)(7)(C) 12 Jun 08.
17. Statement of 1SG (b)(6), (b)(7)(C) 12 Jun 08.
18. Statement of PV2 (b)(6), (b)(7)(C) 12 Jun 08.
19. Arabic Statement of Mr. (b)(6), (b)(7)(C) 12 Jun 08. (USACRC and USACIDC copies only)
20. English translation of Mr. (b)(6), (b)(7)(C) 12 Jun 08 statement, translated by Mr. (b)(6), (b)(7)(C)
21. Waiver Certificate and Arabic Statement of Mr. (b)(6), (b)(7)(C) 13 Jun 08. (USACRC and USACIDC copies only)
22. English translation of Mr. (b)(6), (b)(7)(C) 13 Jun 08 statement, translated by Mr. (b)(6), (b)(7)(C)
23. Arabic Statement of Mr. (b)(6), (b)(7)(C) 9 Jun 08. (USACRC and USACIDC copies only)
24. English translation of Mr. (b)(6), (b)(7)(C) 9 Jun 08 statement, translated by Mr. (b)(6), (b)(7)(C)
25. Compact disc containing images and video files pertaining to Mr. MANSOUR. (USACRC, USACIDC, SJA, and file copies only)
26. Statement of SPC (b)(6), (b)(7)(C) 13 Jun 08.
27. Non-Waiver Certificate of SSG (b)(6), (b)(7)(C) 13 Jun 08.
28. Statement of PV2 (b)(6), (b)(7)(C) 13 Jun 08.
29. Waiver Certificate and Statement of Mr. (b)(6), (b)(7)(C) 13 Jun 08.

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30. Sketch prepared by Mr. (b)(6), (b)(7)(C) 13 Jun 08, translated by Mr. (b)(6), (b)(7)(C)
31. Arabic Report of Statements provided by Bayji Iraqi Police. (USACRC and USACIDC copies only)
32. English translation of Report of Statements provided by Bayji Iraqi Police, translated by Mr. (b)(6), (b)(7)(C)
33. Arabic Iraqi Police Seize Report (collection of evidence), 17 May 08. (USACRC and USACIDC copies only)
34. English translation of Iraqi Police Seize Report, translated by Mr. (b)(6), (b)(7)(C)
35. Arabic Iraqi Police Drawing and Plan of Crime Scene, prepared by the Criminal Investigation Office of Bayji, Iraq, 21 May 08. (USACRC and USACIDC copies only)
36. English translation of Iraqi Police Drawing and Plan of Crime Scene, 21 May 08, translated by Mr. (b)(6), (b)(7)(C)
37. Arabic Iraqi Police Identification Document of the Criminal Investigation Office of Bayji, Iraq, 21 May 08. (USACRC and USACIDC copies only)
38. English translation of the Iraqi Police Identification Document, 21 May 08, translated by Mr. (b)(6), (b)(7)(C)
39. Statement of SPC (b)(6), (b)(7)(C) 14 Jun 08.
40. Statement of CPT (b)(6), (b)(7)(C) 14 Jun 08.
41. Arabic Statement of Mr. (b)(6), (b)(7)(C) 14 Jun 08. (USACRC and USACIDC copies only)
42. English translation of Mr. (b)(6), (b)(7)(C) 14 Jun 08 statement, translated by Mr. (b)(6), (b)(7)(C)

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43. Arabic Sketch prepared by Mr. (b)(6), (b)(7)(C) 14 Jun 08.
44. English translation of Mr. (b)(6), (b)(7)(C) 14 Jun 08 sketch, translated by Mr. MINASIAN.
45. Statement of SPC (b)(6), (b)(7)(C) 14 Jun 08.
46. Statement of SFC (b)(6), (b)(7)(C) 14 Jun 08.
47. Statement of PV2 (b)(6), (b)(7)(C) 5 Jun 08.
48. Arabic Statement of Mr. (b)(6), (b)(7)(C) 15 Jun 08. (USACRC and USACIDC copies only)
49. English translation of Mr. (b)(6), (b)(7)(C) 15 Jun 08 statement, translated by Mr. (b)(6), (b)(7)(C)
50. Arabic Statement of Mr. (b)(6), (b)(7)(C) 15 Jun 08. (USACRC and USACIDC copies only)
51. English translation of Mr. (b)(6), (b)(7)(C) 15 Jun 08 statement, translated by Mr. (b)(6), (b)(7)(C)
52. Statement of SPC (b)(6), (b)(7)(C) 15 Jun 08.
53. Statement of SPC (b)(6), (b)(7)(C) 15 Jun 08.
54. Statement of SPC (b)(6), (b)(7)(C) 15 Jun 08.
55. Statement of SPC (b)(6), (b)(7)(C) 16 Jun 08.
56. Statement of SGT (b)(6), (b)(7)(C) 16 Jun 08.
57. Statement of PFC (b)(6), (b)(7)(C) 16 Jun 08.
58. Statement of 1LT (b)(6), (b)(7)(C) 16 Jun 08.
59. Statement of SPC (b)(6), (b)(7)(C) 7 Jun 08.

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60. Statement of PV2 (b)(6), (b)(7)(C) 7 Jun 08.
61. Statement of SPC (b)(6), (b)(7)(C) 7 Jun 08.
62. Statement of SPC (b)(6), (b)(7)(C) 7 Jun 08.
63. Statement of SPC (b)(6), (b)(7)(C), 7 Jun 08.
64. Statement of SGT (b)(6), (b)(7)(C) 7 Jun 08.
65. Statement of PFC (b)(6), (b)(7)(C) 7 Jun 08.
66. Statement of PV2 (b)(6), (b)(7)(C) 7 Jun 08.
67. Statement of PFC (b)(6), (b)(7)(C) 7 Jun 08.
68. Statement of SPC (b)(6), (b)(7)(C) 7 Jun 08.
69. Statement of SPC (b)(6), (b)(7)(C) 7 Jun 08.
70. Statement of SPC (b)(6), (b)(7)(C) 7 Jun 08.
71. Statement of PV2 (b)(6), (b)(7)(C) 7 Jun 08.
72. Statement of SSG (b)(6), (b)(7)(C) 7 Jun 08.
73. Statement of SFC (b)(6), (b)(7)(C) 7 Jun 08.
74. Statement of PV2 (b)(6), (b)(7)(C) RD, 16 Jun 08.
75. Statement of SGT (b)(6), (b)(7)(C) 17 Jun 08.
76. Trip Ticket of 5th PLT, D CO, 1/327th INF REG, pertaining to mission # 8, 16 May 08.
77. Mission Patrol Tracker pertaining to mission # 8, 16 May 08.

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78. Trip Ticket of 5th PLT, D CO, 1/327th INF REG, pertaining to mission # 11, 5 May 08.
79. Mission Patrol Tracker pertaining to mission # 11, 5 May 08.
80. Statement of SPC (b)(6), (b)(7)(C) 17 Jun 08.
81. Statement of SPC (b)(6), (b)(7)(C) 17 Jun 08.
82. Compact disc containing video of demonstration with AN-M14 TH3 Incendiary Grenade.
83. Statement of SGT (b)(6), (b)(7)(C) 18 Jun 08.
84. Search and Seizure Affidavit and Authorization pertaining to SSG (b)(6), (b)(7)(C) 18 Jun 08.
85. Search and Seizure Affidavit and Authorization pertaining to 1LT (b)(6), (b)(7)(C) 18 Jun 08.
86. Photographic Packet (Incendiary Grenade Test 2, 18 Jun 08). (USACRC, USACIDC, SJA, and file copies only)
87. Detainee Packet of Mr. MANSOUR, 5 May 08.
88. Statement of SFC (b)(6), (b)(7)(C) 21 Jun 08.
89. Statement of SPC (b)(6), (b)(7)(C) 21 Jun 08.
90. Non-Waiver Certificate of 1LT (b)(6), (b)(7)(C) 21 Jun 08.
91. AIR of SA (b)(6), (b)(7)(C) 18 Jun 08.
92. Aerial Photographs of Death Scene.
93. Death Scene Sketches prepared by SA (b)(6), (b)(7)(C) 18 Jun 08.
94. Photographic Packet (Death Scene). (USACRC, USACIDC, SJA, and file copies only)

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95. AIR of SA (b)(6), (b)(7)(C) 10 Jul 08.
96. Statement of SPC (b)(6), (b)(7)(C) 9 Jun 08.
97. Statement of SPC (b)(6), (b)(7)(C) 9 Jun 08.
98. Statement of SPC (b)(6), (b)(7)(C) 9 Jun 08.
99. Statement of SSG (b)(6), (b)(7)(C) 9 Jun 08.
100. Waiver Certificate and Statement of SPC (b)(6), (b)(7)(C) 30 Jun 08.
101. Non-Waiver Certificate of SPC (b)(6), (b)(7)(C) 1 Jul 08.
102. Non-Waiver Certificate of SGT (b)(6), (b)(7)(C) 1 Jul 08.
103. Non-Waiver Certificate of SPC (b)(6), (b)(7)(C) 1 Jul 08.
104. Non-Waiver Certificate of SPC (b)(6), (b)(7)(C) 1 Jul 08.
105. Non-Waiver Certificate of SPC (b)(6), (b)(7)(C) 1 Jul 08.
106. Waiver Certificate and Statement of SFC (b)(6), (b)(7)(C) 1 Jul 08.
107. Statement of SSG (b)(6), (b)(7)(C) 2 Jul 08.
108. Hand Receipt of SFC (b)(6), (b)(7)(C) 4 May 08.
109. AIR of SA (b)(6), (b)(7)(C) 13 Jul 08.
110. Search and Seizure Affidavit and Authorization pertaining to SSG (b)(6), (b)(7)(C) 12 Jul 08.
111. Search and Seizure Affidavit and Authorization pertaining to 1LT (b)(6), (b)(7)(C) 12 Jul 08.
112. Search and Seizure Affidavit and Authorization pertaining to 1LT (b)(6), (b)(7)(C) 13 Jul 08.

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113. Photographic Packet (Evidence). (USACRC, USACIDC, SJA, and file copies only)
114. AIR of SA (b)(6), (b)(7)(C) 25 Jul 08.
115. AIR of SA (b)(6), (b)(7)(C) 10 Aug 08.
116. AIR of SA (b)(6), (b)(7)(C) 22 Aug 08.
117. USACIL Latent Print Branch Final Report # 2008-CID131-1346, 21 Jul 08.
118. AIR of SA (b)(6), (b)(7)(C) Monterey CID Office, Presidio of Monterey, CA, 20 Aug 08.
119. Compact disc containing recorded interview of Mr. (b)(6), (b)(7)(C) 20 Aug 08.
120. AIR of SA (b)(6), (b)(7)(C) Fort Campbell CID Office, Fort Campbell, KY, 22 Aug 08.
121. Statement of SFC (b)(6), (b)(7)(C) 18 Aug 08.
122. Statement of SSG (b)(6), (b)(7)(C) 18 Aug 08.
123. AIR of SA (b)(6), (b)(7)(C) 3 Sep 08.
124. Unit Roll Number (URN) spreadsheet.
125. Compact disc containing URN spreadsheet and Blue Force Tracker Report, 16 May 08.
126. USACIL Trace Evidence Branch Final Report # 2008-CID131-1346, 18 Aug 08.
127. USACIL DNA Branch Final Report # 2008-CID131-1346, 13 Aug 08.
128. AIR of SA (b)(6), (b)(7)(C) Fort Sill CID Office, Fort Sill, OK, 9 Sep 08.
129. AIR of SA (b)(6), (b)(7)(C) 4 Oct 08.

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130. USACIL Firearms Branch Final Report # 2008-CID131-1346, 27 Aug 08.
131. AIR of SA (b)(6), (b)(7)(C) 17 Nov 08.
132. USACIL Garries Notice, 29 Oct 08.
133. USACIL Garries Notice, 13 Nov 08.
134. AIR of SA (b)(6), (b)(7)(C) 20 Feb 09.
135. USACIL DNA Branch Final Report # 2008-CID131-1346-A2/A3/A4, 3 Dec 08.
136. USACIL DNA Branch Final Report # 2008-CID141-1346-A5/A6/A7, 11 Feb 09.
137. Department of the Army Report of Results of Trial pertaining to SSG (b)(6), (b)(7)(C) 18 Feb 09.
138. AIR of SA (b)(6), (b)(7)(C) 13 Apr 09.
139. Department of the Army Report of Results of Trial pertaining to 1LT (b)(6), (b)(7)(C) 27 Feb 09.
140. USACIL Examination Requests, 21 and 26 Jun 08, 1 and 4 Jul 08, 12 Aug 08, 17 Nov 08, and 3 Feb 09.
141. Compact disc containing all photographic originals of Exhibits 86, 94, and 113. (USACRC and file copies only)
142. Evidence/Property Custody Documents, Document Numbers 0585-08, 0586-08, 0587-08, 0588-08, 0589-08, 0590-08, 0591-08, 0592-08, 0593-08, 0594-08, 0733-08, 0734-08, and 0790-08.

NOT ATTACHED:

None.

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The originals of 1, 6, 8, 10, 12, 14-32, 34, 36, 38-76, 78-86, 88-91, 93-95, 100-116, 118-123, 128, 129, 131, 134, 138, and 141 are forwarded with the USACRC copy of this report. The originals of Exhibits 2-4, 77, 87, 96-99, 124, 125, 137 and 139 are retained in the files of the 1/327th Infantry Regiment, 1/101st Brigade Combat Team, Fort Campbell, KY. The originals of Exhibits 5, 7, 9, 11, 13, 33, and 37 are retained in the files of the Bayji Police Station, Bayji, IZ. The original of Exhibit 92 is maintained in the files of Task Force Odin, COB Speicher, Tikrit, IZ. There are two originals of Exhibits 117, 126, 127, 130, 132, 133, 135, 136 and 140; one was maintained in the files of USACIL, Fort Gilliam, GA and the other original was forwarded with the USACRC copy of this report. The original of Exhibit 142 is retained in the files of the 10th MP BN (CID) (ABN), Camp Victory, Baghdad, IZ

STATUS: This is a Final Report. On 18 Feb 09, under a General Court-Martial, SSG (b)(6), (b)(7)(C) received a sentence to be reduced to E1; forfeit all pay and allowances; confined for 17 months; and to be discharged from the service with a bad-conduct discharge. On 27 Feb 09, under a General Court-Martial, 1LT (b)(6), (b)(7)(C) received a sentence to forfeit all pay and allowances; confined for 25 years; and to be discharged from the service. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is not required.

CID Reports of Investigation may be subject to a Quality Assurance Review by CID higher headquarters.

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Report Prepared By:

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

Special Agent in Charge

Report Approved By:

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

Special Agent in Charge

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA

CDR, 3RD MP GRP USACIDC, Forest Park, GA

CDR, 10th MP Bn (CID), Camp Victory, APO AE 09342

CDR, 38th MP DET (CID), Joint Base Balad, APO AE 09391

Garrison Cdr, COB Speicher, APO AE 09393

PMO, 25TH ID, COB Speicher, APO AE 09393

SJA, Chief of Justice, 25th STB, COB Speicher, APO AE 09393

Commander, 1st Battalion, 327th Infantry Regiment, Fort Campbell, KY 42223

Commander, 1st Brigade Combat Team, 101st Airborne Division (AASLT), Fort
Campbell, KY 42223

CDR, USAF Law & Order Det, COB Speicher, APO AE 09393

FILE

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1
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ROI NUMBER 0066-08-CID469-51978

PAGE 1 OF 10 PAGES

DETAILS

About 1300, 13 Jun 08, SA (b)(6), (b)(7)(C) was notified by MAJ (b)(6), (b)(7)(C) Provost Marshal, 1st AD, COB Speicher, of a suspected shooting of an Iraqi detainee by a U.S. Soldier.

About 1315, 13 Jun 08, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) who provided the Serious Incident Report which documented 1LT (b)(6), (b)(7)(C) was suspected of shooting and killing Mr. Ali MANSOUR, a detainee who was to be released. According to the incident report, the shooting took place on 16 May 08, at grid coordinate (b)(6), (b)(7)(C) which was located in the Jazeera Desert west of Main Supply Route Tampa and south of Check Point 100. MAJ (b)(6), (b)(7)(C) indicated 1LT (b)(6), (b)(7)(C) was on leave and was currently stateside.

Agent's Comment: For reporting purposes, Mr. Ali Mansour Muhammad Al Jabouri is referred to as Mr. MANSOUR throughout the report, as he was known as and identified by personnel as "Ali MANSOUR" or Mr. MANSOUR.

About 1535, 13 Jun 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) received an in brief from LTC (b)(6), (b)(7)(C) Commander, 1/327th INF REG, FOB Summerall. LTC (b)(6), (b)(7)(C) provided preliminary information pertaining to the allegation 1LT (b)(6), (b)(7)(C) killed Mr. MANSOUR, a detainee who was to be released.

About 1540, 13 Jun 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) S-2, HHC, 1/327th INF REG, FOB Summerall, and SGT (b)(6), (b)(7)(C) Human Intelligence Collector, B CO, 1st STB, FOB Summerall; and (b)(6), (b)(7)(C), (b)(7)(D) Arabic to English translation was provided by Mr. (b)(6), (b)(7)(C) Category II Linguist, Global Linguistics, COB Speicher. (b)(6), (b)(7)(C), (b)(7)(D)

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

(b)(6), (b)(7)(C), (b)(7)(D) In addition, SGT (b)(6), (b)(7)(C) provided copies of the Arabic language statements, an official autopsy report and death certificate, and a compact disc containing digital photos and a .wav file motion video of the scene where Mr. MANSOUR's body was found. (b)(6), (b)(7)(C), (b)(7)(D)

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

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

Special Agent

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

ORGANIZATION

Tikrit CID Office
COB Speicher, Tikrit, IZ, APO AE 09393

DATE

22 Jun 08

EXHIBIT

1

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AGENT'S INVESTIGATION REPORT
CID Regulation 195-1
FOR OFFICIAL USE ONLY – Law Enforcement Sensitive

ROI NUMBER 0066-08-CID469-51978

PAGE 2 OF 10 PAGES

DETAILS

About 1600, 13 Jun 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) III, HHC, 1/327th INF REG, who provided the statements and other information developed as part of his initial Commander's Inquiry. CPT (b)(6), (b)(7)(C) related sworn statements were taken from some of the individuals assigned to D CO, 1/327th INF REG, and he verbally interviewed others. CPT (b)(6), (b)(7)(C) advised he suspended his inquiry once it was determined a crime was possibly committed.

About 1715, 13 Jun 08, SA (b)(6), (b)(7)(C) coordinated with 1SG (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided the Trip Ticket (Convoy Manifest) for 5th PLT, D CO, 1/327th INF REG, for 16 May 08.

At 1726, 13 Jun 08, SA (b)(6), (b)(7)(C) collected, as evidence, from CPT (b)(6), (b)(7)(C) one compact disc containing images of Mr. MANSOUR. CPT (b)(6), (b)(7)(C) also provided a copy of the detainee information pertaining to Mr. MANSOUR.

At 1800, 13 Jun 08, SA (b)(6), (b)(7)(C) collected, as evidence, one M-9 pistol, serial number 1353496; one plastic bag; and three DA Form 2062, from SPC (b)(6), (b)(7)(C) Unit Armorer, D CO, 1/327th INF REG.

About 1845, 13 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who provided a sworn statement. SPC (b)(6), (b)(7)(C) related he issued 1LT (b)(6), (b)(7)(C) a Beretta 9mm, serial number 1353496, on 29 Apr 08. SPC (b)(6), (b)(7)(C) related the weapon was reassigned to SSG (b)(6), (b)(7)(C) on 5 Jun 08.

About 2017, 13 Jun 08, SA (b)(6), (b)(7)(C) advised SSG (b)(6), (b)(7)(C) of his rights, which he invoked and requested to speak with a lawyer. SSG (b)(6), (b)(7)(C) stated he was advised of his legal rights on 11 Jun 08, which he waived, but indicated he attempted to obtain legal counsel the following day.

About 2030, 13 Jun 08, SA (b)(6), (b)(7)(C) interviewed PV2 (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement detailing the events of 16 Apr 08. PV2 (b)(6), (b)(7)(C) believed 1LT (b)(6), (b)(7)(C) killed the detainee when they stopped to inspect a culvert.

About 2316, 13 Jun 08, SA (b)(6), (b)(7)(C) advised Mr. (b)(6), (b)(7)(C) Local National Interpreter, Global Linguistics, FOB Summerall, of his rights, which he waived and provided a sworn statement. Mr. (b)(6), (b)(7)(C) related he witnessed 1LT (b)(6), (b)(7)(C) shoot and kill Mr. MANSOUR. The rights advisal and interview was conducted primarily in the English language with assistance in Arabic provided by Mr. (b)(6), (b)(7)(C). At the conclusion of the interview Mr. (b)(6), (b)(7)(C) provided a sketch depicting the scene of the shooting.

Agent's Comment: Mr. (b)(6), (b)(7)(C) was also identified by his interpreter name, (b)(6), (b)(7)(C)

About 0915, 14 Jun 08, SA (b)(6), (b)(7)(C) coordinated with 1SG (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C), Executive Officer, D CO, 1/327th INF REG, and inquired about weapons collected during missions. 1SG (b)(6), (b)(7)(C) stated all weapons are immediately handed over to the S-2, but in some instances, the weapons would be stored in the

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unit's arms room overnight, depending on the time the mission is completed. 1SG (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) stated it was not typical for unit personnel to carry unassigned or illegal weapons while on mission.

About 0930, 14 Jun 08, SA (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) met with MAJ (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) both from Bayji Felony Investigations Unit, Iraqi Police, Hay Al-Assry, Bayji, Salah Ad Din Province, Iraq. Arabic to English language translation was provided by Mr. (b)(6), (b)(7)(C) MAJ (b)(6), (b)(7)(C) related Mr. MANSOUR's body was found by local village boys. The MANSOUR family was conducting their own investigation. The MANSOUR family believed Sheik (b)(6), (b)(7)(C) (Sheik (b)(6), (b)(7)(C) a Concerned Local Citizen (CLC) leader, was responsible for the death of Mr. MANSOUR. There was an ongoing feud between Sheik (b)(6), (b)(7)(C) and the MANSOUR family. MAJ (b)(6), (b)(7)(C) brought Mr. (b)(6), (b)(7)(C) (Mr. (b)(6), (b)(7)(C) brother of Mr. MANSOUR, so that he may be interviewed. MAJ (b)(6), (b)(7)(C) brought one 9mm shell casing and a melted grenade piece and gave them to SGT (b)(6), (b)(7)(C) MAJ (b)(6), (b)(7)(C) also provided several Arabic language statements from Abu Toma villagers and photographs of the damage to Mr. (b)(6), (b)(7)(C) (Mr. (b)(6), (b)(7)(C) house. Mr. (b)(6), (b)(7)(C) subsequently translated all Arabic language documents into the English language.

About 0950, 14 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SPC (b)(6), (b)(7)(C) recalled making a "tactical pause" on the night of 16 May 08, but did not see any bright flashes or hear any gunshots. SPC (b)(6), (b)(7)(C) did not recall a detainee being present during the tactical pause.

About 1016, 14 Jun 08, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) who provided a sworn statement. CPT (b)(6), (b)(7)(C) related he was the investigating officer concerning the events surrounding Mr. MANSOUR's death. CPT (b)(6), (b)(7)(C) related he only conducted interviews and did not collect any physical evidence regarding this matter.

At 1134, 14 Jun 08, SA (b)(6), (b)(7)(C) collected one 9mm shell casing and melted grenade piece from SGT (b)(6), (b)(7)(C) as evidence.

About 1240, 14 Jun 08, SA (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) who provided an Arabic language sworn statement. Arabic to English language translation was provided by Mr. (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) related he was at his house, in Abu Toma, on 5 May 08, when Coalition Forces raided both his brother's houses, Mr. (b)(6), (b)(7)(C) and Mr. MANSOUR. Mr. (b)(6), (b)(7)(C) drew a map, labeled in Arabic, which depicted where the houses were in relation to where the Coalition Forces were located.

About 1335, 14 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SPC (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C)

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dismounted during the tactical pause on 16 May 08, but he did not see anyone else with him. SPC (b)(6), (b)(7)(C) stated after the mission was complete he later heard comments made by unit personnel that 1LT (b)(6), (b)(7)(C) killed Mr. MANSOUR.

About 1345, 14 Jun 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) to determine if any Glock 9mm handguns were turned in as the result of missions conducted on or after 16 May 08. CPT (b)(6), (b)(7)(C) stated no Glockes were turned in since then and no one had access to any of the weapons maintained by the S-2.

About 1640, 14 Jun 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SFC (b)(6), (b)(7)(C) related SSG (b)(6), (b)(7)(C) admitted 1LT (b)(6), (b)(7)(C) killed Mr. MANSOUR and a grenade was used to cover up the incident. SFC (b)(6), (b)(7)(C) stated he was in possession of a Glock 9mm handgun which 1LT (b)(6), (b)(7)(C) would carry on missions.

About 2015, 14 Jun 08, SA (b)(6), (b)(7)(C) coordinated with 1LT (b)(6), (b)(7)(C) who identified the Mine Resistant Ambush Protected (MRAP) M51, which was located at Pad 2-C, FOB Summerall. A search of the vehicle met with negative results. M51 was identified by SFC (b)(6), (b)(7)(C) as SSG (b)(6), (b)(7)(C) vehicle, in which SSG (b)(6), (b)(7)(C) allegedly stored Mr. MANSOUR's clothing before discarding them south of Check Point 100.

At 2226, 14 Jun 08, SA (b)(6), (b)(7)(C) collected, as evidence, four Glock 9mm handguns and a magazine, from SFC (b)(6), (b)(7)(C). The handguns were identified as serial number GWY 473; GWY 469; GWY 209; GWY 379; and one magazine. SFC (b)(6), (b)(7)(C) identified the Glock 9mm, serial number GWY 473, as the handgun 1LT (b)(6), (b)(7)(C) maintained prior to going on leave.

About 0855, 15 Jun 08, SA (b)(6), (b)(7)(C) interviewed PV2 (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided sworn statement. PV2 (b)(6), (b)(7)(C) related he only saw one detainee released at the first stop on 16 May 08. PV2 (b)(6), (b)(7)(C) did not hear any gunshots at the last stop, but stated his gunner indicated he saw what he believed to be an incendiary grenade burning behind them. PV2 (b)(6), (b)(7)(C) believed 1LT (b)(6), (b)(7)(C) was responsible for the death of Mr. MANSOUR.

About 1110, 15 Jun 08, SA (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) brother of Mr. MANSOUR, who provided an Arabic language statement. Arabic to English translation was provided by Mr. (b)(6), (b)(7)(C). Mr. (b)(6), (b)(7)(C) related how his house was raided on 5 May 08, by Coalition Forces and he identified where his brother lived. Mr. (b)(6), (b)(7)(C) related he was taken to Mr. MANSOUR's front porch, where he could hear him screaming inside the house. Mr. (b)(6), (b)(7)(C) related he observed Coalition Forces enter Mr. MANSOUR's house. Mr. (b)(6), (b)(7)(C) related he did not hear any questioning or any dialogue going on inside of Mr. MANSOUR's house, but he heard screaming. Mr. (b)(6), (b)(7)(C) subsequently translated Mr. (b)(6), (b)(7)(C) Arabic language statement into the English language.

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About 1110, 15 Jun 08, SA (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) (Mr. (b)(6), (b)(7)(C) who provided an Arabic language statement. Arabic to English translation was provided by Mr. (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) related how he observed Coalition Forces arrest Mr. MANSOUR and then drive off in the direction of a hilly area with numerous trees. Mr. (b)(6), (b)(7)(C) related he observed Coalition Forces in that area for awhile. Mr. (b)(6), (b)(7)(C) also related he heard several small arms gun fire coming from the location where the Coalition Forces took Mr. MANSOUR. Mr. (b)(6), (b)(7)(C) then observed the Coalition Forces leave the area and continue in the direction of FOB Summerall. Mr. (b)(6), (b)(7)(C) subsequently translated Mr. (b)(6), (b)(7)(C) Arabic language statement into the English language.

About 1200, 15 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SPC (b)(6), (b)(7)(C) related SSG (b)(6), (b)(7)(C) indicated to him 1LT (b)(6), (b)(7)(C) killed Mr. MANSOUR. SPC (b)(6), (b)(7)(C) stated when the patrol stopped in the desert on 16 May 08, the detainee was removed from the vehicle. When the patrol resumed movement the detainee was not in the vehicle. SPC (b)(6), (b)(7)(C) believed 1LT (b)(6), (b)(7)(C) was responsible for the death of Mr. MANSOUR.

About 1530, 15 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SPC (b)(6), (b)(7)(C) related on 16 May 08, while stopped along the railroad tracks, he observed four personnel leave the convoy on foot. SPC (b)(6), (b)(7)(C) stated one of the four personnel was 1LT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) related after about five to ten minutes, only three people returned. SPC (b)(6), (b)(7)(C) related he observed the direction in which the four personnel walked, and could observe a bright orange glow from that area utilizing his NVG's. It was then, that SPC (b)(6), (b)(7)(C) thought the detainee was killed. SPC (b)(6), (b)(7)(C) related SSG (b)(6), (b)(7)(C) told him he did not go into the underpass with 1LT (b)(6), (b)(7)(C) and the detainee, but that he did hear two gunshots. SPC (b)(6), (b)(7)(C) further related SSG (b)(6), (b)(7)(C) told him he was then instructed by 1LT (b)(6), (b)(7)(C) at gunpoint, to throw a grenade into the direction of the underpass.

About 1910, 15 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SPC (b)(6), (b)(7)(C) related the detainees were loaded into his truck, where he provided security of them. SPC (b)(6), (b)(7)(C) related the detainee, later identified as Mr. MANSOUR, appeared to be praying the entire time he was in the vehicle. SPC (b)(6), (b)(7)(C) stated stops were made in Al Butoma, and upon leaving to return to FOB Summerall, Mr. MANSOUR was still inside of the vehicle. SPC (b)(6), (b)(7)(C) related a change was made to the route back, and the convoy went into the desert. SPC (b)(6), (b)(7)(C) stated a stop was made, at which time, 1LT (b)(6), (b)(7)(C) came back and requested Mr. MANSOUR be unloaded. SPC (b)(6), (b)(7)(C) attempted to dismount the vehicle and accompany 1LT (b)(6), (b)(7)(C) however, 1LT (b)(6), (b)(7)(C) told him to stay in the vehicle. SPC (b)(6), (b)(7)(C) stated he watched 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) escort Mr. MANSOUR to the culvert under the rail road tracks and enter. SPC (b)(6), (b)(7)(C) stated approximately thirty minutes later, SSG (b)(6), (b)(7)(C) entered the truck and the convoy moved to FOB Summerall.

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S (b)(6), (b)(7)(C)		COB Speicher, Tikrit, IZ, APO AE 09393	
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About 0900, 16 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SPC (b)(6), (b)(7)(C) related how he heard 1LT (b)(6), (b)(7)(C) murdered Mr. MANSOUR.

About 1215, 16 Jun 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SGT (b)(6), (b)(7)(C) related how he heard 1LT (b)(6), (b)(7)(C) murdered Mr. MANSOUR.

About 1500, 16 Jun 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. PFC (b)(6), (b)(7)(C) related how he heard 1LT (b)(6), (b)(7)(C) murdered Mr. MANSOUR.

At 1615, 16 Jun 08, SA (b)(6), (b)(7)(C) collected, as evidence, one projectile and a shell casing, from 1LT (b)(6), (b)(7)(C)

About 1700, 16 Jun 08, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) who provided a sworn statement. 1LT (b)(6), (b)(7)(C) described his relationship to 1LT (b)(6), (b)(7)(C) and how he conducted a preliminary Commander's inquiry. During the conduct of the inquiry, 1LT (b)(6), (b)(7)(C) visited the scene where Mr. MANSOUR's dead body was found, which was located at grid LD (b)(6), (b)(7)(C). 1LT (b)(6), (b)(7)(C) related he collected one projectile and one shell casing from the scene. 1LT (b)(6), (b)(7)(C) also provided the sworn statements collected from unit personnel on 7 Jun 08.

About 1720, 16 Jun 08, SA (b)(6), (b)(7)(C) interviewed PV2 (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. PV2 (b)(6), (b)(7)(C) described how he heard 1LT (b)(6), (b)(7)(C) murdered Mr. MANSOUR. PV2 (b)(6), (b)(7)(C) further stated all of the statements provided to 1LT (b)(6), (b)(7)(C) by D CO Soldiers on 7 Jun 08, were fabricated. PV2 (b)(6), (b)(7)(C) further explained how personnel were told what to say in their statements by SSG (b)(6), (b)(7)(C)

About 0855, 17 Jun 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SGT (b)(6), (b)(7)(C) related he was the medic on the convoy to return two detainees on 16 May 08. SGT (b)(6), (b)(7)(C) stated he had no knowledge of who the detainees were, which truck they were transported in, or where they were dropped off.

About 1035, 17 Jun 08, SA (b)(6), (b)(7)(C) coordinated with SFC (b)(6), (b)(7)(C) S-2 NCOIC, HHC, 1/327th INF REG, who related his office did not have any mission debriefs pertaining to 5th PLT's missions on 5 and 16 May 08. SFC (b)(6), (b)(7)(C) related sometimes the mission debriefings were not completed at S-2 and were completed with the D CO Fire Support Officer (FSO). SFC (b)(6), (b)(7)(C) related although the mission debriefs were required to be completed after a mission outside the wire, they were sometimes not completed.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

Special Agent

SIGN

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

ORGANIZATION

Tikrit CID Office
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About 1040, 17 Jun 08, SA (b)(6), (b)(7)(C) obtained trip ticket information and mission tracker forms pertaining to 5th PLT's 5 and 16 May 08, missions. A review of the mission tracker forms revealed mission #11 on 5 May 08, had a start point (SP) time of 1315 and there was no return time. Mission #8 on 16 May 08, had a SP time of 1715 and a return time of 2004.

About 1110, 17 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SPC (b)(6), (b)(7)(C) related he was on the convoy on 16 May 08, to return two detainees. SPC (b)(6), (b)(7)(C) related he was not aware of which vehicle the detainees rode in, and did not see where the detainees were released. SPC (b)(6), (b)(7)(C) related when he wrote his statement for the unit on 7 Jun 08, he was informed of what to put in his statement by SSG (b)(6), (b)(7)(C)

About 1130, 17 Jun 08, SA (b)(6), (b)(7)(C) obtained a copy of the Blue Force Tracker information for 16 May 08, from SGT (b)(6), (b)(7)(C) HHC, 1/327th INF REG, FOB Summerall. A subsequent review of the database determined this information pertained to 21 through 22 May 08.

About 1140, 17 Jun 08, SA (b)(6), (b)(7)(C) coordinated with SGT (b)(6), (b)(7)(C) Fire Support NGOIC, D CO, 1/327th INF REG, who related he did not have any mission debriefs pertaining to 5th Platoon's 5 and 16 May 08 missions. SGT (b)(6), (b)(7)(C) related the D CO FSO was not maintaining any mission debriefings since 5 Mar 08. SGT (b)(6), (b)(7)(C) related the debriefings should have been maintained at the BN S-2.

About 1410, 17 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SPC (b)(6), (b)(7)(C) related he was in the convoy to drop off detainees on 16 May 08. SPC (b)(6), (b)(7)(C) related he was not aware of which vehicle the detainees rode in, and did not see where the detainees were released. SPC (b)(6), (b)(7)(C) related when he wrote his statement for the unit on 7 Jun 08, he was informed of what to put in the statement by SSG (b)(6), (b)(7)(C)

About 1930, 17 Jun 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with SSG (b)(6), (b)(7)(C) S-3, HHC, 1/327th INF REG, who assisted in experimenting with an AN-M14 TH3 Incendiary Grenade, in relation to how it burns and the type of damage it caused. A grenade was placed on a wooden box and employed. The grenade ignited and flamed within seconds. The grenade emitted an extremely bright light and ignited the wooden box into flames. Next, a grenade was ignited on the ground behind a sandy berm. This was done to see the amount of light and glowing that could be seen from a distance at approximately 100 meters. The glow and light could be seen above the berm. The glow and light was consistent with witness statements. The berm test grenade was placed on an ammo can to see the effects of a grenade burning directly on metal. The grenade burned a hole directly through the ammo can and melted remnants of the grenade could be seen coming through the bottom of the ammo can. Next, a grenade was placed on the ground and employed to test how one burns by itself. The grenade burned to a puddle of molten metal. Next, a grenade was placed on a sandbag in attempts to see if the grenade would roll off once employed. The grenade immediately rolled from the sandbag, igniting the sandbag,

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

ORGANIZATION

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and burning to a puddle of molten metal. Each grenade burned to a puddle of molten metal and then hardened. No part of the grenade was left. This contradicts a part of the grenade that was found at the scene and brought to this agent, and previously collected as evidence. SA (b)(6), (b)(7)(C) captured video, and SA (b)(6), (b)(7)(C) captured digital images, of the aforementioned tests.

At 2010, 17 Jun 08, SA (b)(6), (b)(7)(C) collected samples of the hardened metallic grenade remnants, as evidence, to use as control samples of a known incendiary grenade.

At 1255, 18 Jun 08, SA (b)(6), (b)(7)(C) collected, as evidence, six 9mm rounds from SFC (b)(6), (b)(7)(C)

About 1415, 18 Jun 08, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) S-4, HHC, 1/327th INF REG, who related he was tasked to inventory all of 1LT (b)(6), (b)(7)(C) personal effects and items in his containerized housing unit (CHU). During the inventory, 1LT (b)(6), (b)(7)(C) noted two knives. 1LT (b)(6), (b)(7)(C) related inventoried items were documented on a DD form 1750, and the property was placed into four tough boxes. 1LT (b)(6), (b)(7)(C) related the property was still maintained in 1LT (b)(6), (b)(7)(C) CHU#162, Pad 2-C, FOB Summerall.

About 1420, 18 Jun 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) who provided a sworn statement. SGT (b)(6), (b)(7)(C) described how she was informed of Mr. (b)(6), (b)(7)(C) death and described the information provided to her by Iraqi personnel.

About 1500, 18 Jun 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Military Magistrate, MND-North-Operational Law, Staff Judge Advocate, COB Speicher, who granted authorization for searches of the living areas of 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C). The scopes of the searches were for knives, as it was determined from a witness statement Mr. MANSOUR's clothing was cut from his body. Photographs of Mr. MANSOUR's remains also depicted markings on his leg, which may have been cuts inflicted by a sharp instrument.

About 1948, 18 Jun 08, SA (b)(6), (b)(7)(C) subsequent to a magistrate's authorization, presented SSG (b)(6), (b)(7)(C) with a copy of the Search and Seizure Authorization for the search of his person and CHU. Upon reading the form, SSG (b)(6), (b)(7)(C) reached into his right pants pocket and handed a folding knife to SA (b)(6), (b)(7)(C)

About 1949, 18 Jun 08, SA (b)(6), (b)(7)(C) collected one CRKT folding knife, as evidence, from SSG (b)(6), (b)(7)(C)

About 2000, 18 Jun 08, SA (b)(6), (b)(7)(C) coordinated with SGT (b)(6), (b)(7)(C) and conducted an additional experiment with an AN-M14 TH3 Incendiary Grenade. The grenade was placed on a cement tile similar to the floor of the crime scene. The grenade was ignited and the remains were photographed as they cooled. Subsequent to cooling, the remains were chipped away and revealed a pattern similar to that at the crime scene. The entire

TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6), (b)(7)(C)		ORGANIZATION Tikrit CID Office COB Speicher, Tikrit, IZ, APO AE 09393	
Special Agent SIGN (b)(6), (b)(7)(C)	DATE 22 Jun 08	EXHIBIT 1	

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AGENT'S INVESTIGATION REPORT
CID Regulation 195-1
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ROI NUMBER 0066-08-CID469-51978

PAGE 9 OF 10 PAGES

DETAILS

grenade was reduced to melted slab, but was consistent with the pattern of the object recovered at the crime scene.

About 2008, 18 Jun 08, SA (b)(6), (b)(7)(C) searched SSG (b)(6), (b)(7)(C) living area located at (b)(6), (b)(7)(C) FOB Summerall. SA (b)(6), (b)(7)(C) discovered one KA-BAR brand knife in a plastic sheath located in a foot locker, which was collected as evidence. 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were present during the search.

About 2026, 18 Jun 08, SA (b)(6), (b)(7)(C) subsequent to a magistrate's authorization, searched 1LT (b)(6), (b)(7)(C) living area located at (b)(6), (b)(7)(C) FOB Summerall. SA (b)(6), (b)(7)(C) discovered one Gerber tool equipped with knife in a carrying case, and one folding knife in a tough box in the CHU, which were collected as evidence. The search was terminated at 2039, 18 Jun 08. 1LT (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) were present during the search. 1LT (b)(6), (b)(7)(C) provided copies of the DD Form 1750's, which documented inventoried items in 1LT (b)(6), (b)(7)(C) CHU. The forms also documented what items were released to D CO, and also the items identified as not belonging to 1LT (b)(6), (b)(7)(C).

About 1530, 20 Jun 08, SA (b)(6), (b)(7)(C) coordinated with SFC (b)(6), (b)(7)(C) B CO, 1st STB, 1st BCT, COB Speicher, who provided a copy of Mr. MANSOUR's detainee packet. After reviewing the packet, SA (b)(6), (b)(7)(C) noted this was the same packet this office received from the S-2, FOB Summerall; however, a TF 1/327th Detainee Placard was included in the packet.

About 1555, 20 Jun 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) Human Intelligence Collector, B CO, 1st STB, 1st BCT, who stated he interrogated Mr. MANSOUR four times. SGT (b)(6), (b)(7)(C) related he was not able to extract any further intelligence from Mr. MANSOUR, and suggested he be forwarded to Cropper or Bucca for further interrogation.

Agent's Comment: SA (b)(6), (b)(7)(C) ascertained from SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) there was only one intelligence report on Mr. MANSOUR, which was collected prior to him being detained.

About 1635, 20 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) Brigade Detainee Holding Area (BDHA) Medic, HHC, 1st STB, 1st BCT, who recalled in-processing Mr. MANSOUR. SPC (b)(6), (b)(7)(C) specifically recalled his beard. SPC (b)(6), (b)(7)(C) related Mr. MANSOUR did not complain about any pain, nor did he indicate he needed any medical attention. Further, SPC (b)(6), (b)(7)(C) related Mr. MANSOUR was not sent to the Casualty Support Hospital (CSH) for the contusion on his back. SPC (b)(6), (b)(7)(C) related he could not remember which interpreter he used during the in-processing of Mr. MANSOUR.

TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION Tikrit CID Office COB Speicher, Tikrit, IZ, APO AE 09393	
Sp SIC	(b)(6), (b)(7)(C)	DATE 22 Jun 08	EXHIBIT 1

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DETAILS

About 1300, 21 Jun 08, SA (b)(6), (b)(7)(C) received a copy of a statement provided by SFC (b)(6), (b)(7)(C) on 21 Jun 08. In SFC (b)(6), (b)(7)(C) statement, he described his contact with 1LT (b)(6), (b)(7)(C) who approached him at his CHU during the early morning of 21 Jun 08. SFC (b)(6), (b)(7)(C) related he also observed 1LT (b)(6), (b)(7)(C) talking with SSG (b)(6), (b)(7)(C) but he did not overhear the conversation.

About 1315, 21 Jun 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SPC (b)(6), (b)(7)(C) stated he only saw SSG (b)(6), (b)(7)(C) leave their vehicle on 16 May 08. SPC (b)(6), (b)(7)(C) related he did not hear gunshots, nor did he see a bright flash while he manned the turret of vehicle M-51. SPC (b)(6), (b)(7)(C) could not provide any information pertaining to Mr. MANSOUR.

About 1940, 21 Jun 08, SA (b)(6), (b)(7)(C) advised 1LT (b)(6), (b)(7)(C) of his legal rights, which he invoked and requested legal counsel.

About 1345, 22 Jun 08, SA (b)(6), (b)(7)(C) reviewed the results of the name checks conducted within the Defense Clearance and Investigation Index (DCII) and the National Crime Information Center (NCIC). The name check results did not disclose any criminal history pertaining to 1LT (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) // LAST ENTRY //

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

SIG

ORGANIZATION

Tikrit CID Office
COB Speicher, Tikrit, IZ, APO AE 09393

DATE

22 Jun 08

EXHIBIT

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ACLU REF # 07-0 p. 6

10-L-0126 ACLU CID ROI 8002

000039

SERIOUS INCIDENT REPORT

LINE 1 SUSPECTED HOMICIDE - MURDER OF IRAQI NATIONAL BY US SOLDIER

A. NAME OF SUBJECT

(b)(6)

B. RANK OF SUBJECT

1LT

C. UNIT

D/1-327

LINE 2: DTG OF INCIDENT: 16 MAY 2008

LINE 3: LOCATION OF INCIDENT: Jazeera desert, West of MSR Tampa/South of CP100, vic 38SLD 596 615

LINE 4: EXTENT OF INJURIES/DAMAGE:

Former LN detainee named Ali Mansur allegedly murdered by (b)(6)

LINE 5: LOCATION OF SUBJECT(S)/VICTIM(S) AT TIME OF REPORT:

(b)(6) currently in CONUS on R&R leave

LINE 6: WEAPONS/EQUIPMENT INVOLVED (SERIAL #/BUMPER #)

Suspected 9mm M9 Pistol (Ser # not available at the time of this report).

LINE 7: SUMMARY OF CIRCUMSTANCES:

Ali Mansur was detained on 5 May 08 on suspicion of weapons trafficking (BDE detainee # 3-54881). Subject was questioned at BDHA, then released due to insufficient evidence. 5/D/1-327 IN tasked to release Ali Mansur along with one other detainee, on 16 May 08. Platoon Leader reported mission complete. On 6 Jun 08, HCT was approached by a LN source who claimed to have information that Ali Mansur was murdered. Source was asked to bring any available evidence; during second meeting on 10 Jun 08 provided a CD. CD contained video footage of naked male with apparent gunshot wound and burns to face and shoulders, plus still photos showing what appeared to be a spent 9x19mm cartridge case and the possible remains of a thermite grenade. An initial inquiry uncovered cooperating evidence indicating (b)(6) (b)(6) was possibly involved in the murder of Ali Mansur. The other detainee accompanying Ali Mansur was apparently released unharmed. (SEE ATTACHED SHEETS)

LINE 8: STATUS OF INVESTIGATION:

Commander's initial inquiry and subsequent 15-6 investigation uncovered substantial evidence that allegation is credible. BN is requesting external assistance with investigation.

LINE 9: DAMAGE TO GOVT/CIVILIAN PROPERTY:

LINE 10: DTG REPORTED TO HQ: 112000JUN08.

LINE 11: DTG TO APPOINTED:

LINE 12: NAME, RANK, DUTY, UNIT OF IO:

BN-level investigation conducted by (b)(6) BN FSO.

LINE 13: UNIT SECURING SITE/EVIDENCE: Sworn statements, pistol, and CD secured under BN control.

Timeline / Sequence of Events

5 May 08

5/D/1-327 detained Ali Mansur Mohamed in Albu Toma on suspicion of weapons trafficking. (b)(6) is the platoon leader for 5/D/1-327)

8 May 08

Ali Mansur transported from FOB Summerall Detainee Collection Point (DCP) to Brigade Detainee Holding Area (BDHA) for questioning.

14 May 08

Ali Mansur returned from BDHA to FOB Summerall for release. There was insufficient evidence to justify continued detainment.

16 May 08

5/D/1-327 was tasked to transport Ali Mansur from FOB back to Albu Toma for release, along with another individual, (b)(6) who was being released from the Theater Internment Facility (TIF). The patrol departed the FOB at 1715, and returned at 2004.

17 May 08

At 0915, the Bayji JCC received a report of an unidentified body found South of CP101.

o/a 18 May

(b)(6) (BN S-2) asked by (b)(6) (ESU) if Ali Mansur was going to be released. (b)(6) informed him that he'd already been released.

Unsure of exact date -

(b)(6) told (b)(6) that people in Albu Toma thought the Sons of Iraq (Sol) killed Ali Mansur. (b)(6) is an Sol leader, and was concerned that people would blame him for the death if they thought the Sol did it.

21 May 08

(b)(6) tasked (b)(6) to inquire about Ali Mansur's release. (b)(6) asked (b)(6) what happened to detainees, (b)(6) stated they dropped both off with Mezra Sol. (b)(6) asked why they did that, since it was not normal to release a detainee to Sol. (b)(6) stated "that's how we do things." (b)(6) contacted the S-2 afterwards to relay the information, and confirm his own understanding that releasing detainees to Sol is not acceptable. Also on 21 May, TF-16 killed 8 people in Mezra during an operation; consequence management from that incident temporarily delayed further inquiry into Ali Mansur.

o/a 23 May 08

(b)(6) departed FOB Summerall for COB Speicher enroute to R&R leave.

26 May 08

(b)(6) spoke with (b)(6) (Mezra/Hundai Sol leader); (b)(6) said only one detainee was dropped off. (b)(6) then spoke to PSG (b)(6), who told him they had made 3 stops on the mission (Mezra, Albu Toma, and (b)(6) house). (b)(6) stated that during the stops, he had remained mounted, and wasn't in the same MRAP the detainees were in, but thought one detainee was dropped off at each of the first two stops. Since Ali Mansur was supposed to be released in Albu Toma, this matched the platoon's mission. At this point (b)(6) thought that perhaps he had misunderstood (b)(6) statement about dropping off both detainees in Mezra, or that (b)(6) had simply misspoken.

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EXHIBIT 3

NOTES FOR LTC^{(b) (6)}

1. As far as Iraqis go, the man reporting the following information seems relatively stable, and he has said that he wants this matter investigated. No matter what the results of that investigation are, he states that he and the family will not take matters up further as long as they believe that Coalition Forces is taking the matter seriously. I promised him that all of the information that he is presenting to us will be presented to (b)(6). He stated that he trusts me and (b)(6) (b)(6) because of our reputation.
2. The man reporting the information is a Policeman, and has friends in high places. He knows The Deputy Governor, (b)(6) the Deputy Provincial Director of Security, (b)(6) and the Provincial Police Chief (b)(6). All these guys are Jaburi, like the Source. He is also friends with (b)(6) (b)(6) whom he calls (b)(6). The Source is a Salafist, has a big bushy beard and called (b)(6) as well. He spoke of (b)(6) with enormous respect. I know this is a completely different topic, but (b)(6) has big support among the Salafists, which might pose a problem if he were detained. (This is (b)(6) (b)(6))
3. Prior to the meeting, my Source Handler (who was not present during this meeting, I was) told the Source to bring ALL EVIDENCE PERTINENT TO THE CASE TO THE CMOC WITH HIM. He did not. He brought one CD which showed the naked body of Ali Mansur, where it was found and pictures of Ali Mansur's children. The body appears to have been shot in the face, and his upper body and face have been burned, possibly in a futile attempt prevent identification of the body. He also brought various forensic documents which explain how the Ali died and various requests from the family for an investigation into the matter. Key pieces of evidence which were not included were the 9 mm bullet casings which were found at the scene, and the piece of a CF smoke grenade. (There are pictures of this on the CD). I chided him for not bringing these, and he stated that the family has them. I told him that the only way we would be able to investigate the crime properly was with all of the evidence. I told him he could trust me to do the right thing with this evidence. He stated he would bring it in when we meet on Wednesday.
4. Also not brought in were witness statements from members of the IA who were working at a checkpoint, members of the CLC, who were nearby at another checkpoint, and the family which resides close to the incident where the bodies were found. All of these recordings purportedly state that individuals in the vicinity (on the bridge near Hondai village) saw four MRAPs pull into a deserted area on the side of the road after dark on 16 May 2008. The MRAPs stayed in the area for 15 minutes to half an hour. An explosion and gunshots were heard. The MRAPs left, past the checkpoint. Other vehicles were not seen in the area.
5. The next morning, children found the body, and the IP came to investigate by men in dishdashas and IA uniforms, who recorded the body where it lay. The video appears to have been recorded on a cell phone. Also found at the scene were two bullet casings and part of a grenade. One bullet casing and the grenade fragment

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10-L-0126-AGLU CID ROI 8006

EXHIBIT

000042

was turned over to the family, but it is not clear why. No one knows where the other casing went. The body was naked. The Source claimed that the fingertips might have been crushed in an attempt to prevent fingerprints from being taken from the body, although this is not shown in the video. The body, unidentified at this point was taken to the hospital.

6. Meanwhile, the family heard that Ali Mansur had been released by CF, and were calling around trying to find him. They called the PD's in the area, but all claimed he was not released to them. They called (b)(6) who said there was an unidentified body at the morgue, which might be him. The family went to the morgue and identified the body. At this point, the Source began to cry.
7. After the incident, (b)(6) the CLC leader began to tell everyone that (b)(6) had killed Ali Mansur with his issued 9 mm pistol. Now everyone in Albu Toma believes this to be true. I asked the Source how (b)(6) (b)(6) could have possibly known this unless he was there when Ali was killed. The Source stated that he is not sure, but that (b)(6) is a bad guy and has involvement with terrorists, and may be giving this information in an effort to harm Coalition Forces. (b)(6) according to the Source, routinely has people emplace IEDs in Death Valley and harbors AQI terrorists. (b)(6) also gives false information to CF about his personal enemies in an effort to have them arrested, and often brags about his relationship with CF in general and (b)(6) (b)(6) in particular. (b)(6) is also Jaburi, but is widely disliked in the community by people who dislike terrorists.
8. I asked the Source which he believed was more likely-- that an innocent man would be murdered by CF or (b)(6). The Source replied that he has never known CF to murder anyone, and does not trust (b)(6) who uses his position as a CLC Leader to exact personal vendettas. The Source stated that he does not know for a fact that CF killed or participated in the murder of Ali Mansur, but he wants us to look into the matter, and let him and the family know what the truth is.
9. Right now, Ali's family, the Source, and other people in Albu Toma are "terrified" of CF. That CF will seek retribution for them reporting this matter, and that houses will be raided, and people arrested or killed for bringing up the subject. The Source begged me to stop any harassment on the part of CF against Ali's family. I told him that I would bring the matter up with (b)(6) and (b)(6) being a just and fair man would not let such a thing happen on his watch. The Source stated that (b)(6) has a reputation as an honest and fair man. *
10. On 5 May when Ali was detained, according to the Source, CF entered his house and began punching him in his chest and stomach. This was in front of his pregnant wife and three young children. The Source is sure that CF did this. Ali was detained wearing only his underwear (read-- probably Source means shorts and a t-shirt) and CF would not let him get dressed appropriately before dragging him off. According to the Source, Ali's brother, (b)(6) was also beaten by CF and will bear witness to the fact. Also, the doors were kicked in and possessions in the house were destroyed.

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11. The Source claims that this information or some of it has been reported through other means to GEN Hurling, who also promised to look into the matter. NFI.
12. Please let me know what your further guidance with this is. I am meeting with the Source tomorrow, who should have the evidence with him. I am bringing the CD to you now.

V/R

(b)(6)

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Contingency Operating Base Speicher
Tikrit, Iraq

10 Aug 08

File No.: 0066-08-CID469-51978

TRANSLATIONReport

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

On May-5-2008, American Forces moved from Mr. (b)(6), (b)(7)(C) towards the house of the victim Ali Mansur Mohamed (policeman) located in Albu Toma at 1430. He was arrested by the force after destroying the house furniture and beating him up in front of his family. He was transferred to Sinia base knowing that he was an IP at Alrayash IP station. After following the case we found that he was transferred to Tikrit base (Speicher). Three days later he was released and transferred back to Sinia base. We have received information from Beji police department on May-21-2008 that they have found the body that was transferred to the morgue at Tikrit hospital on Saturday Morning May-17-2008.

After identifying the body by his family the police stated that they found his body naked and he was hit by nine millimeter bullet in the head, and they also found a bullet casing and burns in his face due to detonation of burning bomb under his neck in the area of Hyundai, 700 Meter South of Sinia bridge under railroad overpass.

Please review and follow the case in order to know further details about this issue.

Attached a copy of Baji IP station

Attachments:

- 1- Police report.
- 2- Copy of Beji Investigation Judge dated May-27-2008

Presented by

Brother of the victim- (b)(6), (b)(7)(C)

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

Translated by the undersigned and is to the best of my knowledge.

Translator
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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

10 Aug 08

File No.: 0066-08-CID469-51978

TRANSLATION

Office of Criminal Investigation of Beji

Date: May-29-2008

To Beji Investigation Judge

Due to your decision on May-27-2008

- 1- The death certificate of the victim Ali Mansur Mohammed numbered 13276 dated May-27-2008 which was issued by the morgue in Salah Aldin. Please review.
- 2- The autopsy report for the victim numbered n/a dated May-27-2008 which was issued by the morgue of Tikrit, please review and issue the proper decision.

Signed by:

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

Investigation officer comment:

- 1- I reviewed the death certificate of the victim Ali Mansur Mohammed and attached it to the case.
- 2- I reviewed the autopsy report of the victim and attached it to the case.
- 3- Since the mother of the victim might ask the Coalition Forces about the arrest and release place, please inform us about that.

Signed by the judge

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

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

ated by the undersigned and is to the best of my knowledge.

Translator

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

File No. (b)(6)

TRANSLATION

Autopsy Report

Republic of Iraq
Ministry of health
Institute of forensic
NO:
Date: (b)(6)-2008

Autopsy Report
To Bayji Police Station

in the signee below (b)(6), (b)(7)(C) witnessed that I have done the autopsy on the body of the victim Ali Mansur Mohammed attached that was sent with the autopsy form that was organized by you dated (b)(6)-2008 at ----- hrs. and the result is as follows:

Description of the body:

Body description: Medium built, medium height, dark skinned, born in 1982

Other physical marks: non

Personal belongings: ID tag

Burn in head scalp and multiple burns include the face, neck, upper part of the chest second and third degrees burn.

A bullet entrance found at the right front side of the head caused trauma and shattered the bones additional severe trauma including the brain tissue.

Abdomen

There is another entrance of a bullet at the front of chest which caused lungs trauma with sever bleeding inside the chest cavity.

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Result:

After doing the tests on the body of Ali Mansur Mohamed, we found the real reason for his death is trauma and bleeding because of fire shots.

This document was translated by the undersigned and is to the best of my knowledge.

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



Translator

(b)(6)

COB Speicher, APO AE 09393

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Republic of Iraq
 Ministry of health
 Department of health statistics

Death Certificate Number: 13276
 Date: May-27-2008

Death certificate

Name Ali	Gender Male	Nationality Iraqi	Religion Muslim	Occupation IP	Diseased information Recorded at health authorities of forensic department Sequence number: 224, Year: 2008
Married	Birth date: Feb-1-1982	Birth location: Beji- Salah Aldin	Address: Albu Toma village- Beji directorate- Salah Aldin Governorate	Location of death: Beji- Salah Aldin	
Date of Death: May-17-2008					
Fathers name: (b)(6), (b)(7)(C)	Mothers name: (b)(6), (b)(7)(C)	Name of the person who informed of death: (b)(6), IP (b)(7)(C)	Full address of the person who informed of the death: (b)(6), (b)(7)(C)		
I the signee Dr. (b)(6), (b)(7)(C) physician at Tikrit hospital Morgue, I performed autopsy on the diseased Ali Mansur Mohamed that was sent to us by IP station of Beji, according to form number n/a dated May-17-2008. Stamped by the health department of Statistics.					
Information for civil affairs and citizen department (taken from his personal ID card) Folder number: 799M, Page Number: 123, Governorate: Beji, Number of ID Number: 01702673.					

(b)(6), (b)(7)(C) translated by the undersigned and is to the best of my knowledge.

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

10 Aug 08

File No.: 0066-08-CID469-51978

TRANSLATION

To Baji Investigation Judge

Subject: Request

Please communicate with the American Forces through Beji JCC office for the purpose of knowing all the circumstances of the incident which led to the killing of my son Ali Mansur Mohamed who was detained or arrested by the American Forces on May-5-2008. On May-17-2008 he was found murdered, hoping that you will investigate and inform us about the circumstances of the incident.

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

Date: May-27-2008

ID Number: 018516

Folder Number: 1198M

Page: 33594

Stamped by: Judge (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)lated by the undersigned and is to the best of my knowledge.

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

10 Aug 08

File No.: 0066-08-CID469-51978

TRANSLATION

Criminal investigation office of Beji

Date: 27-5-2008

According to the testimony of the victim's mother, (b)(6), (b)(7)(C) who was born in 1958, and his housewife lives in Abu Toma Village Baji Directorate, stated the following:

On May-5-2008 around 1430 the American forces entered my house and my son's house the victim Ali Mansur Mohamed, his house is close to my house and they arrested him.

On May-21-2008 his body was found at the morgue in Tikrit and we don't know who did it, therefore I request that you investigate the case in order to discover who the assailants are and arrest them. I would like to ask for compensation for the death of my son. That is my statement.

Signed by: (b)(6), (b)(7)(C)

Investigation court of Beji

Dated: May-27-2008

According to the victim's mother testimony (b)(6), (b)(7)(C) who was born in 1958 housewife lives in Abu Toma Village Beji Directorate stated the following: On May-5-2008 around 1430 the American forces entered my house and my son's house the victim Ali Mansur Mohamed, his house is close to my house. They arrested him and on May-21-2008 his body was found at the Morgue in Tikrit and we don't know the assailant. Therefore I request that you investigate the case in order to discover who the assailants are and arrest them. That is my statement.

Stamped by: Judge (b)(6), (b)(7)(C)

Witness statement:

(b)(6), (b)(7)(C) ed by the undersigned and is to the best of my knowledge.

Translator
MND-N G-3
COB Speicher, APO AE 09393

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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 D Co. CP, FOB Sumnerall, IZ	2. DATE 11 JUN 08	3. TIME 2054	4. FILE NO.
5. NAME (Last, First, MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS D Co., 1-327th INF REGT		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-6/Active	FOB Sumnerall APO AE 09393	

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 D Co., 1-327th INF REGT, FOB Sumnerall and wanted to question me about the following offense(s) of which I am suspected/accused: Suspected Homicide of Ali Mansur

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

- I do not have to answer any question 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.

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

5. COMMENTS (Continue on reverse side)

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)		(b)(6), (b)(7)(C)	
1a. NAME (Type or Print) (b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE D Co 1-327TH INF FOB SUMNERALL, APO AE 09393	4.		
2a. NAME (Type or Print) (b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE D. CO. 1-327TH INF FOB SUMNERALL, APO AE 09393	5.		
	6. ORGANIZATION OF INVESTIGATOR D Co., 1-327th INF REGT FOB Sumnerall APO AE 09393		

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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 PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: D Co, CP, FOB Sumnerall
2. DATE: 2008 06 11
3. FILE NUMBER: 2101
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-6/Active
8. ORGANIZATION OR ADDRESS: Dco Y327th 1Blt 1AD APOAE 09393

9. I, SSG (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 16th May 08, myself along with the rest of 5th plt, Dco, 1/32nd SP'd FOB Sumnerall around 1700hrs to drop off 2 detainees and conduct SOI Engagements in Albutoma. We traveled along Hershey to the junction of Hershey + Rt Tampa. There we stopped and released 1 detainee. We mounted backup and traveled south on Tampa to Albutoma where we stopped for SOI Engagements. We were on the ground for approx. 1hr. where we mounted back up and traveled to Sheikh (b)(6), (b)(7)(C) we stopped there for approx. 30min. I had Ali Mansur in the back of my truck the entire time. I had assumed that we were going to release the other detainee in Albutoma, or at Sheikh (b)(6), (b)(7)(C) I asked the Lt (b)(6), (b)(7)(C) twice when and where we were going to release him. I was told "do not worry about it", and "we will take care of it later." After Sheikh (b)(6), (b)(7)(C) we traveled out into the desert between Route Tampa and the RR tracks. The Lt was showing me a safe route thru the desert back to the FOB.

10. EXHIBIT
11. INITIALS OF STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT (b)(6), (b)(7)(C) DATED (b)(6), (b)(7)(C)
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOR sumrall DATED 20080611

9. STATEMENT (Continued)

Also in my truck were spc (b)(6), (b)(7)(C) as my driver, spc (b)(6), (b)(7)(C) as my dismount + spc (b)(6), (b)(7)(C) as my gunner. I was 3rd in the order of movement. we traveled along the RR tracks SE, where we saw someone walking thru the desert with a bag in his hand. we stopped him + questioned him. At this time the Lt changed the ooh, so that I was the Lost truck + he was the 3rd truck. we continued SE + crossed the tracks where we headed back N. towards Hersey. we stopped the trucks somewhere, I am not sure where. It was already getting pretty dark. The Lt came back to my truck and waved me out + dismounted and took the detainee out. myself, the Lt, (b)(6), (b)(7)(C) the Temp + the detainee (Ali Mansur) walked south of the trucks approx 100m. we turned w. and traveled thru a tunnel under the tracks, there was another tunnel just ahead of us. Lt (b)(6), (b)(7)(C) stopped me approx 40m short of the 2nd tunnel I told me to pull security. At this point in time I still thought he (Ali Mansur) was going to be released. maybe scared + maybe questioned, but released. I wandered around a little, I shined my tail light in tunnel twice jout of curiosity. I saw Ali Mansur sitting on a pile of rubble, with Lt (b)(6), (b)(7)(C) across from him. I saw (b)(6), (b)(7)(C) the temp about 10' away. I killed the light + waited for another min or two. I heard 2 shots and jumped, I then walked towards the tunnel + Lt (b)(6), (b)(7)(C) met me halfway. He had a pistol in his hand + I believe the hammer was cocked. The Lt then told me to "throw it", I said "throw what", He just looked at me and said it again + pointed at my Pouch. I keep a thermite + a smoke grenade + he knew that.

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) **Official Use Only** PAGE 2 OF 3 PAGES

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT FOB Sumnerall DATED 20080611

9. STATEMENT (Continued)

I reached in my pouch, grabbed the first thing I laid my hands on, pulled the pin and tossed it into the tunnel, towards where I had seen the rubble. There was a bright flash & I stumbled back to the trucks. I didn't see Lt **(b)(6), (b)(7)(C)** shoot Ali Mansur, nor did I see the body, but I do believe he did. The ITC came by my cell several times and never really threatened me, but the Implied Threat was there End of statement

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

AFFIDAVIT

I, 554 **(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

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

WITNESSES:

(b)(6), (b)(7)(C)
D Co 1-327TH INF FOB Sumnerall
ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)
D Co 1-327TH INF FOB Sumnerall
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of June, 2008 at FOB Sumnerall
(b)(6), (b)(7)(C)
(Typed Name of Person Administering Oath)

Commissioned Officer
(Authority To Administer Oaths)

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB Summerall, Iraq
2. DATE: 2008-06-12
3. TIME: 2246
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-2-Active
8. ORGANIZATION OR ADDRESS: D Co 1-327 INF 113CT IAD

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
1- WHAT HAPPENED THE DAY OF ALI MONSOURI DEATH?
We recieved a mission brief sometime in the afternoon from Lt. (b)(6), (b)(7)(C) about our mission for the day. The mission was to return 2 detainees, do some sort of patrol on market street, and meet with Sheikh (b)(6), (b)(7)(C). The 2 detainees were already with us on the pad, cuffed and blindfolded. Lt. (b)(6), (b)(7)(C) told us that Ali Monsour was a known terrorist, but Battalion didn't have enough information on him so we were going to let him go. He then asked us "How much sense does that make?" There were some further questions about the mission. Shortly after, we left on the mission. We arrived at a CLC checkpoint in Mezra. Lt. (b)(6), (b)(7)(C) whom I was driving, dismounted to oversee the handoff. I saw on detainee exit the truck in front of me. His blindfold was removed along with his handcuffs, then Lt. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) our interpreter shook hands with and talked to the CLC members at the checkpoint. Everyone then returned to the vehicles and we drove to Abu Toma. We did a patrol of the market street area and then continued on to Sheikh (b)(6), (b)(7)(C) house. Lt. (b)(6), (b)(7)(C) and all the dismounts left the vehicle for the meeting while the drivers and gunners stayed in the vehicles to pull security. After the meeting was

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 4 PAGES

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

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall DATED 2008-06-12

9. STATEMENT (Continued)

complete we started back to the FOB. Shortly into the trip back, Lt. (b)(6), (b)(7)(C) called over the radio that we should show SSG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C), who were new to our AO, one of our alternate routes through the desert. We turned off the pavement and drove parallel to the railroad tracks offroad. We had taken this route a couple of times before. About halfway through the trip, the Lt. called for a change in the order of movement, pushing the Platoon Sergeant, SFC (b)(6), (b)(7)(C) in front of us. We were third in the order of movement with SSG (b)(6), (b)(7)(C) truck behind us. We continued on for approximately 10 more minutes before Lt. (b)(6), (b)(7)(C) called for a tactical pause. We killed the lights on the trucks, and then the Lt. dismounted. Approximately 15-20 minutes passed when my Gunner, (b)(6), (b)(7)(C) said he thought he saw something burning behind us. Approximately 5-10 more minutes passed before Lt. (b)(6), (b)(7)(C) returned to the vehicle. Once he was back in the vehicle, we returned to the FOB.

2- Did (b)(6), (b)(7)(C) get out the truck?

I don't know.

3- Where was the detainee during the "tactical pause"?
The detainee was not in my truck at any time during the mission. If the detainee was still in SSG (b)(6), (b)(7)(C) truck during the tactical pause, I could not see him.

INITIALS OF PERSON MAKING STATEMENT

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

For Official Use Only

PAGE 2 OF 4 PAGES

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

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT FOB Summerall DATED 2009-06-12

9. STATEMENT (Continued)

4- WHAT DO YOU THINK HAPPENED TO ALI MONSOUR?

I think Lt. **(b)(6), (b)(7)(C)** killed Ali Monsour during the tactical pause in the desert on the return trip to FOB Summerall from Albu Tomde.

5- WHY DO YOU THINK LT **(b)(6), (b)(7)(C)** ^{MAY HAVE} KILLED ALI MONSOUR?

Lt. **(b)(6), (b)(7)(C)** had many contacts in our AO that led him to believe that Ali Monsour helped, in some way, contribute to the IED that struck our convoy on April 21st, which killed Kolhaas and Christofferson. We had turned him in to Battalion, who then released ~~him~~ him for reasons unknown to me. Lt. **(b)(6), (b)(7)(C)** in my belief, ~~could~~ may have killed Ali Monsour to stop further IEDs from being placed by this known terrorist, and to avenge the deaths of Kolhaas and Christofferson.

6- DO YOU THINK LT **(b)(6), (b)(7)(C)** FELT RESPONSIBLE FOR THE DEATH KOLHAAS & CHRISTOFFERSON?

No.

7- WHAT WAS THE PURPOSE OF "PURSUABLY" KILLING ALI MONSOUR?

Lt. **(b)(6), (b)(7)(C)** may have killed Ali Monsour to stop him from planting more IEDs, and killing more Americans. He also may have done it to avenge the deaths of Kolhaas and Christofferson.

8- WAS THERE ANYONE ELSE ON THE GRAND DURING THE "TACTICAL PAUSE"? No one from either of the two trucks in front of me dismounted. I do not know if anyone behind me did.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 4 PAGES

For Official Use Only

EXHIBIT

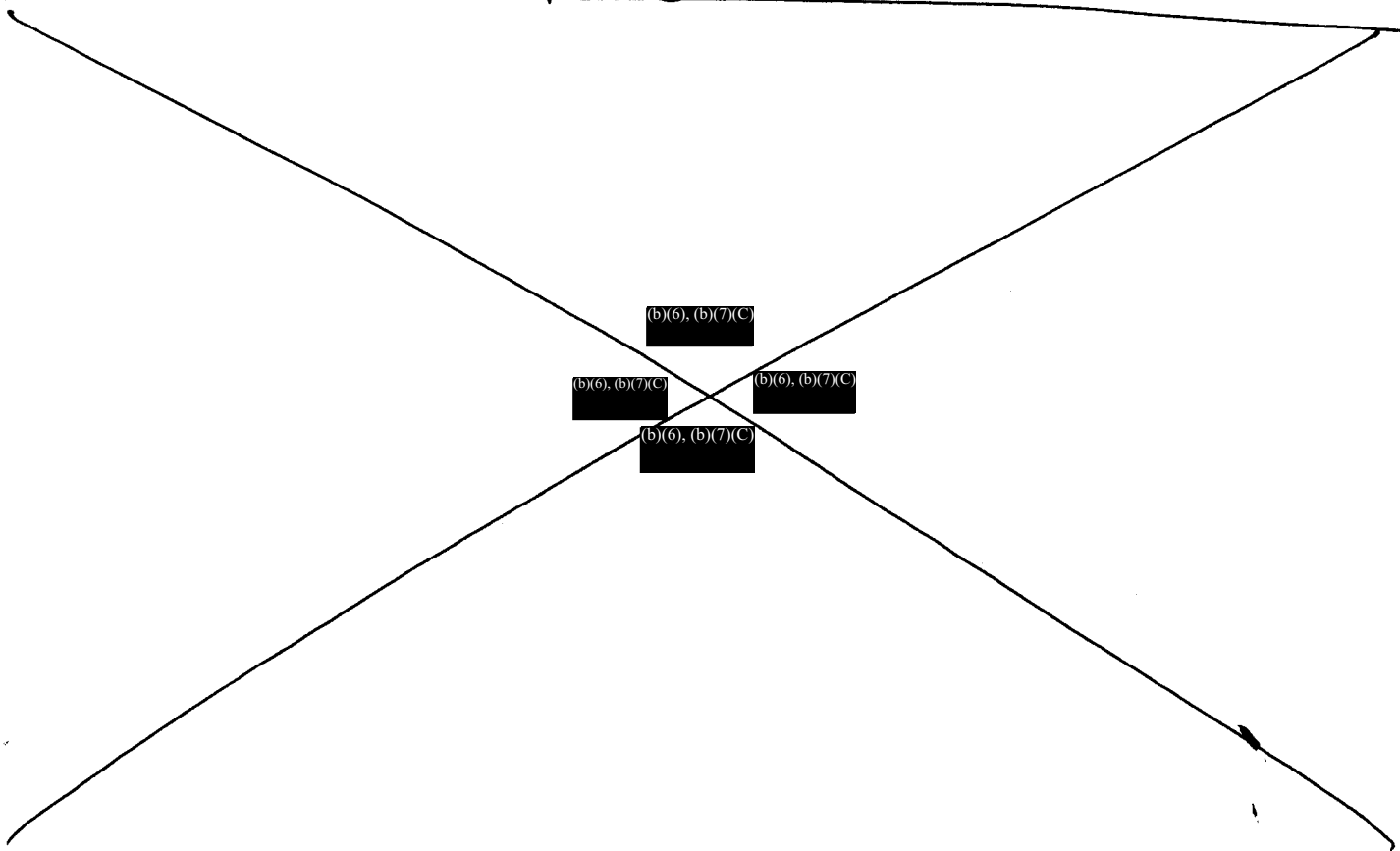
APD PE v1.00

Law Enforcement

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Sumnerall DATED 2008-06-12

9. STATEMENT (Continued)

9- DID YOU HEAR ANY GUNSHOTS?
I did not hear anything.



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

(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)

Person Making Statement)

WITNESSES:

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

DCo 1-327TH INF

FOB SUMNERALL, APO AE 09393

ORGANIZATION OR ADDRESS

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

DCo 1-327TH INF

FOB SUMNERALL, APO AE 09393

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of JUN, 2008

at DCo 1-327TH INF (b)(6), (b)(7)(C)

Oath)

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

(Typed Name of Person Administering Oath)

MT 1308(4), UCMJ

(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 PMG.

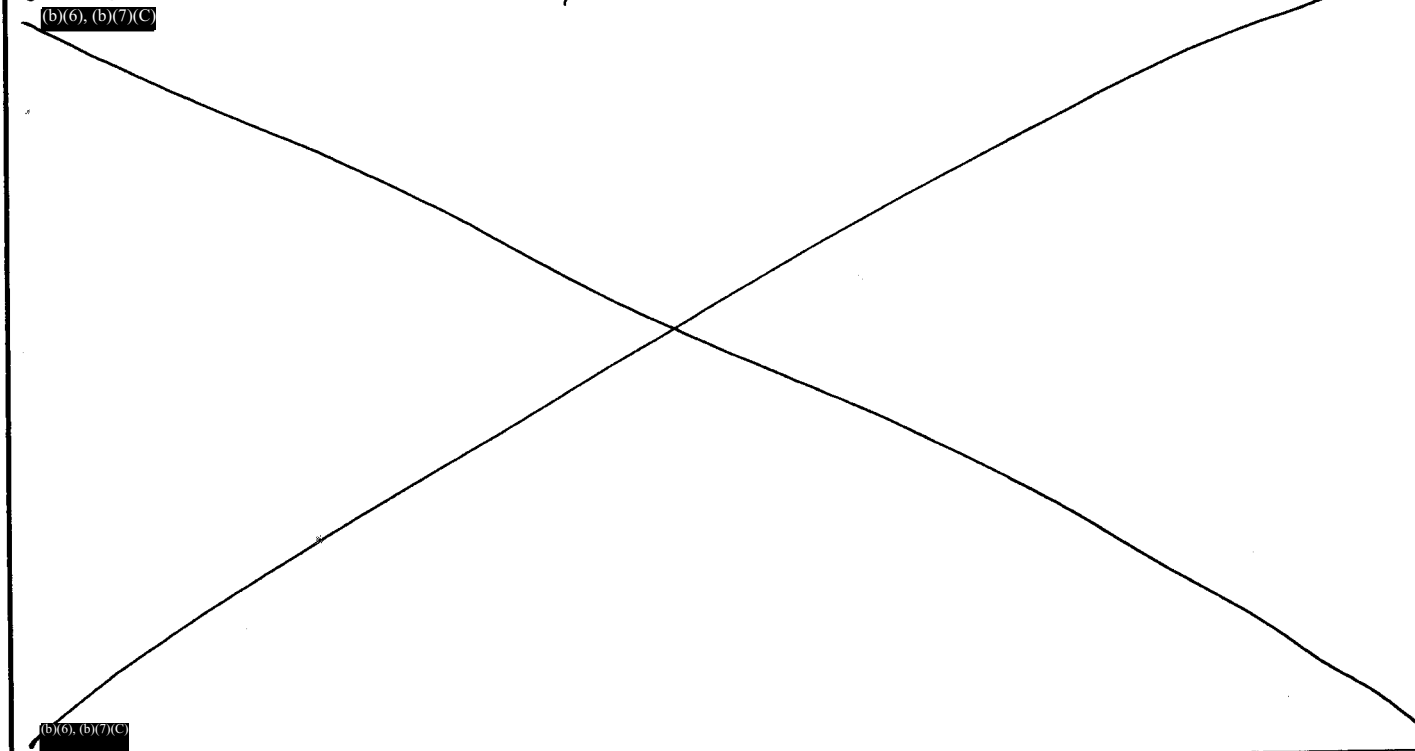
PRIVACY ACT STATEMENT

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

1. LOCATION: D Co 1-327th CP FOB Summerall
2. DATE (YYYYMMDD): 2008/12/06
3. TIME: 2256
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-8
8. ORGANIZATION OR ADDRESS: D Co 1-327th Inf REGT

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

As I know of the circumstances in the return of two detainees to their local village is 5th platoon picked up two local nationals to escort them back to the local population. 5th platoon stop at several locations but only dropped of one detainee at the checkpoint. The other was in the vehicle until he was allegedly dropped off in the desert. This detainee was suspected in the involvement of the death of two soldiers and several injured in that platoon. The credibility of that information is unknown but I believe that LT (b)(6), (b)(7)(C) knew of this information and let it cloud his judgement if he was involved in the death of Ali Mansur. According to the SFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) LT (b)(6), (b)(7)(C) conducted and accumulated his own intelligence information about this detainee that probably led to his demise. SFC (b)(6), (b)(7)(C) told me after they left Abu Toma that LT (b)(6), (b)(7)(C) changed the order of movement that placed him as the second vehicle and LT (b)(6), (b)(7)(C) as the third vehicle. The last vehicle had SSG (b)(6), (b)(7)(C) his crew and Ali Mansur. 5th Plt took a different route across the desert where they stopped twice. Once, because of a local national was walking in the middle of the desert and they stopped again but no reason was given. According to SSG (b)(6), (b)(7)(C) he, the LT, ALi Mansur and the terp (b)(6), (b)(7)(C) exited their respective vehicles and preceded to walk about 100 or so meters and ended up at some tunnels. After about 10 minutes they left heading back to the vehicle but without Ali Mansur. I know that LT (b)(6), (b)(7)(C) harbored the blame for the incident that took his soldiers life and more then likely carried that burden with him the entire time after the incident. On several occasions, I talk to LT (b)(6), (b)(7)(C) and advised him to seek some counseling with the Chaplain and Combat Stress Team. I know after the death of his soldiers I conveyed to him that he will be getting new soldiers and a new platoon sergeant. His attitude was he did not want to fathom the idea of replacements. I reiterated that he will get them and will indoctrinate them into the platoon to get these guys mind back into the fight so they can have some closure and move on. NOTHING FOLLOWS



10. EXHIBIT: (b)(6), (b)(7)(C)
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____
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STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT FoB Sumnerall DATED 2008 06/2

9. STATEMENT (Continued)

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

(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 _____. 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)

(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of JUN, 2008

at FoB SUMNERALL

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

(Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

HHC 1-327 IN

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

#

HHC 1-327 IN
ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB SUMMERALL IRAQ
2. DATE: 2008/06/17
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. /SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E2/RA
8. ORGANIZATION OR ADDRESS: 5th PRT/D 10/1-327 INF REG/1 BCT/101 ABN DIV/1 AD

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
1- WHAT HAPPENED THE DAY ALI MONSOR DIED?
we had 2 detainees to drop off on our way to Albu Toma. we headed down Hershey South and stopped at the Tampa/Hershey intersection. We dropped off at least one detainee there, that I saw. we proceeded to Albu Toma conducting SOI on market street and then went to Shuk (b)(6), (b)(7)(C) I stayed in the truck. On the way back Lt (b)(6), (b)(7)(C) radioed that he wanted to show Sgt (b)(6), (b)(7)(C) the Desert Route back to the FOB. He also changed the order of march, moving my truck from trail to second in order. Lt (b)(6), (b)(7)(C) radioed that he wanted to investigate a vehicle so we halted. SFC (b)(6), (b)(7)(C) dismounted briefly and returned to the truck in a couple minutes. I looked whats up and he said he doesnt know. We waited until Lt (b)(6), (b)(7)(C) called over the radio that we were ready to RTB. Then we RTB'd.
2- DID YOU DROP OFF TWO DETAINEES @ THE 1ST STOP?
I saw one detainee dropped off at the CLC checkpoint at the Hershey/Tampa intersection
3- DO YOU KNOW WHO GOT OUT ON THE GROUND @ THE 1ST STOP - "CF"?
No, everyone in my truck stayed and pulled security
4- WHO WAS IN YOUR TRUCK?
I was driving. SFC (b)(6), (b)(7)(C) was TC. SPC (b)(6), (b)(7)(C) gunning. SPC (b)(6), (b)(7)(C) was dismount.
5- WHERE WAS (b)(6), (b)(7)(C)?
I do not believe he was in my truck, but I can't be positive.
6- HOW LONG WAS THE STOP IN THE DESERT?
If I had to guess, probably about 15 minutes.
7- WHAT IS THE CLIMATE IN THE PLT?
Everyone gets along for the most part. Living together in this stressful environment we sometimes get on eachothers nerves, but nothing serious.

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 3 PAGES

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

For Official Use Only

Law Enforcement

Sensitive

EXHIBIT APD PE v1.00 00074 18

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB SUMMERSALL IRAQ DATED (b)(6), (b)(7)(C) 2008 06/12

9. STATEMENT (Continued)

8- WHEN THE TRUCKS HALTED IN THE DESERT, DID YOU HEAR ANY GUNSHOTS?

No, I was in my truck with the headset on, talking to my gunner, and I didn't hear any gunshots.

9- How DOES THE PLATOON REFER TO IRAQIS?

Depends on how its used. If they're known insurgents, we call them insurgents. We call regular people Iraqis.

10- WHAT DO YOU THINK HAPPENED TO ALI MANSOUR?

From what I've heard he was murdered.

11- WHO MURDERED ALI MANSOUR?

I have no proof of who murdered him.

12- How long have you BEEN IN THE PLATOON?

Early February. about 4 months.

13- WHO DO YOU THINK KILLED ALI MANSOUR?

I believe Lt (b)(6), (b)(7)(C) killed him.

14- WHY do you BELIEVE (b)(6), (b)(7)(C) I think he killed him?

As far as I know, he was last to handle the detainee.

15- WHY do you think he would WANT to kill him?

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

16- Do you think Lt (b)(6), (b)(7)(C) FELT RESPONSIBLE FOR THE

DEATH OF (b)(6), (b)(7)(C) ?

Yes.

17- How DO YOU KNOW?

He personally told me that he felt guilty for what had happened to them.

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall RAQ DATED 2008/06/12

9. STATEMENT (Continued)

18 - WHEN ~~AM~~ ^{LAST} SAID THE LT HAD^V CUSTODY OF THE DETAINEES,
WHAT DO YOU MEAN?
I believe the detainee was in the LT's truck on this patrol.

19 - DO YOU KNOW WHO WAS IN THE LT'S TRUCK?
I believe PR2 (b)(6), (b)(7)(C) was the LT's driver, I don't know who else was in his truck.

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

(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 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)

Statement)

WITNESSES:

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

DCO 1-327TH INF
FOB Summerall, APO AE 09393
ORGANIZATION OR ADDRESS

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

DCO 1-327th INF
FOB Summerall, APO AE 09393
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of JUN, 2008 at DCO 1-327th INF, FOB Summerall, 12

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

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

(Typed Name of Person Administering Oath)

ART 136B (4), UCTJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

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Law Enforcement

EXHIBIT

APD PE v1.05

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LAW ENFORCEMENT SENSITIVE

Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

File No.: 0066-08-CID469-51978

TRANSLATION

SWORN STATEMENT

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

Taken on 12 Jun 08 at FOB Summerall, Bayji, IZ

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

- 1- I was told that there is a mission to the village of Albu Toma, but I wasn't told that there are detainees in this mission.
- 2- I wasn't with Ali Mansur in the same truck but I was with LT **(b)(6), (b)(7)(C)**
- 3- After we done talking to Sheik **(b)(6), (b)(7)(C)** we came back to the FOB and during that I felt that the vehicle took a different road and then stopped for almost 10 minutes and then moved towards the FOB.
- 4- Not sure.
- 5- The vehicle stopped during our return to the FOB. But I don't know where "in the street or desert"
- 6- Ten minutes.
- 7- Nobody asked me to dismount therefore I stayed in the vehicle.
- 8- Yes.
- 9- **(b)(6), (b)(7)(C)**
- 10- Nobody left the vehicle except LT **(b)(6), (b)(7)(C)**
- 11- Yes.
- 12- No.

This document was translated by the undersigned and is to the best of my knowledge.

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

Translator
MND-N G-3
COB Speicher, APO AE 09393

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LAW ENFORCEMENT SENSITIVE

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LAW ENFORCEMENT SENSITIVETikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

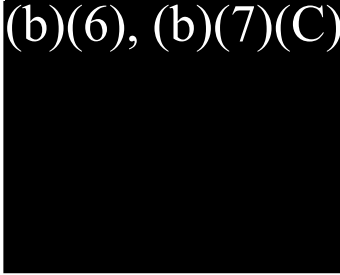
File No.: 0066-08-CID469-51978

TRANSLATIONSWORN STATEMENT**(b)(6), (b)(7)(C)**Taken on 13 Jun 08 at FOB Summerall, Bayji, IZ

I, **(b)(6), (b)(7)(C)** want to make the following statement under oath:
 I was told that there is a duty (mission) to the village of Abu Toma, I got ready for this duty (mission). Later LT **(b)(6), (b)(7)(C)** told me that there are two detainees with us, he asked me to bring one of them from the vehicle, He was Ali Mansur. LT **(b)(6), (b)(7)(C)** started talking to him and I was translating the conversation that went between him and Ali Mansur. LT **(b)(6), (b)(7)(C)** told him: today I will kill you if you don't tell me who is the group, Ali answered: I don't know anything. LT **(b)(6), (b)(7)(C)** told me to take him back to the vehicle, and I took him back to the vehicle. After that we moved to our duty (mission) the mission was to go to the village of Abu Toma. We left the camp, after that the vehicle stopped at Mazraa to drop one of the detainees in Mazraa, and he gave him to the CLC Of Mazraa because he was a local national of Mazraa. After we gave this person to Mazraa CLC we moved to the village of Abu Toma, we got to the village and we talked to Sheik **(b)(6), (b)(7)(C)** for almost couple of hours or more about the village situations. Later we moved from the village of Abu Toma heading to the camp. The vehicle started taking another route on the left side of the main street, then the vehicle started driving on a dirt road. During that we found a person walking, the vehicles stopped and soldiers dismounted to check this person what is doing in this place, we searched him but we couldn't find anything. After that we went back to our vehicles and drove through the desert, then the vehicle stopped and LT **(b)(6), (b)(7)(C)** and I got out. SGT **(b)(6), (b)(7)(C)** and some soldiers, I don't remember the names of the soldiers. LT **(b)(6), (b)(7)(C)** told them that I don't want anybody with me except the translator and SGT **(b)(6), (b)(7)(C)**. Then they brought Ali Mansur and took him under railroads tunnel (railroads overpass). Later LT **(b)(6), (b)(7)(C)** and SGT **(b)(6), (b)(7)(C)** started cutting off his cloths and I was watching what's happening, I was thinking with myself: what are these two persons doing to this man. LT **(b)(6), (b)(7)(C)** asked him tell me what do you know: Ali Mansur replied, I don't know anything, then Lt. Shot him twice and SGT **(b)(6), (b)(7)(C)** placed a grenade on the face of Ali to burn. After that we went to the vehicles and mounted, then the vehicles moved heading towards the camp and came back and nothing happened.

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



ated by the undersigned and is to the best of my knowledge.

Translator
MND-N G-3
COB Speicher, APO AE 09393

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LAW ENFORCEMENT SENSITIVE

EXHIBIT

22

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LAW ENFORCEMENT SENSITIVE

Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

22 Jun 08

File No.: 0066-08-CID469-51978

TRANSLATION

SWORN STATEMENT

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

Taken on 9 Jun 08 at Hunday Village (near CLC Checkpoint

I, **(b)(6), (b)(7)(C)** want to make the following statement under oath:
On Friday May-16-2008, at 17:30hrs. I was in the crossing of Sinia Mazraa with **(b)(6), (b)(7)(C)** Around that time and within the traffic of 5th platoon Delta company (LT **(b)(6), (b)(7)(C)**). Handed over to us the detainee **(b)(6), (b)(7)(C)**....? he got off from the first vehicle (MRAB), his hands where cuffed to the front, LT **(b)(6), (b)(7)(C)** told me that **(b)(6), (b)(7)(C)** .? Was detained in BOCA. He asked my group and I to identify him in order to be given to his family in Mazraa. I didn't know him, then I called Sheik **(b)(6), (b)(7)(C)** because he is my direct chief, he stayed at the checkpoint tell the arrival of Sheik **(b)(6), (b)(7)(C)** When Sheik **(b)(6), (b)(7)(C)** arrived, the detainee's father and his uncle were already in the checkpoint there were driving a Dayoo (Daewoo). He was given to his father and uncle at the same moment on Friday May-16-2008 and they went back to their families in Mazraa. I finished my duty without any problems. This is my statement.

This document was translated by the undersigned and is to the best of my knowledge.

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

Translator
MND-N G-3.
COB Speicher, APO AE 09393

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SWORN STATEMENT

LOCATION: COB Summerall, B (b)(6), (b)(7)(C) 3
FILE NUMBER: 066-08-CID469 (b)(6), (b)(7)(C)
DATE: 13 Jun 08 **TIME:** 19:00
NAME: (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** E-4/SPC
ORGANIZATION OR ADDRESS: D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

(b)(6), (b)(7)(C) want to make the following statement under oath:
I am the unit armorer for D Company, 1-327th Infantry Regiment on FOB Summerall. I issued the Beretta 9mm pistol to 1LT (b)(6), (b)(7)(C) on 29 Apr 08, although when I issued him the weapon, I inadvertently used the number on the wrong side of the pistol. I used the number 65490 instead of 1353496 which is the weapons serial number. 1LT (b)(6), (b)(7)(C) turned in his weapon to someone in his platoon when he went on leave. I did not see the weapon, and I do not know when 1LT (b)(6), (b)(7)(C) went on leave. I then had to reassign the weapon to SSG (b)(6), (b)(7)(C) on 5 Jun 08.

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

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

Q. Did you accompany a patrol on 16 May 08 to drop off any detainees?

A. I did not go on that mission.

Q. Has anyone told you whether the weapon has been fired recently?

A. I do not know, no one tells me anything like that.

Q. Is there anything you wish to add to this statement at this time?

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

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

DA Form 2823-E

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EXHIBIT 26

ACLU-RDI 5576 p.85

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8066

000091

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 13 Jun 08, CONTINUED:

NOT USED

(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 2. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely, voluntarily, and without threat of punishment, and without coercion, and without duress.

Witness #1:

Witness #2:

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

Subscribed and sworn before me, a person authorized by law to administer oaths, this 13th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 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 MWR Building, FOB Summerall, Bayji, IZ, APO AE 09393		2. DATE Jan 08	3. TIME 2017	4. NUMBER (b)(6), (b)(7)(C) 3-CID469
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-6/SSG			

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 and wanted to question me about the following offense(s) of which I am suspected/accused: Conspiracy, Accessory, Murder, False Official Statement (b)(6), (b)(7)(C)

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights: I do not have to answer any questions or say anything.

Anything I say or do can be used as evidence against me in a criminal trial.

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

-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 the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Q. Have you been advised of your rights within the last 30 days and have you requested legal counsel? A. Yes (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)		(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE			
2a. NAME (Type or Print)			
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR	
		32 nd MP DET (CID) COB Speicher, Tikrit, IZ, APO AE 09393	

SECTION C. Non-waiver

1. I do not want to give up my rights (b)(6), (b)(7)(C) I do not want to be questioned or say anything

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EXHIBIT

STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

EDITION OF NOV 44 IS OBSOLETE

PART II - RIGHTS WARNING PROCEDURE**THE WARNING**

1. WARNING - Inform the suspect/accused of
 - a. Your official position.
 - b. Nature of the offense(s)
 - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must understand your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

-or-

(For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

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

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?"
(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"
(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?"

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed.
Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

(b)(6), (b)(7)(C) COMMENTS (Continued)

On the 11th I was advised of my rights and waived them. On the following day I sought legal counsel. I was told to wait until questioning and then ask. (b)(6), (b)(7)(C)

REVERSE OF DA FORM 3881

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EXHIBIT

ACLU-RDI 5576 p.88

10-L-0126-ACLU CID ROI 8069

000094

27

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 13 Jun 08 (b)(6), (b)(7)(C) **TIME:** 2030 to 2245 (b)(6), (b)(7)(C)**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-2/PV2**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

I have been in 5th plt D co, 1-327 INF REG, since February 9th. My primary position in the platoon is driver for SFC (b)(6), (b)(7)(C). The mission on May 16th seemed like a normal mission. The med evac status that day was red, but we went out anyways. At the mission brief we were told that we had two detainees to return to the clc, one of them being a man that had been detained by my platoon May 5th. I was not there when he was detained, as I was at COB Speicher for R&R. Around 1600 or 1700 we SPed out gate three. I believe the order of march was Sgt (b)(6), (b)(7)(C) in the lead, followed by LT (b)(6), (b)(7)(C) then SSG (b)(6), (b)(7)(C) and my truck as trail. In my truck were SFC (b)(6), (b)(7)(C) as TC, SPC (b)(6), (b)(7)(C) gunning, SPC (b)(6), (b)(7)(C) dismount, and myself driving. After SPing gate three our convoy took Hershey south to the Hershey/Tampa intersection. We pulled security and I saw one detainee being given to the clc at that intersection. I did not see who dismounted with the detainee to turn him over to the clc. We were stopped at the intersection for approximately 5-10 minutes. After the detainee was released to the clc we continued our mission south on Tampa to Abu Toma. At Abu Toma we conducted SOI on market street for approximately 30 minutes, making our way to Sheik (b)(6), (b)(7)(C) house. Once at Sheik (b)(6), (b)(7)(C) I stayed with the trucks and helped my gunner pull security. I do not recall who all dismounted to Sheik (b)(6), (b)(7)(C) house and who stayed with the trucks. I do not know how long we were at Sheik (b)(6), (b)(7)(C) house. When Lt (b)(6), (b)(7)(C) said we were ready to go we left Sheik (b)(6), (b)(7)(C) and headed towards Tampa. Lt (b)(6), (b)(7)(C) radioed that he wanted to show SSG (b)(6), (b)(7)(C) the desert route back to the FOB, and that he wanted us to change the order of march, moving my truck from the rear to second in line. We changed the order of march as requested when we got to Tampa, and started headed to the alternate route back to the FOB, SGT (b)(6), (b)(7)(C) truck in the lead and mine following. I do not know the order of which Lt (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) trucks were in. Once we were on the desert route SSG (b)(6), (b)(7)(C) called up and said that he needed to take a tactical pause, which is what we say when we need to stop to use the bathroom. Lt (b)(6), (b)(7)(C) radioed back and told him not yet, so we continued through the desert. A little later, I do not know how long, Lt (b)(6), (b)(7)(C) called up saying that he wanted to investigate a culvert, so we halted movement and turned off our headlights, as it had become dark by this time. SFC (b)(6), (b)(7)(C) dismounted briefly, maybe two minutes, and returned to the truck. I asked him what was up and he said he didn't know. At some point SGT (b)(6), (b)(7)(C) radioed asking why we had stopped, and I believe Lt (b)(6), (b)(7)(C) driver replied that they were checking out a culvert. I believe that we were stopped for about 15-20 minutes. Lt (b)(6), (b)(7)(C) came on the net and said we could RTB, so we continued on the desert route which brought us to Hershey south. Once on Hershey south we headed back to the FOB and entered through gate three.

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

A. PV2 (b)(6), (b)(7)(C)

Q. Did you type the above narrative?

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

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

PAGE 1 OF 4 PAGES

DA Form 2823-E

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 28

ACLU-RDI 5576 p.89

10-L-0126 ACLU CID ROI 8070

000095

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 13 Jun 08,

CONTINUED:

Q. What do you mean when you said the medevac status was red?

A. It means that we did not have any medevac air evacuation support, we sometimes go on mission when it is like that, but not normally.

Q. You said you were returning detainees to the CLC, what is the CLC?

A. Concerned Local Citizens, they are also known as the Sons of Iraq. They always have people at that intersection.

Q. What is SOI?

A. That is when we go to a local village and do a “meet and greet” sort of thing. Trying to win the hearts and minds.

Q. What position is your truck usually in a convoy?

A. The last.

Q. Was it odd that LT (b)(6), (b)(7)(C) changed the order of the convoy while you were driving through the desert?

A. Yes.

Q. When your convoy stopped in the desert, did you hear or see anything unusual?

A. No.

Q. When did you find out that a detainee was killed?

A. I found out that a body of a detainee was found about a week after the 16 May 08 mission.

Q. What did you hear happened to the detainee?

A. SSG (b)(6), (b)(7)(C) told me that when we stopped in the desert on the 16 May 08 mission, LT (b)(6), (b)(7)(C) told SSG (b)(6), (b)(7)(C) to get an incendiary grenade. SSG (b)(6), (b)(7)(C) followed LT (b)(6), (b)(7)(C) a detainee, and the interpreter (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) heard gun shots and saw LT (b)(6), (b)(7)(C) with his pistol drawn. LT (b)(6), (b)(7)(C) then told SSG (b)(6), (b)(7)(C) to “throw it”. SSG (b)(6), (b)(7)(C) told me he felt threatened when he saw LT (b)(6), (b)(7)(C) pointing his pistol in SSG (b)(6), (b)(7)(C) direction. SSG (b)(6), (b)(7)(C) activated and threw the grenade in the direction of the dead detainee.

Q. Did SSG (b)(6), (b)(7)(C) see LT (b)(6), (b)(7)(C) shot the detainee?

A. I don't believe so.

Q. Did SSG (b)(6), (b)(7)(C) say why LT (b)(6), (b)(7)(C) told him to throw the grenade?

A. No.

Q. Did you know who the detainee was?

A. No. But later heard that he was involved with the 21 Apr 08 IDE attack on my truck which killed two Soldiers, one CLC, and one interpreter. And wounded several others.

Q. Who did you hear this from?

A. I really don't remember, but I remember (b)(6), (b)(7)(C), (b)(7)(D)

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

Q. Do you believe LT (b)(6), (b)(7)(C) murdered that detainee?

A. Yes.

Q. Why would LT (b)(6), (b)(7)(C) murder that detainee?

A. I believe it was to honor the two fallen Soldiers. I believe he thought it was his duty because he had information that detainee directly or indirectly killed two of his Soldiers. I don't believe LT (b)(6), (b)(7)(C) acted correctly by murdering the detainee. (b)(6), (b)(7)(C)

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

PAGE 2 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 13 Jun 08,

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

CONTINUED:

Q. Other than SSG (b)(6), (b)(7)(C) have you heard anything, from anyone, who may have had first hand knowledge of how the detainee was killed?

A. No.

Q. On the 21 Apr 08 mission, where your truck was attacked by an IED, where was your unit going?

A. To Sallam Village. We were going there because intelligence suggested that people from Sallam Village were planting IED's and attacking Abu Toma.

Q. Is Sallam Village in your unit's area of operation?

A. No.

Q. Why then was your unit going there?

A. Because the intelligence said they were planting IED's in our area of operation.

Q. Where did this intelligence come from?

A. LT (b)(6), (b)(7)(C) said this. I don't know where he got the intelligence from.

Q. Was this an approved mission?

A. Yes. I think we had permission from our Commanding Officer to be in that area.

Q. Is there anything you wish to add to this statement at this time?

A. No. //End of Statement//

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

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

PAGE 3 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT FOB Summerall, Bayji, IZ, DATED 13 Jun 08,
CONTINUED:

[Redacted 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 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)**

Witness #1:

Witness #2:

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

(Signature of Person Administering Oath)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 13th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

10 USC 936
(Authority to Administer Oath)

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

PAGE 4 OF 4 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 MWR Building, FOB Summerall, Bayji, IZ, APO AE 09393		2. DATE 13 Jun 08	3. TIME (b)(6), (b)(7)(C) 23:16	4. FILE NUMBER (b)(6), (b)(7)(C) 0066-08-CID469
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS Global Linguistics, D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS CIV			

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 and wanted to question me about the following offense(s) of which I am suspected/accused: Conspiracy, Accessory, Murder, False Official Statement /// (b)(6), (b)(7)(C)

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:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (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.

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

5. COMMENTS (Continue on reverse side)

Q. Have you been advised of your rights within the last 30 days and have you requested legal counsel? A.

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

WITNESSES (if available)		(b)(6), (b)(7)(C)	
1a. NAME (Type or Print) (b)(6), (b)(7)(C)			
b. ORGANIZATION OR ADDRESS AND PHONE MND-N G3 LINGUIST COB SPEICHER ARABIC TRANSLATOR			
2a. NAME (Type or Print)			
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR 32 nd MP DET (CID) COB Speicher, Tikrit, IZ, APO AE 09393		

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

For Official Use Only

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 3122) SUBSEQUENTLY EXECUTED BY THE SUBJECT/ACCUSED

PART II - RIGHTS WARNING PROCEDURE**THE WARNING**

1. WARNING - Inform the suspect/accused of
 - a. Your official position.
 - b. Nature of the offense(s)
 - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must understand your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

-or-

(For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

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

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?" (b)(6), (b)(7)(C)
 (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"
 (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?" (b)(6), (b)(7)(C)
 (If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under (b)(6), (b)(7)(C) investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed.
 Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 066-08-CID469**DATE:** 13 Jun 08 (b)(6), (b)(7)(C) **ME:** 2300 (b)(6), (b)(7)(C) 14 June 08 01 04 (b)(6), (b)(7)(C)**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** CIV/IRAQI**ORGANIZATION OR ADDRESS:** Global Linguistics (D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393)

I, (b)(6), (b)(7)(C) want to make the following statement under oath: I provided two statements to Army investigators on 12 and 13 Jun 08. I lied on the 12 Jun 08 statement. I lied because I was afraid of what LT (b)(6), (b)(7)(C) did when he murdered Ali MANSOUR. I am very sorry for lying in the first statement, but on the second statement I told the truth.

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

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

Q: Did you see LT (b)(6), (b)(7)(C) murder Ali MANSOUR?

A: Yes.

Q: When did LT (b)(6), (b)(7)(C) murder Ali MANSOUR?

A: I don't know the exact date but it was after we met at Sheak (b)(6), (b)(7)(C) house in Albu Toma village, and it was the same day that we were supposed to take Ali MANSOUR back to his village.

Q: How did LT (b)(6), (b)(7)(C) murder Ali MANSOUR?

A: He shot him in the head while he had Ali MANSOUR sitting on a rock. I don't know how many times he hit Ali MANSOUR, but he shot twice.

Q: What weapon did LT (b)(6), (b)(7)(C) use?

A: He used his pistol. It is a Glock.

Q: How do you know he used a Glock?

A: I have seen his Glock. I also used to carry a Glock when I was IP. LT (b)(6), (b)(7)(C) has two pistols, a Baretta and a Glock. On that day, he had his Glock. I know the Glock and the Beretta uses the same ammunition. We had talked about where he got the Glock. He told me someone gave him the Glock. He did not say who.

Q: Are you 100% sure it was a Glock that LT (b)(6), (b)(7)(C) used, and not a Beretta?

A: Yes.

Q: Describe what LT (b)(6), (b)(7)(C) did before and after he murdered Ali MANSOUR?

A: We were on a mission to take back two detainees to their villages. The convoy dropped off the first detainee in Mazara. Then we went to Sheak (b)(6), (b)(7)(C) house. Then we went driving in the convoy again. I thought it was odd that we did not leave Ali MANSOUR with Sheak (b)(6), (b)(7)(C). We stopped while driving in the desert. LT (b)(6), (b)(7)(C) told me and SSG (b)(6), (b)(7)(C) to go with him and Ali MANSOUR to a location about 50 meters from the convoy. There, LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) both removed Ali MANSOUR's clothing and LT (b)(6), (b)(7)(C) had Ali MANSOUR sit on a rock. LT (b)(6), (b)(7)(C) asked Ali MANSOUR to tell him who were insurgents working in the area, and that if he didn't talk, then LT (b)(6), (b)(7)(C) would kill him. I was translating this when LT (b)(6), (b)(7)(C) shot Ali MANSOUR twice. Ali MANSOUR fell onto the ground and was making a gurgling sound. Then SSG (b)(6), (b)(7)(C) put a grenade on the left side of Ali MANSOUR's neck. The grenade flashed and had a bright light. The light was so bright, I could not look straight at it. Then LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) picked up Ali MANSOUR's clothing and we all three went back to the convoy. Nobody talked about that incident. (b)(6), (b)(7)(C)

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

PAGE 1 OF 3 PAGES

DA Form 2823-E

ACLU-RDI 5576 p.95

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EXHIBIT 29

10-L-0126 ACLU CID ROI 8076

000101

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 13-14 Jun 08, CONTINUED:

(b)(6), (b)(7)(C) Q: Where was SSG (b)(6), (b)(7)(C) when LT (b)(6), (b)(7)(C) murdered Ali MANSOUR?

A: He was standing about three meters from Ali MANSOUR.

Q: Did LT (b)(6), (b)(7)(C) tell SSG (b)(6), (b)(7)(C) to use the grenade on Ali MONSOUR?

A: No.

Q: Did SSG (b)(6), (b)(7)(C) try to stop LT (b)(6), (b)(7)(C) from murdering Ali MONSOUR?

A: No.

Q: Did you know that LT (b)(6), (b)(7)(C) was going to murder Ali MONSOUR?

A: No. I thought he was just going to scare him and then let him go.

Q: Was Ali MANSOUR's hands bound?

A: Not when LT (b)(6), (b)(7)(C) shot him. Before yes, with a zip tie. After both LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) used knives to cut his clothing off, LT (b)(6), (b)(7)(C) tried to cut the zip tie off of Ali MANSOUR's hands. But he was trying to cut the zip tie, LT (b)(6), (b)(7)(C) was cutting Ali MANSOUR's wrist, so I took the knife from LT (b)(6), (b)(7)(C) and I cut the zip tie as to not cut Ali MANSOUR's skin in the process.

Q: I have showed you pictures of Ali MANSOUR after he was captured. You identified the clothes he was wearing as the clothes that LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut off. I have also showed you pictures of injuries to Ali MANSOUR. Do you know how he received the injury to his back?

A: Yes. When Ali MANSOUR was captured, weeks before he was murdered, LT (b)(6), (b)(7)(C) hit Ali MANSOUR about 40 times in the back with a Kevlar helmet.

Q: Where did this take place?

A: At Ali MANSOUR's house.

Q: Who else was present when this happened?

A: SSG (b)(6), (b)(7)(C) was the only other person there, besides LT (b)(6), (b)(7)(C) and myself. I do not know why he was hitting him and I did not try to stop him.

Q: Did SSG (b)(6), (b)(7)(C) try to stop LT (b)(6), (b)(7)(C) from hitting Ali MANSOUR?

A: No.

Q: What was the weather like the night the LT (b)(6), (b)(7)(C) murdered Ali MANSOUR?

A: It was dusty, you could see about 1 km away.

Q: Could you see the vehicles in the convoy from the location where LT (b)(6), (b)(7)(C) murdered Ali MANSOUR?

A: No. There were some tiny hills and some trees. I could not see the convoy trucks from that location.

Q: How close was LT (b)(6), (b)(7)(C) to Ali MANSOUR when he murdered him?

A: He was about three feet away.

Q: What did LT (b)(6), (b)(7)(C) do with his pistol when he returned to the convoy?

A: He put it back in a holster.

Q: Is there anything you wish to add to this statement at this time?

A: No.//End of Statement//

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

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

PAGE 2 OF 3 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 13-14 Jun 08, CONTINUED:

[Redacted 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 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)
[Redacted signature]

Witness #1:

(b)(6), (b)(7)(C)
G3 LINGUIST MND-N-COB SPEICHER
(b)(6), (b)(7)(C) TRANSLATOR
[Redacted signature]

Subscribed and sworn before me, a person authorized by law to administer oaths, this 14th day of Jun 2008, at FOB Summerall, Bayji, IZ

(b)(6), (b)(7)(C)
[Redacted signature]
Administering Oath)

Witness #2:

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

10 USC 936
(Authority to Administer Oath)

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

PAGE 3 OF 3 PAGES

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

File No.: 0066-08-CID469-51978

TRANSLATION

Criminal investigation office of Beji

Investigative Judge of Beji

Your decision at May-26-2008,
The statement of patrol commander and one of patrol members (the patrol that brought the victim) Ali Mansur Mohamed from an area near Hondy bridge at the day of the incident, they are: LT. (b)(6), (b)(7)(C) IP. (b)(6), (b)(7)(C) We sent them to you asking you to make them official statement with respect.

LT. (b)(6), (b)(7)(C)
Investigative officer

Report

(b)(6), (b)(7)(C) the statement of patrol members (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) has been officially reported and got attached to the case.
Continue investigation according to the former orders.
(Not clear)

Criminal Investigation of Beji

June-11-2008

Witness (b)(6), (b)(7)(C) born in 1987, occupation IP. Member of IP directorate of Beji Hay Al-Asri. Stated:

At the date of may-5-2008, we got informed from Biji IP communications that there is an unidentified body thrown near tunnel under the bridge which leads to the outer part of Sinia village (directorate), immediately I headed with LT. (b)(6), (b)(7)(C) and some other IP's. To the location, after we got to the location I saw the body and it belongs to somebody that was unidentified at that time approximately 27 years old. The body was naked with brown slippers. It was wounded on the head; he was shot once on the forehead. His face, neck and the shoulders were burned, with scattered wounds. We brought the body to Biji hospital, note: when we lift the body we found a bullet case near the body from a nine millimeter, we also found a burning device looks like a burning igniter or a burning semi hand grenade. After delivering the body to the hospital, we lately found that the body belongs to a person called Ali Mansur Ali, IP member.

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Investigation court of Biji

Witness (b)(6), (b)(7)(C) born in 1987 IP lives in Biji- Hay Al-Asri, stated:
At the date June-17-2008, we got informed from the IP communications of Beji that there is an unidentified body at the tunnel that leads to the village. I was with LT. (b)(6), (b)(7)(C) after we arrived to the location we found a naked body belongs to a person with a black bear around 27 years old. He was shot in the forehead at the right side, the body was burned and we took it to Biji general hospital. At the crime scene we found empty shells for 9 millimeters pistol. After investigations we found that the body belongs to Ali Mansur.

This is my statement

Stamped by judge (b)(6), (b)(7)(C)

Also stamped by Supreme courts counsel.

Criminal Investigative office of Biji

Witness (b)(6), (b)(7)(C) born in 1979 occupation IP officer with the rank of LT. member of IP directorate of Beji, lives in Hay Al-Asri- Beji stated:

At the date May-17-2008 we got informed from IP communication of Beji, that there is a body for unidentified person thrown near a tunnel under a bridge leads to Sinia directorate. Immediately I headed towards the area with IP's under my command after we reached the area of the incident, I saw the body that belongs to someone that we don't know at that time, about 27 years old, it was a naked body and he was wearing a brown slippers.

he was shot in his forehead and his face was burned with the neck and shoulders, with a scattered wounds.

We took the body and we found empty pistol shell for 9 millimeters, with a burned device it looks like its burning sparker or semi grenade (burning grenade).

After delivering the body to Biji hospital we found that the body belongs to Ali Mansur IP member.

This is my statement.

Investigative court of Biji

June-11-2008

The witness (b)(6), (b)(7)(C) born in 1979, occupation IP officer lives in Biji- Hay Al-Asri he stated:

At the date May-17-2008, we got informed from IP communication of Beji, that there is a body at one of the tunnels that leads to the road of Sinia, after we got to the location we found a body that belongs to a person, he was naked, he didn't have any cloths on. He has bear and he was shot in the head and burned from the right side. A casing shell was found belongs to 9 millimeters, the body was taken to the general hospital, later we found that the body belongs to the citizen Ali Mansur. And this is my statement

Witness (b)(6), (b)(7)(C) signed

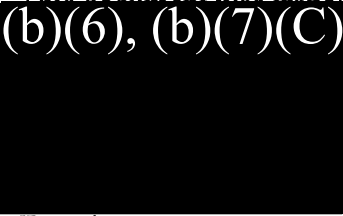
Stamped by the judge and the court

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This document translated by the undersigned and is to the best of my knowledge.

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



Translator
MND-N G-3
COB Speicher, APO AE 09393

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

File No.: 0066-08-CID469-51978

TRANSLATION

Seize Report (Collection of Evidence) dated 17 May 08

A nine millimeter caliber shell carry the code (WCC05 with an encircled cross symbol) near the unknown body and a small burning bomb fully burned was seized. Inside the bomb there is a spring with a small iron handle was put under the neck of the victim, it seems that this small bomb has a burning material and it was the cause of the burns on the body from the shoulders, neck, and the head. For this issue this seizing report was made.

LT. (b)(6), (b)(7)(C)
Patrol commander

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

the person name and
rank not clear

This document was translated by the undersigned and is to the best of my knowledge.

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

Translator
MND-N G-3
COB Speicher, APO AE 09393

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

File No.: 0066-08-CID469-51978

TRANSLATION

Criminal investigation office of Beji

May-21-2008

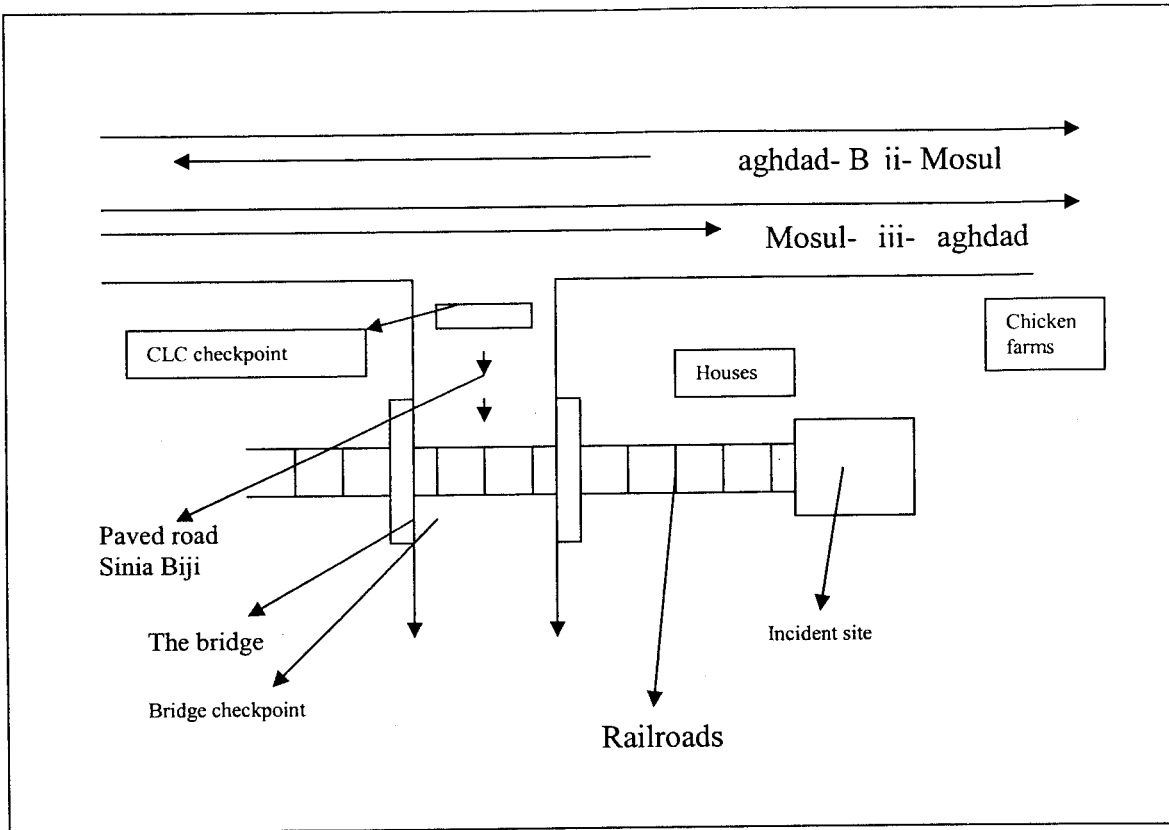
Drawing and plan of the crime scene

- 1- The scene is 5km. away south of the office.
- 2- The crime location is tiny bridge for railroads Beji- Tikrit desert area, the victim Ali Mansur was killed under the bridge.
- 3- I found traces of blood on the ground like a spot and a trace for burn around the blood spot. The body was hidden under the overpass.
- 4- I noticed that there are residential houses 100 Meters east of the incident site.
- 5- The incident site approximately 700 Meters south of the IA checkpoint, located at the Hyundai Bridge. Close by it a CLC check point.
- 6- I saw chicken farms approximately 600 Meters to the east.
- 7- A group of houses on the form of village, approximately 400 Meters away form the incident site (the overpass).
- 8- I couldn't find anything else that can be useful in searching.

LT. investigating officer

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This document was translated by the undersigned and is to the best of my knowledge.

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

Translator
MND-N G-3
COB Speicher, APO AE 09393

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

10 Aug 08

File No.: 0066-08-CID469-51978

TRANSLATION

Identification Document

IP of teaching hospital of Tikrit
Date: May-21-2008
Number: 522

To: Forensic Office of Tikrit
Subject: Identification of Unknown Body

In regards to the autopsy report No. n/a dated May-17-2008 issued from IP station of Beji, the body was identified by the victims family his brother (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) He found out that the body belongs to his brother Ali Mansur Mohamed Hamadi Aljobori, born in ,works as IP at Rayash IP station. His mother name (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) lives in Beji- Albu Toma.

Please take the necessary measurements and do the autopsy.

Signed by
MAJ. (b)(6), (b)(7)(C)
Officer of hospital IP station
May-21-2008

This translation was translated by the undersigned and is to the best of my knowledge.
(b)(6), (b)(7)(C)

Translator
MND-N G-3
COB Speicher, APO AE 09393

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SWORN STATEMENT

LOCATION: COB Summerall, Bayji, IZ APO AE 09393

FILE NUMBER: 0066-08-CID469

DATE: 14 Jun 08 **TIME:** 0950- 12:36 (b)(6), (b)(7)(C)

NAME: (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-4/SPC

ORGANIZATION OR ADDRESS: D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

On 16 may 2008 Dco 5th plt. Had an SOI/ detainee drop off mission in Albu Toma and a clc check point near the city of Mesrah. We had a small mission brief and we picked up the detainees from the Detention center on the FOB before we started heading out. We then began movement out of the wire towards the intersection of route Hershey and route Tampa, in front of the city of mesrah. I was a dismount in the platoon leaders vehicle and it was my job to dismount with him to ensure he has security while he engages with the locals or any Iraqi personnel. Once we arrived at said location on the intersection I dismounted because the lt. did and I saw other dismounts on the ground behind me so I took the far side security until it was time to go. What we were doing was dropping off the detainees we picked up from the detention center. We then mounted up and continued on with our main purpose mission, to talk with key leaders in Albu Toma and further our intelligence on ongoing insurgency activities in our area of operations. I can't remember most of what was going on during these meetings. After they were done I mounted up in my truck and we proceeded to return to base, and after hearing that I started to relax a little more and doze off here and there. We stopped near the intersection of the detainee drop off area near the Hershey side on the way back, so I awoke and dismounted to secure the lt. but he assured me he was alright and went over to one of the other trucks I am guessing to talk to another leader or something. I stood outside for a minute after relieving myself then I mounted back up after I saw SFC (b)(6), (b)(7)(C) walk past me. The trucks started moving and then we headed back to the FOB for the end of the mission.

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

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

Q. Did you author the above statement?

A. Yes.

Q. What is an SOI mission?

A. Usually when the LT gets his information, they are meet and greets where the LT talks to people.

Q. What is a CLC?

A. They are the Concerned Local Citizens, they wear PT belts around their waists, they are allowed to walk around with AK-47s. They are sort of like Neighborhood watch with weapons.

Q. Do you know how many detainees you were to drop off during your mission on 16 May 08?

A. Two.

Q. Do you know where the detainees were to be dropped off at?

A. No, we are supposed to drop them off with the CLC, they were not our main priority so I don't really know.

Q. Do you know where you dropped the detainees off at?

A. The intersection of Hershey and Tampa, by the city of Mesrah.

Q. How many detainees did you see exit the vehicles at the intersection?

A. I may have seen one, I really do not remember.

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

PAGE 1 OF 5 PAGES

DA Form 2823-E

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EXHIBIT 39

ACLU-RDI 5576 p.105

10-L-0126 ACLU CID ROI 8097 000118

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 14 Jun 08; CONTINUED:

Q. What vehicle were the detainees riding in?

A. I do not know.

Q. Which vehicle were you riding in?

A. I was in 1LT (b)(6), (b)(7)(C) vehicle.

Q. What was the order of march for the vehicles?

A. Usually the point vehicle is either SGT (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) the middle vehicle is the LT's vehicle and SSG (b)(6), (b)(7)(C) is in the rear vehicle. I do not remember the particular order of march that day, and I do not know if we had three or four vehicles that day.

Q. Did you keep the same order of march throughout the mission?

A. I am not sure if the same order of march was kept but we (our vehicle) was always in the middle.

Q. After you dropped off the detainee at the intersection, where did your convoy go?

A. In to Albu Toma, where the LT walked around talking to people like he normally does. We went in to some houses looking for someone the LT wanted to talk to, we may have stayed around two hours, but I do not know for sure.

Q. Where did you go after walking around in Albu Toma?

A. I think we went to Shaek (b)(6), (b)(7)(C) house. Usually when we go there the LT goes inside, takes his helmet off and drinks chai and talks to the guy for a while. We normally stand outside the door and watch the LT's back.

Q. Where did you go after leaving Shaek (b)(6), (b)(7)(C) house?

A. We were returning to base (RTB).

Q. On the way back to the base, did you make any route deviations?

A. When I woke up we were off the road near Hershey, I got out and went to the LT and he told me he did not need me, and he walked to another vehicle. I took a little break, stretched my legs and got back in the vehicle.

Q. Did the LT walk off away from the trucks when you were at this stop?

A. I did not see.

Q. Do you know why you stopped at this location?

A. Usually we stop for a tactical pause everyone gets out to use the bathroom, or someone actually has to go to another truck and speak with someone. When this happens I normally do not pay attention.

Q. Do you know how long you were at this location?

A. I do not know, I fell asleep in the truck as soon as I could, maybe fifteen or twenty minutes.

Q. Did you hear anything out of the ordinary during this stop?

A. No, I could not hear anything over the vehicle, and I had put on the headset to cancel out the noise.

Q. Did you hear any gunshots or any explosions during this stop?

A. No.

Q. Did you see any bright flashes?

A. No, I was asleep during most of the stop.

Q. Did you see anything that looked like it was burning during this stop?

A. No.

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

PAGE 2 OF 5 PAGES

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 14 Jun 08, CONTINUED:

Q. Did 1LT (b)(6), (b)(7)(C) bring anything that looked like clothing or personal items in to the truck when he got back in?

A. No. He just got back in his seat and that was it.

Q: During the tactical pause did you see SSG (b)(6), (b)(7)(C) get out of his vehicle?

A: No.

Q. Do you remember what the weather was like during the stop?

A. Maybe a little dusty, I think it was a pretty clear night.

Q. Do you know who all dismounted vehicles during the stop?

A. The only person I saw was I think (b)(6), (b)(7)(C) and I know I saw SFC (b)(6), (b)(7)(C) was out as well as the LT. I do not know if anyone else did.

Q. Did you see a detainee exit a vehicle during the stop?

A. No.

Q. What weapons was 1LT (b)(6), (b)(7)(C) carrying during this mission?

A. All I seen was his M-4. I did not see anything else.

Q. Do you know 1LT (b)(6), (b)(7)(C) to carry any other weapons when he is out on mission?

A. Maybe his 9mm.

Q. Have you ever witnessed 1LT (b)(6), (b)(7)(C) to carry a Glock pistol?

A. No I have not seen him carry one outside the wire. The only time I have seen him with one was when we went to the range.

Q: Does anyone in the platoon carry unauthorized weapons while on mission?

A: Not that I know of.

Q. Were you on the mission in which Ali MANSUR was captured?

A. Yes.

Q. What led to the capture of Ali MANSUR?

A. Whatever intel the LT had took us to his brothers house, and we got it out of his brother that MANSUR was in the back, so we went to MANSUR's house. When we got there we found a bunch of AK-47s, RPK, and rounds and magazines.

Q. When MANSUR was captured, was he resisting capture?

A. He had no time to, we put him on the ground as soon as we got there.

Q. Did anyone at any time hit MANSUR?

A. Not that I seen.

Q. Were you present the entire time 1LT (b)(6), (b)(7)(C) was talking to MANSUR?

A. Not the whole time, I was in and out of the area.

Q. Did 1LT (b)(6), (b)(7)(C) at any time state MANSUR was responsible for the IED which struck one of your platoon vehicles on 21 Apr 08?

A. No. As far as I knew, the LT knew who was responsible for the IED and was trying to get to them. He always said he knew but never told us.

Q. Do you remember what time you Starting Point (SP) for the mission on 16 May 08 was?

A. I do not remember the time, I know it was late afternoon or early evening. It may have been around 1700.

Q. Do you remember what time your returned to FOB Summerall from mission on 16 May 08?

A. Sometime around 2000 or 2100, I know it was dark.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 5 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 14 Jun 08, CONTINUED:

Q. Do you know if 1LT (b)(6), (b)(7)(C) acts on any information he gets before briefing the information higher?

A. He tries to confirm it the best he can, he lets people know so there are no surprises when we get back to the FOB. (b)(6), (b)(7)(C), (b)(7)(D)

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

A. He gets almost everything from Shaek (b)(6), (b)(7)(C) who gets his information from his own sources. I know the LT talks to a lot of people, but I do not know what he talks about since I am pulling security.

Q. To your knowledge, has Shaek (b)(6), (b)(7)(C) given any bad or false information to 1LT (b)(6), (b)(7)(C) or coalition forces?

A. To my knowledge he has given us some misleads, he tries to protect people. The LT tries to get information out of him, but Shaek (b)(6), (b)(7)(C) has a lot of relatives that are insurgents or have been arrested. I do not trust Shaek (b)(6), (b)(7)(C) I know he will give up anyone for money, or threats. The LT trusts him for some reason, I do not know why. Every time we go out there he looks like he is either high or drunk.

Q. Do you think 1LT (b)(6), (b)(7)(C) had any part in the death of MANSUR?

A. I do not.

Q. When did you find out MANSUR was found dead?

A. Maybe four or five days after the mission day.

Q. What do you know about how and where MANSUR was found deceased?

A. I heard he was found near Tampa, and then I heard he was found near the railroad tracks near the intersection of Hershey and Tampa. I heard he had been found tortured, burned, shot and with a CD next to him of pictures of him. I also heard he was missing his head at one time, and I heard he was raped. I have heard a lot, there are a lot of rumors going around.

Q: Did 1LT (b)(6), (b)(7)(C) feel responsible for the death of your two platoon members?

A: We had a meeting with mental health and we both broke down thinking we were each responsible. But we talked about it and worked things out.

Q: Was there ever an incident where 1LT (b)(6), (b)(7)(C) tried to scare MANSUR by standing him out in the open and firing rounds around him?

A: That incident did not involve the LT or MANSUR. On 21 Apr 08, when we were hit by the IED there members of the CLC in the vehicle that got hit. The other CLC members grabbed the two detainees and took them to a ditch. I heard gunshots while I was performing first aid on the injuries and I got up and the other CLC members were shooting in the direction of the detainees but not hitting them.

Q: Are you withholding any information or providing false information in order to protect members of your platoon?

A: No.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 5 PAGES

DA Form 2823-E

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EXHIBIT

39

ACLU-RDI 5576 p.108

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8100

000121

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE (b)(6), (b)(7)(C)
STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 14 Jun 08, CONTINUED:

Q. Is there anything you wish to add to this statement at this time?

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

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 5. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

Witness #1:

Witness #2:

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

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 14th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

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

PAGE 5 OF 5 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB Summerall, Iraq
2. DATE: 2008/06/14
3. TIME: 1016
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: O-3
8. ORGANIZATION OR ADDRESS: HHC 1-327th IN

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

I was appointed by LTC (b)(6), (b)(7)(C) on 12 JUN 08 to investigate the events surrounding the death of Ali Monsur. I only collected sworn statements, interviewed and talked to individuals who knew about the events and/or were potentially involved in the events. I was never presented any physical evidence at any time during the event. Based on the information that developed the matter was referred to CID on 13 JUN 08. Please refer to the sworn statements for any information needed.

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

Q: Is there anything else you would like to add to this statement?
A: No.
///End of statement///

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 2 PAGES

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

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STATEMENT OF CPT (b)(6), (b)(7)(C) TAKEN AT FOB Summerall DATED 2008/06/14

9. STATEMENT (Continued)

[Large diagonal line indicating redacted 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 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS _____

ORGANIZATION OR ADDRESS _____

(Signature)
Subscribed and sworn to before me, a person authorized by law to administer oaths, on this (b)(6), (b)(7)(C) day of Jun, 2008 at FOB Summerall (City/Town/Village), (b)(6), (b)(7)(C) (County), (b)(6), (b)(7)(C) (State).

(Signature)
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)

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PAGE 1 OF 2 PAGES

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

File No.: 0066-08-CID469-51978

TRANSLATION

SWORN STATEMENT

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

Taken on 14 Jun 08 at FOB Summerall, Bayji, IZ

I, **(b)(6), (b)(7)(C)** want to make the following statement under oath: one month before the detention of my brother the victim Ali Mansur Mohamed Hamadi Aljobori by CF., the force (CF.) patrol came with a several military vehicles. I asked one of my friend's "he is a member of Rayash IP. Station in our area", he said that they asked one of my friends at the IP station his name is **(b)(6), (b)(7)(C)** a member in the (Rayash) IP station. he told me about that, after that nothing happened and no American forces came to my brother house or any of our houses for questioning or anything like that.

My brother was living his normal life, he was an IP at the Rayash IP. Station, he joined the IP after armed terrorist attacked the station listed above, some IP's were killed in that attack, at that time he asked to volunteer and join the IP.

At the date of May-5-2008 around 2:30PM (Monday) around five military Hummers (the big size) vehicles (I'm not sure of there numbers that came to the town). before this, the American vehicles and its individuals were at the Sheik **(b)(6), (b)(7)(C)** house, he was the CLC commander in our village. After leaving his house they headed straight to my brothers house **(b)(6), (b)(7)(C)** my brothers and I we live at the same village and our houses are close to each others.

they dismounted from their vehicles and entered the house of my brother **(b)(6), (b)(7)(C)** they broke the exterior door for the house and sabotaged the content of the house , they collected the clothes and they throw kerosene on it, they mixed up the all the food supply which belongs to my brother (rice with sugar with detergents with other stuff together which damaged it all and they were intended to burn the cloths after they put the kerosene on it but they couldn't do it (burn). Later they handcuffed my brothers hands with zip tie and they took him to my brother Ali Mansur the victim from the back door of the next house, they knocked at my brother Ali Mansur door, I was looking at them from my house window, my house is next door to my brothers houses, my brother Ali Mansur opened the door for them, they entered and searched the house. My brother **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** hands were tied and he was standing outside of my brother Ali Mansur's house, near by him individuals from the American force, they also mixed up the food in the house and destroyed it, I saw that after the American forces left (the forces that entered the house), my brother **(b)(6), (b)(7)(C)** told me that he heard the yelling of my brother Ali

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Mansur, the American forces took his family out of the house and they started beating him severely, I saw them taking my brother Ali Mansour from his house handcuffed with his underwear a white shorts and T shirt. After that they released my brother (b)(6), (b)(7)(C) and they detained my killed brother Ali Mansur, later after his detention the American forces went back to one of the houses in our village, Ali was with them, they went to the house of (b)(6), (b)(7)(C) they went inside the house and drank Tea. According to what I heard later, they headed to an area with rough terrain (hills area), there are some houses in this area, it's located at the border of the village form the east side. We got informed from some of the people who lives there that they heard sounds of firing bullets it was shot by American forces that detained my brother Ali Mansur, they saw the vehicles and they heard the yelling of my brother Ali Mansur (the victim). The time was after sunset, and after the force shot rounds toward my brother to scare him later the force headed towards Sinia directorate where the American base is located.

We asked one of the officials which we have a friendship relation with; his name is (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) commander of SWAT team. and a person called (b)(6), (b)(7)(C) the security advisor at the governorate of (b)(6), (b)(7)(C) they told us that he was transferred the third day of his detention to Tikrit, the American base there and he stayed there for eight days in Tikrit we asked every person who gets released about the fate of my brother. one of the detainees who got released was with him and he was released on Wednesday may-14-2008 from Tikrit and sent back by CF to Sumrell in Sinia, again. we asked (b)(6), (b)(7)(C) to know the fate of my brother when he was detained and he told us that he was released on Friday May-16-2008. He was released by CF and according to the information that we received, he was taken by American military vehicles. Same force that detained him, the force went to the house of Sheik (b)(6), (b)(7)(C) in our village and I don't know if my killed brother Ali Mansur was with them. They arrived that day around; I realized that I don't know the exact time but I know it was around Noon. then they left the house of Sheik (b)(6), (b)(7)(C) after staying there for almost couple of hours, later they moved to unknown location. after asking the close houses and CLC members they told us that the same forces moved (they are the same forces that detained Ali Mansur) towards the railroad the place where my brother was killed that day. the site was close to the IA checkpoint located at the bridge connecting city of Biji and Sinia directorate form the south. The time was after the sunset Friday, the witnesses told us (I can't recall there names) that they heard sound of fire (couple of rounds) the sound was low, it seems that it came from a pistol not a rifle and they told me that they saw a bright fire flame at the crime site, the American vehicles was parking there at the night of the murder site of my brother Ali. We got notified by the IA checkpoint that the force left the crime scene heading towards Sinia Village (Summurell) base, we got notified that an unknown body was found by the IPs of Beji and it was sent to forensic of Tikrit. According to that I saw a picture of the unknown body that the police found; I found that he is my brother Ali Mansur. The body was tampered with, We went to Tikrit to bring the body of my brother from there and I saw the body of my brother with a bullet wound in the head. The body was totally naked and he was wearing his sandals (slipper) and I also saw burns on the head and shoulders and chest. The burn was on the upper part of his body. I went to the crime scene and found that my brother was killed under the railroads pass (small bridge) and he was put in a place where its hard to see. some of my relative also went to the crime scene like (b)(6), (b)(7)(C) and they saw the blood

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of my brother. After asking the people who live near the crime scene, CLC checkpoint they told us that the American forces that detained my brother Ali Mansur were there on Friday. And they are responsible for my brother Ali Mansur Mohamed death. I was notified by the IP officer (b)(6), (b)(7)(C) and the IP (b)(6), (b)(7)(C) the IPs who found my brother Ali Mansur body at the morning of Friday may-5-2008. that they got informed by CLC members located near crime scene, that there is an unknown body inside the tunnel under the railroads. the body has head wound and it was naked and under it a burning device which caused the burn of the upper part of his body. they told me that they took pictures of my brothers body the victim, and they sent it to forensic because it was unknown body. At the date May-21-2008, I received the body of the victim Ali Mansur form the forensic office in Tikrit, from that we found that the American forces that detained my brother Ali Mansur Mohamed they are the one who killed him according to the follow ups that I did with my relatives to find what happened at the day of the incident. The force that rotates in our village has good relation with Sheik (b)(6), (b)(7)(C) CLC commander. I also want to mention that on Friday may-16-2008 and when the American forces passes by around 2pm to his house, he left the forces that was in his house and he went driving to his uncle house (b)(6), (b)(7)(C) at the village of Albu Toma, later he came back to them. According the statement of (b)(6), (b)(7)(C) the one he told us about it. And I believe this is the day that my brother Ali Mansur was killed. Before this CF. raided the house of (b)(6), (b)(7)(C) uncle (b)(6), (b)(7)(C) and they detained his relatives and killed the brother of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) he was a terrorist. The force that raided them, came form the American base in Tikrit. They are not the force that detained my brother, and sheik (b)(6), (b)(7)(C) and his relatives they pointed the accusations that we informed CF. in Tikrit that his relatives are terrorists. Sheik (b)(6), (b)(7)(C) was using his position by covering on his terrorist relatives and most of them wanted by CF... he is giving them the safe heaven, I remember that Sheik (b)(6), (b)(7)(C) mentioned in his cousin funeral the one who got killed by CF, the he is going to revenge from us and he will make our women cry just like his women. The only problem between us and Sheik (b)(6), (b)(7)(C) is that we are IP's and his cousins practice terrorism and he covers for them using his position. He won't allow the Iraqi and American forces to detain them using he position and his good relations with coalition and Iraqi forces. He says that I move (control) the American commander and the money whenever I want to, and he has all the financial and influence. To harm anybody who stands in his face or his relatives and say the truth or warn the people from them. He also gives wrong (incorrect) information to CF, depending his and his relatives benefits. After the arrest of my brother Ali Mansur,

The city council chief for the tribe of Albu Toma (b)(6), (b)(7)(C) talked to CF at the IP directorate of Biji during one of the meetings and he criticized the action of the American commander in Albu Toma sector, his name is (b)(6), (b)(7)(C) or something close to it. he criticized the way that they break in to the houses and the destruction of furniture, hitting, citizens assault without any reason. The commander of Albu Toma (b)(6), (b)(7)(C) received this talk and he was very mad, he said that I will detain this individual and kill him in front of the city council members. Later Sheik (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) to come to his house to apologize to the American commander (b)(6), (b)(7)(C) He did it, the city council member apologized for what he said. Although, the act of the forces that I mentioned was bad just like what the city

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council member stated, but he apologized to him because he was scared to be hurt and threatened. What should happen, the CLC commander should have criticized these bad acts. But there was cooperation between them even on the bad things. Our village is safe and we never had any attacks against the American or Iraqi forces and the people who are responsible for this, they are the relatives of (b)(6), (b)(7)(C) This information is a fact that I stated under oath.

MAJ (b)(6), (b)(7)(C) signed the statement as taking it.

///End of Statement///

This document was translated by the undersigned and is to the best of my knowledge.

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

Translator
MND-N G-3
COB Speicher, APO AE 09393

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

File No.: 0066-08-CID469-51978

TRANSLATION

Map keys

- 1- CLC checkpoint
- 2- House of Ali Mansur's mother
- 3- House of (b)(6), (b)(7)(C)
- 4- House of [REDACTED]
- 5- (b)(6), (b)(7)(C)
- 6- Guest room.
- 7- (b)(6), (b)(7)(C)
- 8- Main road at the village of Albu Toma.
- 9- Side roads.
- 10- Side road.
- 11- Entrance of the forces (with the house of Ali Mansur).
- 12- House of Sheik (b)(6), (b)(7)(C) CLC commander.
- 13- Ali Mansur's house (the victim house).
- 14- North.
- 15- Mosul, Beji, Tikrit, Baghdad.
- 16- The village of Albu Toma.
- 17- Side road.
- 18- Al-Assil elementary school.
- 19- Hojaj village.
- 20- Albu Toma village.

This document was translated by the undersigned and is to the best of my knowledge.

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

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EXHIBIT 44

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RETURN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 14 Jun 08 **TIME:** 1335- 16 20 (b)(6), (b)(7)(C)**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-4/SPC**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

I, (b)(6), (b)(7)(C) want to make the following statement under oath:
 On the 16 of May all of 5th plt Dco. 1/327 went on a mission to drop off two detainees and conduct SOI's with shake (b)(6), (b)(7)(C). We left the FOB around late afternoon and took Hershey and Tampa towards Al Butoma. On the corner of Hershey and Tampa the Lt and I dismounted and meet up with SSG (b)(6), (b)(7)(C) and Spc (b)(6), (b)(7)(C) with the detainee. We dropped off one of the detainees and got back on the MRAP. We continued our mission to Al Butoma to meet up with a source the Lt had who he had not heard from in a while. We dismounted and meet up with the rest of the dismounts on the ground and found the source outside his house. After the Lt talked with the source for about 15 minutes we continued our SOI mission to shake (b)(6), (b)(7)(C) house. We dismounted outside the street of shake (b)(6), (b)(7)(C) and walked in like we always did. We left a couple of dismounts out side on shake (b)(6), (b)(7)(C) house. The Lt and I went in with Spc (b)(6), (b)(7)(C) to the meeting the Lt had with shake (b)(6), (b)(7)(C). After spending about an hour to an hour and a half with the shake we started to return to the FOB. On the way back we came cross country through the desert and took a tactical pause. At that time the Lt got out of the MRAP and told me and Spc (b)(6), (b)(7)(C) to wait in the vehicle. At that time I put on my headset and started talking to Pfc (b)(6), (b)(7)(C). After making fun of Pfc (b)(6), (b)(7)(C) for about ten to fifteen minutes the Lt got back in the truck and we got ready to leave. We came back to the FOB and went straight to the fuel point at witch time I noticed that we were no longer in the same order of march as we had originally been on.

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

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

Q. Did you author the above statement?

A. Yes.

Q. Did you see two detainees in the vehicle to be dropped off before leaving FOB Summerall?

A. Yes.

Q. When you stopped at the intersection of Hershey and Tampa, how many detainees were dropped off?

A. All I saw was one, at the time I thought the second had gotten out and left before I exited my vehicle.

Q. Whose vehicle were the detainees transported in?

A. SSG (b)(6), (b)(7)(C) vehicle.

Q. What was the order of march for the vehicles in the convoy?

A. SSG (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C)

Q. Who did you drop off the detainee with at the intersection of Hershey and Tampa?

A. The Concerned Local Citizens (CLC).

Q. How long did you spend at the intersection?

A. About five or ten minutes.

Q. Did you see the other detainee in SSG (b)(6), (b)(7)(C) vehicle?

A. No.

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

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EXHIBIT 45

ACLU-RDI 5576 p.117

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8118

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED

(b)(6), (b)(7)(C) 14 Jun 08, CONTINUED:

Q. When you went to Shaek (b)(6), (b)(7)(C) house, did anything about the meeting seem different than normal?

A. No.

Q. When you left Shaek (b)(6), (b)(7)(C) house, did you return directly to FOB Summerall?

A. No, we took an alternate route back to FOB Summerall.

Q. Were you wearing your headset in the vehicle during the drive to FOB Summerall?

A. I was only wearing my headset after we took the tactical pause, I was not wearing it before.

Q. Is it normal to take an alternate route during a mission to return to base?

A. At times, we do it to not be predictable.

Q. What was the tactical pause called for?

A. We normally use them as a bathroom break, but this one seemed longer than a normal break.

Q. When 1LT (b)(6), (b)(7)(C) dismounted the vehicle, did anyone go with him?

A. I do not know.

Q. Do you know where 1LT (b)(6), (b)(7)(C) went during the tactical pause?

A. I do not know.

Q. Is it normal for 1LT (b)(6), (b)(7)(C) to tell you to stay in the vehicle during a time when he is dismounted?

A. On some missions it is, during a tactical pause it is a bathroom break, so it was not abnormal.

Q. During the tactical pause, did you see or hear anything unusual?

A. No.

Q. During the tactical pause, did you hear any gunshots or explosions, or see anything appearing to be burning or a bright light?

A. No.

Q. During the tactical pause, did anyone mention they heard or saw anything odd?

A. (b)(6), (b)(7)(C) said something, but I had not heard what he said. I asked him to repeat what he had said, and he said "nothing, maybe it is just me"

Q. When 1LT (b)(6), (b)(7)(C) returned to the vehicle after the tactical pause, did he act or say anything unusual?

A. No.

Q. What weapons does 1LT (b)(6), (b)(7)(C) usually carry out on mission?

A. His M-4 and sometimes he will carry an M9.

Q. On 16 May 08, did you see if 1LT (b)(6), (b)(7)(C) was carrying a pistol?

A. I do not recall.

Q. Have you ever seen 1LT (b)(6), (b)(7)(C) carry a Glock?

A. Just out on the range one time.

Q. Do you know if anyone in your platoon has a weapon which was not issued by the unit?

A. No.

Q. Does anyone carry grenades on mission?

A. Only if it is a raid on a house, then (b)(6), (b)(7)(C) and myself carry fragmentary grenades. I have seen SSG (b)(6), (b)(7)(C) also carry a fragmentary grenade, I think he carries it all the time.

Q. Does anyone have or carry an incendiary grenade?

A. Not that I know of.

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

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED

(b)(6), (b)(7)(C) 4 Jun 08, CONTINUED:

Q. Did you know the name of either of the detainees you were to release on the mission?

A. After the fact, I knew MANSUR was one.

Q. Did you know why MANSUR was captured?

A. Yes, it was believed he had something to do with an IED which killed two Soldiers of my platoon on 21 Apr 08. It was believed he either sold the weapon or placed it himself.

Q. Did you know about why MANSUR was captured before you released him?

A. It was after we caught him and brought him back to FOB Summerall. I did not know he was who we were releasing until after the mission was over.

Q. Do you know if 1LT (b)(6), (b)(7)(C) used legitimate and known sources for his information?

A. I do not know.

Q. Did 1LT (b)(6), (b)(7)(C) ever act on any information with out first passing the information to higher headquarters?

A. No, not that I know of.

Q. Were you on the mission in which MANSUR was captured?

A. I believe so.

Q. When MANSUR was captured, did anyone strike or hit him?

A. Not that I know of.

Q. When a search was conducted of MANSUR's house, was any damage done to the inside of the house, the furnishings or the food in the house?

A. Not the food, maybe the furnishings as we had to move stuff around.

Q. Did anyone pour kerosene on any clothing items?

A. No.

Q. Do you know if anyone intentionally destroyed anything in MANSUR's house during the search?

A. I do not know, I did not see anyone do that.

Q. When MANSUR was found deceased, what did you hear about it?

A. I heard he was found naked and tortured.

Q. Did you hear the location MANSUR was found deceased?

A. By the railroad tracks.

Q. How close was the area where MANSUR was found to where the convoy took the tactical pause?

A. About 70 to 110 meters away.

Q. Upon your return from the mission on 16 May 08 to FOB Summerall, did anyone say anything about MANSUR?

A. People were saying that the LT had done him in, meaning they implied he had killed him. It was all speculation. I do not remember who had said it, they were talking about it in a group. I was so mad about it that I left and went to the gym. I was mad because I could not stand the thought of someone being so cowardly as to confront an unarmed, bound person.

Q. Do you believe 1LT (b)(6), (b)(7)(C) was involved in the death of MANSUR?

A. Probably, I am basing it on circumstances, that it was where we stopped and where he was found, that the LT was out of the vehicle by himself. I did not see anything or hear anything during that mission.

INITIALS OF PERSON MAKING STATEMENT

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

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED

(b)(6), (b)(7)(C) 14 Jun 08, CONTINUED:

Q. During the tactical pause, were you able to see outside of the vehicles?

A. It was dark already, and the only thing you can see out the side windows is part of the horizon and the sky, and there was a vehicle behind us, so I did not even put on my night vision and look.

Q. What was the weather like during the tactical pause?

A. Clear pretty much. I am not sure but I think we were in medevac red, which means the helicopters could not provide medevac support to us.

Q. Has anyone discussed the mission on 16 May 08 with you?

A. No. I have had to do a witness statement for the unit.

Q. When MANSUR was captured, did anyone shoot any rounds near or at MANSUR in an attempt to scare him in to talking?

A. No.

Q. During the last few months, during any capture mission, did anyone to include the Iraqi Army or the Iraqi Police fire any rounds at or near any detainees or sources in an attempt to scare them in to giving any information?

A. No.

Q. Is there anything you wish to add to this statement at this time?

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

INITIALS OF PERSON MAKING STATEMENT

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

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED
(b)(6), (b)(7)(C) 4 Jun 08, CONTINUED:

[Redacted area]

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 5. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

Witness #1:

Witness #2:

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

(Signature)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 14th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

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SWORN STATEMENT

LOCATION: COB Summerall, Bayji, IZ APO AE 09393
FILE NUMBER: 0066-08-CID469
DATE: 14 Jun 08 **TIME:** 1640 - 2215 (b)(6), (b)(7)(C)
NAME: (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** E-7/SFC
ORGANIZATION OR ADDRESS: D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

In 16 May 2008 at approximately 1700hrs to 2000hrs I conducted a mission w/my platoon to Al Butoma. The task and purpose for that day was to: 1) Drop off detainees 2) Conduct some kind of SOI 3) Visit Sheik (b)(6), (b)(7)(C) At the convoy brief, Lt. told us our task and purpose, ordered the detainees which were outside of my pad to be loaded up, then SP'd to execute mission. The order of march was (b)(6), (b)(7)(C) then last (b)(6), (b)(7)(C) We traveled south on Hershey till we reached Tampa where we stopped at the CLC checkpoint. We pulled security w/the vehicles by herringbone. I believe that we there for no more than 20 minutes. I did not see any of the detainees dropped off. However, I did see my dismounts on the ground and the Messerah CLC in force that day. I stayed in my vehicle monitoring the BN net. Lt. then loaded back up and our convoy proceeded south on Tampa until we turned on to "market street" which is the border of Hijaj and Al Butoma. There we conducted some kind of SOI. I am not sure who the Lt. met up w/at that location. I do know that all the dismounts were w/him. I believe that we were there for no more than 20 to 30 minutes. Initially, that is where I believed that we dropped off both prisoners because there was a man who was handing out soda's to the men on the ground and (b)(6), (b)(7)(C) was with him motioning to us. I think that (b)(6), (b)(7)(C) wanted the guy to give us sodas as well...my crew and I waved him off...I thought at the time that maybe he might have been one of the detainee's family members happy to see him. When the Lt. was done, we loaded back up and continued to Sheik (b)(6), (b)(7)(C) house. We stopped short of his house at a 4-way intersection and put the vehicles in a 360 perimeter based off of the streets of the intersection. The Lt. and all the dismounts went on foot to the Sheiks house, while I stayed behind w/the vehicles dismounted to monitor security and also help listen in on BN net. The Lt. and the dismounts returned and we received the order of (RTB)-return to base. We traveled north on Tampa until we pulled onto a desert road on the west side somewhere which took us into the desert. I know that it was late because we had to go to white lights once on tampa. On this road we encountered an Iraqi man on the 9'oclock of our convoy...we stopped him, we dismounted, and the Lt. questioned him. It was just a man w/groceries trying to get home. We continued on in the direction of travel. Enroute, the Lt. called over the net to change the order of march. The order of march was now (b)(6), (b)(7)(C) in the lead (b)(6), (b)(7)(C) second in order(I'm not entirely sure, but I think) (b)(6), (b)(7)(C) then (b)(6), (b)(7)(C) all I can confirm was that I was second instead of last. We received a call to halt movement...I don't remember why. I believe that we weren't there for too long, but we were waiting around long enough where I decided to dismount. I dismounted and started walking to the 6'oclock of the convoy...I passed by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) by the third vehicle in order of march. When I arrived at the last vehicle, the Lt. stopped me half the distance of the last MRAP and told me that "We're good... We got it"...I repeated it and said "Then let's go". I also remember seeing SSG (b)(6), (b)(7)(C) at the back edge of the last MRAP but nobody else(at least at my angle) then I went back to my MRAP. We sat there for what did not seem like a long time after I got back on the vehicle at

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

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 14 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

all. Then the Lt. got back on the net and called us to move out. Right before we turned on to Hershey...I recall my gunner, Spc. (b)(6), (b)(7)(C) saying "I guess that we're dropping him off in the desert" and then laugh. That's when I had my suspicions about where the detainee w/the beard was and how long we kept him. Once we returned, part of the Platoon ate at chow. I went to work out w/the weights that we have set in my pad area. When the Lt. came back from wherever he needed to go I asked him if we could talk in his room. I asked exactly this, "Did you kill Ali Monsoor"...He replied immediately, "No, I dropped him off in the desert, we've done this before"...I asked him again, "Lt, did you kill Ali Monsoor"...he said the exact same thing then walked outside...he was getting mad, I could tell. So now some of the guys were standing outside, I can't remember who. I said to the Lt that we need to talk some more in his room...He said," about what" as he was walking away...I called to him once again, and then I said, "Loyalty, Lt."...Then he said something but I really can't say specifically. Later that night, I asked SSG. (b)(6), (b)(7)(C) that night in his room the same thing that I asked Lt. (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) said that the last time he saw Ali Monsoor, he was alive and walking away.

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

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

Q. Did you author the above statement?

A. Yes.

Q. Who is (b)(6), (b)(7)(C)

A. (b)(6), (b)(7)(C) is SGT (b)(6), (b)(7)(C) and his vehicle.

Q. Who is (b)(6), (b)(7)(C)

A. (b)(6), (b)(7)(C) is 1LT (b)(6), (b)(7)(C)

Q. Who is (b)(6), (b)(7)(C)

A. (b)(6), (b)(7)(C) is SSG (b)(6), (b)(7)(C)

Q. Who is (b)(6), (b)(7)(C)

A. That is myself, the Platoon Sergeant.

Q. Did you know who Ali Mansur was before you were on the mission to release him?

A. I did not know who captured him or what he did. I only knew he was AQI (Al Quida). I did not know he was someone to do with the vehicle from my platoon that was hit by an IED on 21 Apr 08. I know the LT said he was bad, he was a bad guy.

Q. Did you ever see either of the detainees dismount the vehicles at any time?

A. No.

Q. Do you know who the other detainee was?

A. Only as the "other guy".

Q. Do you know why the order to change the order of march was given?

A. I know that they wanted to take the desert route to show myself and SGT (b)(6), (b)(7)(C) the route, but I did not know why we changed our order of march.

Q. When you dismounted at the halt and went to check with 1LT (b)(6), (b)(7)(C) did you see inside of the vehicle?

A. No.

Q. Do you know what weapons 1LT (b)(6), (b)(7)(C) was carrying with him on 16 May 08 during the mission?

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 5 PAGES

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

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 14 Jun 08,
CONTINUED:

A. I know he was carrying an M-4, whether he had his berretta or not, I am not sure, but I assume he did. He also favored the Glock pistol I had signed for from the IPLO (the civilian contractors who train the Iraqi police forces). It is possible he was carrying the Glock, but I did not see it.

Q. How many Glocks did you sign for?

A. Four.

Q. Did 1LT (b)(6), (b)(7)(C) have the same weapon all the time?

A. Yes, he kept it in his containerized housing unit (CHU). In fact when he went on leave, I went in to his CHU and took his Glock, which we have used on the range and has been cleaned. I also took his assigned Berretta which was then signed over to SSG (b)(6), (b)(7)(C) I just found the Glock recently as he had placed it in some clothing. I think I found the Glock about five days to a week ago.

Q. How did you gain access to 1LT (b)(6), (b)(7)(C)

A. He left me his key to look after his CHU. He had things in there I would need for missions.

Q. Did 1LT (b)(6), (b)(7)(C) demeanor change after the mission on 16 May 08?

A. No. Other than when I asked him if he had killed MANSOUR, we did not talk again that night. He came up to me in the morning to go to the range and breakfast.

Q. Do you believe 1LT (b)(6), (b)(7)(C) was involved in the death of Ali MANSOUR?

A. Yes

Q. Do you believe anyone assisted 1LT (b)(6), (b)(7)(C) in the death of Ali MANSOUR?

A. Yes, SSG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) the interpreter.

Q. Has anyone told you any information since the mission on 16 May 08 concerning the death of Ali MANSOUR?

A. Yes, it was all after about five days later when 1LT (b)(6), (b)(7)(C) went on leave. I began asking questions and I kept getting more and more information. I was sent to go see Shaek (b)(6), (b)(7)(C) to ask questions about how and when Ali MANSOUR was found. I then asked questions in my platoon. I remember the LT saying right away after MANSOUR was found, Messerah CLC. As things began to surface I was talking to the Platoon and found that MANSOUR was with our convoy the whole time and was not dropped off when we dropped the other detainee off. I asked SPC (b)(6), (b)(7)(C) if he had seen anything, and he told me he had seen a bright flash like an incendiary grenade. I spoke with SPC (b)(6), (b)(7)(C) as well who did not see anything. I spoke with the entire platoon and told them that no matter what everything needed to come out. I spoke with SSG (b)(6), (b)(7)(C) and asked him what his part was in killing Ali MANSOUR. SSG (b)(6), (b)(7)(C) said he did not do it, the LT had done it, and he was just there. I asked SSG (b)(6), (b)(7)(C) how the grenade had come in to the picture, and he said that there was no fuel to burn the body so the LT had said to use the grenade. On a different night, SSG (b)(6), (b)(7)(C) stated he had taken the clothes of MANSOUR and placed them in his truck under the seat. SSG (b)(6), (b)(7)(C) stated he had gotten rid of the clothing while out on mission by throwing them out of the vehicle south of checkpoint 100. SSG (b)(6), (b)(7)(C) was becoming very nervous talking about it, and kept repeating himself.

Q. What kind of grenade did SGT (b)(6), (b)(7)(C) say he used?

A. He said it was a thermite.

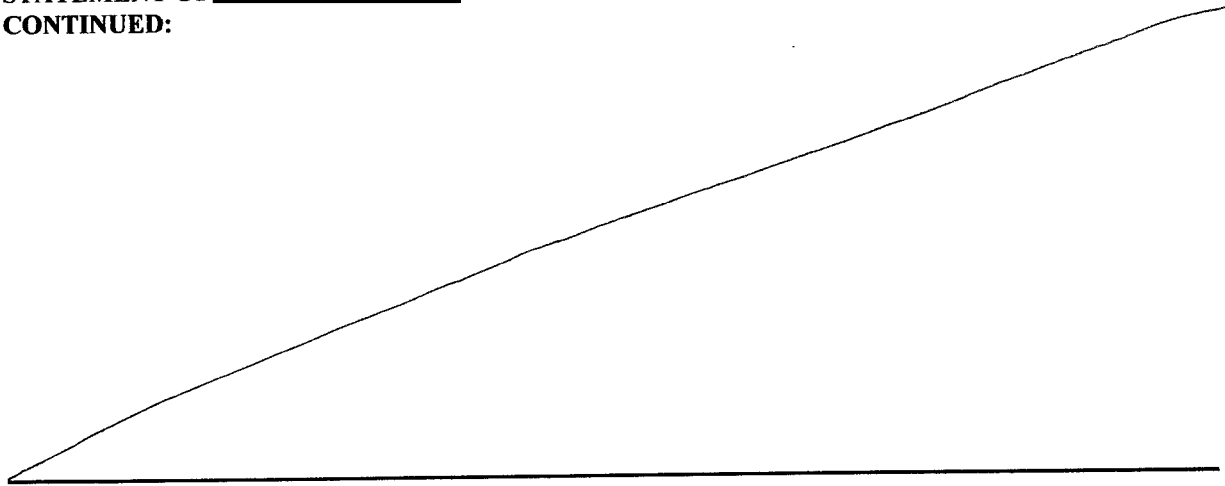
Q. What was the weather like on the night of 16 May 08?

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 5 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE (b)(6), (b)(7)(C)
STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 14 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:



AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 5. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

Witness #1:

Witness #2:

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

(Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 14th day of June 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936
(Authority to Administer Oath)

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

PAGE 5 OF 5 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 15 Jun 08 **TIME:** 0855-1156**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-2/PV2**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393**(b)(6), (b)(7)(C)** want to make the following statement under oath:

We received a mission brief sometime after lunch. Lt. (b)(6), (b)(7)(C) gave the brief. He said we were returning the two detainees who had been brought up to the pad. Lt. (b)(6), (b)(7)(C) said that one of the detainees was a known terrorist, but he was being released because Battalion did not have enough information on him. He then asked us how much sense does that make. We left the FOB and drove to a CLC checkpoint in Mezra. Lt. (b)(6), (b)(7)(C) dismounted and began talking to the CLC members. I saw one of the detainees get out of SSG (b)(6), (b)(7)(C) truck along with some dismounts. He walked over to the CLC members with the dismounts and the Lt. Approximately 15 minutes passed. Everyone then returned to the vehicles and we drove to Market Street in Albu Toma. After going down Market Street, we drove to Sheikh (b)(6), (b)(7)(C) compound. Lt. (b)(6), (b)(7)(C) dismounted along with several dismounts to go talk to the Sheikh. Approximately one hour passed. We then left Albu Toma taking the regular route back to the FOB. About 5 minutes into the return trip, Lt. (b)(6), (b)(7)(C) suggested over the radio that we take the desert trail back to the FOB to show SSG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) more of our AO. We drove parallel to the railroad tracks for a few miles before we saw a man walking through the desert carrying a bag. Lt. (b)(6), (b)(7)(C) ordered the convoy to stop. The Lt., (b)(6), (b)(7)(C) the interpreter and the dismounts got out of the vehicle and talked to the man. They then returned to the vehicles and we continued. Lt. (b)(6), (b)(7)(C) ordered a change in the order of march, moving SFC (b)(6), (b)(7)(C) truck, which had been in the rear, forward in the convoy. Approximately 5 minutes passed before Lt. (b)(6), (b)(7)(C) called for a tactical pause. We turned off the lights and the Lt. dismounted. Approximately 20 minutes passed when my gunner, (b)(6), (b)(7)(C) said that he could see something burning behind us. Another 10 minutes passed before the Lt. returned to the truck. After returning to the trucks, we drove back to the FOB.

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

A. PV2 (b)(6), (b)(7)(C)

Q. Did you author the above statement?

A. Yes.

Q. Did this mission take place on 16 May 08?

A. I guess, not really sure of the date.

Q. What is a CLC checkpoint?

A. Concerned Local Citizens.

Q. When you released detainees at the CLC checkpoint, how many detainees did you see released?

A. I saw one.

Q. Did you see the other detainee leave SSG (b)(6), (b)(7)(C) vehicle, or get released?

A. No.

Q. Did you know who the detainees were that you were releasing on this mission?

A. Other than what the LT said, I did not know who they were, and did not know that one was the guy we had picked up on 5 May 08.

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

PAGE 1 OF 5 PAGES

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EXHIBIT 47

ACLU-RDI 5576 p.126

10-L-0126 ACLU CID ROI 8127 000146

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

Q. Did you know the significance of the detainee, Ali MANSOUR, you captured on 5 May 08?

A. No, the LT never said anything like he was the guy or anything like that to me.

Q. When did you find out Ali MANSOUR was suspected of having involvement in the IED which struck your platoon on 21 Apr 08?

A. It was after we returned to FOB Summerall on 16 May 08.

Q. Who told you who Ali MANSOUR was?

A. I do not know, maybe SPC (b)(6), (b)(7)(C) who is also my roommate.

Q. Was it abnormal for 1LT (b)(6), (b)(7)(C) to change the route back to the FOB or change the order of march during the mission?

A. We usually take the same route, but we have taken the desert route before. We normally do not change the order of march unless we pick up a detainee or something, so it was a little odd, but not something that I questioned. I think he said he was doing it to allow SFC (b)(6), (b)(7)(C) to see better on the route.

Q. What was the order of march when you left the FOB?

A. SGT (b)(6), (b)(7)(C) was first, my truck with the LT was second, SSG (b)(6), (b)(7)(C) was third, and SFC (b)(6), (b)(7)(C) was in the rear.

Q. What did the order of march change to?

A. SGT (b)(6), (b)(7)(C) was still first, SFC (b)(6), (b)(7)(C) became second, I was third with the LT, and SSG (b)(6), (b)(7)(C) was the rear.

Q. Who called the tactical pause?

A. 1LT (b)(6), (b)(7)(C) just said lets stop here. It was not very long after we changed the order of march that he called for the stop.

Q. Did 1LT (b)(6), (b)(7)(C) seem to change his demeanor when he called the stop?

A. No.

Q. What weapons was 1LT (b)(6), (b)(7)(C) carrying on this mission?

A. He was carrying an M4 and a 9mm Beretta.

Q. Do you know if 1LT (b)(6), (b)(7)(C) ever carried a Glock 9mm on missions outside the wire?

A. Not to my knowledge.

Q. While at the stop, did you hear any gunshots, explosions or see any bright lights or fire?

A. No. I had my headset on which has noise cancelling properties. The vehicle was running, and I had the air conditioning on.

Q. What was the visibility like during the stop?

A. It was dark, but it was not a sand storm or anything.

Q. Were you on medevac red, or under no air support during the mission?

A. We did not have any air support, but I do not know what the medevac status was. The only time it is red is when there is a sandstorm.

Q. When 1LT (b)(6), (b)(7)(C) returned to the vehicle, did his demeanor seem different than when he had left the vehicle?

A. No.

Q. When you returned to FOB Summerall, did you enter in to any discussions with anyone about 1LT (b)(6), (b)(7)(C) possibly killing the detainee, Ali MANSOUR, while at the stop in the desert?

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

PAGE 2 OF 5 PAGES

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EXHIBIT 47

ACLU-RDI 5576 p.127

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8128

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)

CONTINUED:

A. It was not really a discussion, there were a couple of statements made. I did not see any groups getting together to discuss anything. My roommate SPC (b)(6), (b)(7)(C) told me when I returned from chow that he thought the LT killed that guy when we stopped. I think he said what he saw burning was what he thought to be a grenade, like an incendiary grenade. I do not remember his exact wording, but it was something like that.

Q. Did anyone else make a statement to you that they believed 1LT (b)(6), (b)(7)(C) was responsible for the death of MANSOUR?

A. Not that I recall. I went to bed shortly after that. I think I talked to (b)(6), (b)(7)(C) and then went to bed.

Q. Do you believe 1LT (b)(6), (b)(7)(C) was responsible for the death of MANSOUR?

A. Yes.

Q. Do you believe anyone else in the platoon assisted 1LT (b)(6), (b)(7)(C) in the death of MANSOUR?

A. No, he was the only person I saw get out of the vehicle. As far as motive is concerned, SSG (b)(6), (b)(7)(C) was not with us during the IED, and did not know any of the guys. 1LT (b)(6), (b)(7)(C) was close to both the guys killed as well as the Platoon Sergeant who was sent home.

Q. Did you see anyone else dismount from the vehicles in front of your vehicle during the stop?

A. They were a ways in front of us, so they could have gotten out, but they did not come near my vehicle. When 1LT (b)(6), (b)(7)(C) dismounted, he went toward the back of the vehicle, I never saw him go forward of the vehicle.

Q. Do you know which vehicles the detainees were transported in?

A. I saw one detainee get out of SSG (b)(6), (b)(7)(C) truck at the checkpoint, but I did not know if they had split them up. Before we left I did not see which truck they were loaded in to.

Q. Did you know MANSOUR was in SSG (b)(6), (b)(7)(C) vehicle during the entire mission?

A. No.

Q. Did anyone tell you after the mission when MANSOUR was taken out of the vehicle?

A. No, I did not talk to anyone about it.

Q. What kind of grenades are carried by the personnel in your platoon?

A. As far as I know, no one carries grenades. I was never given any, and I do not think that anyone under the rank of E-5 carries any grenades. In the truck is a can with signaling grenades, smoke, parachutes and flares.

Q. Did 1LT (b)(6), (b)(7)(C) bring anything back in to the truck he did not have before the stop?

A. No.

Q. Were you part of the mission in which MANSOUR was captured on 5 May 08?

A. Yes.

Q. Were you part of the team entering the house to capture MANSOUR?

A. No, I was in the vehicle with the gunner.

Q. Do you know if anyone struck or hit MANSOUR during his capture?

A. No. I could not see in to the house.

Q. Did you see MANSOUR when he was brought out to the vehicles?

A. Not that I recall, if I did, there was nothing off kilter about his appearance.

Q. Did anyone state they had caused unnecessary destruction to any furnishings, clothing or food items in the house?

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 5 PAGES

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)

CONTINUED:

A. No.

Q. Were you present on the mission on 21 Apr 08 when an IED struck a vehicle from your platoon?

A. Yes.

Q. Did you have any detainees in your vehicle when the IED struck the vehicle from your platoon?

A. Yes, we had two detainees in the vehicle.

Q. Did anyone remove the detainees from the vehicle after the IED hit?

A. Yes, 1LT (b)(6), (b)(7)(C) did.

Q. How were the detainees removed from the vehicle?

A. Roughly would be how I would describe it.

Q. Do you know if any Army Soldiers or CLC members struck, hit, or shot at the detainees in order to scare them in to providing any information?

A. I did not witness any CLC or Soldiers beating any detainees. I was also relaying information for calling in the medevac at that time.

Q. Have you ever witnessed any Soldier strike a detainee during a capture which was not necessary in the capture of the detainee?

A. No.

Q. Did you at any time ask 1LT (b)(6), (b)(7)(C) if he was responsible in any way for the death of MANSOUR, or hear 1LT (b)(6), (b)(7)(C) relate any responsibility for the death of MANSOUR?

A. No.

Q. Is there anything you wish to add to this statement at this time?

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

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

PAGE 4 OF 5 PAGES

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ACLU-RDI 5576 p.129

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8130

000149

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

[Redacted 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 5. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

Witness #1:

Witness #2:

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

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 15th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 5 PAGES

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LAW ENFORCEMENT SENSITIVE

Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

File No.: 0066-08-CID469-51978

TRANSLATION

SWORN STATEMENT

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

Taken on 15 Jun 08 at FOB Summerall, Bayji, IZ

I, **(b)(6), (b)(7)(C)** want to make the following statement under oath:
At may-5-2008, afternoon the American forces came to the house of **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** after that they raided my house and my brother Ali Mansur Mohamed House at 14:00hours. They raided my house and broke the main door and they broke the furniture inside the house (closet, clothes hanger, etc.) they spilled the rice and sugar on the floor; they took me out to the porch of the house and made me sit on the floor. Then they picked me up and they started talking between them, later they took me back to the room and started beating me on the face, stomach, abdomen and head, during that I fell on the ground and they started hitting me on my belly severely and they put their boots on my head. They started asking me about my Brother Ali Mansur's house. I told them where it is and they took me to my brother's house after handcuffing me on the back with zip ties, then they escorted me to the main door and made me sit by the main door, I told them that my brother works with **(b)(6), (b)(7)(C)** in Rayash station. I started hearing the yelling at the house and the sound of breaking dishes, but I don't know what is going on inside. The Americans who were standing close by me asked me: do you know what they are doing inside? I answered "I don't know". They told me sarcastically FIKI FIKI (interpreter note (FIKI FIKI) in slang Iraqi Arabic means Having sex). They stayed at the house for couple of hours, later they took my brother out around 16:30 and took me back to my house and they told me that we will take him to interrogate him; I said it's up to you. By that time my brother was only wearing his underwear (short and T shirt). They took him to Sheik **(b)(6), (b)(7)(C)** after that they took him to a mountains area, it has been said that American forces started firing at that area, a woman from the area also heard the yelling from the American forces, after that they took him to the American base. After his detention I knew that he was in Sinia base later we heard that he was moved to Speicher base and after that he was released from Speicher and they took him back to Sinia where he was released from there to the American in Sinia Base. We didn't know where they took him to. Later one of my relatives notified me that his body was found in the hospital of Tikrit, I went there with my brother and my relatives to the hospital and we identified the body it belongs to my brother Ali Mansur Mohamed.

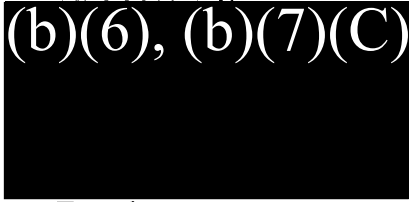
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///End of Statement///

This document was translated by the undersigned and is to the best of my knowledge.

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



Translator
MND-N G-3
COB Speicher, APO AE 09393

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Tikrit CID Office
Contingency Operating Base Speicher
Tikrit, Iraq

21 Jun 08

File No.: 0066-08-CID469-51978

TRANSLATION

SWORN STATEMENT

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

Taken on 15 Jun 08 at FOB Summerall, Bayji, IZ

I **(b)(6), (b)(7)(C)** want to make the following statement under oath: I was during my regular hours of work at the IP station of Rayash in may-5-2008 at 14:00 hours. A local national from the village called me and informed me that American forces raided the house of Ali Mansur. I informed the station commander with this news, he told me to take MAJ. **(b)(6), (b)(7)(C)** and go to them, see what is going on. I went to MAJ. **(b)(6), (b)(7)(C)** and I took him with me to the house of Ali Mansur. By the time we got to his house the force has left already from the house of Ali Mansur. We followed them to the house of Sheik **(b)(6), (b)(7)(C)** after we got there I found an interpreter standing at the front door. We asked him, who is the officer present with this force. He said LT. **(b)(6), (b)(7)(C)** MAJ. **(b)(6), (b)(7)(C)** went inside the house and the LT. was inside the house, later MAJ. **(b)(6), (b)(7)(C)** came out of the house and he told me that LT. **(b)(6), (b)(7)(C)** told him that they have some questioning with him nothing more. Later the American vehicles left the house of Sheik **(b)(6), (b)(7)(C)** and they took a tour around the village. I was looking at them hoping that they will release Ali so I can take him to his family. Then they headed to mountain area at the end of the village and they started shooting bullets. I think it's like BKC, between 6-8 bursts 6-10 rounds every burst, and then the vehicles headed towards the American Sinia base

///End of Statement///

This document was translated by the undersigned and is to the best of my knowledge.

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

Translator
MND-N G-3
COB Speicher, APO AE 09393

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SWORN STATEMENT**LOCATION:** COB Summerall, Bayji. IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 15 Jun 08**TIME:** 1200-1458**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-4/SPC**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393**(b)(6), (b)(7)(C)** want to make the following statement under oath:

On the day of the 16th of May, myself and D. Co 5th PLT 1-237 INF, were given the mission to drop off 2 detainees to the CLC at the intersection before we conducted our mission in Abu Toma. During our mission brief LT (b)(6), (b)(7)(C) told us that one of the detainees that we were dropping off was a guy that we picked up on the 5th. He also told us that this is one of the guys that was known to be involved with the IED that our platoon was hit by on april 21st. the LT seemed like he did not want to let this guy go at all. nothing else was said about them other than that we were dropping them off at the intersection of Hershey and Tampa. Originally we were supposed to SP at around 1300 but we had to push that time back because of a sand storm. I do not know the exact time that we did SP but it was later in the afternoon. We left the FOB through gate 3 and started heading south on Hershey, we got to the intersection of Hershey and Tampa and, from what I believed, let turned both of the detainees over to the CLC. After that we went on with our mission, and conducted our SOI in Abu Toma. When we stopped at Sheik (b)(6), (b)(7)(C) house I got out of the truck and got in the back to get a water. When I opened the back door I realized that we did not drop both of the detainees off, one of them we still in the back of my truck. At the time this wasn't out of the ordinary, I just thought that we were going to drop him off somewhere else. After we got done at Sheik (b)(6), (b)(7)(C) we got back on Tampa and started heading north. At check point 101 LT (b)(6), (b)(7)(C) told the lead truck to start west on a back road, and to take the back way back to Hershey. Sometime we do this because IEDs are placed on our route back because everyone knows the routes that we always take. I did not find anything weird about this either. We started heading north through the desert when the LT saw some on walking through the desert with a few bags. He halted the convoy and wanted to search this guy. After he was done being searched it was decided that he was not a threat and we continued to move north towards Hershey. About 2-3 clicks from Hershey the LT came over the net and said to stop for a "piss break", we stopped and I opened my door to take a piss. After I was finished I sat back down and closed the door. At this time SSG (b)(6), (b)(7)(C) got out of the truck and I saw the LT walking up. From what I could see there was no one else with him, this I thought was kind of odd because he isn't supposed to go anywhere without his security. When the LT got to the truck SSG (b)(6), (b)(7)(C) got out he went to the back of the truck and got the detainee. The LT told SPC (b)(6), (b)(7)(C) to stay in the truck when SSG (b)(6), (b)(7)(C) and the detainee got out. So (b)(6), (b)(7)(C) stayed in the truck with me and my gunner. After about 10 minutes SSG (b)(6), (b)(7)(C) came back to the truck and I saw the LT walking back up to his truck. There was no one else with them. I didn't ask SSG (b)(6), (b)(7)(C) where the detainee was, I just figured that they left him in the desert to walk home. SSG (b)(6), (b)(7)(C) didn't seem any different than he normally does. He talked to us like usual and nothing seemed different about him. After a few days a few of the guys started talking about what they saw and herd. From everything that was told to me, I started to think that that detainee was killed. Nothing else was really said about until the investigation was started. When this investigation started SSG (b)(6), (b)(7)(C) started acting different, he seemed to be worrying a lot more. He didn't talk to

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 6 PAGES

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ACLU-RDI 5576 p.134

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8143

000160

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, CONTINUED:
 me like he normally did. He started asking all of us what we thought happened. The LT also was always talking to SSG (b)(6), (b)(7)(C) things like “are you ok” and stuff like that. By this time I knew that something was wrong. Everyone has different stories about what happened, some know more than others do, but this is all that I know and all that I have assumed about that happened on May 16th 2008.

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

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

Q. Did you author the above statement?

A. Yes.

Q. Were you present on the missions on 21 Apr 08, 5 May 08 and 16 May 08?

A. Yes.

Q. What was the order of march for the vehicles when you left FOB Summerall on 16 May 08?

A. SGT (b)(6), (b)(7)(C) in lead, the LT, SSG (b)(6), (b)(7)(C) (My vehicle), and SFC (b)(6), (b)(7)(C) at the rear.

Q. Did the order of march change at any time during the mission?

A. Yes, when we turned west on to Tampa next to Checkpoint 101, the order of march was changed to SGT (b)(6), (b)(7)(C) in lead, SFC (b)(6), (b)(7)(C) the LT, and SSG (b)(6), (b)(7)(C) in rear.

Q. Did you witness two detainees being loaded in to your vehicle before you left FOB Summerall?

A. Yes.

Q. Can you describe the detainees?

A. One was kind of bigger and he had a beard, the other one was more thin and was shaved. The one with the beard had on a blue camo “One tough recruit” shirt and sweatpants. The other guy was wearing a mandress.

Q. How long have you been in 5th Platoon of D Company?

A. Since July of 2007.

Q. How many detainee drop off missions have you conducted while you have been in Iraq?

A. A lot, maybe two a week.

Q. Have you ever before, dropped off a detainee in the middle of the desert and left them to walk home on their own?

A. No. We usually drop them at the CLC check point, and sometimes we take them to their houses.

Q. Did you think it was odd for 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) to escort the detainee out in the desert at night?

A. Yes.

Q. What weapons was 1LT (b)(6), (b)(7)(C) carrying on the mission on 16 May 08?

A. M4 and a 9mm, I do not know if he had the Glock or the Berretta on that mission. I have seen him carry both out on mission.

Q. Did SSG (b)(6), (b)(7)(C) come back to the vehicle after removing the detainee and get anything?

A. No.

Q. When SSG (b)(6), (b)(7)(C) returned to the vehicle, did he have any items in his possession which he did not have prior to getting out of the vehicle?

A. Not that I was aware of, no.

Q. When you returned to FOB Summerall, did you clean out the vehicle?

A. Yes.

Q. When you cleaned the vehicle, did you notice any items under SSG (b)(6), (b)(7)(C) seat?

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

PAGE 2 OF 6 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, CONTINUED: (b)(6), (b)(7)(C)

A. No. I do not usually clean out under the seats.

Q. Would SSG (b)(6), (b)(7)(C) be able to throw any items from the window while driving down the road?

A. No, the windows do not open. He would have had to open the door to throw anything out.

Q. Has SSG (b)(6), (b)(7)(C) thrown any items from the vehicle while out on mission since 16 May 08?

A. No.

Q. Does SSG (b)(6), (b)(7)(C) carry any grenades?

A. Occasionally he carries a frag grenade, but other than that, no.

Q. Does SSG (b)(6), (b)(7)(C) have access to an incendiary grenade?

A. Yes he does. He could take one from other trucks or get them from the Company.

Q. Does your truck have any incendiary grenades stocked in it?

A. Not that I am aware of.

Q. Did SSG (b)(6), (b)(7)(C) get anything out of the truck when he was removing the detainee at the stop in the desert?

A. No.

Q. When the stop in the desert was called, was it out of the ordinary for 1LT (b)(6), (b)(7)(C) to walk away from the trucks with only SSG (b)(6), (b)(7)(C) with him?

A. Yes.

Q. Did anyone else attempt to call a tactical pause, or bathroom break, before 1LT (b)(6), (b)(7)(C) called one?

A. Not that I know of.

Q. When did you find out who Mr. MANSOUR was and what his significance to your platoon was?

A. Right before we left for that mission to drop him off.

Q. When Mr. MANSOUR was captured on 5 May 08, did you know who he was or that he may have been involved in the IED from 21 Apr 08?

A. No.

Q. Was the mission on 5 May 08 to be a capture mission for Mr. MANSOUR?

A. We had three houses to hit, out of the three we got two detainees, that was what was briefed to us when we left that day.

Q. Did you notice a change in 1LT (b)(6), (b)(7)(C) behavior after the mission on 16 May 08?

A. I really do not talk to the LT.

Q. Did you notice a change in SSG (b)(6), (b)(7)(C) behavior after the mission on 16 May 08?

A. Yes I did, he stopped talking to me, he was acting worried. When the investigation started he would always ask us what we thought and what we knew had happened on that mission.

Q. Did SSG (b)(6), (b)(7)(C) ever request you to destroy or get rid of clothing items?

A. No.

Q. Did you ever see SSG (b)(6), (b)(7)(C) with any clothing items resembling the ones worn by Mr. MANSOUR the night of the mission?

A. No.

Q. Do you believe 1LT (b)(6), (b)(7)(C) is responsible for the death of Mr. MANSOUR?

A. Yes I do, from what I have heard other people say, and what I witnessed that night. I did not see 1LT (b)(6), (b)(7)(C) kill anyone though.

Q. Why do you think 1LT (b)(6), (b)(7)(C) would have killed Mr. MANSOUR?

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

PAGE 3 OF 6 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, CONTINUED:

A. He was angry for what happened on 21 Apr 08 when we were hit by an IED.

Q. Did 1LT (b)(6), (b)(7)(C) suspected Mr. MANSOUR was involved in the IED attack?

A. Yes, he did.

Q. Did 1LT (b)(6), (b)(7)(C) ever openly express a desire to take revenge against Mr. MANSOUR?

A. No, he did not.

Q. Do you believe SSG (b)(6), (b)(7)(C) was responsible in any way for the death of Mr. MANSOUR?

A. No I do not.

Q. Do you believe SSG (b)(6), (b)(7)(C) had any part in the killing of Mr. MANSOUR or any attempt to cover it up?

A. Yes I do. He was out there, he covered for the LT.

Q. Why do you believe SSG (b)(6), (b)(7)(C) covered for the 1LT (b)(6), (b)(7)(C)

A. I think he was afraid of what the LT would do.

Q. Do you think 1LT (b)(6), (b)(7)(C) would have threatened SSG (b)(6), (b)(7)(C)

A. I think the LT would have threatened him.

Q. Did SSG (b)(6), (b)(7)(C) say to you at any time he witnessed 1LT (b)(6), (b)(7)(C) kill Mr. MANSOUR?

A. No he did not.

Q. Did SSG (b)(6), (b)(7)(C) make an inference at any time that 1LT (b)(6), (b)(7)(C) killed Mr. MANSOUR?

A. Yes he did, he said that the LT was with Mr. MANSOUR and that he heard shots. He said the LT walked back to SSG (b)(6), (b)(7)(C) without Mr. MANSOUR.

Q. Did SSG (b)(6), (b)(7)(C) state he attempted to burn the body of Mr. MANSOUR?

A. No he did not.

Q. Do you believe (b)(6), (b)(7)(C) had any responsibility in the death of Mr. MANSOUR?

A. No I do not.

Q. Who did you witness walk away from the vehicles with Mr. MANSOUR?

A. I only saw SSG (b)(6), (b)(7)(C) and the LT.

Q. During the stop in the desert, did you hear any gunshots or explosions or see any bright flashes or burning?

A. No I did not.

Q. Did anyone in your vehicle say they saw a flash or bright light while stopped?

A. Not in my vehicle.

Q. Did anyone in the platoon say they saw a flash or bright light while stopped?

A. Yes, (b)(6), (b)(7)(C) said he saw a flash come from the direction in which SSG (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) were walking.

Q. Did (b)(6), (b)(7)(C) say what he thought the flash was?

A. No.

Q. What did you do on the capture mission on 5 May 08 for Mr. MANSOUR?

A. I was part of the clear team, and after that I was rotated through security.

Q. Did you conduct a search of the residence?

A. Yes I did.

Q. Did you or any member of your team destroy or damage any furnishings, clothing or food items in the house?

A. Not that I know of.

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

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, CONTINUED:

Q. Did you know of anyone pouring kerosene on any clothing items?

A. No.

Q. Has anyone caused any unnecessary damage during any capture mission before or since 5 May 08?

A. Not that I know of.

Q. Did you see anyone strike or hit Mr. MANSOUR when he was captured?

A. No I did not.

Q. Were you with Mr. MANSOUR during the entire time of his capture?

A. No, I was rotating through security and 1LT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) our interpreter, had Mr. MANSOUR in a room by themselves with the door closed.

Q. Did you hear any screams or sounds of a struggle from the room?

A. No I did not.

Q. Did you see any bruises or marks on Mr. MANSOUR when he was detained?

A. No I did not.

Q. Do you know what Mr. MANSOUR was wearing when he was detained?

A. He was wearing a mandress.

Q. What vehicle were you in on the mission on 21 Apr 08?

A. I was in the lead vehicle. I was driving for SGT (b)(6), (b)(7)(C)

Q. After the IED hit the vehicle in your convoy, did you notice any detainees being removed from any vehicles?

A. No I did not, there were detainees in 1LT (b)(6), (b)(7)(C) vehicle, but I did not see them get out.

Q. While awaiting medevac and assistance on 21 Apr 08, did you hear any shots fired?

A. Yes I did.

Q. Do you know why anyone would have been firing their weapon?

A. I was told they were warning shots, I do not know who they were fired by.

Q. Did you have air support with you after the IED struck the vehicle?

A. After about ten minutes we did, I believe it was a scout weapons team, two black hawks.

Q. Did anyone state the detainees were fired at on 21 Apr 08?

A. No to me, no.

Q. How many shots did you hear fired on 21 Apr 08?

A. From three to five. I do not know what weapon fired them.

Q. Have you ever witnessed a detainee being abused by U.S. Forces.

A. Negative.

Q. Is there anything you wish to add to this statement at this time?

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

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

PAGE 5 OF 6 PAGES

DA Form 2823-E

FOR OFFICIAL USE ONLY

EXHIBIT 52

ACLU-RDI 5576 p.138

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8147

000164

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE (b)(6), (b)(7)(C)
STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, CONTINUED:

[Redacted 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 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.

Witness #1:

Witness #2:

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

Subscribed and sworn before me, a person authorized by law to administer oaths, this 15th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

10 USC 936
(Authority to Administer Oath)

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

PAGE 6 OF 6 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 15 Jun 08 **TIME:** 1530-1818 (b)(6), (b)(7)(C)**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-4/SPC**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393**(b)(6), (b)(7)(C)** want to make the following statement under oath:

Before the mission started I was told to put the detainees in a truck and watch them until we got ready to leave. While I was sitting there watching the detainees not knowing who they were the one with the beard seemed to be praying. He was saying something under his breath constantly. I was the gunner for the LT that day. Our mission started around 1700 or 1800 and the mission was to drop off the detainees, go to market street in albu toma, and go to Sheik (b)(6), (b)(7)(C). At our first stop at the intersection they only let one detainee out I thought it was because we were going to let the other guy out in albu toma. We went to market street the LT and his dismounts got out but I never saw the other detainee get out. We stayed there on market street for about thirty minutes to an hour. After that we went to Sheik (b)(6), (b)(7)(C) house again the LT and the dismounts got out but I didn't see the detainee get out. After staying there for a couple of hours everyone loaded back up and the LT said "lets RTB but go through the desert since SSG (b)(6), (b)(7)(C) has never seen that route". So we went through the desert hand railing the railroad tracks. By this time it was dark out so I mounted my NVG's. The next thing I hear over the radio is SSG (b)(6), (b)(7)(C) say can we take a piss break and the LT replied with no not yet. After about two hundred meters the LT told everyone to stop. When we stopped the LT dismounted walked to SSG (b)(6), (b)(7)(C) truck and then I saw four people one of which I know was the LT start walking toward an underpass. After about twenty minutes I saw a glow coming from where they had walked I pulled up my night vision goggles (NVG's) and saw an orange like glow. About five or ten minutes after that I saw only three people walking back. That is when I thought to myself one of the four must have been the detainee and that they must have killed him. After the LT loaded back up he told us to return to base (RTB). After we got back to the FOB we were downloading our gear and Spc (b)(6), (b)(7)(C) came up to me pissed off and said they shot the guy. I knew then for sure that someone had killed the detainee. Not to long after that day SSG (b)(6), (b)(7)(C) told me that he dismounted with the LT along with (b)(6), (b)(7)(C) the interpreter and the detainee that night. He told me that he didn't go in the underpass with the LT and detainee he stayed outside of it. He then heard two gun shots and ran to see what had happened and the LT met him before he could get all the way in the underpass. He said the LT then told him to throw it, not knowing what the LT was talking about SSG (b)(6), (b)(7)(C) replied with throw what. The LT then put his hand on the pistol with the hammer cocked back and told SSG (b)(6), (b)(7)(C) again to throw it so SSG (b)(6), (b)(7)(C) reached in his pouch and grabbed a grenade not knowing what kind and threw it.

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

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

Q. Did you author the above statement?

A. Yes.

Q. Did the mission you discuss above take place on 16 May 08?

A. Yes.

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

PAGE 1 OF 5 PAGES

DA Form 2823-E

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EXHIBIT 53

ACLU-RDI 5576 p.140

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8149

000166

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

Q. Do you remember the order of march for the vehicles when you left FOB Summerall?

A. I think it was SGT (b)(6), (b)(7)(C) in the lead. I think I was in the second truck with the LT. then SFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) in the last truck.

Q. Can you describe the two detainees you put in the truck?

A. One was skinny without a beard, and the other guy had a beard and was wearing a grey shirt and sweat pants. The guy with the beard was the one who was praying, so I was looking at him more than I was looking at the other.

Q. Did you know the names of either of the detainees?

A. No.

Q. Did the detainee who had the beard look scared?

A. You could say that, kinda.

Q. Did you witness anyone say anything to either of the detainees when you were watching them, or while they were being held at the Platoon area?

A. No.

Q. Who did you drop the first detainee off with?

A. The Concerned Local Citizens (CLC).

Q. Where do you normally drop off detainees at?

A. It depends on where they are from. If they are from Messerah we drop them off with the CLC, if they are from Albu Toma, we drop them off in Albu Toma.

Q. Did you see the detainee get out of the truck at any time while in Albu Toma, either on market street, or at Shaek (b)(6), (b)(7)(C)

A. No.

Q. When did you first realize you still had a detainee in the convoy?

A. When we were between the Tampa and the desert road, someone came over the radio and asked what we were going to do with the detainee.

Q. Did anyone answer this question over the radio?

A. Someone did, but I do not know who it was. I think it was the LT, and I think he said not to worry about it.

Q. Do you know who asked about the detainee?

A. I do not have a clue.

Q. When did you change the order of march of the vehicles?

A. After we got on to the desert road and had done a security check of a male walking with some bags.

Q. Was a reason given for the change of order of march?

A. I do not remember.

Q. Was it strange when 1LT (b)(6), (b)(7)(C) denied a tactical pause to allow someone to go to the bathroom?

A. Yes. We usually always stop when someone asks to.

Q. When the convoy stopped along the rail road tracks, who dismounted the vehicles?

A. I know the LT did, but I do not know who else did.

Q. Was it out of the ordinary for 1LT (b)(6), (b)(7)(C) to go to one of the rail road underpasses?

A. I had never seen him do it before.

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

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

Q. Have you ever taken the desert road back to FOB Summerall before?

A. Yes, a few times.

Q. Could you tell who was walking to the rail road underpass?

A. No.

Q. How did you know 1LT (b)(6), (b)(7)(C) was one of the ones going to the underpass?

A. Because he got out of the truck and did not come back, and no one was standing around the trucks.

Q. What was the weather like during the stop in the desert?

A. It was clear and warm. I believe there were sandstorms earlier that day, but they had cleared out.

Q. How far away from the rail road underpass was your vehicle?

A. The railroad tracks were about 75 meters to the side of my vehicle, and the underpass was about 25 meters behind my vehicle.

Q. Did you hear any gunshots or explosions while 1LT (b)(6), (b)(7)(C) was at the underpass?

A. No. I was wearing my headset, which cancels out a lot of noise outside of the vehicle.

Q. When 1LT (b)(6), (b)(7)(C) returned to the vehicle, did he seem different in any way?

A. No.

Q. Did 1LT (b)(6), (b)(7)(C) have any items with him he did not have when he dismounted the vehicle?

A. No, not that I seen.

Q. Did you see any clothing matching the description of the clothing worn by the detainee with the beard in any of the vehicles after 16 May 08?

A. No.

Q. Did you mention to anyone your suspicions of what had occurred in the desert?

A. No. I may have said something to my roommate, but I do not know for sure.

Q. Why did SPC (b)(6), (b)(7)(C) approach you and state 1LT (b)(6), (b)(7)(C) had shot the detainee in the desert?

A. Because he was pissed off about it.

Q. Do you know why SPC (b)(6), (b)(7)(C) would think that 1LT (b)(6), (b)(7)(C) had shot the detainee in the desert?

A. I have no clue, he did not tell me why he thought that, and I did not ask.

Q. Have you ever dropped detainees in the desert and made them walk home alone at any time?

A. No.

Q. Did SSG (b)(6), (b)(7)(C) demeanor change after the mission on 16 May 08?

A. He seemed the same.

Q. Did SSG (b)(6), (b)(7)(C) describe the pistol he said 1LT (b)(6), (b)(7)(C) was carrying in his hand after he came out of the rail road underpass?

A. No he did not.

Q. Do you know what weapons 1LT (b)(6), (b)(7)(C) was carrying during the mission on 16 May 08?

A. He was carrying an M4 and a pistol. I believe he was carrying the berretta pistol.

Q. Have you ever seen 1LT (b)(6), (b)(7)(C) carry a Glock pistol out on mission?

A. I have never noticed it.

Q. Were you involved with the capture of the detainee on 5 May 08?

A. Yes. I was the gunner on the LT's truck, I did not go in to the buildings.

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

PAGE 3 OF 5 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

Q. Did you see the detainee brought out to the vehicles?

A. Yes.

Q. Did the detainee appear to have any bruises, cuts or any blood on him?

A. No.

Q. Do you remember what the detainee was wearing when he was captured?

A. I do not.

Q. Did anyone hit, strike or harm the detainee when he was captured?

A. Not that I saw.

Q. When you captured the detainee, did the convoy go straight back to FOB Summerall?

A. I can not remember, we either did that or went to Shack (b)(6), (b)(7)(C)

Q. On the way back to base with the detainee, did the convoy stop at any time and remove the detainee from the vehicle?

A. No.

Q. Have you ever witnessed a detainee shot at, or shot around to attempt to scare them in to giving up information?

A. No.

Q. Were you present with your platoon on 21 Apr 08?

A. No I was coming back from R and R leave.

Q. Were you ever told the detainee captured on 5 May 08 may have been involved with the placing of the IED which struck your platoon members on 21 Apr 08?

A. After he was shot and killed I heard that.

Q. Do you believe 1LT (b)(6), (b)(7)(C) killed the detainee, Ali MANSOUR, on 16 May 08?

A. Yes.

Q. Do you believe anyone else in your unit assisted when 1LT (b)(6), (b)(7)(C) may have killed MANSOUR on 16 May 08?

A. The only other person that was there was SSG (b)(6), (b)(7)(C) and he threw a grenade because of the LT. I do not think he had a choice from what he said.

Q. Did you know for fact that 1LT (b)(6), (b)(7)(C) killed MANSOUR while he was in the rail road underpass?

A. I did not know for a fact, I had my suspicions.

Q. Did anyone in the platoon tell you they heard any gunshots or explosions while at the stop in the desert?

A. No.

Q. Do you think anyone in the platoon knew 1LT (b)(6), (b)(7)(C) planned to take MANSOUR in to the rail road underpass?

A. No.

Q. Is there anything you wish to add to this statement at this time?

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

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

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 5. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

Witness #1:

Witness #2:

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

Subscribed and sworn before me, a person authorized by law to administer oaths, this 15th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

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

10 USC 936
(Authority to Administer Oath)

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

PAGE 5 OF 5 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469 (b)(6), (b)(7)(C)**DATE:** 15 Jun 08 **TIME:** 1910-2233**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-4/SPC**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393**(b)(6), (b)(7)(C)** want to make the following statement under oath:

On 16 May 2008 late in the afternoon the members of D. co 5th platoon was standing around 2nd sections CHU area as 1LT (b)(6), (b)(7)(C) walked up with 2 detainees from the D-cell and told us to watch them. They were restrained and blindfolded at the time as we watched them, after a few minutes the 1LT (b)(6), (b)(7)(C) took one of the detainees with a terp to his CHU area. After a little bit 1LT (b)(6), (b)(7)(C) returned with the detainee and began our mission brief and during it the LT told all of us during the brief that one of the detainees which was later I found out was Ali Monsor was a member of al queda and he has put in IED and has killed Coalition forces. After the brief we loaded into our MRAPs. I was in MD51s truck as a dismount, I had SPC (b)(6), (b)(7)(C) as my driver SPC (b)(6), (b)(7)(C) as my gunner and SSG (b)(6), (b)(7)(C) as my TC and the two detainees were in the back of the truck with me. When we SP'd FOB Summerall my truck was first in the order of movement. We traveled down South Hershey until we got to the corner of South Hershey and Tampa. We stopped the vehicles at the CLC checkpoint there and drop one of the detainees off with the CLC. SSG (b)(6), (b)(7)(C) came to the back of the MRAP and I gave him the detainee and I stood behind the truck and watch SSG (b)(6), (b)(7)(C) take the detainee over to the LT and walked him over to the CLC and handed the detainee over to them. After they were done at the checkpoint we continued the mission to conduct SOI in Al Butoma. Once in Al butoma we drove around doing a presence patrol and then went to Shiek (b)(6), (b)(7)(C) house. Once there we stopped the trucks and dismounted and walked into (b)(6), (b)(7)(C) courtyard and after we did a quick security check the LT and his 2 person security detail along with his terp went into the house. I stayed outside in the courtyard for a unknown amount of time. By the time it was time to RTB it was already dark outside. We left Sheik (b)(6), (b)(7)(C) house and took south tampa north until we reached the IA checkpoint between Al Butoma and Mezrah. We turned left there and drove for a little bit and took a right to go off road in the desert. 1LT (b)(6), (b)(7)(C) once we were off road changed the order of movement so the SGT (b)(6), (b)(7)(C) vehicle was in the lead of the Convoy and SSG (b)(6), (b)(7)(C) vehicle was now in the rear of the convoy. The LT told SGT (b)(6), (b)(7)(C) to take the convoy back to south Hershey while offroad. After a unknown amount of time a unknown voice called over the net and said we needed to stop for a bathroom break so we stopped the convoy. After a couple minutes 1LT (b)(6), (b)(7)(C) opened my back door of the MRAP and told me to give him the detainee we had still. I gave him the detainee and stepped out of the vehicle, the LT told me I couldn't stay out of the vehicle and go with him and told me to just stay in the vehicle. Once in the vehicle I saw SSG (b)(6), (b)(7)(C) LT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) walk the detainee who was restrained but not blindfolded over to a colvert and inside where I couldn't see anymore. After around 30 minutes SSG (b)(6), (b)(7)(C) got back into the MRAP and after a minute or so the LT called over the radio to continue movement and once we got back onto south Hershey we drove down it until we called RTB to Battalion. After a couple of days I was along with other members of 5th platoon told that the guy we dropped off in the desert was taken by the LT and killed out in the desert and we didn't have to worry about the detainee that I now know as Ali Monsor. SSG (b)(6), (b)(7)(C) told us that.

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

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EXHIBIT 54

ACLU-RDI 5576 p.145

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8154

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)

CONTINUED:

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

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

Q. Did you author the above statement?

A. Yes.

Q. Can you describe the two detainees who were placed in your truck?

A. MANSOUR was about my height, maybe a little taller, had a beard and was dressed in a blue camouflage shirt they give out at the detention facility. He was praying the entire time we were in the vehicle. The other guy was skinnier and did not have a beard, but about the same height as MANSOUR.

Q. How did you know which detainee you were to take out of the vehicle at the CLC checkpoint?

A. SSG (b)(6), (b)(7)(C) pointed at him or something, I knew which one I was supposed to take out.

Q. Were you told you would be taking MANSOUR to a different location to drop off?

A. Yes. I think it was in the convoy brief that he was supposed to be dropped off in Al Butoma.

Q. Where did you go when you left the CLC Checkpoint?

A. We went in to Al Butoma to do SOI, a presence patrol of the city.

Q. When you went in to Al Butoma, did you make any stops to drop off Mr. MANSOUR?

A. No. We only stopped at Shaek (b)(6), (b)(7)(C) house. When we went in to the town, we went in like we did not have anyone with us. I believe that is why no one else in the convoy knew he was still with us, except the people in our truck. We were just expecting the LT to let us know what we were going to do with him. We have dropped people off at Shaek (b)(6), (b)(7)(C) house, or different parts of the city, so we were just waiting to be told.

Q. Did you or anyone else ask why you still had Mr. MANSOUR in the vehicle when you left Shaek (b)(6), (b)(7)(C) house?

A. I am sure we did, but it was probably asking each other. We may have asked the LT about it.

Q. When you left Shaek (b)(6), (b)(7)(C) house, where did you go?

A. We started to return to base (RTB) the normal way when the LT said he wanted to go over the desert route and he wanted SGT (b)(6), (b)(7)(C) to lead us that way. We turned off the road near the rail road tracks and that is when the LT wanted to change the order of march as well. That is when my vehicle became the trail vehicle.

Q. Did you stop anyone on the road in the desert?

A. There was one guy we stopped, he was walking by with a bag. He was stopped to be checked for bombs or suicide vests, and was fine, so we went on our way.

Q. Did anyone request to take a tactical pause or bathroom break that was denied?

A. No, someone asked for one and the LT said not yet, wait a little bit, and then we stopped further down the road.

Q. What happened when you stopped near the rail road tracks?

A. The LT came up to my truck and told me to give him the detainee, and took him out of the truck. The LT took off his blind fold. I went to go with him and the LT told me no, stay in the truck. I stayed in the truck and watched SSG (b)(6), (b)(7)(C) the LT, (b)(6), (b)(7)(C) and the detainee walk to the underpass of the railroad tracks. It was about thirty to fifty meters away. I had my night vision goggles on as it was dark out and was watching them through the window of the vehicle. I watched for a little while, then I saw a glow which was coming from the other side of the rail road tracks. It

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

PAGE 2 OF 5 PAGES

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08 (b)(6), (b)(7)(C)
CONTINUED:

was very bright at first, then died down some. It was bright enough at first it was lighting up a lot of stuff, but it was not putting any light in to the underpass on to my side, so I still could not see in to it. I got tired of watching after that, so I sat back down. A few minutes, maybe ten minutes at the most, SSG (b)(6), (b)(7)(C) came back and got in the truck, a couple minutes after that, the LT came over the radio and said to go. I could not see the route we took out, but thinking on it now, I think we may have gone out the way we came in or we would have had to cross the tracks at some point. We just returned to FOB Summerall at that time.

Q. When you saw the glow did you see any flashed prior to it?

A. No.

Q. Do you know what weapons 1LT (b)(6), (b)(7)(C) carried out on mission on 16 May 08?

A. He always had an M4 and a pistol. I am pretty sure he was carrying a Glock pistol.

Q. Did you see 1LT (b)(6), (b)(7)(C) return to his vehicle when he walked back from the culvert area?

A. No.

Q. Did SSG (b)(6), (b)(7)(C) take any grenades out of the vehicle when he escorted the detainee with 1LT (b)(6), (b)(7)(C)

A. No, not that I could see, he did not take it from the back. If he did, he had one on him, or up in the front.

Q. Did you hear any gunshots or explosions when you were stopped in the desert?

A. No. The truck would have covered any sound of that.

Q. When SSG (b)(6), (b)(7)(C) returned to the vehicle, was he carrying any items he did not have before he left?

A. Not that I could see. I do not even think I saw him come back, I think I just heard him get in. I had sat down and could not see anything.

Q. Did you see any clothing in your vehicle or in the possession of SSG (b)(6), (b)(7)(C) after 16 May 08, which resembled the clothing worn by Mr. MANSOUR?

A. No.

Q. Did you notice any unusual odors on SSG (b)(6), (b)(7)(C) when he returned to the vehicle?

A. No, I would have been able to from where I was sitting. There is a big fan in the rear.

Q. Are incendiary grenades maintained in your vehicle?

A. Yes.

Q. Did SSG (b)(6), (b)(7)(C) return to vehicle after they started walking towards the railroad tracks?

A. No.

Q. Do you know if SSG (b)(6), (b)(7)(C) was carrying incendiary grenades?

A. I do not know, he does have pouches on for grenades but we usually do not carry incendiary grenades on our person.

Q. At any time after the mission were you asked where you had dropped off the detainees to include Mr. MANSOUR?

A. Not until the sworn statements the Company had us do.

Q. Did anyone tell you what to say on the sworn statements, or what to say if anyone asked you where you had dropped off the detainees?

A. LT told us to say we had dropped them both off at Messarah if anyone asked about it, but he went on leave before we were asked to make statements.

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

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, CONTINUED:

Q. Why did SSG (b)(6), (b)(7)(C) tell you Mr. MANSOUR was dead?

A. I do not know if he was bragging about it, or giving us info about it or what. I know he gives us info on what is going on.

Q. Did SSG (b)(6), (b)(7)(C) stated 1LT (b)(6), (b)(7)(C) killed Mr. MANSOUR?

A. Yes.

Q. Did SSG (b)(6), (b)(7)(C) state how 1LT (b)(6), (b)(7)(C) had killed Mr. MANSOUR?

A. SSG (b)(6), (b)(7)(C) said the LT shot him, but SSG (b)(6), (b)(7)(C) said he was trying to stay away but someone had to go with him. SSG (b)(6), (b)(7)(C) said he did not want to be there and did not want to be close to him, but I assume he had to be relatively close to him when it happened.

Q. Did SSG (b)(6), (b)(7)(C) say how many shots 1LT (b)(6), (b)(7)(C) fired?

A. No.

Q. Do you think 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) pre planned the killing of Mr. MANSOUR?

A. No. I think the LT may have, but SSG (b)(6), (b)(7)(C) was in the truck with us asking why we were driving around with MANSOUR in the truck just like we were. I really think it was one of the dumbest things I have seen, going to a culvert, right off a main road by a check point and killing someone, especially right after we just made some guy strip cause we thought he was carrying a bomb.

Q. Do you think Harry had any involvement in the death of Mr. MANSOUR?

A. I really do not know. I know (b)(6), (b)(7)(C) is polite to us, and does not seem like the kind of guy that would do anything like that. Maybe the LT told him he had to go with him, but the LT can talk to Iraqis, but I just do not know.

Q. Do you believe 1LT (b)(6), (b)(7)(C) killed Mr. MANSOUR?

A. Yes.

Q. Were you present on missions on 21 Apr 08 or 5 May 08?

A. No, I was on leave and just returning from leave at those times.

Q. Have you witnessed detainees being abused by unit personnel?

A. No.

Q. Was 1LT (b)(6), (b)(7)(C) conducting source operations?

A. He had his own little thing. People would call him up and he would talk with Sheak (b)(6), (b)(7)(C)

Q. Did 1LT (b)(6), (b)(7)(C) ever conduct operations based on information he received from his sources?

A. If he was, he would not have told us. He just would have told us what we were going to do that day.

Q. Is there anything you wish to add to this statement at this time?

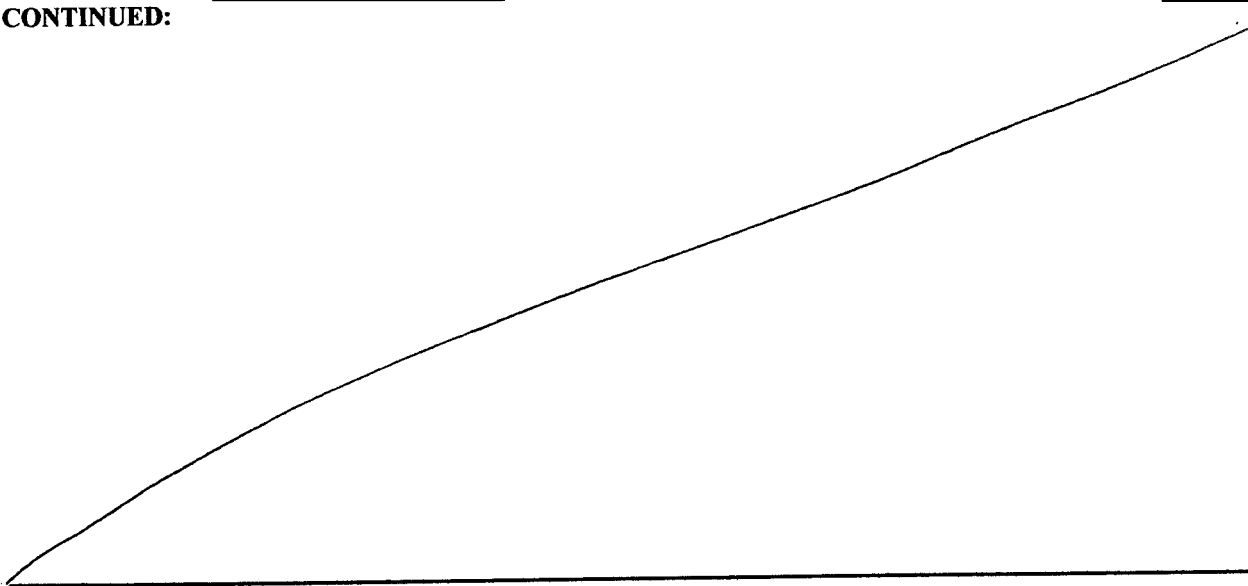
A. No.////////// (b)(6), (b)(7)(C) ///////////End of Statement//////////

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

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 15 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:



AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 5. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

Witness #1:

Witness #2:

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

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 15th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

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SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 16 Jun 08 **TIME:** 0900-1235 (b)(6), (b)(7)(C)**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-4/SPC**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393**(b)(6), (b)(7)(C)** want to make the following statement under oath:

On the 16th of May, 2008 5th plt. D. Co. was given a task to take two detainees back to their homes, in Al Butoma. We were to leave at around noon but the weather was bad so we waited until it got better, which was in the evening. I was in the first truck as a dismount. As we left, we stopped at a CLC checkpoint on the intersection of Tampa and Hershey to let the detainees go. I looked out the window of the truck and only seen one get out, after a few minutes we had left to go to Al Butoma to talk to the sheik. As we sat in the area, I thought the other detainee had been released to walk back to his home since it was so close while our Lt. went to talk to the sheik. About an hour later we left to come back to the FOB, as we came to the area of checkpoint 101 which is operated by the Iraqi Army, we took a right off the main road into the desert. After going down a dirt road we seen a man walking by himself carrying a bag, everyone got out of the trucks to talk to him. I seen it was his food, so I went back into the truck while everyone one kept asking questions. After a few minutes of talking with the man everyone got back into the trucks. We still sat there, I thought people had to take a piss break, which is what usually happens when we sit around. So then we finally leave to come back to the FOB. Once we got back, I took all of my equipment to my room and I noticed that my room mate was upset. I asked what the problem was, and he replied that the Lt. had supposedly shot the detainee in a culvert with the interpreter and our section sargeant, then threw a grenade on him. I'm not sure what type of grenade it was. I thought we let the detainee go in Al Butoma, but he stayed in the truck. I then went to go eat with the rest of our plt. and I then told **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)** about what my room mate told me. **(b)(6), (b)(7)(C)** said he was that when we stopped, they asked for the detainee and told him to get back in the truck. Not to long ago, **(b)(6), (b)(7)(C)** and **(b)(6), (b)(7)(C)** were sitting around talking out side of my room. I heard him say that the Lt. would come around and make sure he was keeping his mouth shut, and that the same thing could happen to Americans. I didn't stop to listen, I kept on walking to use the bathroom. I'm not sure how my room mate, which name is **(b)(6), (b)(7)(C)** had found out about all of this.

Q. SA **(b)(6), (b)(7)(C)**A. SPC **(b)(6), (b)(7)(C)**

Q. Did you author the above statement?

A. Yes.

Q. Do you remember what the order of march was leaving FOB Summerall on 16 May 08?

A. I was in the first truck, I am not sure who was in the second truck, maybe the Platoon Sergeant, then I think the LT's truck. I think there were only three trucks that night.

Q. Who was riding in your vehicle and where were they positioned?

A. I was in back of the truck, SGT **(b)(6), (b)(7)(C)** was in the back with me, the gunner was **(b)(6), (b)(7)(C)** I do not know who was driving, and I do not remember who was the TC.

Q. How many times have you been on a mission to drop off detainees being released?

Q. I do not know, guessing I would say two or three.

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

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EXHIBIT 55

ACLU-RDI 5576 p.150

LAW ENFORCEMENT SENSITIVE

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08, (b)(6), (b)(7)(C)

CONTINUED:

- Q. Do you remember what the detainees you were to drop off on 16 May 08 looked like?
- A. Beards and dark hair. I do not remember anything else.
- Q. Did you know the name of either of the detainees?
- A. I found out later the name of one of the detainees was Ali MANSOUR, but I did not know anything about either at the time.
- Q. Did you see which vehicle the detainees rode in on the mission?
- A. I believe it was the last one.
- Q. Did you see the detainees get out of the vehicle at any time?
- A. Just at the check point, and I only saw one of them get out.
- Q. At any time did you see the second detainee get out of any of the vehicles?
- A. No.
- Q. Do you know how long you were at Shaek (b)(6), (b)(7)(C) house?
- A. Somewhere around an hour.
- Q. When you left Shaek (b)(6), (b)(7)(C) house, was it still light outside?
- A. Yes, the sun was setting.
- Q. How long does it take to get from Shaek (b)(6), (b)(7)(C) house to FOB Summerall?
- A. About twenty minutes.
- Q. Where did you go when you left Sheak (b)(6), (b)(7)(C) house?
- A. We were heading to the FOB.
- Q. Did you stop along the way to FOB Summerall?
- A. Yeah, in the desert.
- Q. Is it normal to take the alternate route in the desert to return to FOB Summerall?
- A. It is normal to take a different route back, yes.
- Q. Have you ever taken the desert road back to FOB Summerall you were on the night of 16 May 08?
- A. No.
- Q. How long have you worked with 5th Platoon, D Company, 1-327th Infantry Regiment on FOB Summerall?
- A. I have been with the platoon for almost a year and the whole deployment here.
- Q. When you turned on to the desert road, what did you see around you?
- A. There were railroad tracks on the right side, and there was a house on the left.
- Q. When you stopped to check the man walking in the field, did you go assist with the check?
- A. No, I got back in the truck.
- Q. How long were you sitting in the truck before the convoy started to move again?
- A. It was a few minutes.
- Q. After the convoy started moving again, did the convoy make another stop?
- A. Not that I know of.
- Q. Did you fall asleep in the back of the vehicle?
- A. No.
- Q. Did you at any time during the stop in the desert, hear any gunshots, explosions or see any bright lights or burning objects?
- A. No.

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

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08 (b)(6), (b)(7)(C)

CONTINUED:

Q. Do you now if 1LT (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) were speaking to the man walking in the field?

A. I do not remember seeing them. I just seen a group of people, plus it was kind of dark.

Q. Were you on the mission to capture Ali MANSOUR on 5 May 08?

A. Yes.

Q. What did you do during the capture mission of Mr. MANSOUR?

A. I walked around, inside the compound.

Q. Did you search the house of Mr. MANSOUR or his brother?

A. No.

Q. Were you outside the houses the entire time you were there?

A. Yes.

Q. How long was Mr. MANSOUR inside of his house with any members of your platoon?

A. I do not know, I was walking back and forth. When I was there, he was outside.

Q. How long were you at the compound that contained Mr. MANSOUR's house?

A. One or two hours.

Q. When you saw Mr. MANSOUR outside of his house, what was he dressed in?

A. A white or grey mandress.

Q. Did you at any time see Mr. MANSOUR wearing only his underclothes?

A. No.

Q. Did you see anyone hit, strike or kick either Mr. MANSOUR or his brother?

A. No.

Q. Did Mr. MANSOUR have any bruising or cuts on him when you saw him?

A. Not that I noticed.

Q. Did you at any time hear any screaming coming from inside Mr. MANSOUR's house or his brothers house?

A. No.

Q. Did any member of your platoon damage any items inside of either house?

A. Yes, some dishes were broken. I do not know of anything else.

Q. Did you see any damage caused to either Mr. MANSOUR's door, or his brother's door?

A. No.

Q. Did you see any furnishings, clothing or food damaged or destroyed while you were in Mr. MANSOUR's compound?

A. No.

Q. What vehicle was Mr. MANSOUR loaded in to for transport back to FOB Summerall?

A. The closest truck to the house, it may have been the LT's truck.

Q. When transporting Mr. MANSOUR back to FOB Summerall, did you make any stops in the desert at any time?

A. No.

Q. Have you heard or seen any persons kick, hit or strike a detainee?

A. No.

Q. Have you heard or seen any persons fire any weapons at any detainees in order to scare them?

A. No.

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

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EXHIBIT 55

ACLU-RDI 5576 p.152

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

Q. When SSG (b)(6), (b)(7)(C) was speaking in front of your containerized housing unit (CHU), did he relate the sequence of events of what happened to Mr. MANSOUR in the desert?

A. He may have been, but I was not there for it.

Q. Did you hear SSG (b)(6), (b)(7)(C) say at any time that he witnessed 1LT (b)(6), (b)(7)(C) shoot Mr. MANSOUR?

A. No.

Q. Do you believe 1LT (b)(6), (b)(7)(C) was involved in the death of Mr. MANSOUR?

A. Yes.

Q. Who do you think killed Mr. MANSOUR?

A. I do not know, I was not there.

Q. Do you think SSG (b)(6), (b)(7)(C) was involved in the death of Mr. MANSOUR?

A. Yes.

Q. Do you think (b)(6), (b)(7)(C) was involved in the death of Mr. MANSOUR?

A. Yes.

Q. Do you think anyone else in your unit was involved in the death of Mr. MANSOUR?

A. No.

Q. Do you believed anyone planned to kill Mr. MANSOUR?

A. No. I think it may have just happened.

Q. Is everything in this statement the truth?

A. Yes.

Q. Do you know it is a crime to falsify a statement?

A. Yes.

Q. Were you on the mission in which an IED struck one of your unit vehicles on 21 Apr 08?

A. No, I was at COB Speicher.

Q. Is there anything you wish to add to this statement at this time?

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

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

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

[Redacted 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 5. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

Witness #1:

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

Subscribed and sworn before me, a person authorized by law to administer oaths, this 16th day of Jun 2008, at FOB Summerall, Bayji, IZ

Witness #2:

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936
(Authority to Administer Oath)

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

PAGE 5 OF 5 PAGES

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SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 16 Jun 08 **TIME:** 1215-1411 (b)(6), (b)(7)(C)**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-5/SGT**ORGANIZATION OR ADDRESS:** D Company, I-327th Infantry Regiment, FOB Summerall, APO AE 09393**(b)(6), (b)(7)(C)** want to make the following statement under oath:

I have been in 5th Platoon since late March 2008 when I came back off of leave. When I initially came to the Platoon, I was assigned to be a squad leader with SSG (b)(6), (b)(7)(C) as my Section Sergeant and first line supervisor. When SSG (b)(6), (b)(7)(C) went on leave, I assumed responsibilities as the acting Section Sergeant for 1st Section. Shortly after he returned from leave, I was assigned to be the acting Section for 2nd Section since SSG (b)(6), (b)(7)(C) (Section Sergeant) was going on leave. I was acting Section Sergeant for 2nd Section during the events which took place on or about the 16th of May, 2008. I am currently a Squad Leader working for SSG (b)(6), (b)(7)(C). I do not recall the mission where Ali Monsoor was arrested. I believe I had the day off that day. However, I was present during the mission where we "supposedly dropped off the 2 detainees" one of those being Ali Monsoor. On or about 16, May, 2008. 5th PLT, Dco, I-327 was tasked with a detainee drop-off to the CLC checkpoint at the Hershey and Tampa intersection. I knew that we were taking 2 detainees with us but I do not recall seeing them being loaded up into the MRAP's before we left the FOB. We left FOB Summerall sometime late in the afternoon. We went to the ASR Hershey and MSR Tampa intersection which is also right next to Checkpoint 102. I was the TC in the lead vehicle on the mission. I did not actually see any detainees dropped off there but I had just assumed that they were. After the "detainee drop-off", we went to Sheikh (b)(6), (b)(7)(C) house to conduct SOI engagements with him. Our Platoon stayed here for approximately 1 1/2 to 2 hours while Lieutenant (b)(6), (b)(7)(C) had talks with Sheikh (b)(6), (b)(7)(C). I am not sure what was spoken of there because I was outside supervising security and checking routinely on my soldiers. After we left Sheikh (b)(6), (b)(7)(C) house, we were going to return to the FOB. We would normally take Tampa to Hershey to Phoenix to get back to the FOB however Lt. (b)(6), (b)(7)(C) instructed me to take an alternate route. The route we took to get back to Hershey is right off of Reservoir road by Checkpoint 100. It is a dirt path that handrails the railroad tracks that lead up to checkpoint 101 on ASR Hershey. Lt. (b)(6), (b)(7)(C) told me that we were taking this path to show it to SSG (b)(6), (b)(7)(C). We have used this said path many times before but I thought that this was strange because I am almost certain that we have taken this path before while SSG (b)(6), (b)(7)(C) was with us. I may be wrong though. While on this path we saw a suspicious looking civilian walking through the desert. Upon seeing this, the LT. told me to stop my vehicle. Upon stopping, all the dismounts dismounted and approached the said individual. We searched him and found out that he was just carrying groceries on him. We let him go. We then continued North down this dirt path towards ASR Hershey. Approximately 1000-2000 meters South of CP 101, the Lt. called me on the radio and told me to stop the convoy. I asked him why we were stopped here. He told me that they were going to clear a culvert under the railroad track. I understand that it is an enemy TTP to place explosives under culverts but I thought that this was also strange because we had never checked these culverts before. We were there for approximately 10-15 minutes before we left to return to the FOB. I did not start to have suspicions about what went on that night until it was told to us by our higher chain of command that Ali Monsoor was found dead. Nothing follows. (b)(6), (b)(7)(C)

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

PAGE 1 OF 3 PAGES

DA Form 2823-E

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EXHIBIT 56

ACLU-RDI 5576 p.155

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8164

000181

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08,

CONTINUED:

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

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

Q: Did you type the above narrative?

A: Yes.

Q: What was the order of vehicles in the convoy on 16 May 08?

A: I was TC in the first, then SSG (b)(6), (b)(7)(C) was 2ⁿ then LT (b)(6), (b)(7)(C) was 3rd, and SFC (b)(6), (b)(7)(C) was in the last vehicle.

Q: At any time on 16 May 08, did the order of vehicles change?

A: Yes. I am not sure exactly, but I recall when we stopped at the culvert, LT (b)(6), (b)(7)(C) ordered a change in the placement of the vehicles. I don't remember who moved where. All I know is that I stayed as the lead vehicle.

Q: Did you see anyone leave the convoy and go towards the culvert?

A: No.

Q: Did you note anything that happened while your convoy was stopped to check the culvert?

A: No.

Q: Did you see any glow or illumination near the culvert?

A: No.

Q: Did you hear any shots?

A: No.

Q: When you received the order to continue, after the stop at the culvert, did anyone say anything about that stop?

A: No.

Q: After you returned to FOB Summerall, did anyone say anything about the 16 May 08 mission?

A: No.

Q: When did you first hear that Ali MANSOUR was dead?

A: SFC (b)(6), (b)(7)(C) put that information out about a couple of days after the 16 May 08 mission.

Q: What did SFC (b)(6), (b)(7)(C) say happened to Ali MANSOUR?

A: That he was found dead, naked, burnt, and shot in the head.

Q: Do you know how Ali MANSOUR died?

A: No.

Q: Aside from SFC (b)(6), (b)(7)(C) have you heard from anyone else how Ali MANSOUR died?

A: No.

Q: Did either LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) the Interpreter tell you about any involvement they may have had in the death of Ali MANSOUR?

A: No.

Q: Who was in your vehicle during the mission and where were they in your vehicle?

A: I was TC, (b)(6), (b)(7)(C) was the driver, (b)(6), (b)(7)(C) was the gunner, (b)(6), (b)(7)(C) could have been in the vehicle as a dismount, but I am not sure if he was there.

Q: Is there anything you wish to add to this statement at this time?

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

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

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08, CONTINUED:

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 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.

Witness #1:

Witness #2:

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

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 16th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

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

PAGE 3 OF 3 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 16 Jun 08 **TIME:** 1500-1706 (b)(6), (b)(7)(C)**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-3/RA**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393**(b)(6), (b)(7)(C)**

want to make the following statement under oath:

I arrived to fifth platoon D co in the beginning of May 2008, after an ied killed two soldiers from the platoon on April 21st 2008. I am a grenadier/gunner in the trucks. Around the time when I first got to the platoon, we went on a mission, to talk to Sheik (b)(6), (b)(7)(C) in albu-toma. I was the gunner in one of four vehicles. When we arrived at Sheik (b)(6), (b)(7)(C) house Lieutenant (b)(6), (b)(7)(C) and the rest of the dismounts went inside to talk to Sheik (b)(6), (b)(7)(C). After about an hour the dismounts came back out and got in the trucks. The LT came across the net and said that the Sheik had given him intelligence on a insurgent living only about 100 meters from his (Sheik (b)(6), (b)(7)(C) house. The LT told us the plan to detain him and we then moved out to execute the mission. We cordoned off the house, and the dismounts raided it. About a half hour later the dismounts came out with the detainee and the evidence against him. The evidence included AK-47's and possible a PKC machinegun. After loading the detainee up as quickly as possible, we headed back to FOB Summerall.

On the 16th of May 2008 my platoon was given a mission to return two detainees to the area of mezrah and albu-toma. We left with the two detainees sometime in the mid afternoon taking route Hershey south to route Tampa, in my truck was Sgt (b)(6), (b)(7)(C) Pvt. (b)(6), (b)(7)(C) and possible Spc. (b)(6), (b)(7)(C).

At the intersection of Hershey South and Tampa we conducted a short halt. The truck I was gunning in was first in the order of march so I was facing south on Tampa pulling security for the rest of the convoy. After the halt at the intersection we went to Market St in Albu-toma, we talked to the locals for about a half hour there then proceeded to Sheik (b)(6), (b)(7)(C) house. We stayed there for one, to one and a half hours, then left to head back to FOB Summerall. When We got onto Route Tampa, Lieutenant (b)(6), (b)(7)(C) called over the radio to my truck and told us to take an alternate route through the desert that leads to Route Hershey south at checkpoint 101, He said the purpose of this was to show the route to SSG (b)(6), (b)(7)(C) who was new to the platoon and its AO. We took the lefthand turn off tampa into the desert and followed the path to Hershey. After about fifteen minutes of driving through the desert we spotted a man walking alone through the desert, a short halt was called and the man was questioned as to why he was walking alone in the desert at night. It was discovered that he was headed home so we moved on. About 10 minutes later along the route, when we were skirting the north side of the railroad tracks, the LT called up to change the order of march. After we did this he called a short halt in order to clear a culvert under the railroad tracks. I was once again pulling security to the front of the convoy. After about 10-25 minutes the Lt called up to continue along the route. A short while later we made it to checkpoint 101, we turned left onto Hershey South, and proceeded back to the fob through gate 3.

Later that night when I went to chow I overheard members of my platoon talking at our table. They were saying that the LT had executed one of the detainees at the railroad culvert, and then burned his body with an incendiary grenade. Also discussed at the table about this topic was that the detainee was one of two who was directly involved in the incident on the 21st of April, that claimed

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

PAGE 1 OF 3 PAGES

DA Form 2823-E

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EXHIBIT 59

ACLU-RDI 5576 p.158

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8167 000184

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08

CONTINUED:

the lives of two men from 5th platoon. After the talk at the chow hall the topic was not brought up again until the investigation was started about 10 days ago.

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

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

Q. Did you author the above statement?

A. Yes.

Q. On 16 May 08, did you see either of the detainees you were to release?

A. No I did not.

Q. Did you know which truck either of the detainees were transported in to be released?

A. I do not know, I have heard rumors they were in SSG (b)(6), (b)(7)(C) truck, I did not see them though.

Q. Did you know the name of Ali MANSOUR before you captured him?

A. No.

Q. Did you know the name of Ali MANSOUR before you released him?

A. I had heard it yes in the debrief, I did not remember if I specifically knew we were releasing him, I do know that I knew we were releasing someone we had just caught. I remember being upset we were releasing someone we had just caught.

Q. Did you think it was odd to take the desert route back to FOB Summerall from Shaek

(b)(6), (b)(7)(C) house?

A. I did not think it was odd to take the alternate route, we do that a lot to be unpredictable for IED attacks and the LT had said he wanted to show SSG (b)(6), (b)(7)(C) the alternate route. What I did think was odd was the change in the order of march. We did not stop for the change, we kept rolling all the way through it. It was just odd for us to do a change like that in the desert for no reason.

Q. When you were stopped in the desert for the LT to check the culvert, did you see or hear any gunshots, explosions, bright flashes or burning?

A. No, I was facing the front as I was front security, where the LT was checking the culvert was behind me about 200 meters. I did not see anything or hear anything out of the ordinary. I was also wearing my headset the whole time.

Q. When you were leaving the desert stop to check the culvert, did you hear anyone say on the radio that they guessed they were leaving him out there?

A. No.

Q. When you were at the chow hall talking, did anyone state they had any first hand knowledge the detainee had been killed?

A. Not that I can recollect, it was all just hearsay.

Q. Is there anything you wish to add to this statement at this time?

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08
CONTINUED:

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

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence or unlawful inducement.

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

Witness #1:

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 16th day of Jun 2008, at FOB Summerall, Bayji, IZ

Witness #2:

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

(Signature of Person Administering Oath)

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

10 USC 936
(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: D Co CP, FOB Summerall
2. DATE (YYYYMMDD): (b)(6), (b)(7)(C)
3. TIME: 1836
4. FILE NUMBER: 0066-08-CID469
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: O-2/Active
8. ORGANIZATION OR ADDRESS: D Co, 1-327th INF, 1BCT, 101st ABN DIV (AASLT), FOB Summerall, APO AE 09393

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

I have worked with 1LT (b)(6), (b)(7)(C) since he joined Delta Company before we deployed to Iraq for OIF 07-09. I never really got to know him on a personal level; we did not hang out after work or socialize. I would describe my relationship with 1LT (b)(6), (b)(7)(C) as professional. I was a fellow Platoon Leader with him for approximately two months before I was made D Co XO. During that time, 1LT (b)(6), (b)(7)(C) had an easy-going personality and was easy to get along with. 1LT (b)(6), (b)(7)(C) seemed to have a very close relationship with his platoon, in particular his Platoon Sergeant, SFC (b)(6), (b)(7)(C). 1LT (b)(6), (b)(7)(C) and his platoon were primarily responsible for operations in and around the city of Al Butoma, at the southern end of our battalion AO. As such, he became very familiar with the day-to-day happenings and dynamics of Al Butoma. He kept quite a library of personal notes and intel he had received through his operations. I left FOB Summerall for R&R Leave on 20APR08. While awaiting transportation from COB Speicher to Kuwait, I heard that 1LT (b)(6), (b)(7)(C) platoon had been suffered an IED attack on 21APR08 that resulted in two of his soldiers being killed, and others (including his Platoon Sergeant) seriously wounded. I returned to FOB Summerall on 15MAY08 upon completion of R&R leave. On 16MAY08, 1LT (b)(6), (b)(7)(C) and his platoon were tasked with releasing two detainees, Ali Mansur of Al Butoma and (b)(6), (b)(7)(C) of Mezra. They left the FOB around 1700 and returned around 2000. At first there appeared to be no issues with the detainee release. On 21MAY08, I was tasked by LTC (b)(6), (b)(7)(C) with inquiring about Ali Mansur's release. I asked LT (b)(6), (b)(7)(C) that evening, and he replied that they dropped both detainees off at Mezra CLC. I asked him why when Mansur was from Al Butoma, and he replied to the effect of that was how they did things. I passed this information up to S2 and LTC (b)(6), (b)(7)(C). LT (b)(6), (b)(7)(C) left for R&R Leave early the next morning. At a sheik's meeting on 26MAY at the Bayji JSS, Sheik (b)(6), (b)(7)(C) of the Mezra CLC told me the name of the detainee that his guys had received from 5th PLT on 16MAY, (b)(6), (b)(7)(C). He said that he was pretty sure that Mansur was never released to them that day, but he would double check and get back to me. After hearing this, I went to SFC (b)(6), (b)(7)(C) and asked him to give me all the details he could concerning their patrol on 16MAY. He related to me that they had made three stops, first at the CLC checkpoint at Mezra, second on Market Road in Al Butoma, and last at Sheik (b)(6), (b)(7)(C) house in Al Butoma. Since he didn't have the detainees in his vehicle and he never dismounted, he assumed that (b)(6), (b)(7)(C) had been released at stop one, and Mansur at stop two. This story seemed to match the intent of the release, so I chalked up LT (b)(6), (b)(7)(C) statement as a misunderstanding. At this point, with SFC (b)(6), (b)(7)(C) and Sheik (b)(6), (b)(7)(C) stories corroborating each other, interest in the Mansur incident fell. On 06JUN, we were informed that HCT had a (b)(6), (b)(7)(C), (b)(7)(D) who claimed to have evidence of CF involvement in Mansur's murder. LTC (b)(6), (b)(7)(C) then directed me to resume investigating. On 07JUN, I obtained statements from 5th PLT stating they had dropped off both detainees at Mezra and then continued mission. On 09JUN, I had another meeting with Sheik (b)(6), (b)(7)(C) at his house in Hondai Village, along with one of the CLC who was working the checkpoint on the day of 16MAY. They gave statements indicating that 5th PLT dropped off (b)(6), (b)(7)(C) only. After approximately two hours of conversation, I left (b)(6), (b)(7)(C) house fairly convinced that he had no reason to lie and had offered no signs of deception. Later that evening, I briefed LTC (b)(6), (b)(7)(C) MAJ (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) concerning what I had found. LTC (b)(6), (b)(7)(C) asked my for my opinion on the matter, and I told him that I felt that there was something to this, that it was 5th PLT's word against (b)(6), (b)(7)(C), and I was inclined to believe (b)(6), (b)(7)(C). At this point a 15-6 investigation was initiated. 1SG (b)(6), (b)(7)(C) had a meeting with 5th PLT on 11JUN (b)(6), (b)(7)(C).

10. EXHIBIT: (b)(6), (b)(7)(C)
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 3 PAGES

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

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall DATED 2008/06/16

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

stressing the importance of telling the truth when questioned by the investigator. That evening, SSG (b)(6), (b)(7)(C) came forward with a statement indicating he believed LT (b)(6), (b)(7)(C) killed Ali Mansur. On 12JUN, CPT (b)(6), (b)(7)(C) was appointed IO for the BN 15-6, and obtained statements from 5th PLT as well as the LN interpreter who gave an eye-witness story of what happened. At this point, an external investigative team was called in to take over the investigation. On the evening of 15JUN, I was talking with CW3 (b)(6), (b)(7)(C) about the following days scheduled patrol to Bayji. CW3 (b)(6), (b)(7)(C) asked me if we'd be going by the suspected scene of the murder, and I replied yes. CW3 (b)(6), (b)(7)(C) asked if I would be willing to stop by the scene and take pictures and collect any evidence we might find, to which I also replied yes. On the morning of 16JUN at approximately 0800, I left the FOB with our 2nd PLT enroute to a Security Conference north of Bayji at 600 Homes. At about 1315, we left the conference to return to FOB Summerall. Enroute to the FOB, we left Hershey South just west of CP 101 to go to the grid given in the SIGACT (38S LD 5965 6152). Upon arriving at the grid, there was no apparent tunnel underneath the railroad tracks, so we turned south and handrailed the tracks. We came upon a tunnel at grid 38S LD 59625 61025, approximately 500 meters south of the original grid. At this point, I dismounted and investigated the tunnel. I entered the tunnel from the east side, walking through to the west side. On the western side, I noticed a dark stain with splatter patterns on the floor beside some large chunks of concrete rubble. Upon taking a closer look, I noticed a mass of dark-colored material, somewhat circular in shape about six inches in diameter. It looked very hard and non-organic. I began a closer inspection of the floor of the tunnel, and noticed what appeared to be a deformed bullet. Next I noticed what appeared to be a spent 9mm pistol casing. At this point, we started taking pictures of the scene, including the tunnel, the stain and mass, bullet, and casing. I then collected the casing and bullet while wearing gloves and put both in a ziploc bag. About 50 meters to the west of this tunnel was another tunnel underneath another set of tracks. I walked over there to check that tunnel out and found nothing significant to report. At this point, I walked back to the vehicle which was parked on the east side of both tracks and mounted the vehicle. The patrol then turned around and drove northeast back to Hershey South, getting on the road east of CP 101. We then traveled along Hershey South back to FOB Summerall, RTBing at 1445. After refueling the trucks, I took the casing and bullet to the MWR building and turned it in. At no time did the bullet or casing leave my possession between collection and turn-in.

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

A: 1LT (b)(6), (b)(7)(C)

Q: Did you type the above narrative?

A: Yes.

Q: Did 1LT (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) ever tell you how Ali MANSOUR died?

A: No.

Q: Who is the local national interpreter you referenced to?

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

Q: Other than the above mentioned statements, has anyone else told you how Ali MANSOUR died?

A: No.

Q: Did you note anything else of possible evidentiary value at the tunnel at grid 38S LD 59625 61025?

A: No.

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

A: No. //END OF STATEMENT//

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

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall DATED 2008/06/16

9. STATEMENT (Continued)

[A large diagonal line is drawn across the statement area, indicating that the statement is redacted.]

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

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

(Signature)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of June, 2008 at FOB Summerall, Bayij, IZ

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

(Administering Oath)

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

10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB Summerall
2. DATE: 2008/06/07
4. FILE NUMBER: 2200
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
GRADE/STATUS: E-4/Active Army
8. ORGANIZATION OR ADDRESS: Dco 1-327 INF Ft BCT, 1 AD

9. I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
on or about 16 May 2008 5th PLT Dco was Tasked out to do a detainee drop off during an operation in AlButoma. We (Dco 5th PLT) SP the FOB on or around 1345 to 1400 hrs. We drove to the corner of Hershey South and Tampa. From there we dropped both detainees at the CLC checkpoint at Hershey south and Tampa. From there we continued onto Market st. in AlButoma where we conducted SOI's for an hour and a half to two hours. We continued to shake (b)(6), (b)(7)(C) and stayed there for about two to two and a half hours. We got in the trucks and headed north on Tampa to Hershey South and RTP. End of Statement

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

10. EXHIBIT
11. INITIAL: (b)(6), (b)(7)(C) STATEMENT
PAGE 1 OF 2 PAGES

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

For Official Use Only
Law Enforcement

EXHIBIT 59

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT FCB Summit DATED 2008/01/07

9. STATEMENT (Continued)

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

I, **(b)(6), (b)(7)(C)** AFFIDAVIT **(b)(6), (b)(7)(C)**, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR **(b)(6), (b)(7)(C)**

(Signature of Person Making Statement)

WITNESSES:

(b)(6), (b)(7)(C)
5th D. CO / 327 IN. IAD

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS
(b)(6), (b)(7)(C)
PCO 1227 IN IAD
ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PE **(b)(6), (b)(7)(C)**

PAGE 2 OF 2 PAGES

APD PE v1.00

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB SUMMERAL IRAQ
2. DATE: 2008/06/07
3. TIME: 2100
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. GRADE/STATUS: E2 / Active
8. ORGANIZATION OR ADDRESS: DCA / 1-377th / LRCT / IAD

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 16 MAY we SPed around 1400, dropped two detainees off at the corner of Hershey South and Tampa. We then continued to AlbuToma and conducted SOY on Market Street. Upon completion of SOY we RTBed by means of Tampa to Hershey South. I was driver for (b)(6), (b)(7)(C) with Spc (b)(6), (b)(7)(C) running for this mission.

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

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 2 PAGES

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

For Official Use Only
Law Enforcement

EXHIBIT 60

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2100 (b)(6), (b)(7)(C) DATED 2008/06/07 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

[The main body of the statement is crossed out with a large 'X' and contains several redacted sections.]

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 (b)(6), (b)(7)(C) I 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)

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

Dec 5th / 2100
(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Dec 5th Platoon / 327 INF Batt
ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

For Official Use Only
Law Enforcement

EXHIBIT 60

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION FOB Summerall, Iraq	2. DATE (YYYYMMDD) 2008 06 07	3. TIME 2200	4. FILE NUMBER (b)(6), (b)(7)(C)
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4	(b)(6), (b)(7)(C)
8. ORGANIZATION OR ADDRESS D Co 1/327th 1 BCT, 1 AD (b)(6), (b)(7)(C)			

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

For 5th platoon Delta Company on 11 May 2008 I was a dismount for a detainee drop off and some SOI operations in Albutama. Our SP time was around 14:00 and we let two detainees off where ASR Wershy and MSR Tampa in front of the city of Mesrah. I dismounted for security then when the drop off was over we mounted up and moved down to Albutama for some source meet-ups and a meeting with some sheiks in Albutomas southern side. We then moved back around 1900 to RTB to FOB Summerall. end of statement

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

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

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

10. EXHIBIT	11. INITIALS OF (b)(6), (b)(7)(C) ELEMENT	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

For Official Use Only
Law Enforcement

EXHIBIT 61

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT 2200 DATED 20080607

9. STATEMENT (Continued)

(b)(6), (b)(7)(C)
(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 2 **(b)(6), (b)(7)(C)** 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)
ment)

WITNESSES:

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

Dec 5th PLT

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

Dec 5th PLT

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

For Official Use Only
Law Enforcement

EXHIBIT 61

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Fob Summerall	(b)(6), (b)(7)(C)	2. DATE (YYYYMMDD) 20080607	3. TIME 2200	(b)(6), (b)(7)(C)	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/Active	(b)(6), (b)(7)(C)
8. ORGANIZATION OR ADDRESS D.co 1-327 1BCT, IAD					

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

On the 16 of May 2008 I along with the people of 5th Platoon D.co 1-327 recieve 2 detainee from the D-Cell. We SP from the Fob at 1400 to drop the detainees off in sector. I was in MDSI truck as a dismount watching the detainees. Once we got to the corner of South hershey and Tampa we stop at the CLC checkpoint there and put the 2 detainee into the custody of the CLC. After we all loaded back up into the truck we continued mission to Al Butoma and conducted SOI and after we were RTB back to the FOB.

(b)(6), (b)(7)(C) ————— End of Statement ————— (b)(6), (b)(7)(C)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.		

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT 2200 DATED 7 June 2008

9. STATEMENT (Continued)

(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)

AFFIDAVIT

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

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

(Signature of Person Making Statement)

WITNESSES:

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

D. Co. for Summerall IAD

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

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

1 Dec 2002 FBI Summerall IAD

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION (b)(6), (b)(7)(C) 2. DATE (YYYYMMDD) (b)(6), (b)(7)(C) TIME (b)(6), (b)(7)(C) 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C) 6. SSN (b)(6), (b)(7)(C) 7. GRADE/STATUS (b)(6), (b)(7)(C)
8. ORGANIZATION OR ADDRESS (b)(6), (b)(7)(C)

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

On the 16 of May 5th plt Dco. grabed two detainees and put them on the back of the Mrap. Our mission was to drop the detainees and continue mission. We left around 1400 we SP on the mission and around 1415 we

stopped (b)(6), (b)(7)(C), (b)(7)(D)
C.L.L. (b)(6), (b)(7)(C), (b)(7)(D)
Al botome.

The Lt's meeting with shake (b)(6), (b)(7)(C) went well and after that (b)(6), (b)(7)(C) gave the order to rtb. We came back through tampa & hutshey we got to the FOB around 1930. - End of Statement

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

10. EXHIBIT 11. (b)(6), (b)(7)(C) STATEMENT PAGE 1 OF 2 PAGES

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2200 Fob Summerall DATED 7 June 2008 (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

[Large redacted area with diagonal lines and multiple (b)(6), (b)(7)(C) stamps]

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL JUDICEMENT.

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

U/Co 1-327 INF 1BCT Fob Summerall ORGANIZATION OR ADDRESS

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

Dco 1/327 In 1BCT 1AD ORGANIZATION OR ADDRESS

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

PAGE 2 OF 2 PAGES

For Official Use Only Law Enforcement

EXHIBIT 63

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB Summerall APOAE 09393
2. DATE: 2008 06 08
3. TIME: 2148
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-5
8. ORGANIZATION OR ADDRESS: Dco 1-327 1BCT 1AD

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 16, May, 2008 at approximately 1330 I, as a squad leader in Delta Company 1-327 dropped off 2 detainees to the CLC checkpoint in the vicinity of the Hershey and Tampa intersection. After that My Platoon met up with (b)(6), (b)(7)(C), (b)(7)(D) After that Our Platoon met up with Sheik (b)(6), (b)(7)(C) in Al Butoma. Upon completion of this meeting, 5th PLT RTB'd to FOB Summerall at approximately 1900 via Route Tampa and Route Hershey. End of Statement (b)(6), (b)(7)(C)

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

10. EXHIBIT: (b)(6), (b)(7)(C)
ON MAKING STATEMENT TAKEN AT: (b)(6), (b)(7)(C)
PAGE 1 OF 2 PAGES

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

For Official Use Only
Law Enforcement
EXHIBIT 64
10-L-0126 AGLU CID ROI 8183 000200

(b)(6), (b)(7)(C) 5576 p.174

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2148 (b)(6), (b)(7)(C) DATED 07, June, 2008 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

(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)

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

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

(Signature of Person Making Statement)

WITNESSES:

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

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

administer oaths, this _____ day of _____

(Signature of Person Administering Oath)

P.O. 1/327M (b)(6), (b)(7)(C)
P.O. 1/327 INF (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB Summerall
2. DATE: 20080607
3. TIME: 2200
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-3 / Active
8. ORGANIZATION OR ADDRESS: Dco 1-327 IN BN, 1st BCT, 1st AD

9. (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
That on May 16th 2008 at approximately 1400 hrs my platoon left the FOB to return two detainees, and conduct SOI engagements in Al-butoma. We left the FOB and took Hershey South, to Tampa. When we reached the Intersection of Hershey and Tampa we dismounted and dropped the detainees off with the CLC. After we dropped the detainees off, we mounted back up and continued south on Tampa. When we reached Albutoma we went to Market St. and conducted SOI engagements. When we finished there, we went to sheik (b)(6), (b)(7)(C) house, where I stayed out in the gun, while the dismounts talked to Sheik (b)(6), (b)(7)(C). When we finished there we headed back to Tampa, went north to Hershey South, then back to FOB Summerall. -end of Statement
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 2 PAGES

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summer 4 (b)(6), (b)(7)(C) 2008 06 07 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

(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)

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 (b)(6), (b)(7)(C) 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

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

(Signature of Person Making Statement)

WITNESSES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

5th PLD Co 1/327 LAD ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

D 1/327 ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

For Official Use Only Law Enforcement

EXHIBIT 65

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: For Summerall, Iraq
2. DATE: 2008-06-07
3. TIME: 2200
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: (b)(6), (b)(7)(C)
8. ORGANIZATION OR ADDRESS: D Co 1/327 INFANTRY 1 BCT 1 AD

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

On May 16, 2008 we had a mission to drop off 2 detainees and have a meeting with Sheikh (b)(6), (b)(7)(C). When we arrived at the Hershey-Tampa intersection in Mezra at the CLC checkpoint, Lt. (b)(6), (b)(7)(C) who was my TC, dismounted to supervise the handover of the detainees to CLC members. We then patrolled Market Street in Albu Tona before arriving at Sheikh (b)(6), (b)(7)(C). After the meeting with Sheikh (b)(6), (b)(7)(C) was complete, we returned to the FOB. End of Statement (b)(6), (b)(7)(C)

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

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

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

For Official Use Only EXHIBIT 66
Law Enforcement
10-L-0126-ACLU CID ROI 8187 000204
Sensitive

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2200, [redacted] DATED 07, June, 2008 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

[Large redacted area with diagonal lines and multiple (b)(6), (b)(7)(C) stamps]

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

WITNESSES:

(b)(6), (b)(7)(C) _____
ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C) _____
ORGANIZATION OR ADDRESS

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Fob Summerall, Iraq
2. DATE: 2008/06/07
3. TIME: 2200
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-3 Active
8. ORGANIZATION OR ADDRESS: Co 1-327 INF 1BCT, 1AD

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

On May 16, 2008 myself, (b)(6), (b)(7)(C), and PV2 (b)(6), (b)(7)(C) along with the rest of 5th Plt SP around 1400. Our first objective was to drop off two detainees, we did so at the intersection of...

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

(b)(6), (b)(7)(C), (b)(7)(D) upon completion of that we went to the Sheik's house. After completing that we RTB. End of Statement

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

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 2 PAGES

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

STATEMENT OF (b)(6), (b)(7)(C) 2200 (b)(6), (b)(7)(C) DATED 07 June 2008 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

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

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

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

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

I, (b)(6), (b)(7)(C) IDAVIT
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE
CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b)(6), (b)(7)(C)

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

WITNESSES:

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

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

D.C. 1-3271NF 1 BCT
Fob Summerall
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this _____ day of _____
at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

For Official Use Only
Law Enforcement

EXHIBIT 67

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Eob Summerall (b)(6), (b)(7)(C)
2. DATE (YYYYMMDD): 2008/06/07
3. TIME: 2200 (b)(6), (b)(7)(C)
4. FILE NUMBER: (b)(6), (b)(7)(C)
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
6. GRADE/STATUS: E4 Active (b)(6), (b)(7)(C)
8. ORGANIZATION OR ADDRESS: DCO I-327 INF 1BCT 1AD (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C) On May 16 2008, I, Spc (b)(6), (b)(7)(C) was driving for MDSI, SSG (b)(6), (b)(7)(C) our mission was to drop off 2 detainees at the intersection of Hershey and Tampa at the CLC checkpoint, and conduct SOI in albatoma. We we got to the CLC Checkpoint and turned both Detainees over to the CLC. After that we went into albatoma and conducted our SOI, and had a meeting with Sheikh (b)(6), (b)(7)(C) After the meeting we were RTB. end of statement.

10. EXHIBIT: 11. IN (b)(6), (b)(7)(C) STATEMENT PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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

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

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

NAT 2200 DATED 07 June 2008

9. STATEMENT (Continued)

(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 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

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

D. Co 1-327 INF 1BCT

ORGANIZATION OR ADDRESS

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

D. Co 1-327 INF 1BCT

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

For Official Use Only Law Enforcement

EXHIBIT 68

SWORN STATEMENT

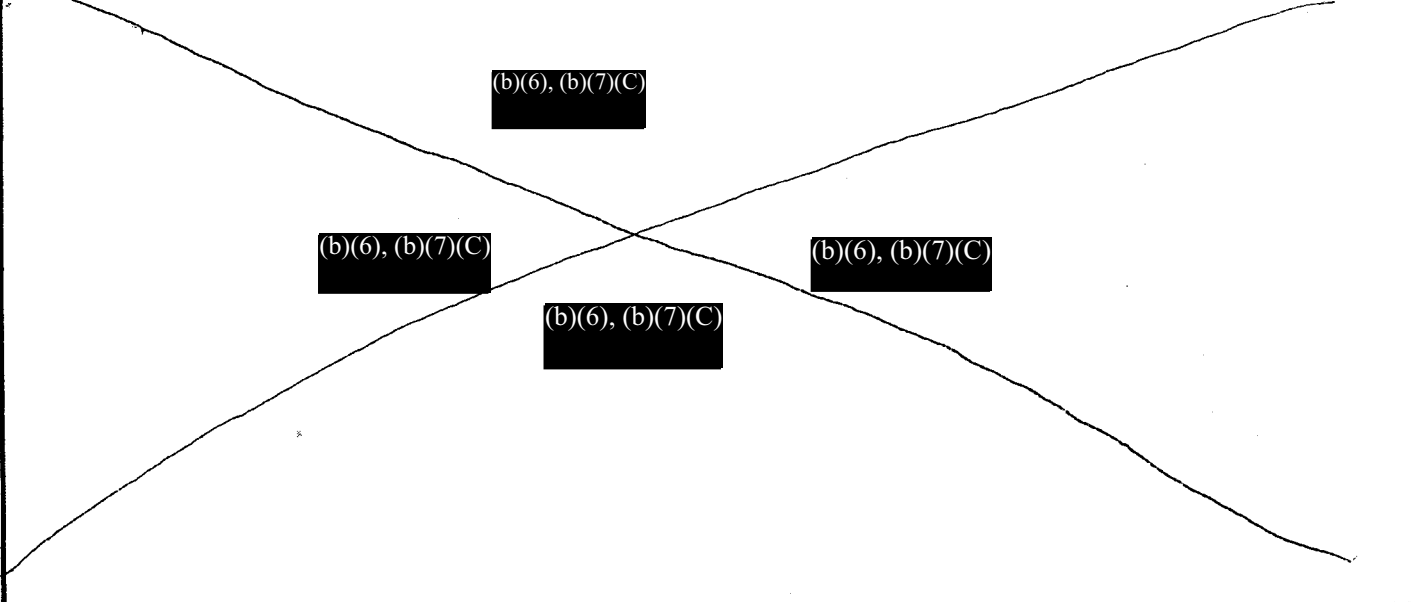
For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB Summerall
2. DATE: 2008/06/01
3. TIME: 2200
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STAFF: E-4/SPC
8. ORGANIZATION OR ADDRESS: Dco 1/327 1st BCT, 1AD

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 16, may 2008 members of 5th Pst D. Co left the FOB around 1400 to drop off (2) detainees. Upon talking to the CLC we dropped off both of them to the CLC. We left the detainees and then went to Al Butoma (b)(6), (b)(7)(C), (b)(7)(D) (b)(6), (b)(7)(C), (b)(7)(D) we then left (b)(6), (b)(7)(C) house to return to Summerall. End of statement.



10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 2 PAGES

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Lab Summerall DATED 2008/06/07

9. STATEMENT (Continued)

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

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

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

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

I, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) AFFIDAVIT, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE (b)(6), (b)(7)(C) 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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

D.co 1-327 INF 1BCT
Lab Summerall
ORGANIZATION OR ADDRESS

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

D.co 1327 INF 1BCT FOR Summerall
(b)(6), (b)(7)(C)
ORGANIZATION OR ADDRESS

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION (b)(6), (b)(7)(C) 2. DATE (YYYYMMDD) 20080607 3. TIME 2200 4. FILE NUMBER (b)(6), (b)(7)(C)
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C) 6. SSN (b)(6), (b)(7)(C) 7. GRADE/STATUS E-4/RA (b)(6), (b)(7)(C)
8. ORGANIZATION OR ADDRESS D Co 1-327 IACT, IAD (b)(6), (b)(7)(C)

9. (b)(6), (b)(7)(C), I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Dropped off 2 detainees^{ines} at the Tampa/Hershy Intercession then proceeded to al Batoma and stopped at (b)(6), (b)(7)(C) home. The others that were in the truck with me were PV (b)(6), (b)(7)(C) the driver, SFC (b)(6), (b)(7)(C) the TC and SPC (b)(6), (b)(7)(C) The gunners we traveled up to al Batoma ~~and~~ Hershy and Tampa. The came back the same way. end of statement.
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 1 OF 1 PAGES (b)(6), (b)(7)(C)

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2200 DATED 20080607
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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Law Enforcement

EXHIBIT 79

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 2200 (b)(6), (b)(7)(C) DATED 20080627 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

(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)

DAVID

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

Dec 5th PLT
ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

Dec 5th Platoon 1327 INF Bldg
ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB Summerall
2. DATE: 2006 06 07
TIME: 2200
FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-2 Active Duty
8. ORGANIZATION OR ADDRESS: Dco 1327 INF, 1 AD

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

On the 16th of May I as a member of fifth platoon "SP" the FOB at around 1400 hours. I was a driver of truck 5-2. Our truck consisted of myself, SPC (b)(6), (b)(7)(C) as the gunner and SGT (b)(6), (b)(7)(C) as the TC. we traveled east on Hurshy until we got to Tampa at which point we stopped to let out two detainees at the Hurshy Tampa intersection. They were handed off to the CRC who man a check point at that location. we continued south on Tampa to Alb Toma where we conducted missions there and talked to Shak (b)(6), (b)(7)(C) after a couple of hours we "RTB"ed to FOB Summerall taking rout Tampa to Hurshy. End of Statement

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 2 PAGES

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

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT FoB Summered DATED 2008.06.07

9. STATEMENT (Continued)

AFFIDAVIT

(b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. 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)

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

Dec 5th PLT U
ORGANIZATION OR ADDRESS

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

Dec 5th PLT
ORGANIZATION OR ADDRESS

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

INITIALS OF PERSON MAKING STATEMENT _____

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Fob Sumcraft Iraq APOAE 09593
2. DATE: 2008 07 06
3. TIME: 2200
4. FILE NUMBER: (b)(6), (b)(7)(C)
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
GRADE/STATUS: E-6/Active
7. ORGANIZATION OR ADDRESS: Dco Y329th, 1BCT, 1AD, (b)(6), (b)(7)(C)

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

ON 16 May 2008 myself along with 5th plt, Dco conducted a detainee return & SOI Engagements in Albu toma. I had both detainees in the back of my truck. I was also 3rd in the order of movement. We stopped where Hershey and Tampa road. The Lt (b)(6), (b)(7)(C) myself, spc (b)(6), (b)(7)(C), spc (b)(6), (b)(7)(C) and spc (b)(6), (b)(7)(C) dismounted the vehicles to handle the detainees. I helped spc (b)(6), (b)(7)(C) unload the detainees and cut their face. Lt (b)(6), (b)(7)(C), spc (b)(6), (b)(7)(C), spc (b)(6), (b)(7)(C) Then escorted the detainees, one who was ALI Mansoor, to the CLL. After a couple of minutes of talking with the CLL Leader we loaded back up in the trucks. we then continued south on Tampa to Albu toma and conducted SOI Engagement on Mkt St. upon completion of that mission we went to sheik (b)(6), (b)(7)(C) house, where we followed up some leads and talked about projects. We then RTB'd around 1900. EOS

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

10. EXHIBIT:
11. INITIAL: (b)(6), (b)(7)(C) STATEMENT
PAGE 1 OF 2 PAGES

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

STATEMENT OF (b)(6), (b)(7)(C) Fob Symmerall TAKEN AT Fob Symmerall DATED 4000 07 06

9. STATEMENT (Continued)

(This section of the form is crossed out with a large X and contains several redacted areas labeled (b)(6), (b)(7)(C).)

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

AFFIDAVIT

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

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

WITNESSES:

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

D. Co 1-327 INF 1 BCT
Fob Symmerall

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

D. Co 1-327 INF 1 BCT
Fob Symmerall
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB SUMMERALL
2. DATE (YYYYMMDD): 2008/06/07
3. TIME: 2100HRS
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E7/PLATOON SGT.
8. ORGANIZATION OR ADDRESS: D CO. 5TH PLT 1-327 INF

9. I, SFC (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 16 June 2008 at approximately 1330-1400hrs, I and my entire platoon left FOB Summerall to execute our mission in Al Butoma. According to the task and purpose which is part of our safety brief prior to leaving the wire, Lt. (b)(6), (b)(7)(C) said that there were some other tasks that we would do enroute to our platoon's area of operation. 1st task was to drop off two prisoners from the D cell and then the 2nd task was to stop by "market road". To the best of my knowledge, we went their to see another one of Lt. (b)(6), (b)(7)(C) sources...but I'm not quite sure who or what because I was still new to the area of operations and I haven't been outside the wire enough or on enough missions for me to see what the routine was or knew of any sources. Once we left the wire the, I knew that the detainees were loaded up...to the best of my knowledge they were loaded up in the vehicle in-front of mine in the order of march. I did see two prisoners load up in that vehicle and to the best of my knowledge it was the 3rd vehicle in order of march, mine being the 4th. I remember traveling down Route Hershey and then stopping where the corner of Hershey ends and Tampa begins. I remember conducting a security halt in the form of a herringbone and I remember hearing (b)(6), (b)(7)(C) calling over platoon internal net that he was dismounting and I remember seeing some of our dismounts on the ground pulling security. I didn't dismount because I knew that all we were doing was dropping off our detainees to the CLC and that Lt. (b)(6), (b)(7)(C) would be in charge of that. I also stayed on the vehicle to monitor BN net while Lt. was conducting business. I remember that we weren't there that long before we traveled down south on Tampa until we pulled into what they called "market road" again I stayed inside the vehicle because (b)(6), (b)(7)(C) said that he was dismounting and that he would return shortly, and once again I saw the designated dismounts on the ground linking up to where the Lt's MRAP was at. Again we weren't there that long, this time we made our way south down the back alley streets of Al Butoma to Sheik (b)(6), (b)(7)(C) house. All the MRAPS parked in an intersection that was just the north end of the alley to Sheik (b)(6), (b)(7)(C) house because that's where 5th Plt. normally parked and Lt. would dismount w/a security element to Sheik (b)(6), (b)(7)(C) house. I stayed back dismounted from my vehicle w/just gunners, drivers, and my medic to pull security for ourselves while we waited for Lt. to conduct his meeting. Once he was done, I received the call that he and the rest of the security element was headed back. Once Lt. loaded back up...all leaders gave me an accountability heads up then we returned back to base...to the best of my knowledge we returned sometime around 1830 maybe 1900.
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

10. EXHIBIT: (b)(6), (b)(7)(C) KING STATEMENT
PAGE 1 OF 2 PAGES

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

For Official Use Only
Law Enforcement

EXHIBIT 73
000218

STATEMENT OF SFC. (b)(6), (b)(7)(C) TAKEN AT FOB SUMMERLAND DATED 2008/06/07

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

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

[Large redacted area with a large 'X' drawn across it]

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

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

AFFIDAVIT

I, SFC (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

For Official Use Only Law Enforcement

EXHIBIT 73

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 16 Jun 08 **TIME:** 1720-2031**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-2/PV2**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

On the 16th of may 2008 we were standing by waiting for medi-vac status to change from red to amber so that we could go out on mission. We were told around 1530 that we had to role out on mission even though medi-vac was still red, because we had to return some detainees. So we prepared the trucks and the detainees were brought to our pad. We got a mission brief from or LT. He said that we were going to take these detainees to a CLC check point near the Hershey Tampa intersection. We loaded the trucks and SP'ed out of gate three. I was the driver of the lead truck with sergeant (b)(6), (b)(7)(C) as my TC and specialist (b)(6), (b)(7)(C) as my gunner with no other people in my truck. We took Hershey to Tampa and to the best of my knowledge released both of the detainees on a market street in mezra to the local CLC there. We continued south on Tampa until we got to Abu Toma. I remember being parked at shike (b)(6), (b)(7)(C) house for a long time at least an hour or two. We then left Abu Toma and took Tampa north to check point 100 at which point I was told to take the short cut through the desert so that sergeant (b)(6), (b)(7)(C) could see it because he was new to the platoon and had never taken the route before. For that matter sergeant (b)(6), (b)(7)(C) had never taken the route before because he was also new to the platoon. So we took the turn off of Tampa that is in the middle of check point 100 and headed west to the railroad tracks. We crossed over the railroad tracks and at that point were told to change the order of march. We had been rolling with my truck in the lead and the LT's truck as the second truck with sergeant (b)(6), (b)(7)(C) truck third and sergeant (b)(6), (b)(7)(C) truck as the trail vehicle. The new order that the LT wanted was mine as the lead followed by sergeant (b)(6), (b)(7)(C) as second and then the LT's truck as third and sergeant (b)(6), (b)(7)(C) truck in the trail. As we were fallowing the railroad tracks north to get back on Hershey we saw a man walking in the desert. It was dark at this point so we stopped him to find out why he was walking in the desert at night. I was found out that he was walking home from the market with a bag of groceries. We loaded back up and continued north. Someone came over the net and said that they needed to take a tactical pause which usually meant that they had to take a piss. The LT said that he didn't want to stop yet and that we would when we were a little further up the trail. A little while later the LT came across the net and said that we were going to take a tactical pause and that he wanted to check out a covert that was under the railroad tracks, so we stopped and turned out the lights as usual. We were stopped for a couple of minutes and I remember thinking to myself that someone must have needed to "drop a duce" (go #2) because if they needed to piss we would be back up and rolling by now. Then after a little while longer I remember thinking that we had been there for a long time and that no shit would have taken that long and just as I thought that I heard the LT come over the net and say that they were all loaded up and ready to roll. So we continued north and hit Hershey and RTB'ed back to fob summerall through gate three. My truck went to the fuel point and then to the chow hall. When we got there I was talking with someone that I don't recall on the way into the chow hall and they told me that we still had a detainee in the truck when we stopped in the desert and then I heard from someone else that they kicked him out in the desert

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

PAGE 1 OF 4 PAGES

DA Form 2823-E

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EXHIBIT 74

ACLU-RDI 5576 p.194

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8203

000220

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08. (b)(6), (b)(7)(C)
CONTINUED:

and made him walk back to the city. I heard many stories of what had happened. One of them was that the LT had shot the detainee and threw an incendiary grenade on him. But all of the stories sounded so far fetched that I didn't believe them and nobody I talked to actually saw what the were telling me had happened. I didn't think about it much until I had to write a sworn statement on what had happened that night. Almost all of fifth platoon was sitting on first sections deck and I remember not remembering what date the night was or what time we SP'ed or RTB'ed and sergeant Warner was there and told us all of that information and also told us to write down that we dropped the detainees off in mezra and took Tampa to Hershey as a return route.

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

A. PV2 (b)(6), (b)(7)(C)

Q. Did you author the above statement?

A. Yes.

Q. Were you on a mission to capture a detainee by the name of Ali MANSOUR on 5 May 08?

A. I honestly do not remember if I was on mission that day, and I know I never was specifically told we were to capture a man by that name.

Q. To your knowledge, during any detainee capture mission, has anyone struck, hit or kicked a detainee during the capture?

A. I have never seen it happen.

Q. Did you see the detainees before they were loaded on to the vehicle for transport?

A. Yes.

Q. Can you describe the detainees you saw?

A. One was wearing a blue mandress, the other guy was wearing a t-shirt, was heavy set and had a beard. The one with the beard I learned later was Ali MANSOUR.

Q. Do you know what vehicle the detainees were transported in?

A. I do not know for sure, but I believe they were in SSG (b)(6), (b)(7)(C) truck. I know for a fact they were not in my truck and not in SFC (b)(6), (b)(7)(C) truck.

Q. Did you see either of the detainees dropped off in Mezra?

A. I saw the guy in the blue mandress for sure, I saw him walk up past my truck on the TC side and go in to a building.

Q. Did you see Mr. MANSOUR dropped off in Mezra or Albu Toma?

A. No, I never saw him.

Q. Did you know Mr. MANSOUR was still in the convoy when you left Albu Toma to return to FOB Summerall?

A. No I did not, I thought he had been dropped off in Mezra.

Q. When the stop was made to check out the rail road culvert, did you see anyone go to the rail road tracks?

A. No I did not see anyone, I was looking ahead pulling security.

Q. Did you hear any gunshots, explosions or see any bright flashes or burning while at the stop by the rail road tracks?

A. No.

Q. Did anyone tell you they witnessed anyone shoot Mr. MANSOUR?

A. No.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

Q. Do you believe anyone in your unit was involved in the death of Mr. MANSOUR?
A. Yes, I believe 1LT (b)(6), (b)(7)(C) was involved and I think SSG (b)(6), (b)(7)(C) was involved to the point that he may have seen it happen, but not knew it was going to happen before hand.

Q. Is there anyone else you believe to be involved in the death of Mr. MANSOUR?
A. I heard (b)(6), (b)(7)(C) was present for part of it, but I do not know if he was there when it happened.

Q. Did you witness anyone harm Mr. MANSOUR?
A. No.

Q. Why do you believe 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) had any involvement in the death of Mr. MANSOUR?
A. The rumors going around the platoon right now, what I have heard from other people. The events of the mission also fit with the rumors, making them pretty believable.

Q. Did SSG (b)(6), (b)(7)(C) tell you what to write in your sworn statement about the dropping off of the two detainees?
A. Not word for word, but a couple of key points were told to us to write.

Q. Is there anything you wish to add to this statement at this time?
A. The LT is a really good guy, he took the events of 21 Apr 08 really hard. This is not something you really think he would do. If I had to pick one person who was affected the most by the 21st, I would say it was the LT. He was not the same person afterward. He covered it up really well. He is out here talking to the people all the time, interested in hearing about their day to day lives. We could not drag him away. There are children on checkpoint 104 he gives MRE's and water to, and they bring him Chai. Everyone knows his name, they come up to us and say (b)(6), (b)(7)(C) and we will say no he is not with us.

Q. Do you have anything else you wish to add to this statement at this time?
A. No.////////// (b)(6), (b)(7)(C) //////////// End of Statement ////////////

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

PAGE 3 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 16 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 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.

Witness #1:

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

ment)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 16th day of Jun 2008, at FOB Summerall, Bayji, IZ

Witness #2:

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION: COB Summerall, Bayji, IZ APO AE 09393

FILE NUMBER: 0066-08-CID469

DATE: 17 Jun 08 **TIME:** 0855-1052 (b)(6), (b)(7)(C)

NAME: (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-5/SGT

ORGANIZATION OR ADDRESS: D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

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

There really isn't much I remember about the mission on the 16th of May, I thought the mission actually took place on the 18th. However, the day was like any other I went to SFC (b)(6), (b)(7)(C) chu to find out what was going on for that day, this normal I never attended the patrol briefs I always went directly to him for link up and SP times. He told me we would be going to drop off some detainees who were being released and he may have told me we were going to see a sheik. I was going back and forth running missions with 5th and 2nd PLT so I always found out about missions directly from him. To the best of me recollection we SP some time between 1300-1500, which was always the time frame in which we would all link up and SP. I don't exactly remember going to the Dcell to pick up any detainees or even seeing any. The first stop we made was to drop off the detainees at a CLC checkpoint. Then we continued mission I fell asleep and when I awoke we were going through the dessert I asked where we were headed and was told we were RTB. We made a stop they saw some guy I saw with bag he was questioned and sent on his way this was probably the only time I even looked out of the vehicle to see what was going on. SFC (b)(6), (b)(7)(C) and myself never dismounted we stayed in the truck at all times, and to the best of my recollection none of the dismounts traveled to far from the vehicles. Then we may have stopped one other time all I know is the duration of the stops were not long enough for anyone to do what it is rumored had been done. On this mission I heard no gunshots, explosions of any kind, flashes or nothing out of the ordinary. To my understanding all actions were normal TTPs. I have heard rumors, that 5th PLT had detainees killed by members of the CLC, they tortured and killed the guy themselves, they threw grenades at him, cut up and dismembered his body. On the mission in question either I sleep hard as hell or the shit didn't happen, nothing was out of the ordinary to me. I served with SSG (b)(6), (b)(7)(C) at PB Woodcock and before deploying we were both with Cco. I went on countless missions with him and have never even seen him abuse, demean or disrespect an detainee yet alone murder one. I have rode in his truck on many occasions and all I have seen him do is throw candy and shit to kids, shake hands and take pictures with people. The things he and LT (b)(6), (b)(7)(C) are rumored to have done in my opinion is uncharacteristic of them. As long as I have known either of them it is hard for me for one second to believe they are capable or would do something like this. In my opinion based upon a personal and professional relationship and being out with them on the mission in question, there is no way this shit happened.

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

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

Q. Did you author the above statement?

A. Yes.

Q. Did you at any time see the detainees which were transported in the convoy to be released?

A. No. I know we stopped and they supposedly got out, that is all I know.

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

PAGE 1 OF 3 PAGES

DA Form 2823-E

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EXHIBIT 75

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 17 Jun 08,

CONTINUED:

Q. Did you hear anyone say either of the detainees was still with the convoy when entering or leaving Abu Toma?

A. No, I think I may have heard them say they were out, but I really do not know.

Q. Did you listen to the headsets for radio traffic while you were riding in the vehicle during the mission?

A. Most of the time I do not, SFC (b)(6), (b)(7)(C) and his team do not talk much, if I did wear it, I did not wear it long. I do not know if I listened in at all. I think the only time I did get on it, was when I woke up and got on to ask where we were and was told we were returning to base (RTB).

Q. Did you go with the 5th Platoon, D Company on 21 Apr 08?

A. No, I was not on that mission.

Q. Did you accompany the 5th Platoon, D Company on 5 May 08 when they captured Ali MANSOUR?

A. I do not think I was, I really think that my first mission with this platoon was the release mission on 16 May 08.

Q. Did anyone tell you what to write in any statements about the mission on 16 May 08?

A. No, I have not even spoken with them. As soon as I got my new medic, I assigned him to 5th Platoon and I work exclusively for 2nd Platoon now.

Q. At any time, has anyone told you they were present during the death of Ali MANSOUR?

A. No.

Q. Do you believe anyone from 5th Platoon, D Company was involved in the death of Ali MANSOUR?

A. No, based upon the facts and knowing the people.

Q. Who do you believe may have been involved in the death of Ali MANSOUR?

A. What I heard is the guy was messing with someone's wife and he caught him. I think it is extremely possible it was done by an Iraqi man.

Q. Is there anything you wish to add to this statement at this time?

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

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

DA Form 2823-E

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EXHIBIT 75

ACLU-RDI 5576 p.199

LAW ENFORCEMENT SENSITIVE

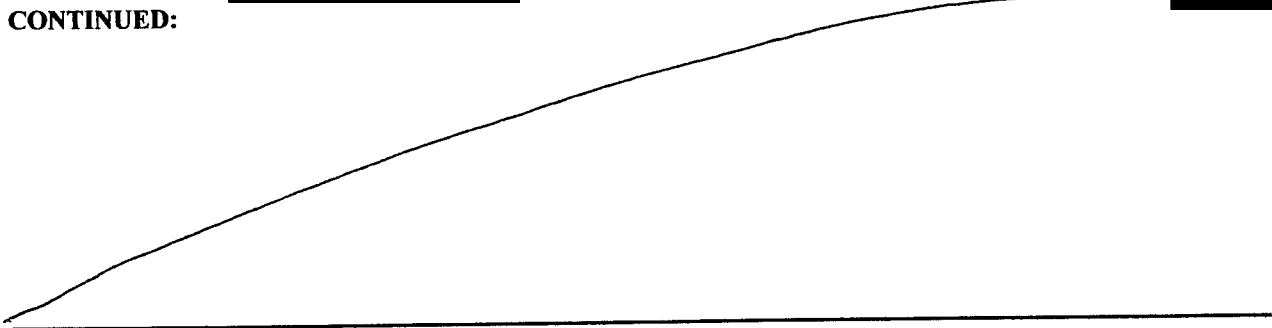
000225

10-L-0126 ACLU CID ROI 8208

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 17 Jun 08.
CONTINUED:



AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 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)

Witness #1:

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 17th day of Jun 2008, at FOB Summerall, Bayji, IZ

Witness #2:

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

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

(Typed name of Person Administering Oath)

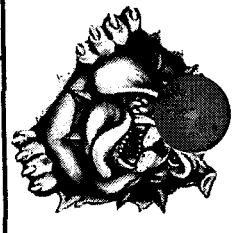
10 USC 936
(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

Element: 5th Plt, D Co, 1-327 INF
 Task and Purpose: AL-BUTOMA
 SP DTG: RTB DTG:
 Vehicle Count: 3 Pax Count: 18 + 2 Intel Update S-2: (b)(6)
 Call Sign: MD 56
 816 Mey 08



Bumper Number Veh Type/ Crew Served	OOM	BFT	Duke	Name (Last, First, MI)	Rank	BRM/Blood Type	M4 Ser. #	Individual Sensitive Items (Optics, Lasers, Shotgun, M9, etc.)	Veh. Sensitive Items (PSS-14, MARGBOT, etc.)
D-51 (MRAP)	1	Y	Y	(b)(6)	SSG	(b)(6)	W024863	061022(ACOG), 004479(PAC-15), 64912A(PVS-14)	3021, 61628 (PAS-13)
M-2 .50cal SER#: 1449286				(b)(6)	SPC	(b)(6)	W050574	537438 (M-68), 083612B (PAC-4), 508238 (PVS-7)	
D-52M (MRAP)	2	Y	Y	(b)(6)	SPC	(b)(6)	W049663	061039(ACOG), 49825(PVS7-D)	
M-240 SER#: U84739/ELCO312235				(b)(6)	SPC	(b)(6)	W024535	541873 (M-68), 38388B (PAC-4), 151901 (PVS-7), R321015 (12 GA)	
D-57M (MRAP)	3	Y	Y	(b)(6)	1LT	(b)(6)	W024609	1050813 (M-68), 093560B (PAC-4), 6587560 (PVS-14)	73671 (PAS-13)
M-2 .50cal SER#: 1282886				(b)(6)	PV2	(b)(6)	W2929931	1001902 (M-68), 571004 (PVD-7)	
				(b)(6)	SPC	(b)(6)	W049417	147102(PAC-15), 115434(EO-Tech)	
				(b)(6)	SPC	(b)(6)	W024340	542196 (M-68), 086780 (PEG-15), 153296 (PVS-7)	
				(b)(6)	SGT	(b)(6)	W050161	093626B (PAC-4), 153354 (PVS-7)	
				(b)(6)	PV2	(b)(6)	W016457	150056(M-68), 089402(PAC-15), 9775(M203), 153426(PVS-7D)	1404 (PAS-13)
				(b)(6)	PFC	(b)(6)	W050829	150206(M-68), 151963(PVS-7), 041323 (12 GA)	
				(b)(6)	SPC	(b)(6)	W016654	79178(M-203), 125600(EO-Tech), 146798(PAC-15), 571011(PVS7-D)	
				(b)(6)	SPC	(b)(6)	W020482	235886 (ACOG), 458798 (PAC-4), 153266 (PVS-7)	
				(b)(6)	SGT	(b)(6)	W050531	061021(ACOG), 145824(PAC-15), 509542 PVS-14	
				(b)(6)	PV2	(b)(6)	W294334	1229532 (M-68), 571031 (PVS-7)	
				(b)(6)	SPC	(b)(6)	W050177	901092 (M-68), 109248B (PAC-4), 183357 (PVS-7)	
				(b)(6)	SPC	(b)(6)	W015137	571039(PVS-7-D), 119683(EO-TECH)	
				(b)(6)	SGT	(b)(6)	W019333	156778(M-68), 570943(PVS-7D)	

Interpreter and Medic locations must be identified, serial numbers are not required by the TOC

1	ESC	EMP 6900	CP 102	4/11	✓	✓	1434	
2	ESC	EMP 6914	CP 102	4/11	✓	✓	1434	
3	ESC	EMP 6918	CP 102	4/11	✓	✓	1434	
4	ESC	EMP 6922	CP 102	4/11	✓	✓	1434	
5	ESC	EMP 6926	CP 102	4/11	✓	✓	1434	
6	ESC	EMP 6930	CP 102	4/11	✓	✓	1434	
7	ESC	EMP 6934	CP 102	4/11	✓	✓	1434	
8	ESC	EMP 6938	CP 102	4/11	✓	✓	1434	
9	ESC	EMP 6942	CP 102	4/11	✓	✓	1434	
10	ESC	EMP 6946	CP 102	4/11	✓	✓	1434	
11	ESC	EMP 6950	CP 102	4/11	✓	✓	1434	
12	ESC	EMP 6954	CP 102	4/11	✓	✓	1434	
13	ESC	EMP 6958	CP 102	4/11	✓	✓	1434	
14	ESC	EMP 6962	CP 102	4/11	✓	✓	1434	
15	ESC	EMP 6966	CP 102	4/11	✓	✓	1434	
16	ESC	EMP 6970	CP 102	4/11	✓	✓	1434	
17	ESC	EMP 6974	CP 102	4/11	✓	✓	1434	
18	ESC	EMP 6978	CP 102	4/11	✓	✓	1434	
19	ESC	EMP 6982	CP 102	4/11	✓	✓	1434	
20	ESC	EMP 6986	CP 102	4/11	✓	✓	1434	
21	ESC	EMP 6990	CP 102	4/11	✓	✓	1434	
22	ESC	EMP 6994	CP 102	4/11	✓	✓	1434	
23	ESC	EMP 6998	CP 102	4/11	✓	✓	1434	
24	ESC	EMP 7002	CP 102	4/11	✓	✓	1434	
25	ESC	EMP 7006	CP 102	4/11	✓	✓	1434	
26	ESC	EMP 7010	CP 102	4/11	✓	✓	1434	
27	ESC	EMP 7014	CP 102	4/11	✓	✓	1434	
28	ESC	EMP 7018	CP 102	4/11	✓	✓	1434	
29	ESC	EMP 7022	CP 102	4/11	✓	✓	1434	
30	ESC	EMP 7026	CP 102	4/11	✓	✓	1434	

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7 May

Mission Patrol Tracker

Control Number	Unit	Senior LDR & Call Sign	Task/Purpose	Pax / Veh	PCIs	Intel Update	SP Time	RP Time
09	SG1	Rhino 33	Singit Kolat	20/24	✓	✓		
10	SG1	Rhino 13	Bugari 600	77/14	✓	✓		
Q1E	Dec	M036	Q1E	18/14	✓	✓	1228	1729
11	Dec	M056	AlBuruma	16/273	✓	✓	1315	
Q2E #3	Dec	Abn						
12	SG1st	ENF G9-A	CP106	3+1/1	✓	✓	1549	
13	FSC	ENF G9-B	CP105	4/1	✓	✓	1553	
14	Dec	MD 27	CP104	6/2	✓	✓	1817	
15	SG1st	ENF G9-A	CP106	3/1	✓	✓	2350	
16	FSC	ENF G9-B	CP106	4/1	✓	✓	2355	
1	WIC/MH	W437/Reaper 5	Mission Mubokoh	35/5	✓	✓	0056	
02	Reo	Bm16	Carbon Sokorokh	31/18	✓	✓	0264	
03	MJT	Roring	DP Akrama	12/13	✓	✓	0258	
04	Reo	Bm 36	Spielke	15/15	✓	✓	0643	1815
05	HHC	HT5	HTCanda	23/19	✓	✓	0730	
06	Dec	MD53	CP104	12/5	✓	✓	0658	
07	SG1st WP	Rhino 32	Sinivith	17/3	✓	✓		
08	Tiger	Tiger 6	Basara Village	20/114	✓	✓	0800	1327
09	Edo	Enfreen 69B	CP106	4/1	✓	✓		
10	SG1	Rhino 23A	CP106	3/1	✓	✓		
11	SG1	Reo Rhino 1-3	COHones	17/14	✓	✓	1148	1647
12	SG1	Rhino 22	Massakay	27/7	✓	✓	1215	
13	PSD	Pat 7	Bati	18/14	✓	✓	0951	
14	Reo	Bm16	Sinivith	20/15	✓	✓	1133	
15	Dec	MD 26	Hundai Village	22/4	✓	✓	1326	
16	SG1st	ENF G9-A	CP106	3/1	✓	✓	1555	
17	FSC	ENF G9-B	CP106	4/1	✓	✓	1600	
18	SG1st	Rhino 32	Sinivith 33	13/4	✓	✓	1600	
19	SG1st	Rhino 11	Colones	15/4	✓	✓	1625	
QRF MET	Dec	MD 36	Baji HIT	22/4	✓	✓	2140	2245
20	FSC	ENF G9-B	CP106	4/1	✓	✓	2348	
21	SG1st	ENF G9-A	CP106	3/1	✓	✓	2354	
0A	Reo	Bm 36	Sinivith	31/8	✓	✓	0023	
0L	SG1	Rhino	Baji	16/14	✓	✓	0812	
03	Dec	M D 26	CP104	6/2	✓	✓	0655	

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Law Enforcement

10-L-0426-ACLU CIDEX01811

000230

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION: COB Summerall, Bayji, IZ APO AE 09393

FILE NUMBER: 0066-08-CID469

DATE: 17 Jun 08 TIME: 1110-1407

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS E-4/SPC

ORGANIZATION OR ADDRESS: D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

On the 21st of April we were on a mission to a town that we do not normally go to as it was in the cob spikier air space and we had to get permission to go there and to get two guys. Then on the way back to fob summerall we were blown up by an IED and we lost two guys from our platoon and a terp from Anther Company that was with us and two CLC guys. I saw the two guys that we had get pulled out of the truck that they were in and get beaten by some of the other CLC guys that were not hurt in the explosion and our terp as it was one of his friends that was killed too. I was pulling security down the road that we were traveling down so that we did not get more IEDs put in behind us as we were leaving. Then on the 5th of may we were out at Al Batoma to see the Sheik there and we were told that there was two guys that we should go and take a look at and talk to so we did and we got info from the first guy we talked to about the guy in the next house about having weapons that he shouldn't have so we go there and find that they both have more ammo for the weapons that they have then they should and we bring them both in and take the extra ammo that we find too. I did not see any more damage than was necessary to open locked doors on either house. Then on the 16th of May we were told that one of the guys that we were dropping off at the CLC was an al quida person and that we did not have the info to keep him. I heard later on during the investigation that he was on of the guys that put the IED in that killed two of our guys and his name was Ail MANSOUR. We were not happy about letting him go but we did not have a choice in the matter we were told to let him go and as far as I knew that was what we were going to do. So we left out gate 3 and took Phoenix to Hershey south and then to Tampa where we were told that they both were going to get dropped off at and then we were going to go to Sheik (b)(6), (b)(7)(C) house and talk to him. While we were there I was told that we had Mansour still with us and that we were going to drop him off in the desert and let him go home from there. We took a rout through the desert that led near the train tracks and then we stopped one guy that was out in the desert as it was getting dark and he had a bag in his hands it turned out that he was going home from the market and then we kept going and then stopped again and I thought that this was when we were going to drop off the last guy so he could walk home from were we were. We were there for a little wile and we were wondering how much longer we were going to be there when SFC (b)(6), (b)(7)(C) got out of the truck to see what was taking so long. He then got back in the truck and we left to get back to the fob for chow. I did not think that we had done anything but let the guy go but he turned up dead on the 20th or 21st and then I started to think that he was killed after we dropped him off so I did not worry about it until we were told that we had to do statements that we dropped them off and where we dropped them off at. We were told that we dropped them both off at the CLC check point on hershy/tampa and that we did not take the desert at all by SSG (b)(6), (b)(7)(C)

- Q. SA (b)(6), (b)(7)(C)
A. SPC (b)(6), (b)(7)(C)
Q. Did you author the above statement?

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

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 17 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

A. Yes.

Q. When you saw the CLC members hitting the two detainees on 21 Apr 08, did you see any members of your platoon ever strike, hit, kick or shoot at either of the detainees?

A. No one from the Platoon.

Q. Did you see anyone shoot at the detainees on the 21 Apr 08 mission?

A. No.

Q. On 5 May 08, when you assisted in the capture of Mr. MANSOUR, did you see anyone hit, strike, or kick Mr. MANSOUR?

A. No.

Q. When you saw Mr. MANSOUR, what was he wearing and where was he?

A. He was in the bedroom and if I remember right he was wearing either a white or brown mandress.

Q. Did you see anyone take Mr. MANSOUR in to a room and close the door?

A. No.

Q. Did you see any injuries on Mr. MANSOUR, bruises, cuts or lacerations?

A. No.

Q. How long were you at the compound during the capture of Mr. MANSOUR?

A. No more than a half an hour.

Q. Was any unnecessary damage done to any of the furnishings of either Mr. MANSOUR's house, or the other house searched in the compound?

A. No.

Q. When transporting Mr. MANSOUR to FOB Summerall, did you stop at any time during the trip?

A. No.

Q. Did you see anyone destroy any furnishings, clothing or food items at the compound where Mr. MANSOUR lived?

A. No.

Q. Did you at any time during the capture of Mr. MANSOUR, hear any screaming or sounds of a fight from Mr. MANSOUR?

A. No.

Q. On 16 May 08, did you see either of the detainees you were to drop off that day?

A. Yes, before we put them in the trucks.

Q. Do you know which vehicle the detainees were transported in?

A. No.

Q. Did you see either of the detainees released from the vehicle?

A. No, I was not looking in that direction, I was rear security and facing the rear.

Q. When you stopped at Shaek (b)(6), (b)(7)(C) house, did you see any detainees released?

A. No.

Q. When leaving Shaek (b)(6), (b)(7)(C) house, did you know you still had Mr. MANSOUR in the convoy?

A. Yes.

Q. How did you know you still had Mr. MANSOUR in one of the vehicle?

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

PAGE 2 OF 4 PAGES

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 17 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

A. I heard over the headset that we were going to drop someone off in the desert and that is who it turned out to be.

Q. Did you see Mr. MANSOUR dropped off in the desert?

A. No, I was not looking that direction.

Q. Is it normal practice to drop any detainees off in the desert to walk home?

A. No. We normally drop them at their home or at the Concerned Local Citizens (CLC) checkpoint.

Q. During the stop in the desert when returning Mr. MANSOUR to Al Butoma on, did you hear any gunshots, or explosions or see any bright flashes or burning?

A. No.

Q. While pulling security during the stop in the desert, which way were the rail road tracks?

A. They were behind me, I was pulling security at the nine o'clock and the rail road tracks were at the three o'clock.

Q. Did you see anyone dismount any vehicles and go toward the rail road tracks?

A. No.

Q. What was the order of march when you left FOB Summerall on 16 May 08?

A. SGT (b)(6), (b)(7)(C) vehicle was first, LT's truck was second, SSG (b)(6), (b)(7)(C) was in the third vehicle, my vehicle with SFC (b)(6), (b)(7)(C) was the trail vehicle.

Q. Did the order of march change at any time during the mission?

A. Yes, when we were traveling through the desert, my truck was moved to second, and I do not know which vehicles were third and last.

Q. Do you believe anyone from your platoon was involved in the death of Mr. MANSOUR?

A. Yes, I think 1LT (b)(6), (b)(7)(C) was involved. I also think SSG (b)(6), (b)(7)(C) was involved involuntarily.

Q. Do you believe anyone else was involved in the death of Mr. MANSOUR?

A. No.

Q. What do you believe was the involvement of 1LT (b)(6), (b)(7)(C) in the death of Mr. MANSOUR?

A. I do not know for sure exactly, the LT may have shot him.

Q. What do you believe was the involvement of SSG (b)(6), (b)(7)(C) in the death of Mr. MANSOUR?

A. I found out later from rumors SSG (b)(6), (b)(7)(C) may have had the grenade that burned the face of Mr. MANSOUR.

Q. Did anyone tell you they witnessed or participated in the death of Mr. MANSOUR?

A. No.

Q. Do you remember what the weather was like on 16 May 08?

A. It was dusty, like a sandstorm.

Q. Were you coached by SSG (b)(6), (b)(7)(C) on what to say in your statements issued on 7 Jun 08?

A. Yes, he told us to leave out the part about stopping in the desert and that we dropped off both detainees at the first stop. He then told us to put down what we knew.

Q. Have you been threatened by anyone concerning this incident?

A. No.

Q. Has anyone promised you favors if you provided false information?

A. No.

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

PAGE 3 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 17 Jun 08, CONTINUED:

Q. Is there anything you wish to add to this statement at this time?

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

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.

Witness #1:

Witness #2:

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

Subscribed and sworn before me, a person authorized by law to administer oaths, this 17th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936 (Authority to Administer Oath)

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

PAGE 4 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** COB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 17 Jun 08 **TIME:** 1410- 1615**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-4/SPC**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393**(b)(6), (b)(7)(C)** want to make the following statement under oath:

On or about the end April I came to Dco 5th Plt. Shortly after I began running missions. I don't recall the mission on the 5th of may or whether or not I was there. Then on the 16th of may we where tasked out to do a detainee drop off . We had got both detainees and I seen them sitting in front of some hesscos. We received the mission brief and I went and sat in SFC (b)(6), (b)(7)(C) MRAP. I sat around for about 5 maybe ten minutes and everyone started to load up and I didn't see who got the detainees. We SP and took Hershey south to the corner of Tampa at the CLC checkpoint. From there I sat in the truck until we took off onto Tampa and headed south to Albutoma. Once in Albutoma we stopped on market street to do an SOL. We where there for about an hour to an hour and a half. We mounted back up and went to shak (b)(6), (b)(7)(C) house. Lt (b)(6), (b)(7)(C) went in and talked to shak (b)(6), (b)(7)(C) and I stayed out in the court yard to pull security. We stayed at shak (b)(6), (b)(7)(C) for about an hour or so and mounted back up. We made our way back onto Tampa and headed north. Shortly after we hit Tampa Lt (b)(6), (b)(7)(C) said for Sgt (b)(6), (b)(7)(C) to take the desert route back and that he wanted to show SFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) the route. On the way they saw a man about a 100 meters off the side of our route. We dismounted and Lt (b)(6), (b)(7)(C) had the terp tell the man to lift up his dress to see if he had anything on him. The man was clear and we mounted back up. We started driving and shortly after SSG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) truck switched places. We keep driving and then came to a stop. Someone came over the radio and said they where going to clear the colvert. We sat there for about ten minutes and I stayed in the truck. I didn't hear or see anything out of the ordinary. Someone said over the radio were good and we made our way back onto Hershey south and RTB. About 3 or 4 days later I started hearing rumors that they made him walk back from the desert. Then a week later SFC (b)(6), (b)(7)(C) said we had to do sworn statements. From there we where pulled together by SSG (b)(6), (b)(7)(C) and we made the statements. We where told what time and what route we took back. Then we made the statements off what we remembered.

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

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

Q. Did you author the above statement?

Q. Yes.

Q. Do you know the names of either of the detainees you were to drop off on 16 May 08?

A. I did not know them on the 16th, but I know now one of them was named Ali MANSOUR.

Q. Do you recall what clothes Mr. MANSOUR was wearing that day?

A. No.

Q. When you stopped at the CLC Checkpoint, did you see either of the detainees dismount any vehicle and turned over to the CLC?

A. No.

Q. Did you assume both detainees were dropped off at the CLC Checkpoint?

A. Yes.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 3 PAGES

DA Form 2823-E

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 81

ACLU-RDI 5576 p.209

10-L-0126 ACLU CID ROI 8219

000235

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 17 Jun 08, (b)(6), (b)(7)(C)

CONTINUED:

Q. Had you ever traveled the desert route back to FOB Summerall before?

A. No.

Q. Had you ever done a change in the order of march while on mission before?

A. Not that I can recall.

Q. Did you think the change in the order of march was out of the ordinary?

A. I really did not pay much attention to it, I actually did not hear the call to change the order of march as I was not wearing the head set. I did know we changed by the fact that headlights were behind me when I had been in the back of the trail vehicle.

Q. When the stop was made to check the culvert out, did you hear any gunshots, or explosions or see and bright lights or burning?

A. No.

Q. When you returned from the mission on 16 May 08, did you go to the dining facility with any platoon members?

A. Yes.

Q. Did you hear any rumors that night of anything happening to Mr. MANSOUR?

A. No, not that I can recall.

Q. When did you first suspect you had not dropped both detainees off at the CLC Checkpoint?

A. About three or four days after the mission.

Q. How did you come to suspect both detainees were not dropped at the CLC Checkpoint?

A. Some people were saying Mr. MANSOUR had been made to walk back from the desert and stuff like that. At that time no one was saying anything about anyone killing Mr. MANSOUR.

Q. Who told you to write a statement about the detainee drop off on 7 Jun 08?

A. We were told by SFC (b)(6), (b)(7)(C) we all had to write statements.

Q. Did anyone tell you what to write in your statement, or to leave out any facts from your statement?

A. SSG (b)(6), (b)(7)(C) told us to write what we know and if we did not know anything to write that. He told us to write we (starting point) SP'd between 1600-1700 and we returned about 2000. He told us to also write we had returned using Tampa to Hershey. I can not recall if he told us to write we dropped both detainees off at the CLC or not, he may have said that.

Q. Did SFC (b)(6), (b)(7)(C) tell you to put anything in your statement or leave out any details from your statement?

A. No.

Q. How did you feel about writing this statement on 7 Jun 08?

A. At the time I really did not know how I felt about it, I was kind of against it.

Q. Did you hear any further rumors about what had occurred on 16 May 08?

A. No.

Q. Do you believe anyone in your unit had involvement in the death of Mr. MANSOUR, a detainee your platoon was to transport for release on 16 May 08?

A. Possibly 1LT (b)(6), (b)(7)(C)

Q. Do you think anyone else was involved with 1LT (b)(6), (b)(7)(C) in the death of Mr. MANSOUR?

A. Not really. I think SSG (b)(6), (b)(7)(C) may have been involved to a certain degree, but I think he may have been an unknowing participant.

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 17 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

Q. Did anyone tell you they were a witness to the death of Mr. MANSOUR, or tell you details of the death of Mr. MANSOUR?

A. No.

Q. Do you suspect anyone else of being involved in the death of Mr. MANSOUR?

A. No.

Q. Do you recall what weapons 1LT (b)(6), (b)(7)(C) was carrying on 16 May 08?

A. The only thing I could see was an M-4 and possibly a Beretta.

Q. Did you ever see 1LT (b)(6), (b)(7)(C) carrying a Glock 9mm while on mission?

A. Yeah, I saw him pull one out one time while at Sheik (b)(6), (b)(7)(C)

Q. Is there anything you wish to add to this statement at this time?

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

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)

Witness #1:

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 17th day of Jun 2008, at FOB Summerall, Bayji, IZ

Witness #2:

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

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

10 USC 936
(Authority to Administer Oath)

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

PAGE 3 OF 3 PAGES

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0118-07-CID919-23257
0872-07-CID034-

PAGE 1 OF 1 PAGES

DETAILS

Basis For Investigation: On 30 Oct 07, this office received a Request for Assistance from 32nd Military Police Detachment (CID), Balad, Iraq APO AE 0939, to interview SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Rear Detachment, 6/9 Cavalry, 1CD, Fort Hood, TX 76544 (FHTX) pertaining to his knowledge of a murder of an Anti Iraqi Force (AIF) member.

About 1409, 30 Oct 07, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) who provided a sworn statement, in which he stated he did not have any knowledge pertaining to the murder of the AIF member and he did not know of any photographs taken of the incident. ///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Fort Hood Resident Agency, USACIDC,
Fort Hood, TX 76544

SIGNATURE

DATE

30 Oct 07

EXHIBIT

47

INTERNAL USE ONLY

000238

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION: COB Summerall, Bayji, IZ APO AE 09393

FILE NUMBER: 0066-08-CID469 (b)(6), (b)(7)(C)

DATE: 19 Jun 08 **TIME:** 1420 to 1630 (b)(6), (b)(7)(C)

NAME: (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-5/RA

ORGANIZATION OR ADDRESS: B Company, 1st Special Troops Battalion, 1/101st BCT, FOB Summerall, APO AE 09393

I, (b)(6), (b)(7)(C) want to make the following statement under oath:
On 21 April, 1LT (b)(6), (b)(7)(C) and his PLT went on a mission to Salam village. According to rumors at the time, the mission was unauthorized because during the mission, the PLT crossed into the 1STB AO without permission. I do not have personal knowledge of whether or not the mission was authorized or not. Subsequent email traffic from BDE in the days following warned against crossing into other AO's without permission.

Five Detainees were brought in after the incident. I did the screenings on all five, but three of them were lacking sworn statements in the Detainee packet, so I went to 1LT (b)(6), (b)(7)(C) to try and find out the circumstances of capture and why these individuals.

I spoke with 1LT (b)(6), (b)(7)(C) after the incident. The reason I asked him about the incident is I was charged with conducting Detainee screenings of the Detainees from the raid. Out of the five Detainees, at least two of them were detained prior to the IED detonation. These were also the individuals who had no Coalition Forces sworn statements in their packets. (A minimum of two CF sworn statements and a CF apprehension form as well as a 4137 are mandatory when turning someone in to the Detainee Collection Point (DCP). Under the circumstances, however, with the fatalities that were incurred by the PLT, it was understandable that this paperwork had not been completed. So I wanted to ask 1LT (b)(6), (b)(7)(C) exactly why these individuals had been detained in the hopes of properly screening them, so I could make a recommendation on whether to send them to BDE or not, and so I could help generate any reporting that was lacking to help the packets.

So I went to talk to 1LT (b)(6), (b)(7)(C) about the situation and see what, if any, intelligence he had on the individuals he took his unit outside the AO to detain. 1LT (b)(6), (b)(7)(C) told me that there were no Intelligence Information Reports on the detainees, but that people "tell him stuff" and that "he had his own Sources."

I told 1LT (b)(6), (b)(7)(C) (and we had had several conversations prior to this on the same topic) that we could not put anyone away (ie send them to Bucca) without several HUMINT reports against them, written by qualified HUMINT personnel. He stated that he never intended on "bringing them back," but I am not sure exactly what he meant by this. I did not give the incident much thought.

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

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

PAGE 1 OF 13 PAGES

DA Form 2823-E

FOR OFFICIAL USE ONLY

EXHIBIT 83

ACLU-RDI 5576 p.213

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8224

000239

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 18 Jun 08, CONTINUED:

When I went to screen the Detainees, the ones that had been detained prior to the IED detonation were visibly injured. They had bruises all over their bodies and one of them had medical staples in his head, from where it had been split open. (b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D)
(b)(6), (b)(7)(C), (b)(7)(D) The Detainees were beaten after the IED detonation. According to CF sworn statements, the CF Soldiers were busy "policing up their wounded and dead Soldiers" that they could not stop the Sons of Iraq. (There was some kind of Detainee abuse paperwork started, probably in the form of an SIR. I remember the packets had sworn statements from the Soldiers and pictures of the abuse.)

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

I reported the incident to the S-2 about 1LT (b)(6), (b)(7)(C) running (b)(6), (b)(7)(C), (b)(7)(D) cautioned him against doing that in the future.

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

The first mention we received about the death of Ali Mansur Muhammad Al-Jaburi occurred on 4 June 2008. SPC (b)(6), (b)(7)(C) informed me (b)(6), (b)(7)(C), (b)(7)(D)

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

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

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

PAGE 2 OF 13 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 18 Jun 08, CONTINUED:

On 17 May 2008, the body of Ali Mansur was found and taken first to the Bayji hospital, then the Tikrit hospital. The family identified the body on the 18th or 19th.

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

SPC (b)(6), (b)(7)(C) called me on an S-VOIP and asked what to do.

I was at the Bayji JSS, so I called the S-2, CPT (b)(6), (b)(7)(C) and asked for LTC (b)(6), (b)(7)(C) phone number. CPT (b)(6), (b)(7)(C) gave it to me. I called the LTC. He was not there. I then called CPT (b)(6), (b)(7)(C) who stated that he did not know where the LTC was or when he would be back. I told CPT (b)(6), (b)(7)(C) what happened in SPC (b)(6), (b)(7)(C) Source meet, but I asked him not to tell anyone but the LTC, (b)(6), (b)(7)(C), (b)(7)(D) (b)(6), (b)(7)(C), (b)(7)(D)

The next time I met with (b)(6), (b)(7)(C), (b)(7)(D) Here are my typed notes from that meeting--

Incidentally, I am a fluent Arabic Linguist. Though an Interpreter was present during some of these meetings, I heard all of this information for myself, first hand.

NOTES FOR LTC (b)(6), (b)(7)(C) AND CPT (b)(6), (b)(7)(C)

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

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

PAGE 3 OF 13 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 18 Jun 08,

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

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

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

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

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

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

PAGE 4 OF 13 PAGES

DA Form 2823-E

FOR OFFICIAL USE ONLY

EXHIBIT 83

ACLU-RDI 5576 p.216

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8227

000242

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 18 Jun 08,

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

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

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

V/R

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

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

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

PAGE 5 OF 13 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 18 Jun 08,

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

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

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

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

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

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

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

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

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

PAGE 6 OF 13 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 18 Jun 08,

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

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

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

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

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

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

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

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

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

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

PAGE 7 OF 13 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 18 Jun 08,

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

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

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

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

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

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

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

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

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

PAGE 8 OF 13 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 18 Jun 08,
CONTINUED:

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

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

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

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

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

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

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

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

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

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

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

PAGE 9 OF 13 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 18 Jun 08,

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

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

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

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

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

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

(Comment - The photographs accompanying the detainee packet show bruising and injuries on Ali's body.)

Prior to leaving, a Soldier told Ali via an Interpreter that he was taking Ali for the purpose of interrogating him and would return him to his home in three days.

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

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

PAGE 10 OF 13 PAGES

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

1. I, Special Agent (b)(6), (b)(7)(C), Tikrit CID Office, USACIDC
 (Name) (Organization or Address)

having been duly sworn, on oath depose and state that:

Preliminary investigation determined at approximately 1830, 16 May 08, while enroute to return a released detainee, 1LT (b)(6), (b)(7)(C) ordered his convoy to stop in the village of Albu Tu'mah, Bayji district. 1LT (b)(6), (b)(7)(C) exited his vehicle and stated, "I don't want anybody with me except for the Terp and SSG (b)(6), (b)(7)(C)". 1LT (b)(6), (b)(7)(C) ordered his interpreter, (b)(6), (b)(7)(C) to remove Mr. Ali Mansur MUHAMMAD, a detainee, from the same vehicle. 1LT (b)(6), (b)(7)(C) led Mr. Ali Mansur MUHAMMAD, SSG (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) to a tunnel, approximately 100 meters south of the convoy. Once inside the tunnel 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut off Mr. MUHAMMAD's clothing. 1LT (b)(6), (b)(7)(C) then demanded Mr. MUHAMMAD tell him everything he knows and then fired two rounds from a 9mm pistol at Mr. MUHAMMAD. SSG (b)(6), (b)(7)(C) then placed a thermite hand grenade on Mr. MUHAMMAD's face and pulled the pin, activating the grenade. 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) returned to the convoy vehicles and proceeded back to FOB Summerall. Mr. MUHAMMAD's body was found at 2030, 17 May 08, by Iraqi Police patrols. At the crime scene Iraqi Police recovered a 9mm shell casing, which was near the body and a metal item, identified as a detonator, from beneath the neck.

2. The affiant further states that:

On 13 June 08, Special Agent (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) witnessed by (b)(6), (b)(7)(C) and MND-N G3 Linguist, Arabic Translator, who executed a written sworn statement detailing how 1LT (b)(6), (b)(7)(C) carries a Glock 9mm and a Berretta 9mm pistol. Mr. (b)(6), (b)(7)(C) stated on 16 May 08 he witnessed 1LT (b)(6), (b)(7)(C) sit a detainee, Mr. Ali MANSOUR, on a rock and fire his Glock 9mm pistol two times directly at Mr. MANSOUR. Mr. (b)(6), (b)(7)(C) detailed how SSG (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) cut Mr. Ali Mansour Mohammad AL JOBOURI's clothes off with knives.

FOUO

SEARCH AND SEIZURE AUTHORIZATION

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: (Name and Organization of the person to whom authorization is given)
Any Special Agent of the Tikrit CID Office, or any Special Agent, USACIDC

(An affidavit) (A (sworn) or (unsworn) oral statement) having been made before me by Special Agent (b)(6), (b)(7)(C)
(Name of Affiant)

32nd MP Det (CID), COB Speicher, Tikrit, IZ APO AE 09393
(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

SSG (b)(6), (b)(7)(C) who resides at Containerized Housing (b)(6), (b)(7)(C) FOB Summerall, Bayji, IZ 09393

for the property described as Knives or cutting utensils

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:

CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA, Military Magistrate
(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 18 day of June, 2008

Table with 2 columns: TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL, DUTY POSITION OF AUTHORIZING OFFICIAL. Includes redacted names and 'FOUO' stamp.

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of SSG (b)(6), (b)(7)(C)
(the person) (and)

Containerized Housing (b)(6), (b)(7)(C) FOB Summerall, Bayji, IZ, APO AE 09393
(the quarters or billets) (and)

(the automobile) () and (seizure) (apprehension) of Glock 9mm Pistol
(items/persons searched for)

TYPED NAME AND ORGANIZATION OF AFFIANT
(b)(6), (b)(7)(C) Special Agent
Tikrit CID Office, USACIDC

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18th DAY OF _____

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY
ADMINISTERING THE OATH
CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA 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.

FOUO

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

1. I, Special Agent (b)(6), (b)(7)(C), Tikrit CID Office, USACIDC
 (Name) (Organization or Address)

having been duly sworn, on oath depose and state that:

Preliminary investigation determined at approximately 1830, 16 May 08, while enroute to return a released detainee, 1LT (b)(6), (b)(7)(C) ordered his convoy to stop in the village of Albu Tu'mah, Bayji district. 1LT (b)(6), (b)(7)(C) exited his vehicle and stated, "I don't want anybody with me except for the Terp and SSG (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) ordered his interpreter, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) to remove Mr. Ali Mansur MUHAMMAD, a detainee, from the same vehicle. 1LT (b)(6), (b)(7)(C) led Mr. Ali Mansur MUHAMMAD, SSG (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) to a tunnel, approximately 100 meters south of the convoy. Once inside the tunnel 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut off Mr. MUHAMMAD's clothing. 1LT (b)(6), (b)(7)(C) then demanded Mr. MUHAMMAD tell him everything he knows and then fired two rounds from a 9mm pistol at Mr. MUHAMMAD. SSG (b)(6), (b)(7)(C) then placed a thermite hand grenade on Mr. MUHAMMAD's face and pulled the pin, activating the grenade. 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) returned to the convoy vehicles and proceeded back to FOB Summerall. Mr. MUHAMMAD's body was found at 2030, 17 May 08, by Iraqi Police patrols. At the crime scene Iraqi Police recovered a 9mm shell casing, which was near the body and a metal item, identified as a detonator, from beneath the neck.

2. The affiant further states that:

On 13 June 08, Special Agent (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) witnessed by (b)(6), (b)(7)(C) and MND-N G3 Linguist, Arabic Translator, who executed a written sworn statement detailing how 1LT (b)(6), (b)(7)(C) carries a Glock 9mm and a Berretta 9mm pistol. Mr. (b)(6), (b)(7)(C) stated on 16 May 08 he witnessed 1LT (b)(6), (b)(7)(C) sit a detainee, Mr. Ali MANSOUR, on a rock and fire his Glock 9mm pistol two times directly at Mr. MANSOUR. Mr. (b)(6), (b)(7)(C) detailed how SSG (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) cut Mr. Ali Mansour Mohommad AL JOBOURI's clothes off with knives.

FOUO

SEARCH AND SEIZURE AUTHORIZATION

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: (Name and Organization of the person to whom authorization is given)
Any Special Agent of the Tikrit CID Office, or any Special Agent, USACIDC

(An affidavit) (A sworn or unsworn oral statement) having been made before me by Special Agent (b)(6), (b)(7)(C)
(Name of Affiant)

32nd MP Det (CID), COB Speicher, Tikrit, IZ APO AE 09393
(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

1LT (b)(6), (b)(7)(C) who resides at Containerized Housing (b)(6), (b)(7)(C) FOB Summerall, Bayji, IZ 09393

for the property described as Knives or cutting utensils

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:

CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA, Military Magistrate
(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 18 day of June, 2008

Table with 2 columns: TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL, DUTY POSITION OF AUTHORIZING OFFICIAL. Includes redacted names and 'Military Magistrate' title.

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

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of

1Lt (b)(6), (b)(7)(C)

(the person) (and)

Containerized Housing (b)(6), (b)(7)(C) FOB Summerall, Bayji, IZ, APO AE 09393

(the quarters or billets) (and)

Glock 9mm Pistol

(items/persons searched for)

(the automobile)

and (seizure) (apprehension) of

TYPED NAME AND ORGANIZATION OF AFFIANT

(b)(6), (b)(7)(C) Special Agent
Tikrit CID Office, USACIDC

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18th DAY OF

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY
ADMINISTERING THE OATH

CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA 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.

FOUO

0066-08-CID469-51978

18 Jun 08

AN-M14 TH3 Incendiary Grenade

For Official Use Only
Law Enforcement

Sensitive

10-L-0126 ACLU CID FOIA EXHIBIT 000255 810

Exhibit _____

AN M-14 TH 3 (Test)



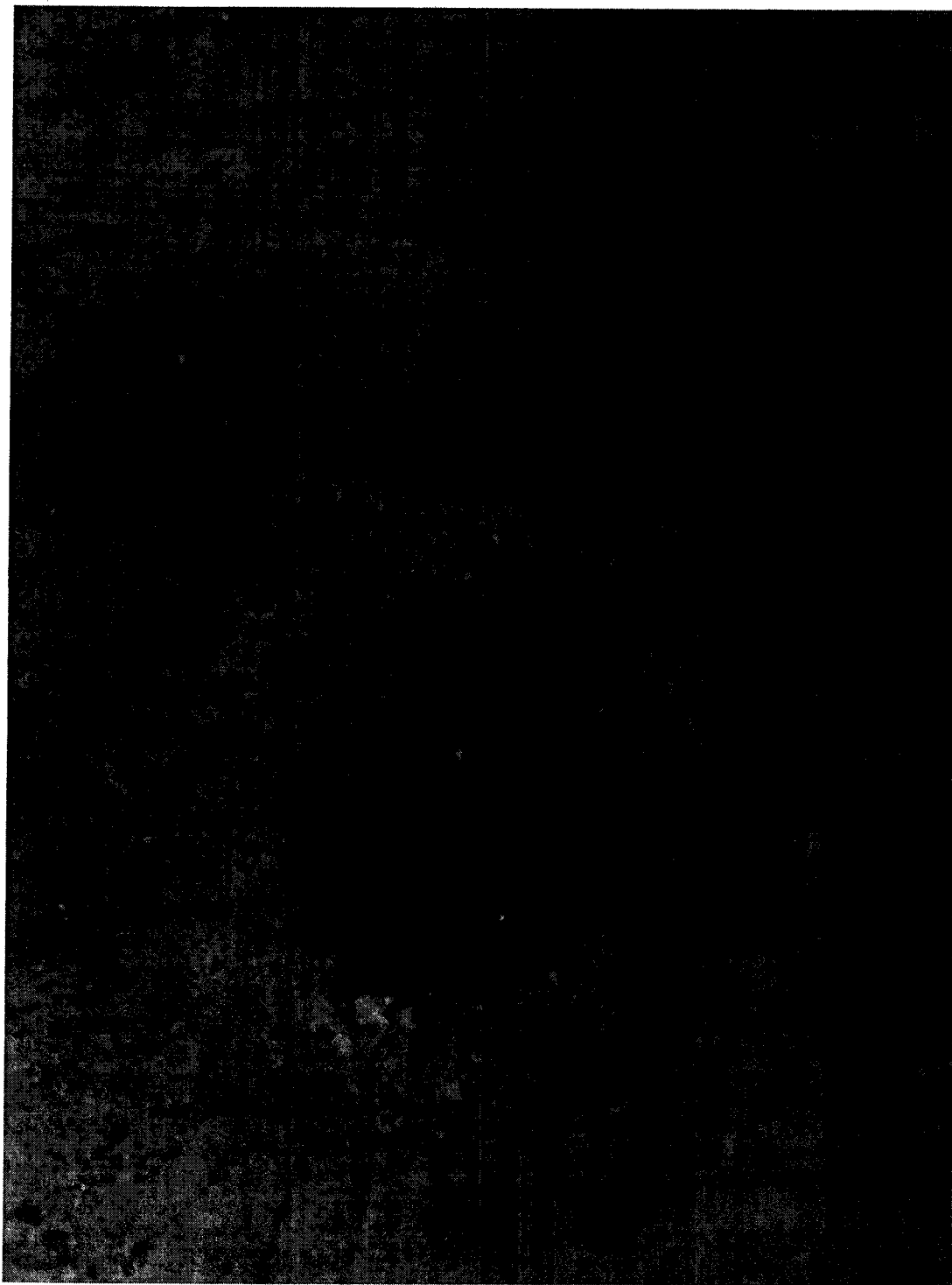
0066-08-CID469-51978

Exhibit _____

For Official Use Only
Law Enforcement

Sensitive

Ignited post burn (Test)



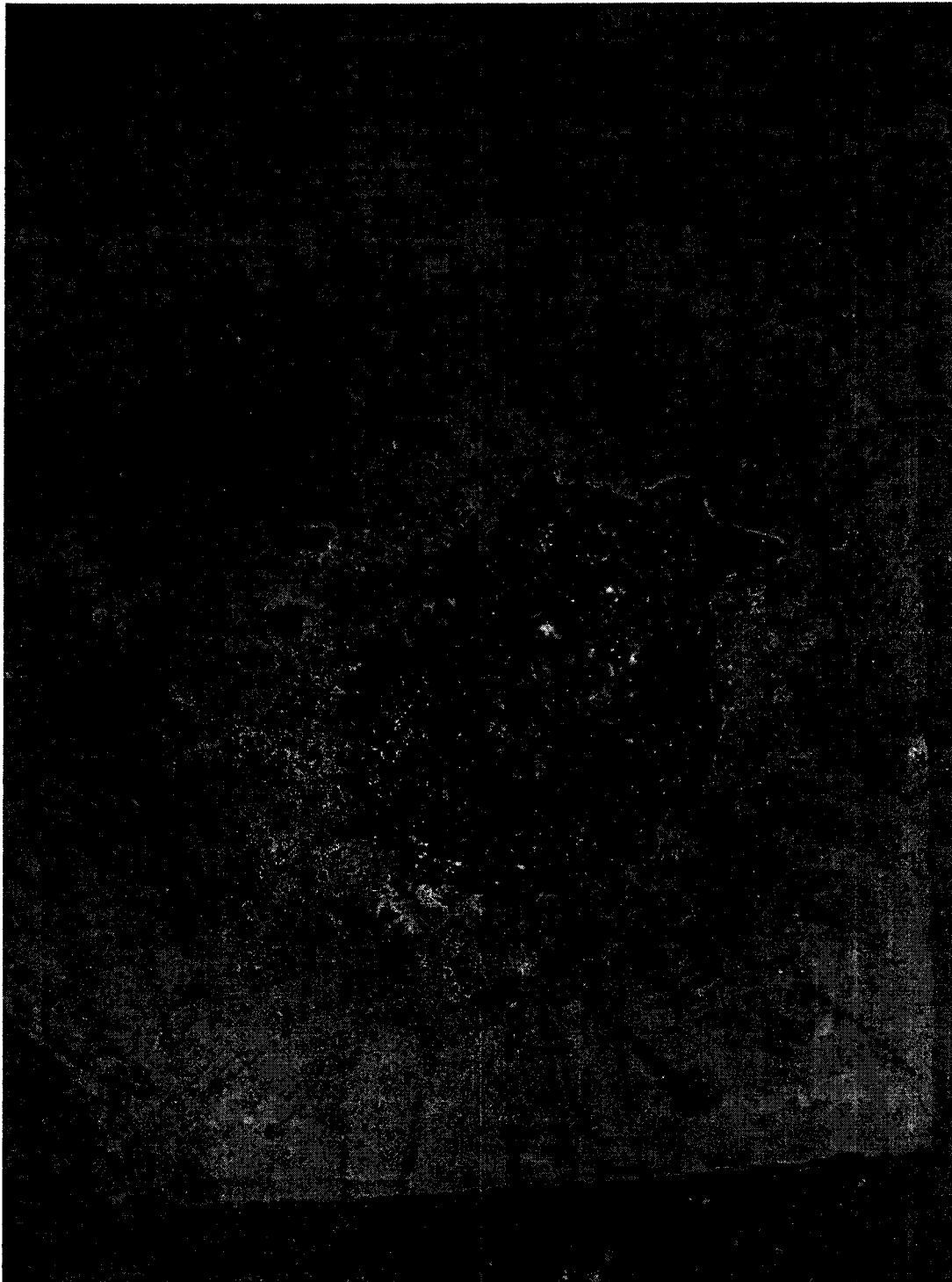
0066-08-CID469-51978

Exhibit _____

For Official Use Only
Law Enforcement

Sensitive

Remains of test grenade



0066-08-CID469-51978

Exhibit _____

For Official Use Only
Law Enforcement
Sensitive

Damage to cement piece (Test)



0066-08-CID469-51978

Exhibit _____

For Official Use Only
Law Enforcement

Sensitive

COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM

YELLOW FIELDS MUST BE FILLED IN, IF APPLICABLE, UPON APPREHENSION

Offense against Civilian(s) [check one] If "Other" then describe: _____

<input type="checkbox"/> Arson (I.P.C. 342)	<input type="checkbox"/> Burglary or Housebreaking (I.P.C. 428)
<input type="checkbox"/> Solicitation of Fornication/Prostitution (I.P.C. 399)	<input type="checkbox"/> Extortion/Communicating Threats (I.P.C. 430)
<input type="checkbox"/> Rape/Indecent/Sexual Assaults/Acts (I.P.C. 393-98, 402)	<input type="checkbox"/> Theft (I.P.C. 439)
<input type="checkbox"/> Murder (I.P.C. 405)	<input type="checkbox"/> Destruction of Property (I.P.C. 477)
<input type="checkbox"/> Aggravated Assault/Assault With Intent To Kill (I.P.C. 410)	<input type="checkbox"/> Obstructing a Public Highway/Place (I.P.C. 487)
<input type="checkbox"/> Maiming (I.P.C. 412)	<input type="checkbox"/> Discharging Firearm/ Explosive in City/Town/Village (I.P.C. 495)
<input type="checkbox"/> Simple Assault (I.P.C. 415)	<input type="checkbox"/> Riot or Breach of Peace (I.P.C. 495(3))
<input type="checkbox"/> Kidnapping (I.P.C. 421)	<input type="checkbox"/> Other

Offense against Coalition Forces [check one] If "Other" then describe: Trans of Explosives

<input type="checkbox"/> Violation of Curfew	<input type="checkbox"/> Trespass on Military Installation or Facility
<input checked="" type="checkbox"/> Illegal Possession of Weapon	<input type="checkbox"/> Photographing/Surveillance Military Installation or Facility
<input checked="" type="checkbox"/> Assault/Attack on Coalition Forces	<input checked="" type="checkbox"/> Obstructing Performance of Military Mission
<input type="checkbox"/> Theft of Coalition Force Property	<input checked="" type="checkbox"/> Other <u>T</u>

Apprehending Unit: MND-N 1AD 1-327IN Location Grid: 38S LD 6525 5429

Date of Incident: (D/M/Y) 05/05/08 Time of Incident: 1400 Date of Report: (D/M/Y) 1/1 Time of Report: _____ hrs

Detainee # 254 354881 Key Connected Person: Victim Witness

Last Name: M. Hamad Last Name: _____

First Name: Ali Given Name: Abdul First Name: _____ Given Name: _____

Hair Color: _____ Scars/Tattoos/Deformities: _____ Hair Color: _____ Scars/Tattoos/Deformities: _____

Eye-Color: _____ Weight: _____ lb Height: _____ in Eye-Color: _____ Weight: _____ lb Height: _____ in

Address: _____ Address: _____

Place of Birth: _____ Place of Birth: _____

Ethn/Tribe/ Sect:	Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Phone#: DOB D/M/Y: <u>1982</u>	<input type="checkbox"/> Mobile <input type="checkbox"/> Regular	Ethn/Tribe/ Sect:	Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Phone#: DOB D/M/Y:	<input type="checkbox"/> Mobile <input type="checkbox"/> Regular
----------------------	--	--------------------------------------	---	----------------------	--	-----------------------	---

Passport Dr. license Other (specify) _____ Passport Dr. license Other (specify) _____
Document #: _____ Document #: _____

Total Number of Persons Involved _____ (list names/identifying info on reverse under "Additional Helpful Information")

Vehicle Information Vehicle Number _____ of _____ Vehicle(s) Owner: _____

Make: _____ Color: _____ VIN: _____
Model: _____ Type: _____ Plate No.: _____ Number of People in Vehicle: _____
Year: _____ Names of People in Vehicle: _____

Contraband/Weapons in Vehicle: _____

Property/Contraband Weapon Photo Taken of Suspect with Weapon/Contraband: Yes/ No

Type: _____ Model: _____ Color/Caliber: _____

Serial No.: _____ Quantity: _____ Make: _____ Receipt Provided to Owner: Yes/ No

Other Details: _____ Where Found: _____ Owner: _____

Name of Assisting Interpreter: (b)(6) Email, Phone, or Contact Info: _____

(b)(6)

COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM

Why was this person detained? Transportation of explosives, linked to AQI

Who witnessed this person being detained or the reason for detention? Give names, contact numbers, addresses.

(b)(6)

→ Sgt DCO 4327

How was this person traveling (car, bus, on foot)? At home

Who was with this person? wife

What weapons was this person carrying? N/A

What contraband was this person carrying? N/A

What other weapons were seized? RPK

What other information did you get from this person?

Additional Helpful Information:

FOUO

TF 1-327 Detainee Placard

Date/Time: 5 May 2008
Name(s), Platoon: (b)(6)
Soldier 1:
Soldier 2:
Soldier 3:
Operation:
<ul style="list-style-type: none"> • Detainee's name (if provided or known) Alf Mansur Mohammed • OBJ/Grid: AIBU TOMA / LD 6505 5429 • Weapons or contraband found with or that can be linked to detainee: 1 RPK • Explosives residue swipe test? <i>NO</i>
<input type="checkbox"/> Negative <input type="checkbox"/> Positive
Compound(s) present

• Injures to detainee:

• Any special circumstances:

• Detainee should be questioned about:

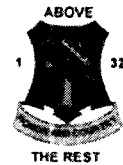
AQI in AIBU TOMA

Det. Number (assigned at DCell):
1-327-0254

FOUO



1-327 Detainee Status Sheet



Name: Ali Mansur Mohammad

Platoon/Company: Dec 5th PLT

DTG Detained or in CF custody: 05 May 1900, 2008 Grid: LD 6503 5429

Reason Detained: Transportation of explosives

Screening Name: MFT (b)(6)

Screening Recommendation: Recommend going to BDF for further questioning. If detainee doesn't break, recommend release due to lack of evidence.

Other Incriminating Evidence (Phones, Computer, etc.): phone links 254 to Shaykh Abdul Al Latif, Flaycha & Fatch Mahal.

Reviewed BN Legal: **(b)(6)** Reviewed by MPRI: _____

S-2 Recommendation: Send to BDHA to be interrogated on knowledge of IED cells in Abu Toma and Salam area. Will likely not go to the TIF unless he confesses. Do not release to IP or Solonzo, if he is going to be released 1-327 will take control of him.

Determination: Send to BDHA

FOUO

Detainee# : 254

Name: Ali Mansur Muhammad

Nickname: Haji Ali

Tribe: Al Jaburi, SubTribe: Al Jabur

Shaykh (b)(6)

DOB: 1982, Bayji

Residence: Al Bu Toma

Employment: Detainee works as IP in Al Bu Toma, Detainee says he is going through the academy there and has finished the first course and will be starting the second soon. Detainee also stated he has been buying and selling cars since 2004 to current.

Phone number: 8440400

Brothers:

Has six brothers, two from one Mother, the other 4 from another.

The following are from the first Mother.

(b)(6)

The following are from the second mother.

(b)(6)

Born in 1968 (39) is a water tank driver that delivers water to Bayji refinery

Mosque: Practicing sunni muslim goes to Al Ra'hma mosque

His opinion on his detention: Detainee stated that he has no idea why he is detained.

Additional Screening Questions:

FOUO

I asked detainee why there was a machine gun hidden in the cabinet.

Detainee stated that the weapon is a RBK and that its his assigned weapon from the IP station in Al Bu Toma and that he takes it home with him and stores it in the cabinet for safety.

I asked the detainee where he had traveled

Detainee stated that he had traveled three times to Saudi Arabia once in 2004 once in 2005 and maybe 2006 during the summer time. Detainee also stated that he traveled to Syria in the summer of 2007 for 4 days because of chest pains. Detainee stated that he took a taxi from Al Bu toma to Mosul, then took a different taxi to the border, then once at the border he took a bus into Syria.

I asked detainee who was (b)(6)

Detainee stated at first he doesn't know that person, then stated he knows one man that goes by that name and he has a fruits an vegetables shop in Al Hajaj and is located 2-3 Kilometers from Ali. Ali then stated to find his shop just aske the local shop owners and they can point him out because he goes by that name.

Assessment of detainee #254:

Detainee showed major signs of deception when asked about people with in his cell. I believe that the detainee is lying about not knowing (b)(6) and about moving explosives through the area. I also do not believe the detainee has the RBK in the cabinet because it's a IP issued weapon. I do not believe that is a standard procedure for a IP heavy machine gun. I think that Ali has joined the IP specifically for this reason. When I asked about (b)(6) detainee became agitated and belligerent about knowing or being associated with (b)(6) Detainee wouldn't state any other information about him though I feel he knows more.

I recommend possible further questioning and then release due to lack of evidence.

FOUO

HEALTH RECORD

CHRONOLOGICAL RECORD OF MEDICAL CARE

Patient: MAHAMMED, ALI MANSUR
Facility: WJRT0

Date: 08 May 2008 1600 AST
Clinic: HHC 1ST STB DETENTION
CENTER

Appt Type: ROUNTN
Provider: (b)(6)

Co-signer: (b)(6)

AutoCites Refreshed by @ 08 May 2008 1623 AST

Problems

No Problems Found.

Active Medications

No Active Medications Found

Allergies

No Allergies Found

Screening Written by (b)(6) @ 08 May 2008 1600 AST

Appointment Reason For Visit: Physical Examination: .

Selected Reason(s) For Visit: .

Physical Examination (New) Comments:

Vitals Written by (b)(6) @ 08 May 2008 1623 AST

BP: 124/92, HR: 147, RR: 18, T: 98.3 *F, O2: 98, Tobacco Use: No, Alcohol Use: No,

S/O Note Written by (b)(6) @ 08 May 2008 1626 AST

History of present illness .

The Patient is a 25 year old male.

* Encounter Background Information: dt here for inprocessing physical exam. dt has no other complaints at this time.

Physical findings .**General appearance:**

* Awake. * Alert. * Oriented to time, place, and person. * Well developed. * Well nourished. * Well hydrated. * Healthy appearing. * Active. * In no acute distress.

Head:

* No evidence of a head injury. * Normocephalic. * No skull tenderness

Eyes:

General/bilateral:

Pupils: * PERRL

Ears:

General/bilateral:

Tympanic Membrane: * Both tympanic membranes were examined. * Not bulging. * No retraction of tympanic membrane. * Not erythematous. * Intact. * Color normal. * Mobility normal.

Nose:

* No external nose deformities. * No nasal discharge seen. * No nasal bone tenderness. * No sinus tenderness

Pharynx:

Oropharynx: * Tonsils were not swollen. * Tonsils were not erythematous. * Tonsils were not inflamed. * Tonsils showed no exudate.

Neck:

* Not swollen. * Showed no ecchymosis. * No tenderness

Lymph Nodes:

* No adenopathy.

Lungs:

* Clear to auscultation.

Cardiovascular system:

Heart Rate And Rhythm: * Normal

Abdomen:

Auscultation: * Bowel sounds were normal.

Palpation: * No abdominal tenderness.

Name: MAHAMMED, ALI MANSUR

FMP/SSN: (b)(6)	Sex: M	Sponsor: MAHAMMED, ALI MANSUR
DOB: (b)(6) 1982	Tel H:	Rank:
PCat:	Tel W:	Unit:
MC Status:	CS:	Outpt Rec. Rm:
Insurance: No	WS:	PCM:
		Tel. PCM:

CHRONOLOGICAL RECORD OF MEDICAL CARE

STANDARD FORM 600 (REV. 5)
Prescribed by GSA and ICMR
FIRMR (41 CFR) 201-45.505

THIS INFORMATION IS PROTECTED BY THE PRIVACY ACT OF 1974 (PL-93-579). UNAUTHORIZED ACCESS
TO THIS INFORMATION IS A VIOLATION OF FEDERAL LAW. VIOLATORS WILL BE PROSECUTED

~~FOUO~~

HEALTH RECORD	CHRONOLOGICAL RECORD OF MEDICAL CARE		
08 May 2008 1600	Facility: WJJRT0	Clinic: HHC 1ST STB DETENTION CENTER	Provider: (b)(6)

A/P Written by (b)(6) @ 08 May 2008 1626 AST

1. Physical Examination
Comments:

Disposition Written by (b)(6) @ 08 May 2008 1627 AST

Released Without Limitations

Follow up: as needed with PCM and/or in the HHC 1ST STB DETENTION CENTER clinic. - Comments: follow up every 8 hrs. for first 24 hrs. then as needed during daily sick call

Discussed: Diagnosis, Medication(s)/Treatment(s), Alternatives, Potential Side Effects with Patient who indicated understanding.

Injury & Illness: Not Work Related; Not Battle Related; Category: Injuries, Other Cause: Non-Battle Injury

Appointment Class: Outpatient

E&M Code: 99213 - Estab Outpatient Expanded H&P - Low Complexity Decisions

15 minutes face-to-face/floor time. >50% of appointment time spent counseling and/or coordinating care.

Signed By (b)(6) @ 08 May 2008 1627 AST

(b)(6)

Name: MAHAMMED, ALI MANSUR

FMP/SSN: (b)(6)	Sex: M	Sponsor: MAHAMMED, ALI MANSUR
DOB: (b)(6) 1982	Tel H:	Rank:
PC/af:	Tel W:	Unit:
MC Status:	CS:	Outpt Rec. Rm:
Insurance: No	WS:	PCM:
		Tel. PCM:

CHRONOLOGICAL RECORD OF MEDICAL CARE

STANDARD FORM 600 (REV. 5)
Prescribed by GSA and ICMR
FIRMR (41 CFR) 201-45.505

THIS INFORMATION IS PROTECTED BY THE PRIVACY ACT OF 1974 (PL-93-579). UNAUTHORIZED ACCESS TO THIS INFORMATION IS A VIOLATION OF FEDERAL LAW. VIOLATORS WILL BE PROSECUTED.

~~FOUO~~

TRAUMA RECORD

NAME/RANK: Ali Mansoor Mohammad

SSN: _____

ARRIVE (DTG): (b)(6) 05

AGE: 24 SEX: M

WOUND (DTG) (b)(6) 05

ARRIVAL METHOD: NON-MEDICAL GROUND
 WALKED GROUND AMB
 CARRIED AIR AMB
 OTHER _____

NATION: US
 IRAQI
 ENEMY
 COALITION

SERVICE: USA SOI
 CIVILIAN USN NAVY
 COMBATANT USMC IRAQI ARMY
 CONTRACTOR USAF OTHER

WOUNDED BY:
 US/COALITION (NATION US/Al-Q)
 ENEMY (NON-ENEMY)
 CIVILIAN (NATION _____)
 TRAINING
 SELF ACCIDENT
 SELF NON-ACCIDENT
 SPORTS-RECREATION
 OTHER _____

PROTECTION:
 GUNK
 HELMET
 IBA
 EYE PROTECTION
 FLAK VEST
 OTHER _____

TRIAGE CATEGORY
 IMMEDIATE
 DELAYED
 MINIMAL
 EXPECTANT

GLASCOW COMA SCALE
 3 8 12 15

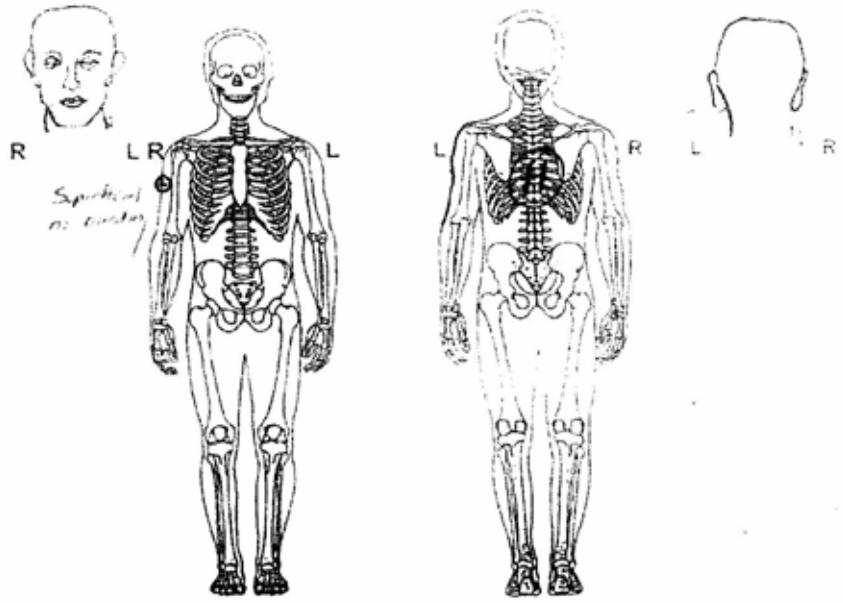
MECHANISM OF INJURY:

GSW/BULLET
 BLUNT TRAUMA
 SINGLE FRAGMENT
 KNIFE/EDGE
 IED BLAST
 MVA
 Chem/Radiation
 BURN
 CRUSH
 FALL
 Smoke Inhalation
 HEAT
 COLD
 BITE/STING
 OTHER _____

TAL							
TIME	1135						
PULSE	148						
SO2%	97						
RESP	12						
Bp	130/80						
TEMP							

	TIME
MSO4	
IDO	
SUCC	XXXXXX
OMIDATI	
VERSED	
FENT	
VC	
INTUBATED	
CRIC	
FFDLI	
COMP	
CHESTTUBE	
ASTON	
TRARIQUET	
NS	
LR	
EXTEND	
ANTIBIOTIC	

INJURY DESCRIPTION (LOCATION, NATURE AND SIZE IN CM)



AM Amputation BL Bleeding D Deformity H Hematoma
 AV Avulsion B Burn F Foreign Body L Laceration
 X Fracture S Stab Wound GSW Gun Shot Wound

FOUO

DETAINEE MEDICAL SCREENING REPORT

Detainee's Information

Name: Ali Mansoor Mohammad Detainee Number: (b)(6) Date of Birth: 1982

STATUS

FINAL DIAGNOSIS

AGE:	26	PHYSICAL EXAMINATION
SEX:	M	GENERAL APPEARANCE (Toxic? Hygiene comments): <u>Healthy looking male</u>
		Y/ <input checked="" type="radio"/> N SIGNS OF INFESTATION (lice or nits in hair, signs of skin mites)
		MENTAL STATUS:
		<input checked="" type="radio"/> N ALERT Y/ <input checked="" type="radio"/> N PAIN OTHER COMMENTS:
		<input checked="" type="radio"/> N CALM <input checked="" type="radio"/> N COOPERATIVE
		Y/ <input checked="" type="radio"/> N INJURIES (SEE REVERSE FOR DRAWING AND FURTHER COMMENTS)
		PAST MEDICAL HISTORY
BP:	122/80	Y/ <input checked="" type="radio"/> N TUBERCULOSIS: IF YES, WHEN / IF TREATMENT:
		Y/ <input checked="" type="radio"/> N EXPOSURE TO TUBERCULOSIS (FAMILY MEMBER):
PULSE	136	Y/ <input checked="" type="radio"/> N ALCOHOL, DRUG, OR TOBACCO USE (circle if applies)
		Y/ <input checked="" type="radio"/> N MENTAL ILLNESS OR SUICIDE ATTEMPTS:
RESP:	13	Y/ <input checked="" type="radio"/> N DIABETES:
		Y/ <input checked="" type="radio"/> N HIGH BP:
SPO2:	98	Y/ <input checked="" type="radio"/> N HEART DISEASE OR HEART ATTACK:
		Y/ <input checked="" type="radio"/> N EPILEPSY:
TEMP:	97.9	Y/ <input checked="" type="radio"/> N ASTHMA:
		Y/ <input checked="" type="radio"/> N JOINT PAIN, BROKEN BONES:
MEDS:	NO	Y/ <input checked="" type="radio"/> N ALLERGIES TO MEDICATIONS: IF YES, TO WHAT KIND:
		OTHER MEDICAL PROBLEMS:

HEAD: NLAT SKIN (rash, jaundice): red burn abrasions healing well

EYES: PERCLA

EARS: TU's intact

NOSE: clear MUSCULOSKELETAL (deformities, gait, etc.):

THROAT: clear

LUNGS: (also comment on coughing)

CARDIO:

PLACE OF EXAMINATION:

FOB SUMMERALL DCP

DATE:

8 May 08

TYPED NAME OF MEDICAL OFFICIAL:

(b)(6)

SI

(b)(6)

REMARKS:

ASSESSMENTS:

~~FOUO~~

Y/ N IMMEDIATE REFERRAL TO MEDICAL OFFICER

DETAINEE MEDICAL SCREENING REPORT

Detainee's Information

Name: Ali Mansoor Mohammed Detainee Number: (b)(6) Date of Birth: 1982

STATUS

FINAL DIAGNOSIS

AGE:

26

PHYSICAL EXAMINATION

GENERAL APPEARANCE (Toxic? Hygiene comments): Healthy Looking male

SEX:

M

Y N SIGNS OF INFESTATION (lice or nits in hair, signs of skin mites)

MENTAL STATUS:

Y N ALERT Y N PAIN OTHER COMMENTS:Y N CALM Y N COOPERATIVEY N INJURIES (SEE REVERSE FOR DRAWING AND FURTHER COMMENTS)

PAST MEDICAL HISTORY

BP:

130/80

Y N TUBERCULOSIS; IF YES, WHEN / IF TREATMENT:Y N EXPOSURE TO TUBERCULOSIS (FAMILY MEMBER)

PULSE

146

Y N ALCOHOL, DRUG, OR TOBACCO USE (circle if applies)Y N MENTAL ILLNESS OR SUICIDE ATTEMPTS:

RESP:

12

Y N DIABETES:Y N HIGH BP:

SPO2:

97

Y N HEART DISEASE OR HEART ATTACK:Y N EPILEPSY:

TEMP:

100.2

Y N ASTHMA:Y N JOINT PAIN, BROKEN BONES:

MEDS:

NO

Y N ALLERGIES TO MEDICATIONS; IF YES, TO WHAT KIND:OTHER MEDICAL PROBLEMS: NO

pt states that he did not take any drugs prior to being detained but tests shows that he is on a type of drug

HEAD: NormalSKIN (rash, jaundice) (HBT)EYES: NormalEARS: (R) impacted w/ wax (L) TMJFNOSE: (C) rhinitis MUSCULOSKELETAL (deformities, gait, etc.):THROAT: (C) post nasalLUNGS: (also comment on coughing) clear BilatCARDIO: RRR

PLACE OF EXAMINATION:

FOB SUMMERALL DCP

DATE:

(b)(6)

08

TYPED NAME OF MEDICAL OFFICIAL:

(b)(6)

(b)(6)

REMARKS:

ASSESSMENTS:

FOUO

Y N IMMEDIATE REFERRAL TO MEDICAL OFFICER

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION FOB Summerall, Iraq	2. DATE (YYYYMMDD) 2008/06/21	3. TIME 1016	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E7/PSG	
8. ORGANIZATION OR ADDRESS D Company 1-327th INF			

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

EARLY THIS MORNING AT APPROXIMATELY 0300HRS AT MY CHU(COMBAT HOUSING UNIT), LT. (b)(6), (b)(7)(C) KNOCKED ON MY DOOR AND W/MY PERMISSION ENTERED MY CHU. HE SAT DOWN AND ASKED ME HOW EVERYONE WAS, I ASKED HOW HE WAS DOING AND THAT IF HE HAD ANY IDEA OF WHAT KIND OF TROUBLE THAT HE IS IN. HE STARTED PLAYING W/MY SCISSORS AND STARTED TO ASK ME QUESTIONS AS IF HE HAD NO IDEA THAT AN INVESTIGATION ABOUT HIM HAS ALREADY OCCURRED. HE INSISTED THAT I TELL HIM ALL THAT WAS GOING ON AND THAT HE REALLY HAD NO INCLINATION OF WHAT HAS BEEN HAPPENING TO HIS PLATOON WHILE ON LEAVE. I TOLD HIM TO LOOK OUTSIDE ON THE PLATOON ROSTER BOARD OUTSIDE MY ROOM. I SAID YOUR NAME AND SSG. (b)(6), (b)(7)(C) NAME IS NO LONGER THERE. HE ASKED WHERE (b)(6), (b)(7)(C) WAS, I SAID HE WORKS UP AT BN. HE ASKED WHY. I SAID BECAUSE OF THE INVESTIGATION. I ALSO MENTIONED THAT HIS ROOM HAS BEEN PACKED UP AND THAT I NO LONGER HAVE THE KEY. HE SAID THAT HE WAS GOING TO SEE THE COMPANY COMMANDER AT THAT POINT AND ASKED IF I COULD WATCH HIS GEAR. AS SOON AS HE LEFT...I WOKE UP SSG. (b)(6), (b)(7)(C) TO LET THE ISG KNOW THAT LT. (b)(6), (b)(7)(C) IS HERE RIGHT NOW. AFTER THAT I WENT TO GO CHECK ON SSG (b)(6), (b)(7)(C) ONCE I ARRIVED AT HIS CHU...LT (b)(6), (b)(7)(C) WAS ALREADY TALKING W/HIM OUTSIDE...I STOOD THERE AND ASKED IF THIS WAS A PRIVATE CONVERSATION AND THE LT. TOLD ME TO GIVE HIM A MINUTE...I STOOD NOT TOO FAR(ENOUGH) WHERE I COULD KEEP EYES ON BOTH OF THEM IN FEAR THAT AN ALTERCATION MIGHT HAPPEN BUT NOTHING HAPPENED...LT. FINISHED HIS CONVERSATION THEN WENT OVER TO THE INTERPRETER'S CHU...AFTER THAT HE LEFT FOR THE COMPANY...I CHECKED ON (b)(6), (b)(7)(C) AND ASKED HIM IF LT. (b)(6), (b)(7)(C) THREATENED HIS LIFE...SSG. (b)(6), (b)(7)(C) SAID NO, BUT THAT "HE WAS LEANING ON ME". I STAYED UP UNTIL LT (b)(6), (b)(7)(C) AND THE COMPANY COMMANDER SHOWED UP AND STAYED W/THEM UNTIL LT (b)(6), (b)(7)(C) LOADED UP ALL OF HIS BELONGINGS GOING ON A CLIP TO SPEICHER LEAD BY THE SCOUTS.

///End of statement///

10. EXHIBIT	11. INIT (b)(6), (b)(7)(C) AKING STATEMENT	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

FOUO

STATEMENT OF SFC (b)(6), (b)(7)(C) TAKEN AT FOB Summerall DATED 2008/06/21

9. STATEMENT (Continued)

AFFIDAVIT

I, SFC (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

WITNESSES:

SGT (b)(6), (b)(7)(C)
HHC, 1-327TH IN
FOB SUMMERALL, IRAQ APO AE 09393
ORGANIZATION OR ADDRESS

Subj law to administer oaths, this 21st day of Jun, 2008 at FOB Summerall, APO AE 09393

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

(b)(6), (b)(7)(C) CPT (A) BN ADJUTANT
(Typed Name of Person Administering Oath)

10 USC 936 (Authority To Administer Oaths)

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

PAGE 1 OF 2 PAGES

FOUO

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** COB Speicher, Tikrit, IZ, APO AE 09393,**FILE NUMBER:** 00066-08-CID469-51978**DATE:** 21 JUN 08 **TIME:** 1711 b(6), b(7)(C)**NAME:** b(6), b(7)(C) **SSN:** b(6), b(7)(C) **GRADE/STATUS** E-4/AD**ORGANIZATION OR ADDRESS:** Delta Company, 1/327th IN REG, FOB Summerall, Bayji, IZ, APO AE 09393

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

On the 5th of May, 2008 at approximately 1500 hrs I was part of a mission to go to Al Butoma and visit Sheik b(6), b(7)(C) to gather intelligence and then possibly detain some suspects. I was the gunner in my truck which consisted of SSG b(6), b(7)(C) as the TC and PV2 b(6), b(7)(C) as the driver and I'm not sure who the dismounts were. We arrived at Sheik b(6), b(7)(C) house and I stayed in the truck in the turret. We were there for approximately 1 hour and then we rolled out right down the street to the target house. SSG b(6), b(7)(C) and the dismounts left the truck and entered the house and were out of my sight at that time. I just pulled security until they finished at which point they came out with multiple detainees, I don't recall the number, and began placing them in our trucks. One of them was Ali Mansoor. We then proceeded to return to base. After returning I went straight back to my CHU and the detainees were escorted down to the D-cell. I don't remember who brought them down. Then on the 16th of May 2008 at approximately 1500 hrs we went on a mission to release 2 detainees, one of whom was Ali Mansoor, in Mesra. I was in the same truck, as the gunner, with SSG b(6), b(7)(C) SPC b(6), b(7)(C) and SPC b(6), b(7)(C) I do not know who else was in the truck. I think SPC b(6), b(7)(C) and Ali Mansoor were in there also but I didn't see them myself. We stopped just outside of Mesra on Tampa to let the detainees out though I did not see them get out. We then proceeded to Sheik b(6), b(7)(C) house and I pulled security. I'm not sure who went into the house but we were there for no more than 1 hr. My truck was the lead truck in the formation. By then it was getting dark out so we mounted our NVGs before we left. When we got on Tampa I heard over the radio that we were going to be taking a different route back through the desert. While going through the desert we stopped and searched a civilian walking. I'm not sure who did the searching. I know SSG b(6), b(7)(C) got out of the truck. After that we continued driving and at some point changed our order of movement. I don't remember what reason was given over the radio. Shortly after that we stopped again but nobody announced why we were stopping over the radio. By then it was pretty dark outside, it was probably about 1930 hrs. SSG b(6), b(7)(C) dismounted the truck. I did not see where he went but it didn't seem like we were there for that long. I was sitting down in the turret periodically and talking with my driver so I couldn't see who SSG b(6), b(7)(C) was talking to or what he was doing. After a short time he got back in the truck and we began to head back to FOB Summerall.

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

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

Q: Did you type the above narrative?

A: Yes.

Q: When did you join Delta Company, 1/327th IN REG?

A: End of April 2008.

Q: What is a CHU?

A: Containerized housing unit.

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

PAGE 1 OF 4 PAGES

DA Form 2823-E

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 39

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT (b)(6), (b)(7)(C) TAKEN AT Bldg #719, Tikrit CID office, COB Speicher, Tikrit, IZ, DATED June 21, 2008 CONTINUED:

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

Q: How long did the mission last on 5 May 08?

A: They were in the house at least an hour and half. If they hit another house they were right next to each other. The vehicles never changed location.

Q: How many vehicles were on the 5 May 08 mission?

A: Three, we didn't start using four till later.

Q: Why did you start using four MRAPs?

A: SFC (b)(6), (b)(7)(C) stated we should have four and he started borrowing the First Sergeant's vehicle. We only have three MRAPs assigned to our platoon.

Q: Do you have a platoon medic?

A: No this is the first time for that. We get all different medics.

Q: Do you know who the medics were on those missions?

A: No, not even sure if we took one at all on either mission.

Q: Does your vehicle have an identifier?

A: 51, SSG (b)(6), (b)(7)(C) vehicle.

Q: Who were the dismounts on the 5 May 08 mission?

A: SPC (b)(6), (b)(7)(C) was on dismount, he is always in my vehicle. There may have been another but I don't remember.

Q: How long were you at Sheik (b)(6), (b)(7)(C) on 5 May 08?

A: No more than an hour. Unless there is a big meeting we are usually not there longer than an hour.

Q: On 5 May 08 did you know the target house prior to departing FOB Summerall?

A: No. They just said we may hit some houses today.

Q: Was there a Concept of Operations (CONOPS) on 5 May 08?

A: No, very rarely in Delta Company to we get mission briefs.

Q: How many detainees were taken in on 5 May 08?

A: They took about 5 of them flexi-cuffed out of the house. I'm not sure how many we kept though.

Q: Who escorts the detainees to the D-Cell?

A: Usually at least one NCO and two or more Soldiers. I don't know who escorted them on 5 May 08.

Q: On the night of the 16 May 08 you were in the last vehicle turret facing south?

A: Looking at the map I would probably say so.

Q: Did you hear any gunshots during the time of SSG (b)(6), (b)(7)(C) dismount?

A: No.

Q: Did you see a bright flash or hear a loud boom while SSG (b)(6), (b)(7)(C) was dismounted?

A: No.

Q: Did you see anyone else dismount during this time?

A: No, I did not.

Q: Did you hear any talk on the radio of what was going on?

A: SGT (b)(6), (b)(7)(C) asked why we are stopped and what we are doing. I'm not sure if he got a response or it was like, "I don't know."

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT (b)(6), (b)(7)(C) TAKEN AT Bldg #719, Tikrit CID office, COB Speicher, Tikrit, IZ, DATED June 21, 2008 CONTINUED:

(b)(6), (b)(7)(C) Q: Are you aware the Ali Mansur was killed and his body was found approximately 100 meters south of where your convoy stopped?

A: No, not until today.

Q: Do you know who killed Ali Mansur?

A: No, I do not.

Q: Does 1LT (b)(6), (b)(7)(C) carry a GLOCK 9mm pistol?

A: Yes sometimes.

Q: Have you ever seen him fire it?

A: No.

Q: Who else carries Glock pistols in the platoon?

A: I've seen 1LT (b)(6), (b)(7)(C) I've seen SFC (b)(6), (b)(7)(C) playing with them but not necessarily on mission. No one else really, definitely not the joes.

Q: Has SSG (b)(6), (b)(7)(C) spoken about the night of the 16th of May 08?

A: No, it was never discussed again.

Q: Have you been approached by anybody about it?

A: No, I left on R&R leave 22 May 08. No but everybody was asking and wondering why we stopped. I'm sure people were coming up with all kinds of assumptions.

Q: Did you find it odd the order of march (OOM) was changed so late in the mission and so close to the FOB?

A: Yes.

Q: What would you say is odd about that?

A: We switch around sometimes but there is usually an explanation like we turn around on a road or something. The way we switched out didn't make sense. If you are lost someone usually jumps up and takes lead but we completely switched around.

Q: Were you at the ADACG with 1LT (b)(6), (b)(7)(C)

A: Yes but he left in the middle of the night with a large group. I went to midnight chow and then took the bus to the MWR North. I returned to the ADACG hold over tents at approximately 0400 hours and they were all gone.

Q: Why didn't you go to FOB Summerall?

A: SGT (b)(6), (b)(7)(C) the night LNO told me to stay here to talk to CID.

Q: Was 1LT (b)(6), (b)(7)(C) with you?

A: Yes he was in the tent with us. SGT (b)(6), (b)(7)(C) pulled me to the side when he told me.

Q: Approximately how long were you stopped when SSG (b)(6), (b)(7)(C) dismounted?

A: Could have been anywhere from 5 to 15 minutes. We were just sitting there talking not really paying attention.

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

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

Not Used

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

PAGE 3 OF 4 PAGES

DA Form 2823-E

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 89

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT (b)(6), (b)(7)(C) TAKEN AT Bldg #719, Tikrit CID office, COB Speicher, Tikrit, IZ, DATED June 21, 2008 CONTINUED:

(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.

Witness #1:

Witness #2:

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

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 21st day of June 2008, at COB Speicher, Tikrit, IZ

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

DA Form 2823-E

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

EXHIBIT

89

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 Tikrit CID Office, COB Speicher		2. DATE (b)(6), (b)(7)(C) 21 Jun 08	3. TIME 19:40	4. FILE NO. 0066-08-CID469
5. NAME (Last, First, MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS D Company, 1/327 th IN REG FOB Summerall, Bayji, IZ, APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS 0-2/RA			

PART 1 - 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 As a CID Special Agent and wanted to question me about the following offense(s) of which I am

suspected/acc (b)(6), (b)(7)(C) Murder, Conspiracy, Assault/// (b)(6), (b)(7)(C)

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:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (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.

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

5. COMMENTS (Continue on reverse side)

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.

3. SIGNATURE OF INTERVIEWEE

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

INVESTIGATOR

2a. NAME (Type or Print)

b. ORGANIZATION OR ADDRESS AND PHONE

6. ORGANIZATION OF INVESTIGATOR
Tikrit CID Office, 32nd MP DET (CID)
COB Speicher, Tikrit, IZ, APO AE 09393

Section C. Non-Waiver

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

- I want a lawyer (b)(6), (b)(7)(C) I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

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

FOUO

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

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

1. WARNING - Inform the suspect/accused of:
 - a. Your official position
 - b. Nature of offense(s).
 - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must understand your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

- or -

(For civilians not subject to the UCMJ) You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

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

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?" *yes* (b)(6), (b)(7)(C)
 (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?" *No* (b)(6), (b)(7)(C)
 (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e. fewer than 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?" *Yes* (b)(6), (b)(7)(C)
 (If the suspect/accused says "yes," stop the questioning. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN THE SUSPECT/ACCUSED REFUSES TO SIGN THE WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogations, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

FOUO

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i> FOR OFFICIAL USE ONLY – Law Enforcement Sensitive	ROI NUMBER 0066-08-CID469-51978
	PAGE 1 OF 2 PAGES

DETAILS

About 0815, 18 Jun 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) conducted a crime scene examination of the east underpass underneath railroad tracks (Bayji Railroad) located at Grid Coordinate LD 59625 61025 located in the vicinity of Bayji, IZ.

CHARACTERISTICS OF THE SCENE: The underpass was constructed under the railroad and was in place to allow water to flow through to the valley. The underpass was constructed of concrete with walls on the north and south ends. The east and west ends of the underpass were open and extended outward from the berm. The underpass was approximately 9' 10" wide from north to south and was approximately 6'8" at the highest point of clearance. The berm built up along the sides of the underpass was made up of dirt, rock, and sand.

CONDITION OF THE SCENE: The underpass was littered with aged anti aircraft munitions, rubble, and other debris. The floor of the underpass was not clear and most of the rubble lined the north wall. Approximately 5'8" from the center of the west end of the underpass was a stain of unknown origin. The stain extended lengthwise approximately 4'1" from end to end and 3'1" from across. The center of the stain measured approximately 7'8" from the entrance of the north wall and 7'10" from the corner of the south wall. The stain was covered with sand and small stones. Inside the stain, approximately 6'8" from the entrance of the north wall and 8' from the corner of the south wall, was a melted mass of unknown metal. The melted mass measured approximately 8" long and 5" across. The center of the mass depressed into the floor approximately 1 cm. Examination of the rubble closest to the north wall revealed suspected blood spatter on various rocks and the floor. Several spots of blood spatter were observed to be circular in shape and consistent with that of blood dripping from a vertical point. Several spots of blood spatter were also observed having an oblong shape with the narrow (tail) end pointing to the west entrance and the wider end pointing to the east entrance. These spatter points were consistent with that of blood hitting the ground at an angle with unknown velocity. The nearest spatter was approximately 7'2" from the center of the stain with the farthest extending approximately 8'6" from the center of the stain. There were no unusual odors detected.

ENVIRONMENTAL CONDITIONS: At the time of the examination the outside temperature was approximately 95 degrees Fahrenheit with an easterly wind of approximately 20 miles an hours. The wind, at times, appeared to funnel through the underpass creating a small vacuum type effect. No precipitation had fallen within 24 hours and no precipitation was reported within the last 30 days. Sandstorms and high winds were prevalent over the last few weeks.

FACTORS PERTINENT TO ENTRY/EXIT: The under pass could be access from all directions. The traverse the underpass one would enter from either the east or west end of the underpass. The underpass was large enough for small vehicles to pass through.

SCENE DOCUMENTATION: SA (b)(6), (b)(7)(C) prepared three sketches documenting the location of the railroad tracks; the horizontal view of the underpass; and the floor of the underpass. SA (b)(6), (b)(7)(C) exposed digital

TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Tikrit CID Office COB Speicher, Tikrit, IZ, APO AE 09393	
SIGNATURE (b)(6), (b)(7)(C)	DATE 18 Jun 08	EXHIBIT 91

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i> FOR OFFICIAL USE ONLY – Law Enforcement Sensitive		ROI NUMBER 0066-08-CID469-51978	
		PAGE 2 OF 2 PAGES	
DETAILS			
images of the scene utilizing a Nikon CoolPix 5900 digital camera with flash. Additionally, video footage of the scene was captured utilizing a Sony Handy Cam digital video camera, Model DCR-DVD203.			
COLLECTION OF EVIDENCE: Between 0830 – 0915, 18 Jun 08, SA (b)(6), (b)(7)(C) collected, as evidence, (2) rocks with suspected blood evidence; (2) pieces of molten metal; unknown amount of melted metal in various shapes and sizes; (2) gauze pads containing suspected blood and other trace evidence, from the floor of the underpass. The evidence was documented on an Evidence/Property Custody Document, Document Number 0594-08.			
SEARCH BEYOND THE SCENE: A search of the area between the east and west underpass was conducted. Additionally, the opposite ends of both underpasses were searched, which met with negative results. At the time of the examination and searches no indigenous personnel were observed in the area. An Iraqi Army Checkpoint was visible from the underpasses.			
///LAST ENTRY///			
TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6), (b)(7)(C), (b)(7)(F) Special Agent (b)(6), (b)(7)(C)		ORGANIZATION Tikrit CID Office COB Speicher, Tikrit, IZ, APO AE 09393	
SIGNATURE		DATE 18 Jun 08	EXHIBIT 91



ALL DISTANCES ARE APPROXIMATIONS.
COORDINATES ARE NOT TO BE USED FOR
NAVIGATION OR TARGETING PURPOSES



Overview
Albu Toma, Salah ad-Din Province
38S LD 59625 61025

GRID REFERENCE

UNCLASSIFIED//FOUO

UNCLASSIFIED//FOUO

FOUO



ALL DISTANCES ARE APPROXIMATIONS.
COORDINATES ARE NOT TO BE USED FOR
NAVIGATION OR TARGETING PURPOSES



Medium-Overview
Albu Toma, Salah ad-Din Province
38S LD 59625 61025

UNCLASSIFIED//FOUO

GRID REFERENCE

UNCLASSIFIED//FOUO



COORDINATES ARE NOT TO BE USED FOR
NAVIGATION OR TARGETING PURPOSES



Albu Toma, Salah ad-Din Province
38S LD 59625 61025

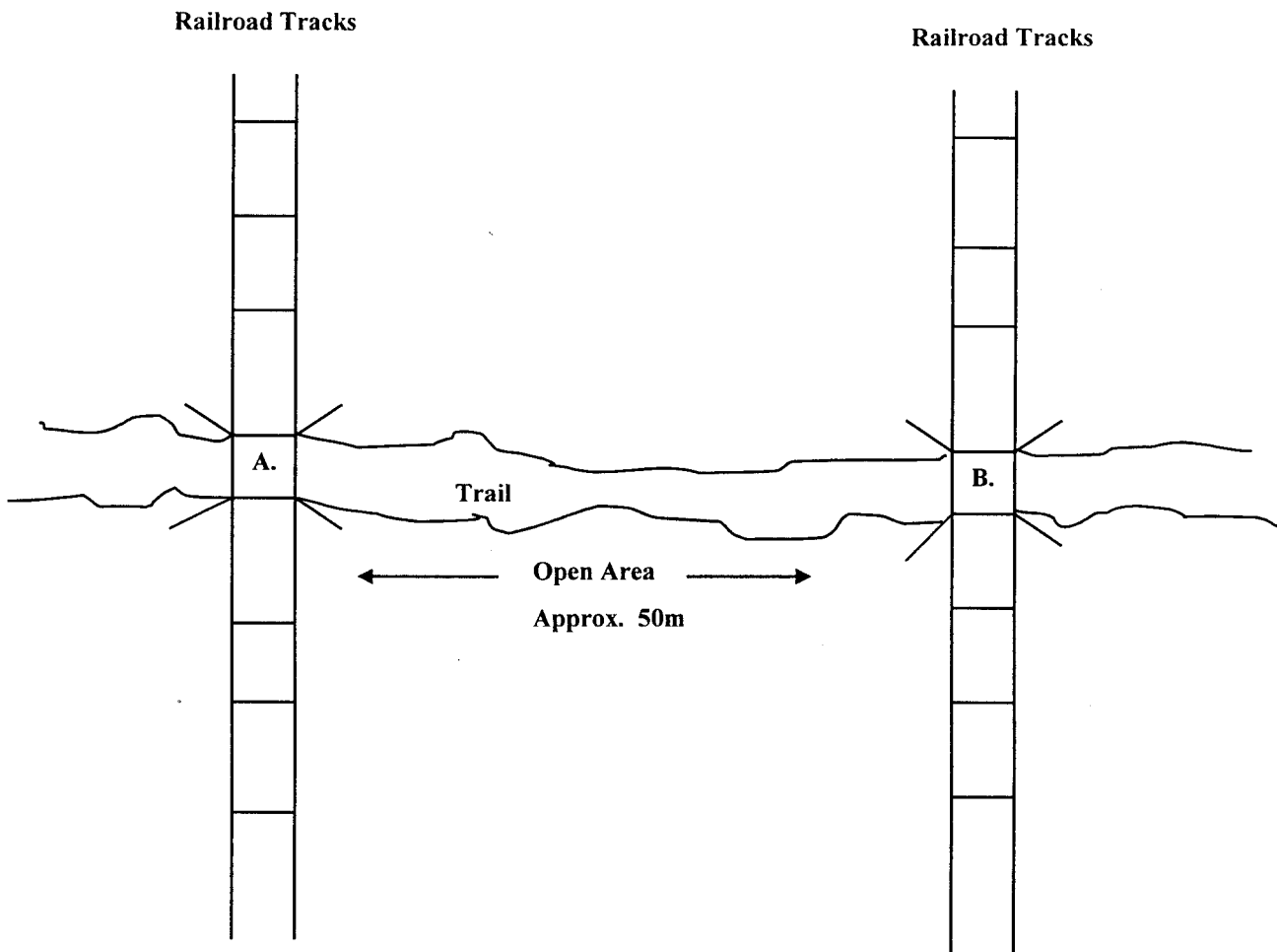
GRID REFERENCE



FOUO

ROUGH SKETCH

Not to Scale



LEGEND

- A: West Culvert/Underpass
- B: East Culvert/Underpass (Scene)



Not to Scale

TITLE BLOCK

CASE #: 0066-08-CID469-51978
 OFFENSE: Murder
 SCENE PORTAYED: Culvert/Underpass
 LOCATION: Grid LD 59625 61025
 VICTIM: Ali Mansour Muhammad
 SKETCH BEGAN: 0925/18 Jun 08
 SKETCHED BY: SA (b)(6), (b)(7)(C)
 VERIFIED BY: SA (b)(6), (b)(7)(C)

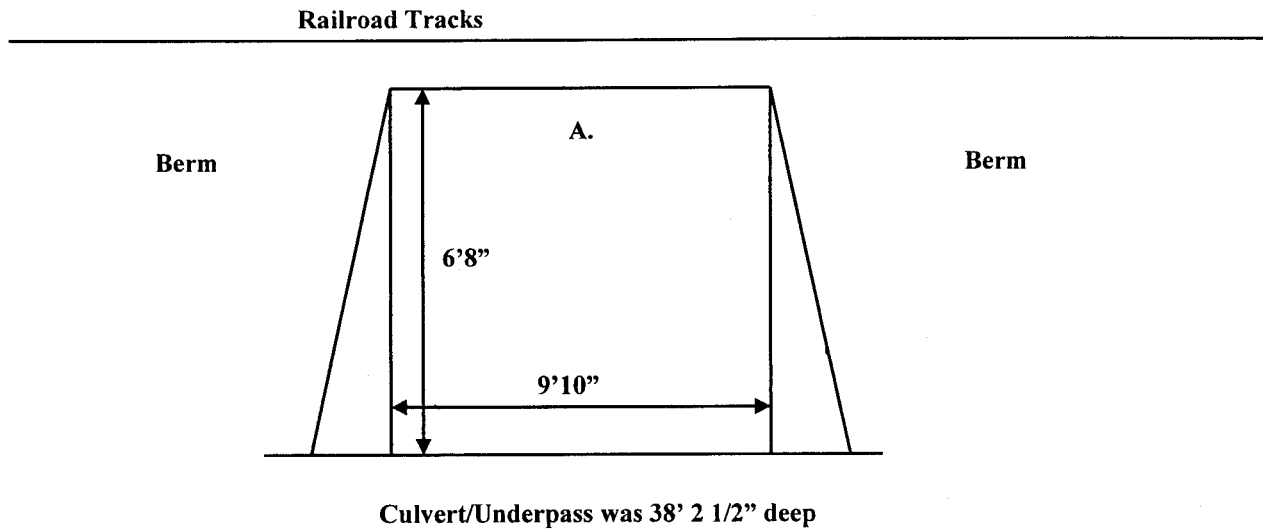
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Exhibit 93

ROUGH SKETCH

Not to Scale



LEGEND

A: East Culvert/Underpass (Scene)



Not to Scale

TITLE BLOCK

CASE #: 0066-08-CID469-51978

OFFENSE: Murder

SCENE PORTAYED: Culvert/Underpass

LOCATION: Grid LD 59625 61025

VICTIM: Ali Mansour Muhammad

SKETCH BEGAN: 0925/18 Jun 08

SKETCHED BY: SA (b)(6), (b)(7)(C)

VERIFIED BY: SA (b)(6), (b)(7)(C)

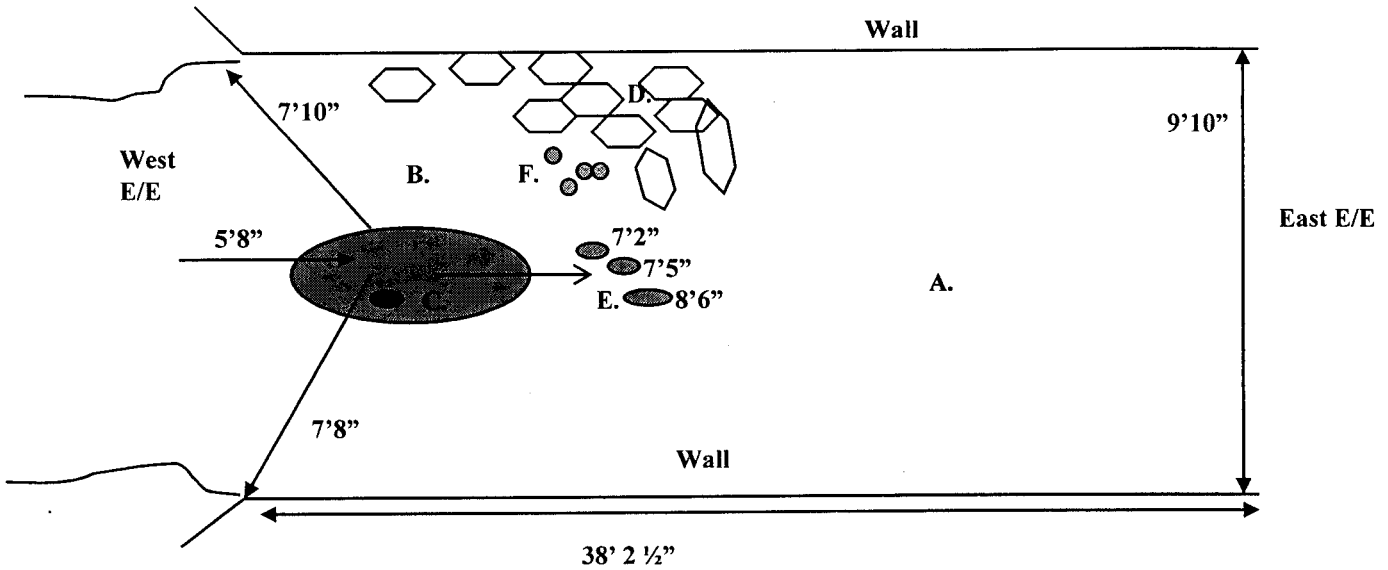
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Law Enforcement Sensitive

Exhibit 93

ROUGH SKETCH

Not to Scale



LEGEND

- A. East Culvert/Underpass (Scene)
- B. Large stain
- C. Melted metal
- D. Rubble
- E. Blood spatter (velocity)
- F. Blood spatter (horizontal)

N



Not to Scale

TITLE BLOCK

CASE #: 0066-08-CID469-51978
 OFFENSE: Murder
 SCENE PORTAYED: Culvert/Underpass
 LOCATION: Grid LD 59625 61025
 VICTIM: Ali Mansour Muhammad
 SKETCH BEGAN: 0925/18 Jun 08
 SKETCHED BY: SA (b)(6), (b)(7)(C)
 VERIFIED BY: SA (b)(6), (b)(7)(C)

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Exhibit 93

Photographic Compact Disc

Scene to include images exposed by 1LT (b)(6), (b)(7)(C)



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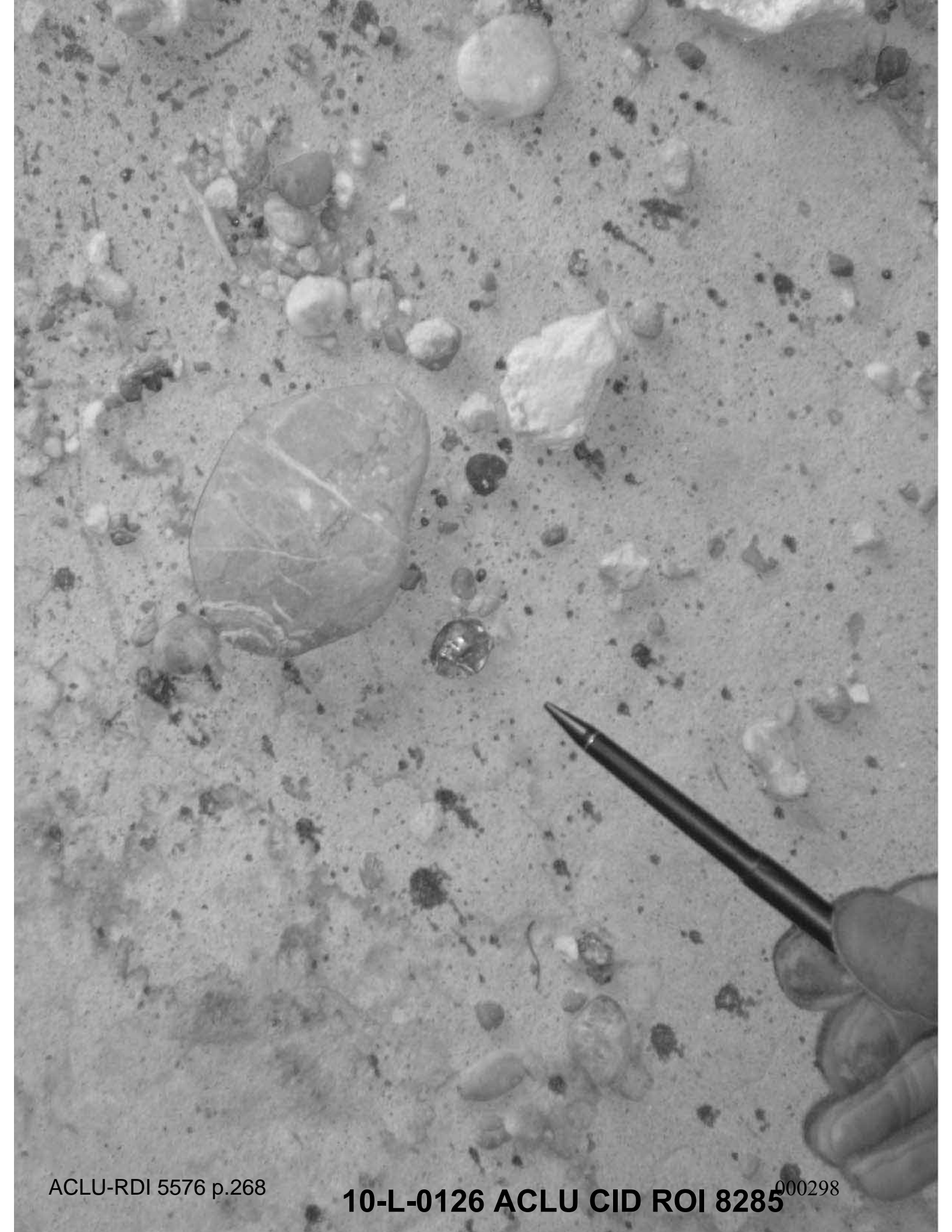






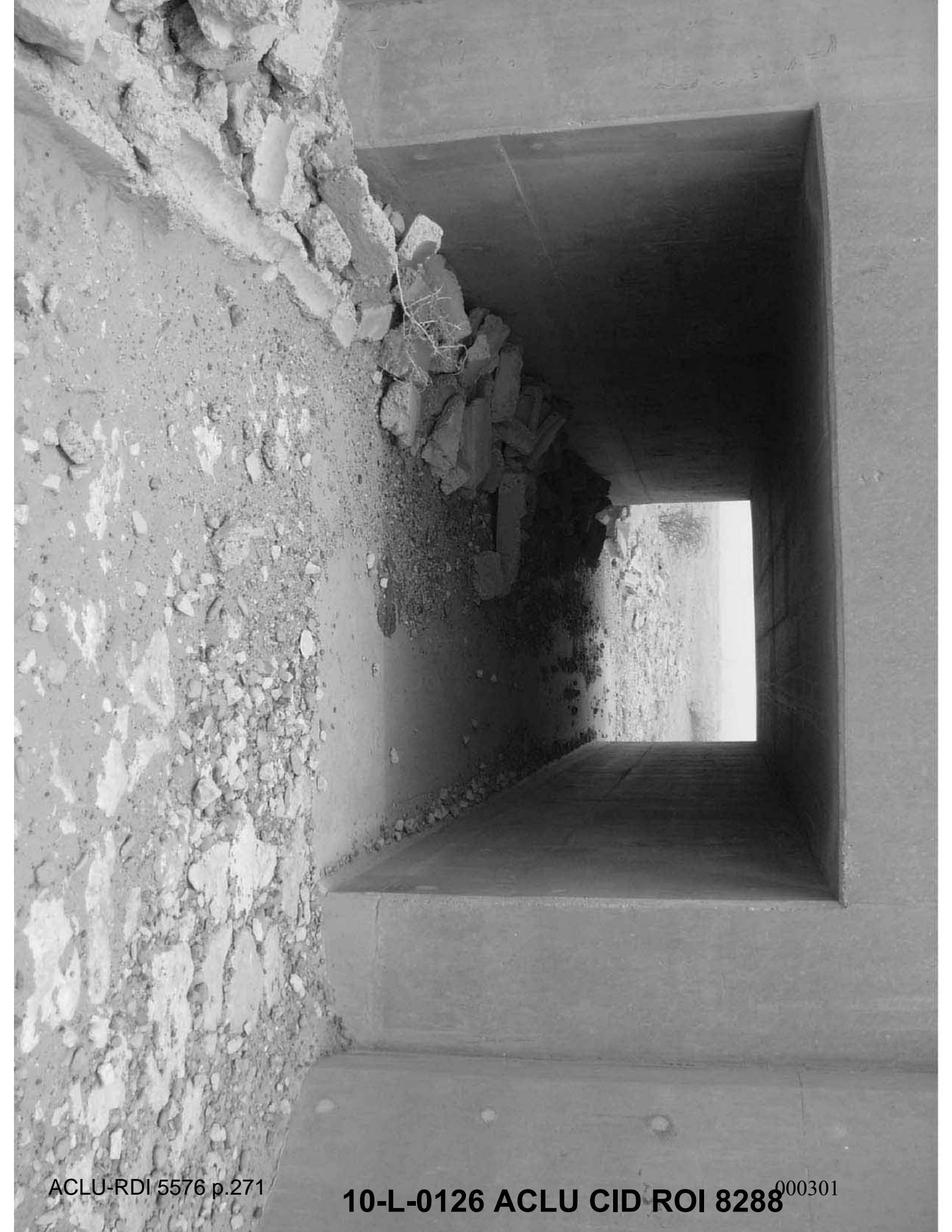


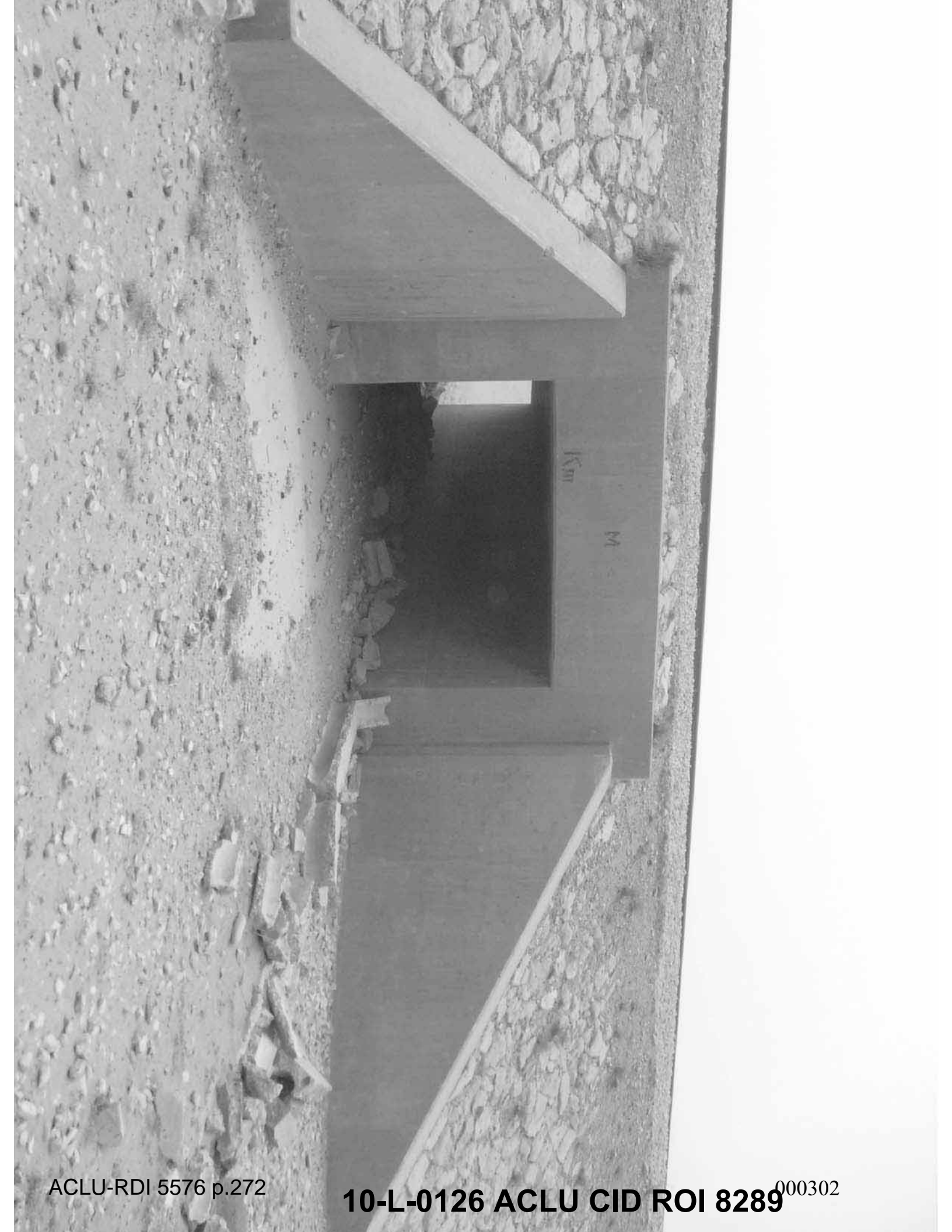




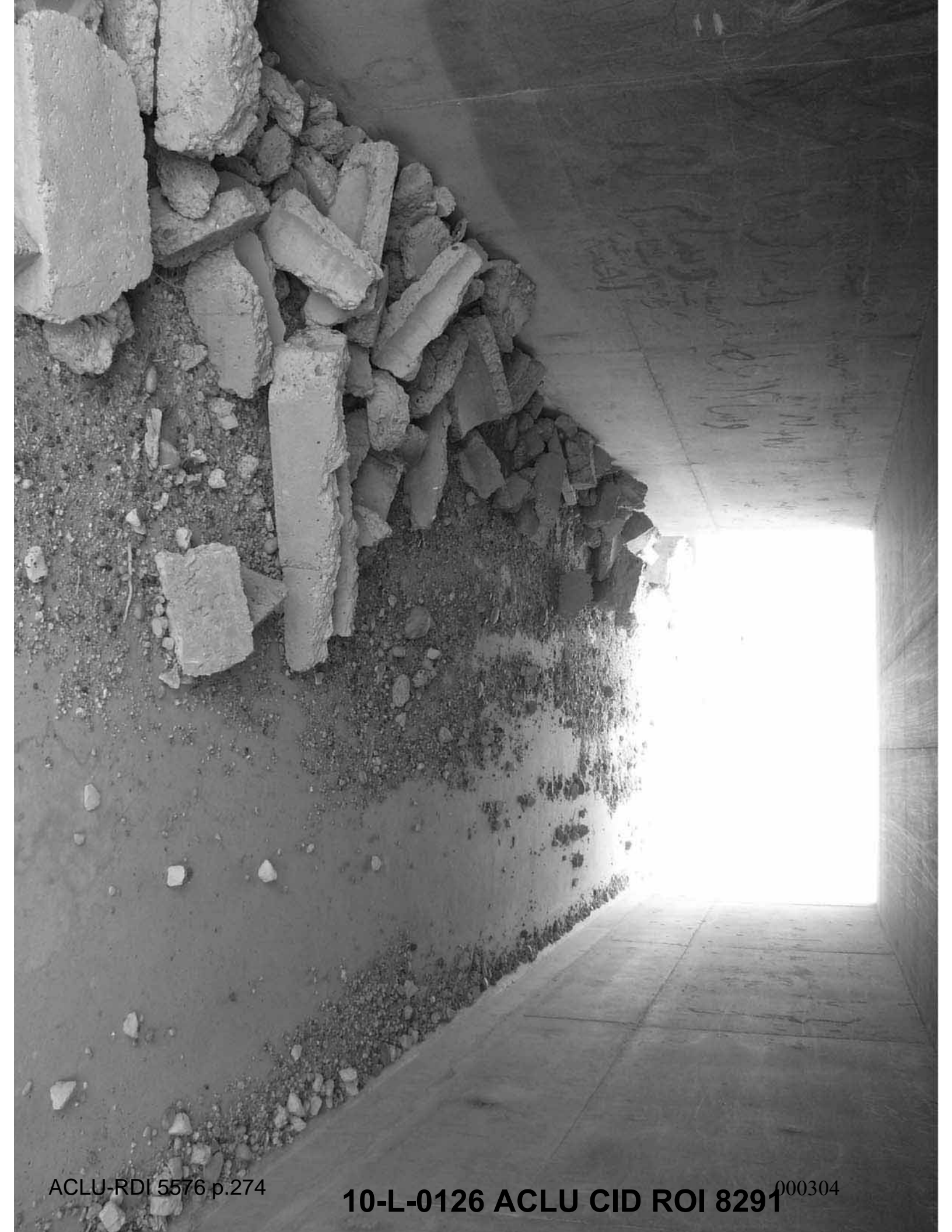


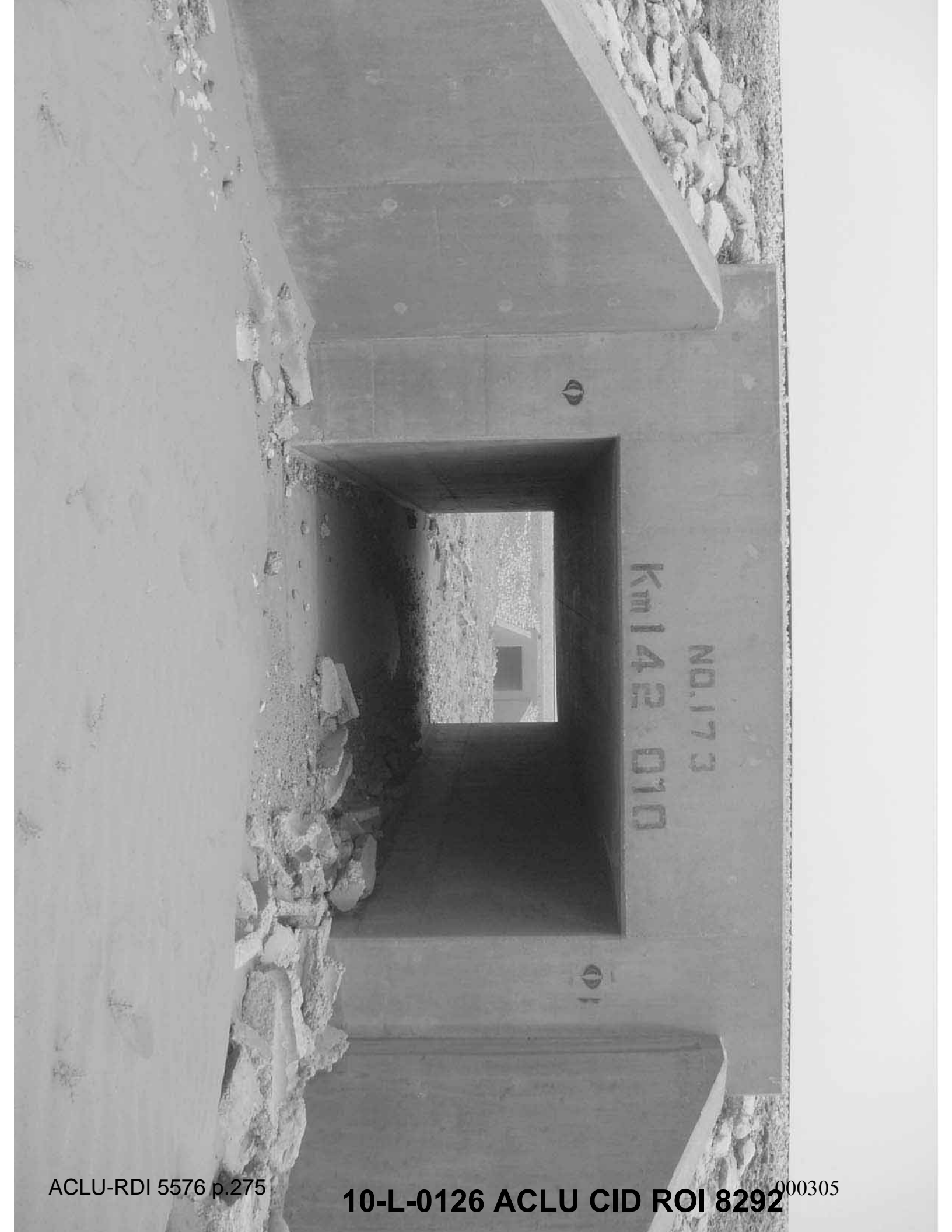






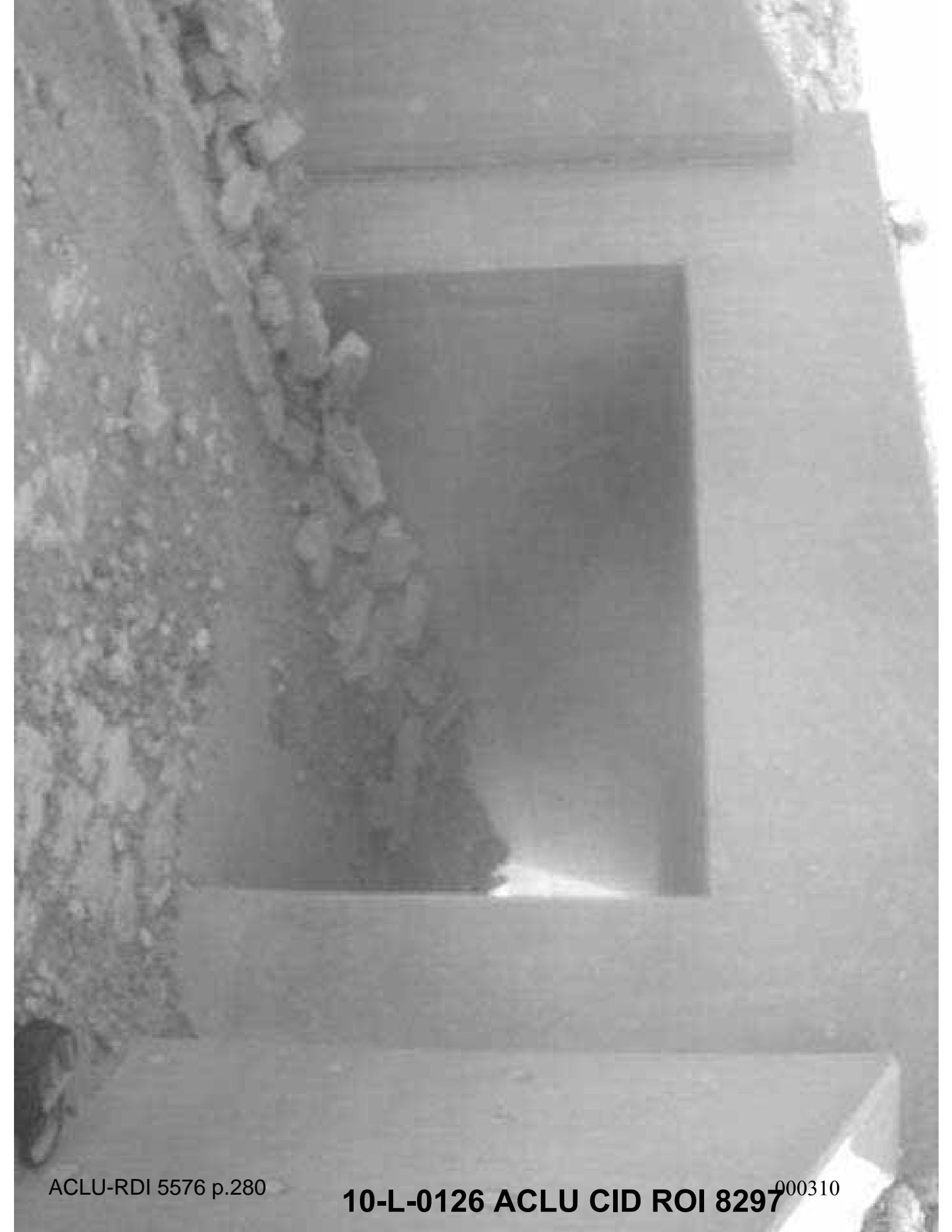




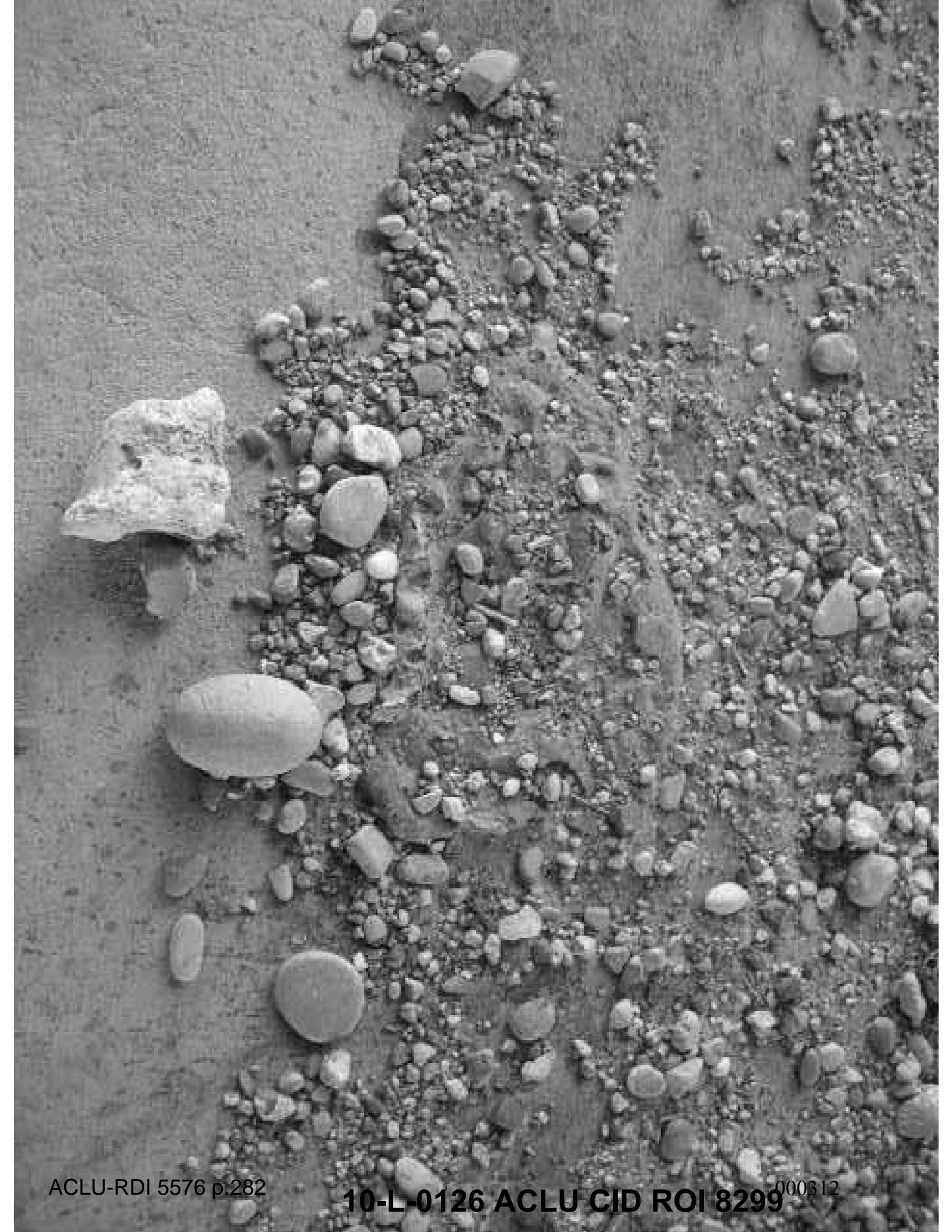


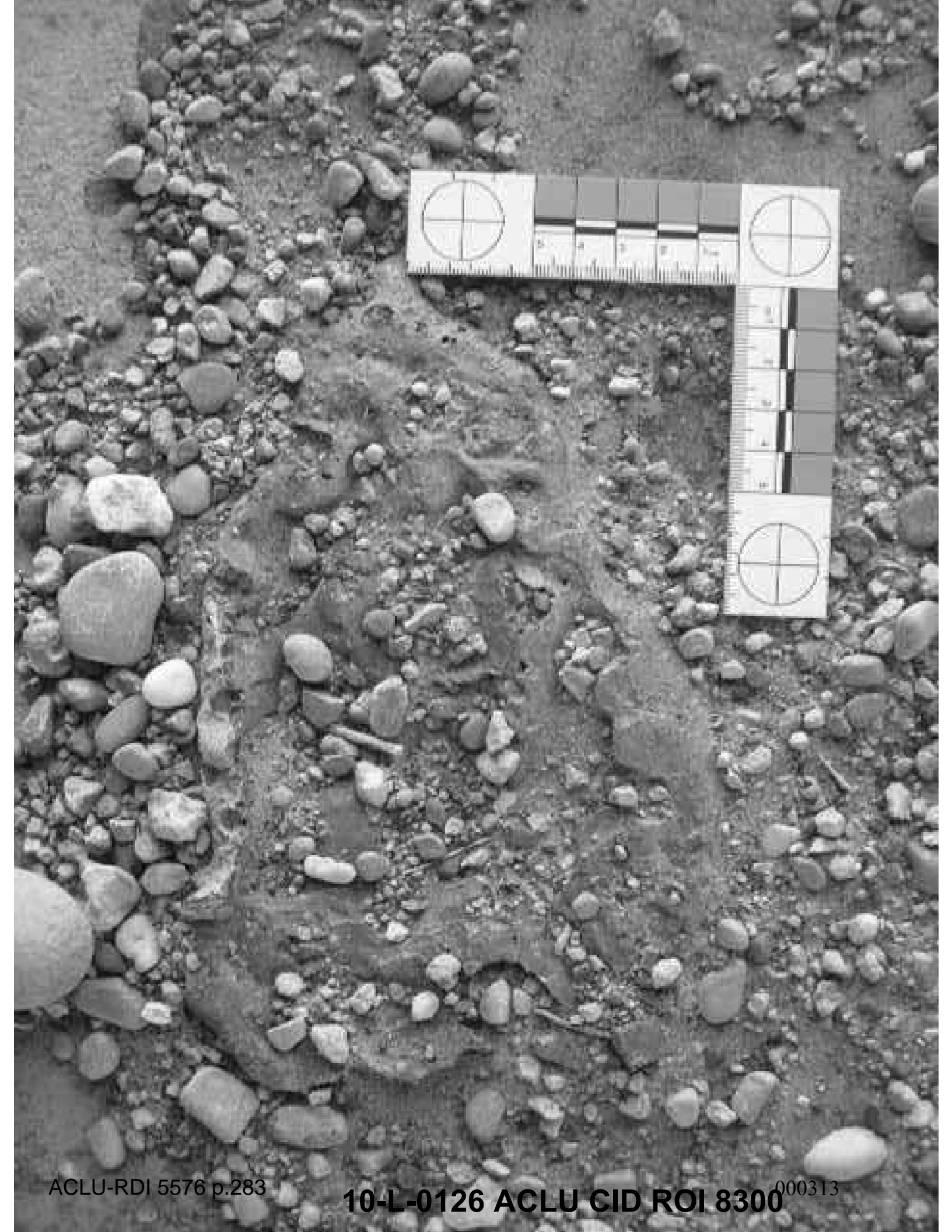
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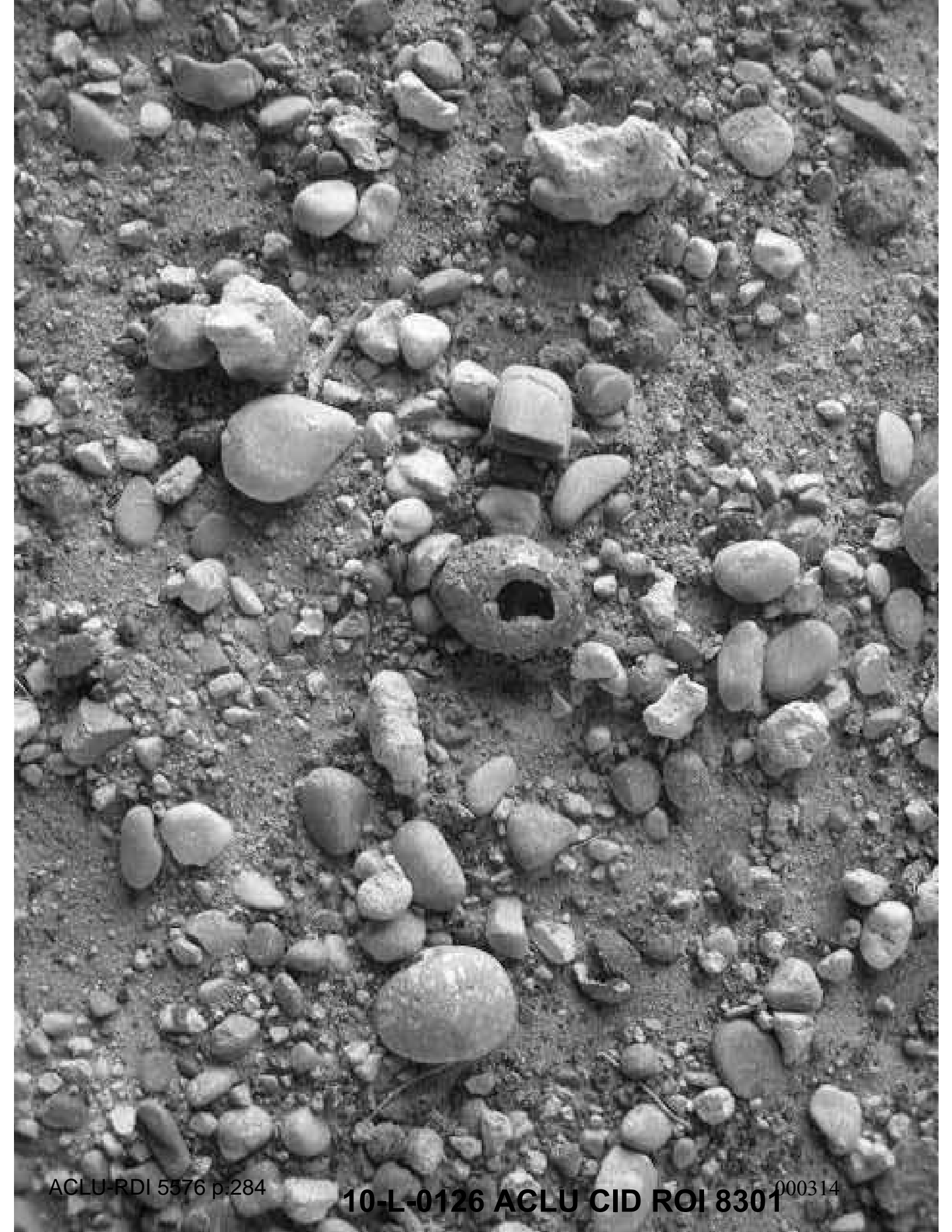






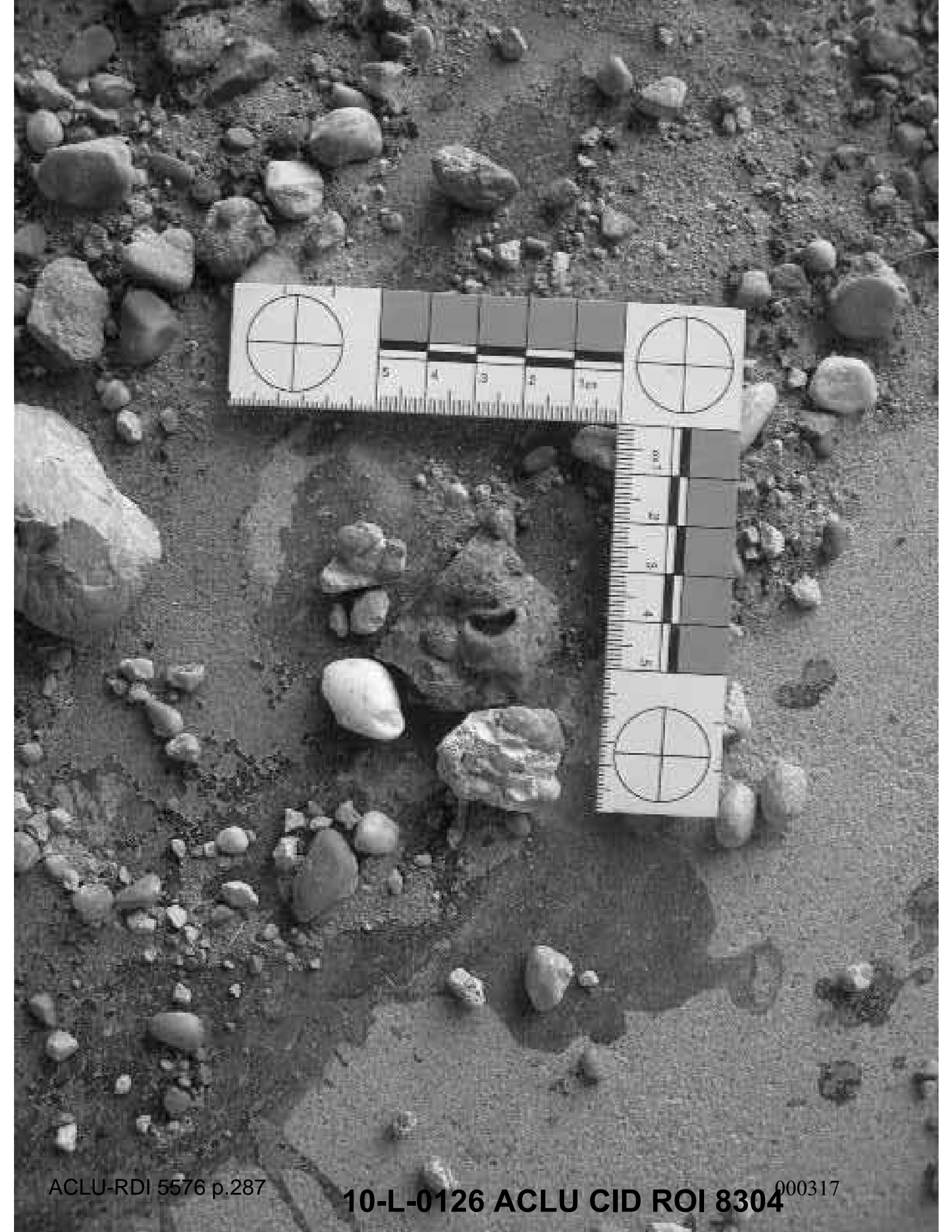




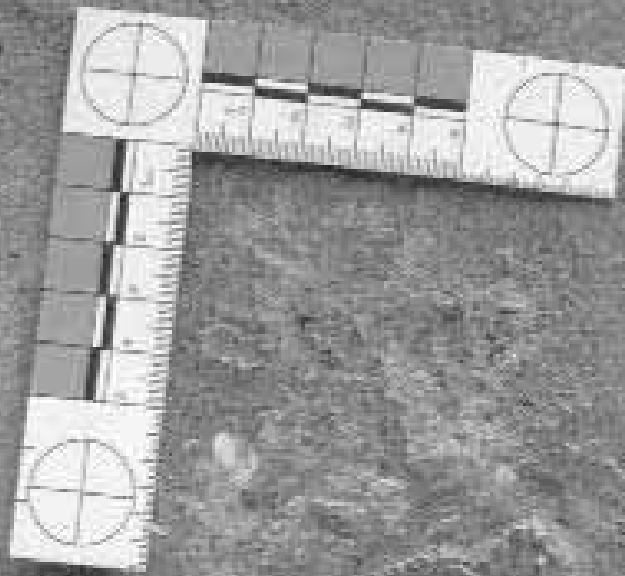


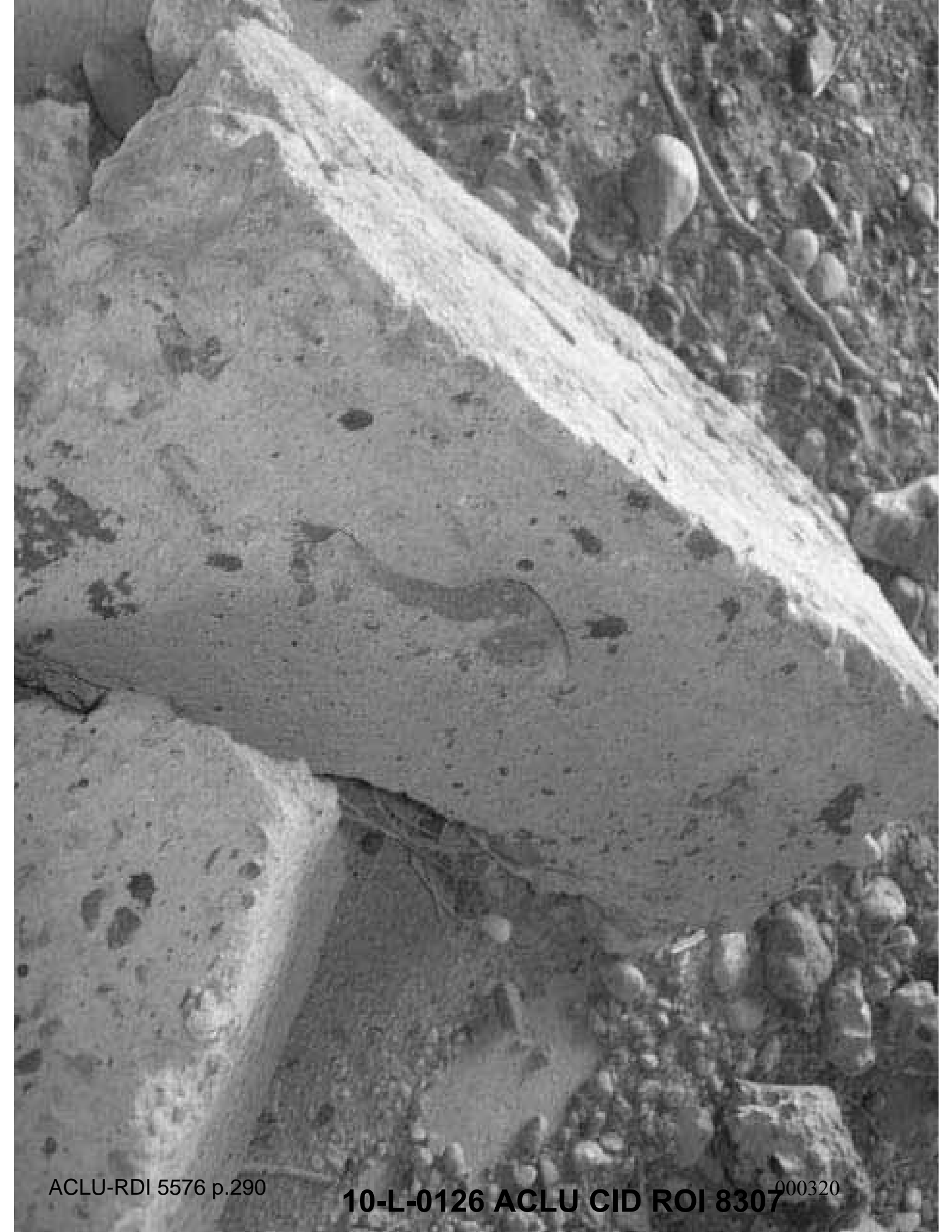






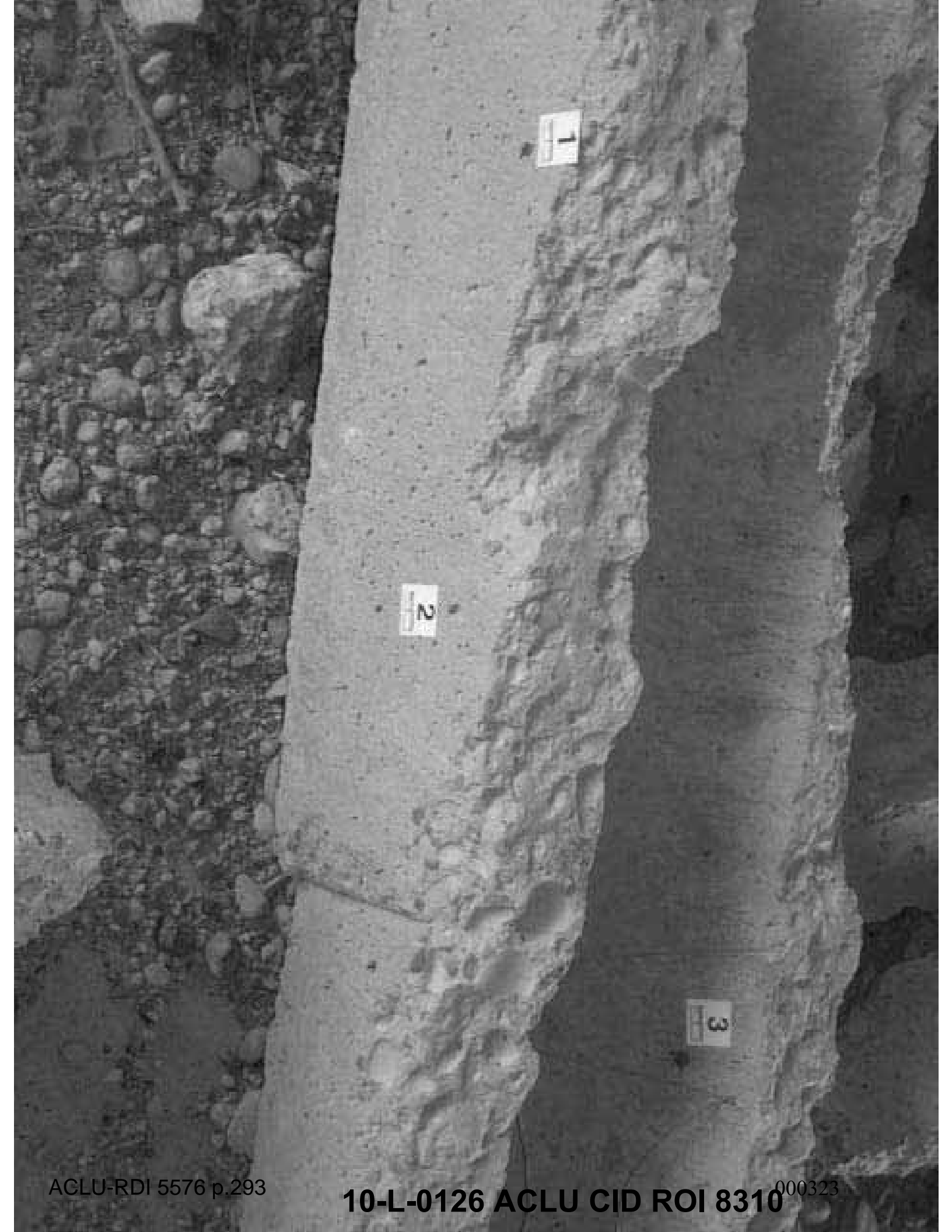








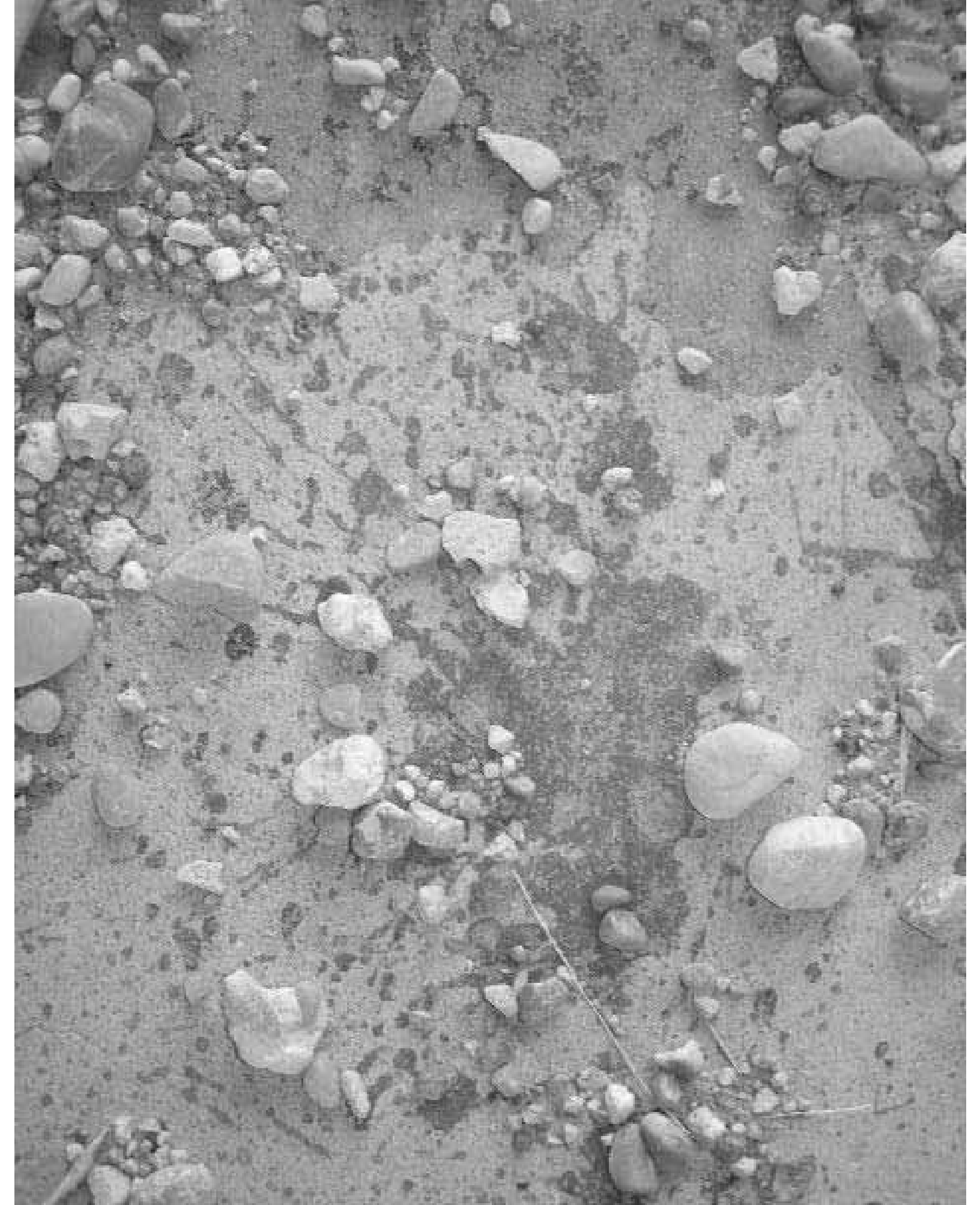




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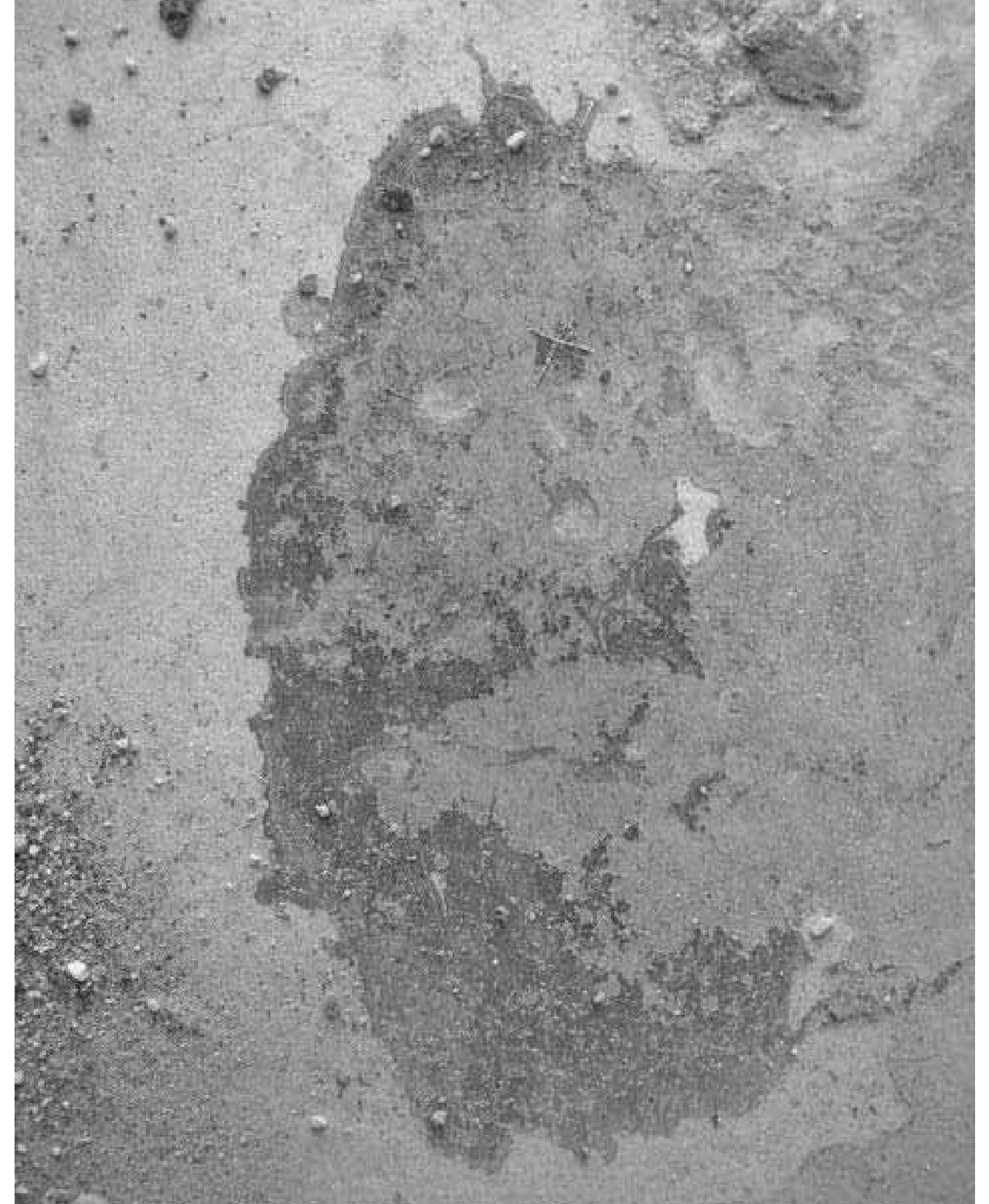
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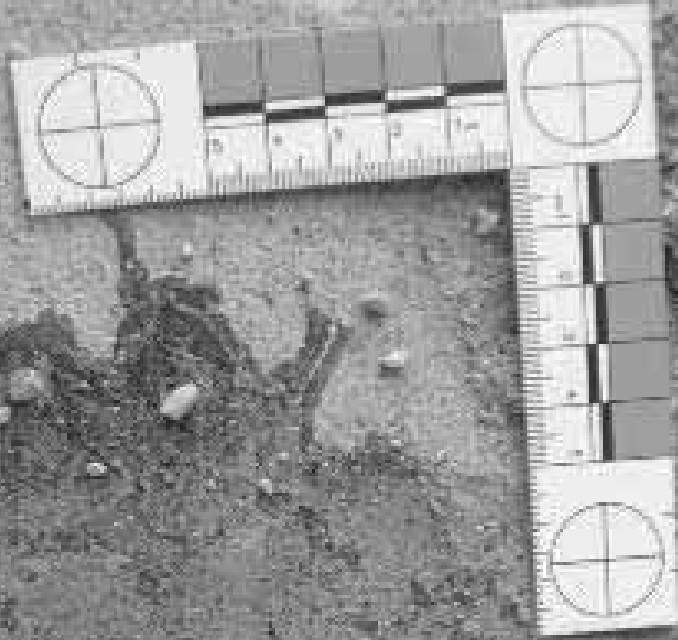
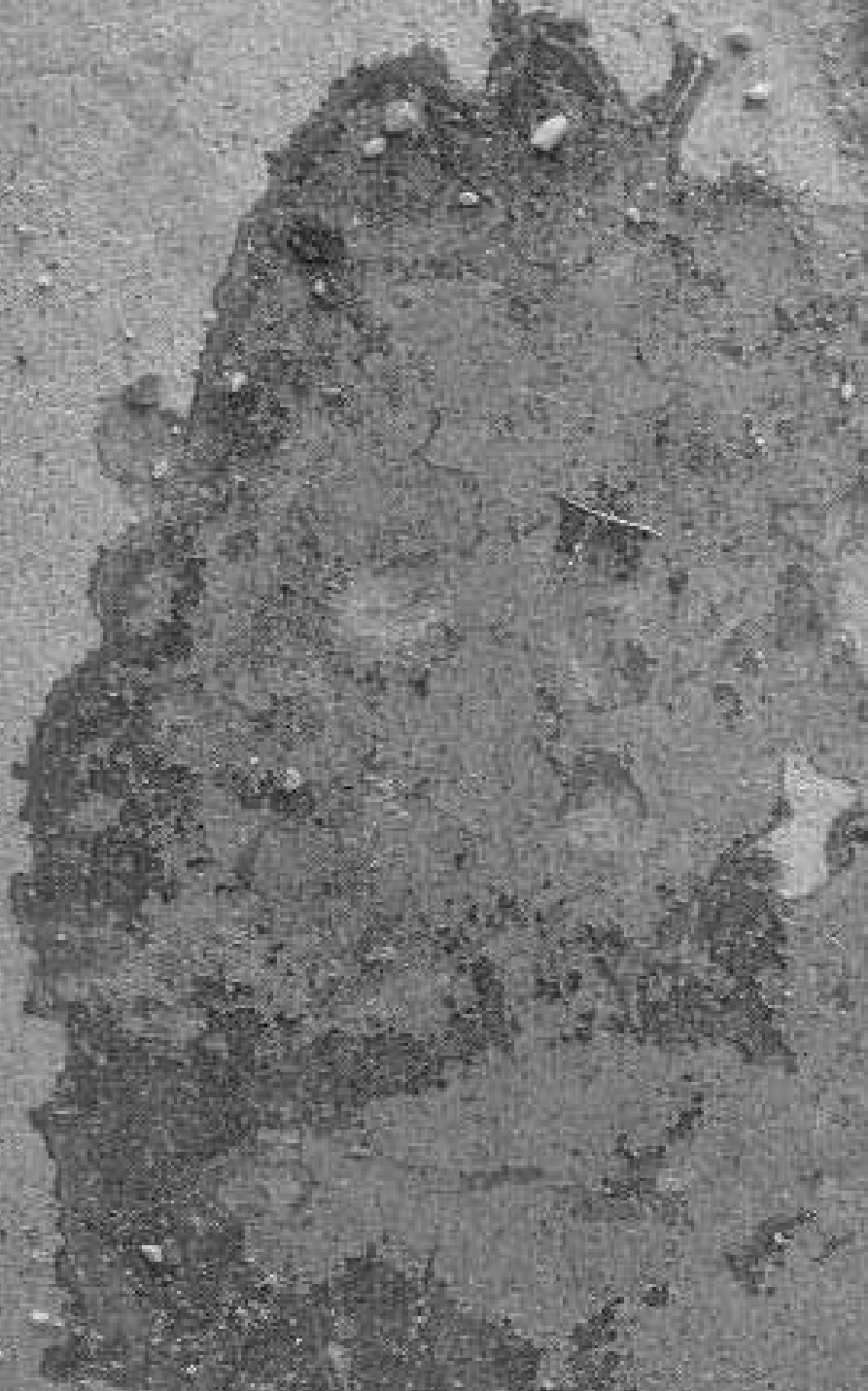
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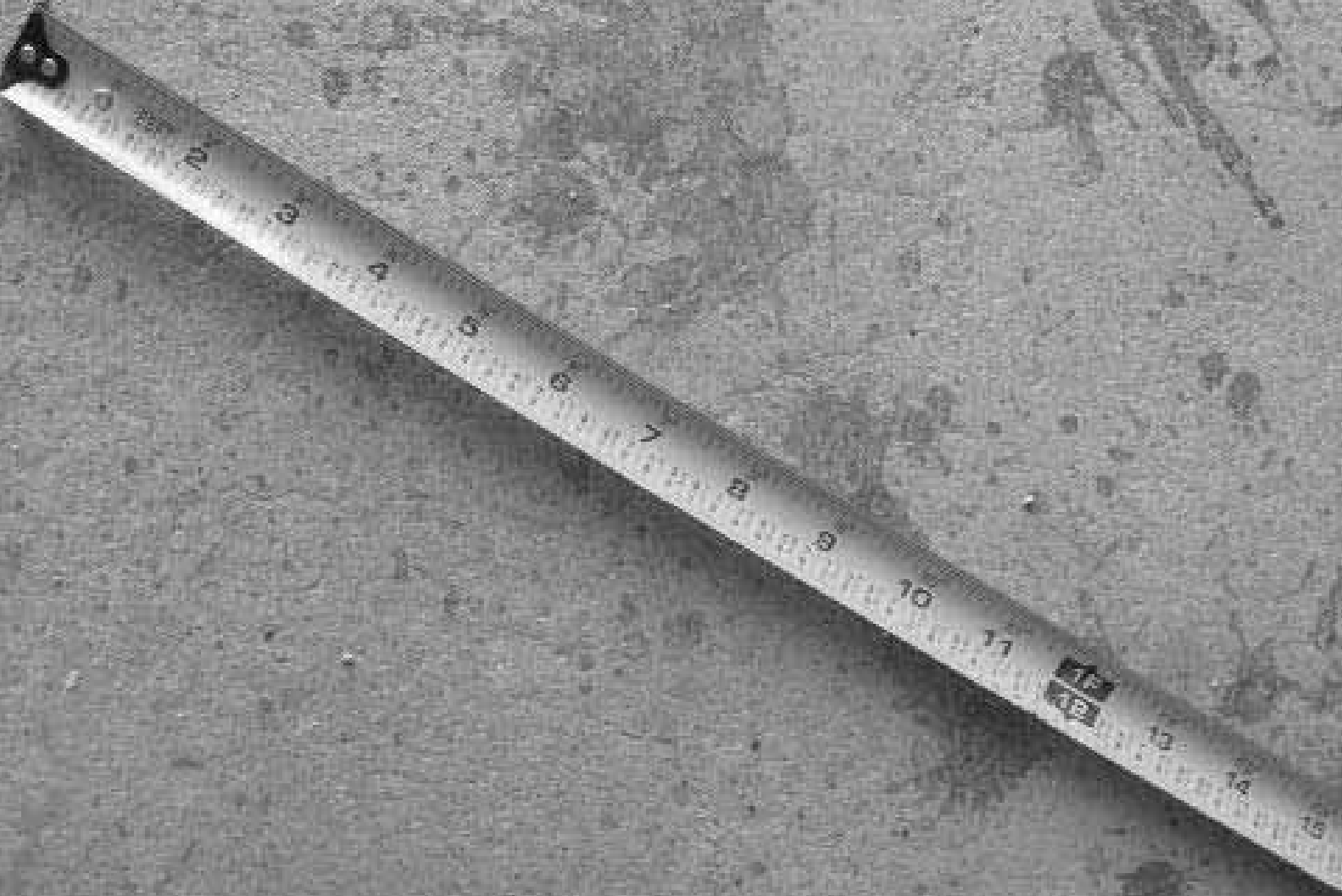


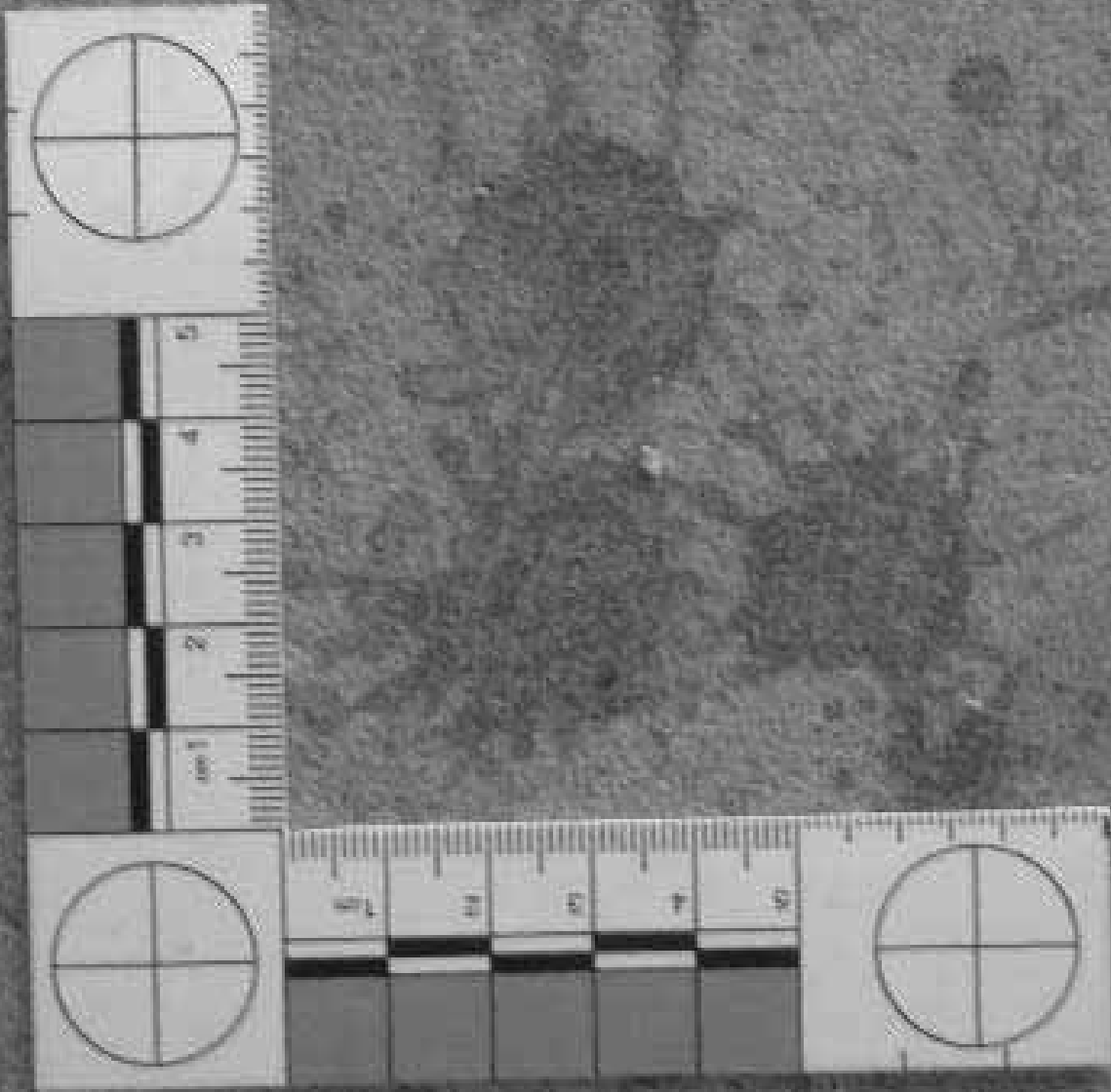


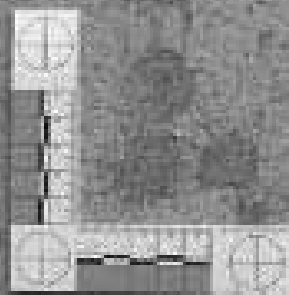












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DETAILS

About 1000, 29 Jun 08, SGT (b)(6), (b)(7)(C) Paralegal, HHC, 1/327th INF REG, provided SA (b)(6), (b)(7)(C) with copies of statements prepared by unit personnel on 9 Jun 08. The statements provided were prepared by SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C). The statements were signed, but not sworn to.

At 1115, 29 Jun 08, SA (b)(6), (b)(7)(C) collected, as evidence, one toothbrush from CPT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) related the toothbrush was obtained from the family of Mr. MANSOUR.

About 1700, 30 Jun 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his rights, which he waived and provided a sworn statement. SPC (b)(6), (b)(7)(C) related how SSG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) told members of 5th PLT what to write on their 9 Jun 08, statements. SPC (b)(6), (b)(7)(C) admitted to lying in his statement when he stated he was present when his patrol released Mr. MANSOUR to the CLC.

About 0950, 1 Jul 08, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) GPT (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) both Trial Counsels, Office of the Staff Judge Advocate (OSJA), 1/101st BCT, COB Speicher, interviewed Sheik (b)(6), (b)(7)(C) (MANSOUR family Sheik). Sheik (b)(6), (b)(7)(C) identified the (b)(6), (b)(7)(C) family, from Hondai Village, that claimed they found Mr. MANSOUR's body on 17 May 08.

About 1045, 1 Jul 08, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) (Mr. (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) explained how American forces arrived at his residence on 5 May 08, and kicked his door in. Mr. (b)(6), (b)(7)(C) related Soldiers took him into a room and punched and kicked him several times. Mr. (b)(6), (b)(7)(C) related he was then taken outside and instructed to show where Mr. MANSOUR lived. Mr. (b)(6), (b)(7)(C) related he identified the residence and was taken to Mr. MANSOUR's residence. Mr. (b)(6), (b)(7)(C) related he forced to sit on the porch near the front door, where he could hear Mr. MANSOUR screaming from inside of his house. Mr. (b)(6), (b)(7)(C) related Soldiers were laughing with an interpreter who told him Mr. MANSOUR was being sexually assaulted inside of his house. Mr. (b)(6), (b)(7)(C) related he sat on the porch for approximately two hours before Mr. MANSOUR was arrested and taken away. Mr. (b)(6), (b)(7)(C) related he was never arrested by the American forces.

About 1140, 1 Jul 08, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) arrived at the scene where Mr. MANSOUR was found dead. It was noted the trail vehicle gunner would most likely not have been able to see the culvert where Mr. MANSOUR was killed, due to the height of the railroad tracks and the distance from the west culvert to the east culvert.

About 1230, 1 Jul 08, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) and his son, Master (b)(6), (b)(7)(C) Master (b)(6), (b)(7)(C) spotted the body of Mr. MANSOUR on the morning of 17 May 08, while he was walking to get well water. He returned to his house

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

ORGANIZATION
Tikrit CID Office
COB Speicher, Tikrit, IZ, APO AE 09393

DATE
10 Jul 08

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

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and told his father that he saw what he believed to be someone sleeping. Mr. (b)(6), (b)(7)(C) related he went to the area and saw a man lying dead in the culvert. Mr. (b)(6), (b)(7)(C) related he called the Iraqi Army checkpoint and reported the finding.

About 1545, 1 Jul 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his rights, which he invoked and requested not to be questioned further.

About 1610, 1 Jul 08, SA (b)(6), (b)(7)(C) advised SGT (b)(6), (b)(7)(C) of his rights, which he invoked and requested not to be questioned further.

About 1624, 1 Jul 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his rights, which he invoked and requested a lawyer.

At 1642, 1 Jul 08, SA (b)(6), (b)(7)(C) collected cheek swabbings and hair samples of Mr. (b)(6), (b)(7)(C) from SGT (b)(6), (b)(7)(C) as evidence.

About 1745, 1 Jul 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his rights, which he invoked and requested a lawyer.

About 1820, 1 Jul 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his rights, which he invoked and requested a lawyer.

About 2134, 1 Jul 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) advised SFC (b)(6), (b)(7)(C) of his rights, which he waived and provided a sworn statement. SFC (b)(6), (b)(7)(C) related he was not aware of 1LT (b)(6), (b)(7)(C) involvement in Mr. MANSOUR's death at the time the statements were made. SFC (b)(6), (b)(7)(C) related he only wanted to ensure the platoon statements were consistent with each other.

About 2215, 1 Jul 08, SA (b)(6), (b)(7)(C) re-interviewed Mr. (b)(6), (b)(7)(C) who recalled on 5 May 08, he was present at a meeting between 1LT (b)(6), (b)(7)(C) and Sheik (b)(6), (b)(7)(C) at the Sheik's house. 1LT (b)(6), (b)(7)(C) had a list of names given to him by a source. Mr. (b)(6), (b)(7)(C) related Mr. MANSOUR's name was on the list. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) showed the names on the list to Sheik (b)(6), (b)(7)(C) and asked about the names on the list, as to whether they were terrorists or not. Mr. (b)(6), (b)(7)(C) related Sheik (b)(6), (b)(7)(C) stated Mr. MANSOUR was "Not good," and then he told 1LT (b)(6), (b)(7)(C) where Mr. MANSOUR resided. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) then took the platoon to where he was told Mr. MANSOUR resided. Mr. (b)(6), (b)(7)(C) related he knocked on a door and a male answered. Mr. (b)(6), (b)(7)(C) related he identified the male as Mr. (b)(6), (b)(7)(C) who was Mr. MANSOUR's brother. Mr. (b)(6), (b)(7)(C) related he asked Mr. (b)(6), (b)(7)(C) where Mr. MANSOUR was located, to which Mr. (b)(6), (b)(7)(C) showed them where Mr. MANSOUR's house was located. Mr. (b)(6), (b)(7)(C) related Mr. (b)(6), (b)(7)(C) stayed at his house, while 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) a few other platoon

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

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COB Speicher, Tikrit, IZ, APO AE 09393

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

DATE
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members, and he walked about 20 meters to Mr. MANSOUR's house located behind Mr. (b)(6), (b)(7)(C) house. Mr. (b)(6), (b)(7)(C) related he knocked on Mr. MANSOUR'S door and was identified. Mr. (b)(6), (b)(7)(C) related Mr. MANSOUR was brought outside of his house. Soldiers then searched the inside of his house and an RPK, AK-47, and some magazines of rounds were found. Mr. (b)(6), (b)(7)(C) related he brought Mr. MANSOUR's wife and children outside of the house. Mr. (b)(6), (b)(7)(C) related the AK-47 was left at Mr. MANSOUR's house, but the RPK and the magazines of rounds were confiscated. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and he went inside of the house with Mr. MANSOUR, and took him to a room in the back of the house where 1LT (b)(6), (b)(7)(C) questioned him. Mr. (b)(6), (b)(7)(C) related a passport was found in the house belonging to Mr. MANSOUR, and had two visa stamps indicating he traveled to Syria on two separate occasions. When asked, Mr. MANSOUR initially denied ever going to Syria. Mr. (b)(6), (b)(7)(C) related Mr. MANSOUR eventually admitted to going to Syria once for the Hajj. Mr. (b)(6), (b)(7)(C) related Mr. MANSOUR denied going to Syria a second time, and 1LT (b)(6), (b)(7)(C) showed the second visa to Mr. MANSOUR. Mr. (b)(6), (b)(7)(C) related Mr. MANSOUR then admitted to going to Syria on a second time to visit a doctor. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) then put Mr. MANSOUR on the ground, laying face down, and beat him on his back with his Army Combat Helmet (ACH) about 40 to 50 times. Mr. (b)(6), (b)(7)(C) stated while striking Mr. MANSOUR, 1LT (b)(6), (b)(7)(C) was asking about names of local terrorists. Mr. MANSOUR gave some names that were on 1LT (b)(6), (b)(7)(C) list, but 1LT (b)(6), (b)(7)(C) never showed the list to him. Mr. (b)(6), (b)(7)(C) related at one point during the beatings, SSG (b)(6), (b)(7)(C) stood on Mr. MANSOUR's legs, because he was moving around. SSG (b)(6), (b)(7)(C) stood on his legs for about one minute. Mr. (b)(6), (b)(7)(C) related after the beatings, Mr. MANSOUR was arrested and brought outside. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) never asked him about the 21 Apr 08, IED attack or about any connection to IED emplacement or support. Mr. (b)(6), (b)(7)(C) related he never took part in beating of Mr. MANSOUR, and he only translated. Mr. (b)(6), (b)(7)(C) further related Mr. (b)(6), (b)(7)(C) was never at Mr. MANSOUR's house, and the Soldiers were inside of Mr. MANSOUR's house for approximately 30 minutes. Mr. (b)(6), (b)(7)(C) related he only knew of Soldiers being inside of Mr. (b)(6), (b)(7)(C) house for approximately one minute. Mr. (b)(6), (b)(7)(C) related he never heard 1LT (b)(6), (b)(7)(C) and Sheik (b)(6), (b)(7)(C) speak of Mr. MANSOUR prior to 5 May 08, and he never heard Mr. MANSOUR's name mentioned in connection to the 21 Apr 08, IED attack until after he was killed. Mr. (b)(6), (b)(7)(C) related on 16 May 08, just prior to loading a convoy to take Mr. MANSOUR and another detainee back to Abu Toma, 1LT (b)(6), (b)(7)(C) instructed him to bring Mr. MANSOUR to a location just in front of 1LT (b)(6), (b)(7)(C) CHU. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) asked Mr. MANSOUR again to tell him the names of any terrorists, to which Mr. MANSOUR replied he did not know any. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) then told Mr. MANSOUR, "Today, I'm going to kill you, motherfucker." To which Mr. MANSOUR answered, "I told you all I know. I'm innocent." Mr. MANSOUR became scared and shaking. Mr. (b)(6), (b)(7)(C) related Mr. MANSOUR began to pray or mumble something repeatedly. Mr. (b)(6), (b)(7)(C) related he did not believe 1LT (b)(6), (b)(7)(C) would actually kill Mr. MANSOUR, and thought it was told to him just to scare him. Mr. (b)(6), (b)(7)(C) related at around 0300 one night, 1LT (b)(6), (b)(7)(C) returned to FOB Summerall from leave, and he knocked on his CHU door. Mr. (b)(6), (b)(7)(C) related he did not know who was knocking on his door, and when he answered, he was shocked to see 1LT (b)(6), (b)(7)(C) standing there. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) came in and asked him how he was doing. Mr. (b)(6), (b)(7)(C) replied he was fine. Mr. (b)(6), (b)(7)(C) related 1LT

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

Special Agent

ORGANIZATION

Tikrit CID Office
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DATE

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

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(b)(6), (b)(7)(C) then asked, "Did you tell them everything?" Mr. (b)(6), (b)(7)(C) replied, "Yes, I did tell them everything." Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) then said, "Okay, bye," and then he left. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) was at his CHU for approximately two minutes. Mr. (b)(6), (b)(7)(C) related he did not have any other interactions with 1LT (b)(6), (b)(7)(C) since that morning.

About 1045, 2 Jul 08, SA (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Iraqi Police, Hay Al-Assay Village, who stated sometime in May 08, he heard the call of a found dead body over the radio. 1LT (b)(6), (b)(7)(C) related he arrived at the scene and found an unidentified dead male. The male was burned and lying in a pool of blood. 1LT (b)(6), (b)(7)(C) did not recall who made the video of the body; however, he did say it was an accurate portrayal of how Mr. MANSOUR's body was found. 1LT (b)(6), (b)(7)(C) collected one shell casing and a piece of a grenade from the scene near the body. 1LT (b)(6), (b)(7)(C) related he took the collected items and the body to the Bayji Police station, where the collected items were secured. Mr. MANSOUR's body was then transported to the local morgue. 1LT (b)(6), (b)(7)(C) related the Iraqi Police did not do an examination of the scene and no further documentation of the scene was completed.

About 1410, 2 Jul 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A CO, 519th MI, 525th MI BN, FOB Summerall, who stated he screened Mr. MANSOUR around 11 May 08. SPC (b)(6), (b)(7)(C) related he was informed Mr. MANSOUR was involved with IED's and was found in possession of machine guns. SPC (b)(6), (b)(7)(C) also related Mr. MANSOUR was resisting arrest, but could not recall who he heard that information from. SPC (b)(6), (b)(7)(C) related he did not receive any documents or identification from Mr. MANSOUR, and he screened Mr. MANSOUR for about one hour. SPC (b)(6), (b)(7)(C) related Mr. MANSOUR did not complain of any abuse during his detention and rated Mr. MANSOUR as extremely deceptive during the interview. SPC (b)(6), (b)(7)(C) related he recommended Mr. MANSOUR be processed for further intelligence exploitation.

About 1435, 2 Jul 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) Category 2 Interpreter, HHC, Multi Function Team, FOB Summerall, who related he was the interpreter assigned to both screenings conducted of Mr. MANSOUR at FOB Summerall. Mr. (b)(6), (b)(7)(C) related during the second screening conducted by SGT (b)(6), (b)(7)(C) A CO, 519th MI, 525th MI BN. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) was also present during the questioning process. Mr. (b)(6), (b)(7)(C) related he did not know why 1LT (b)(6), (b)(7)(C) was in the room during the questioning. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) repeatedly asked Mr. MANSOUR to repeat the list of names he had given before. Mr. (b)(6), (b)(7)(C) related he was never told by Mr. MANSOUR he was abused during his detention, and further related he did not notice any deceptive behavior of Mr. MANSOUR during his interviews. Mr. (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) never asked Mr. MANSOUR about any IED emplacement or support during the screening.

About 1445, 2 Jul 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) who related he screened Mr. MANSOUR sometime around 14 May 08. SGT (b)(6), (b)(7)(C) related he was approached by 1LT (b)(6), (b)(7)(C) who requested to be

TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6), (b)(7)(C), (b)(7)(F) Special Agent	ORGANIZATION Tikrit CID Office COB Speicher, Tikrit, IZ, APO AE 09393
(b)(6), (b)(7)(C)	DATE 10 Jul 08
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present during the interview. SGT (b)(6), (b)(7)(C) related he was informed 1LT (b)(6), (b)(7)(C) was given permission by S-2 (NFI) to be present during the interview. SGT (b)(6), (b)(7)(C) stated he was informed by 1LT (b)(6), (b)(7)(C) that Mr. MANSOUR possessed additional intelligence information indicating he knew more names of terrorists. SGT (b)(6), (b)(7)(C) stated he found Mr. MANSOUR to be deceptive during the interview by body language and his response to repeat and control questions. SGT (b)(6), (b)(7)(C) related Mr. MANSOUR never complained of any abuse during his detention. SGT (b)(6), (b)(7)(C) related 1LT (b)(6), (b)(7)(C) never asked Mr. MANSOUR about any IED emplacement or support during the screening.

About 1700, 2 Jul 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) D CO, 1/327th INF REG, who provided a sworn statement. SSG (b)(6), (b)(7)(C) related he witnessed 1LT (b)(6), (b)(7)(C) questioning an Iraqi male sometime in Mar 08 with a knife held to the man's right ear. SSG (b)(6), (b)(7)(C) related he told 1LT (b)(6), (b)(7)(C) it was not a way to question anyone, to which 1LT (b)(6), (b)(7)(C) replied he obtained the information he wanted from the man. SSG (b)(6), (b)(7)(C) further stated 1LT (b)(6), (b)(7)(C) told him the man disclosed the location of his brother, who was detained later during the mission.

About 1730, 2 Jul 08, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) IPA, FOB Summerall, who provided a copy of a hand receipt indicating a Glock 9mm, serial number GWY 379, and a Beretta 9mm, serial number X16807Z, were signed for by SFC (b)(6), (b)(7)(C). Mr. (b)(6), (b)(7)(C) stated he did not find any other hand receipts showing SFC (b)(6), (b)(7)(C) signed for additional Glock 9mm handguns.

About 1325, 7 Jul 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) Medic, HHC, 1/327th INF REG, who stated he was a medic at FOB Summerall for the past nine months and supported D CO for about eight months. SGT (b)(6), (b)(7)(C) related he worked with 5th PLT from around the end of Apr 08, to the beginning of May 08. He recalled being on a convoy when a male was arrested in Abu Toma sometime in May 08. SGT (b)(6), (b)(7)(C) was told by 5th PLT members that the male arrested was an Al Qaeda member and was on the "Brigade's top 10 hit list". SGT (b)(6), (b)(7)(C) recalled the man arrested was a tall, fat, and bearded man. SGT (b)(6), (b)(7)(C) also recalled the male was wearing white shorts. SGT (b)(6), (b)(7)(C) related he did not exam the male and did not hear anything about him being abused or killed. SGT (b)(6), (b)(7)(C) related he went on leave on 19 May 08, and he last worked with 2nd PLT on 13 May 08.

About 1610, 10 Jul 08, CPT (b)(6), (b)(7)(C) opined there was probable cause to believe 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) each committed the offense of Murder and Conspiracy; however, she indicated no charges on Conspiracy would be preferred against 1LT (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C). CPT (b)(6), (b)(7)(C) also opined there was probable cause to believe SSG (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) each committed the offense of Obstruction of Justice when they each instructed unit personnel to provide false statements. CPT (b)(6), (b)(7)(C) further related there was sufficient evidence to prosecute 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) for the offenses.///LAST ENTRY///

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

ORGANIZATION
Tikrit CID Office
COB Speicher, Tikrit, IZ, APO AE 09393

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

DATE
10 Jul 08

EXHIBIT
95

FOR OFFICIAL USE ONLY

SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION FOB Summerall (b)(6), (b)(7)(C)	2. DATE (YYYYMMDD) 2008 06 09 (b)(6), (b)(7)(C)	3. TIME 1938 (b)(6), (b)(7)(C)	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4 (b)(6), (b)(7)(C)	
8. ORGANIZATION OR ADDRESS DCO 1/327th 1BLT 1AD (b)(6), (b)(7)(C)			

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

On the 11 of May, Maddog 5th platoon of Delta Co. went on a detainee drop off / SOI mission towards Albutama. I was A dis mount on this mission and the sp time was in the late afternoon around 16 to 17:00 down to the intersection of hershey and MSR Tampa in front of the city of Mesrah. I dismounted as part of the security element for our PL. Once I seen the two detainees handed over to the CLL personnel, I waited for the PL to mount up then I mounted up so we could continue mission to hujay / Albu toma. we conducted SOI and meet and greets with some sheiks. Then we RTB'd to FOB Summerall (b)(6), (b)(7)(C) A few hours later around 20:00 hours. nothing further.

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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EXHIBIT

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT FBI Summit **(b)(6), (b)(7)(C)** DATED 20080609
1939

9. STATEMENT (Continued)

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

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

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

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

Dec 1-327 TAD
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(b)(6), (b)(7)(C) Dec 1-327

(Typed Name of Person Administering Oath)

(b)(6), (b)(7)(C) Dec 1/327
ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION <i>Fob Summerall</i>	(b)(6), (b)(7)(C)	2. DATE (YYYYMMDD) <i>20080609</i>	3. TIME <i>1930</i>	(b)(6), (b)(7)(C)	FILE NUMBER
5. LAST NAME <i>(b)(6), (b)(7)(C)</i>	FIRST NAME <i>(b)(6), (b)(7)(C)</i>	MIDDLE NAME <i>(b)(6), (b)(7)(C)</i>	6. SSN <i>(b)(6), (b)(7)(C)</i>	(b)(6), (b)(7)(C)	7. GRADE/STATUS <i>E-4/Active</i>
8. ORGANIZATION OR ADDRESS <i>D.co 1-337 INF 1 BCT, 1 AD</i>					

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

On May 16 2008 we all gathered down at the PL and PSG's CHU area for our mission brief. All of D.co 5th Platoon was getting the brief and LT *(b)(6), (b)(7)(C)* walked up with two detainees that we had to drop off the detainees with the CLC. After the mission brief we loaded up in the trucks. I took the two detainees into the truck I was riding in as a dismount which was Ssgt *(b)(6), (b)(7)(C)* truck which is MD51 and I sat the 2 detainees in there seats and strapped them in with there seatbelt. The members of 5th Platoon D.co SP from the fob Summerall's Gate 3 some time late in the afternoon. Once we hit the ~~at~~ intersection of Hershey South and Tampa we stopped. I unbuckled the two detainees and got them out of truck and let Ssgt *(b)(6), (b)(7)(C)* take control of them. I then while standing behind my truck watch Ssgt *(b)(6), (b)(7)(C)* along with APC *(b)(6), (b)(7)(C)* ILT *(b)(6), (b)(7)(C)* walk the two detainee to the CLC that we stationed at the ~~area~~ intersection. After they talked to the CLC for a little while turn the two detainees over to the CLC and they

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <i>(b)(6), (b)(7)(C)</i>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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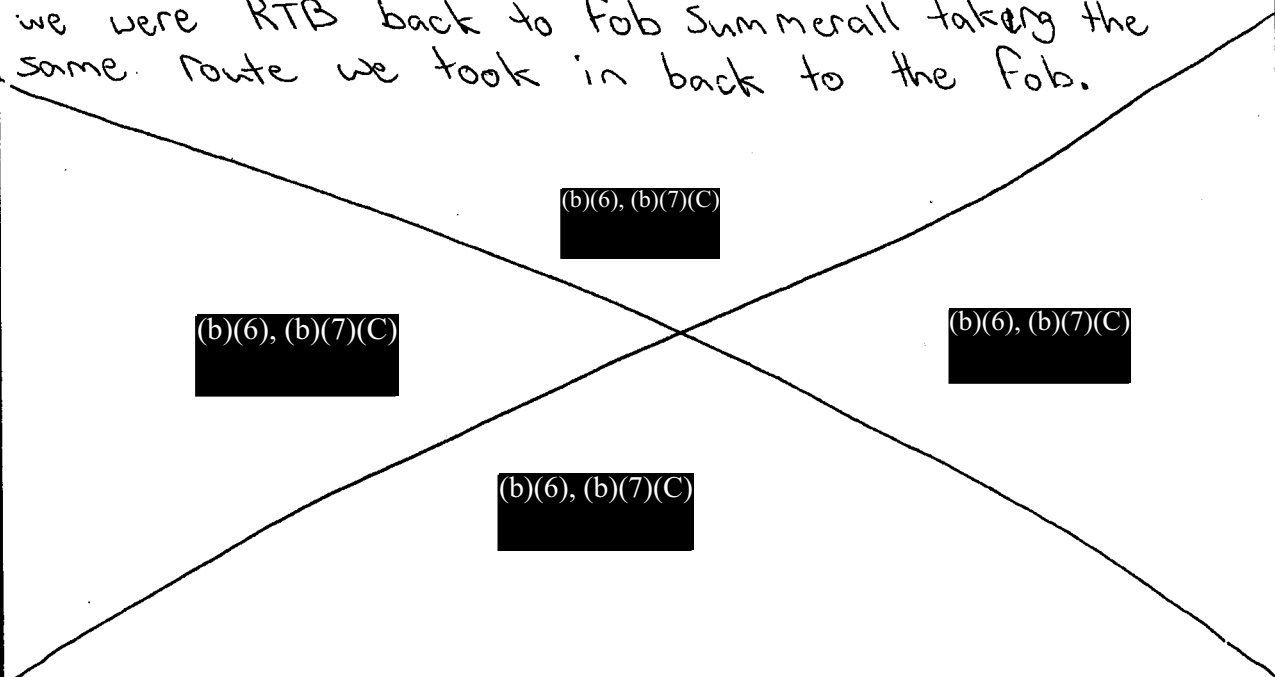
EXHIBIT

10-L-0126 ACLU CID ROI 8329

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Fob Summerall DATED 9 June 08

9. STATEMENT (Continued)

returned to the truck they were riding in. After everyone was loaded into there truck we CM down South tampa to Al Butoma. Once we were in Al Butoma we conducted SOI for a unknown amount of time. Sometime after dark we were RTB back to Fob Summerall taking the same route we took in back to the Fob.



(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) AFFIDAVIT
I, **(b)(6), (b)(7)(C)**, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR **(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)
DeW 1872 IN
ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)
DeW 1872 IN
ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)
(Signature of Person Making Statement)
Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION EJF Summerall	(b)(6), (b)(7)(C)	2. DATE 20080609	3. TIME 1930	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4	(b)(6), (b)(7)(C)
8. ORGANIZATION OR ADDRESS Dca. Y327 INF				

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

On the 16th of May Dca. Y327 5th AIT conducted a drop off to CLC in foot to Albutama. We left late afternoon and RTB when it was dark. We took Hershey up to Tampa and dropped off two detainees to CLC on the corner of Hershey & Tampa. Lt (b)(6), (b)(7)(C) and I got out of the truck with our interpreter and meet up with Ssg (b)(6), (b)(7)(C) with the detainees. We handed the detainees to CLC and returned to the truck. We left both detainees and continued mission to Albutama. When we got to Albutama

(b)(6), (b)(7)(C), (b)(7)(D) Lt (b)(6), (b)(7)(C) house ASU
 (b)(6), (b)(7)(C), (b)(7)(D)
 (b)(6), (b)(7)(C), (b)(7)(D)

~~Signature area with multiple redactions (b)(6), (b)(7)(C) and (b)(6), (b)(7)(D) crossed out.~~

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ AT _____ DATED _____"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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EXHIBIT 93

STATEMENT OF SFC (b)(6), (b)(7)(C) FOR SUMMER 2006 (b)(6), (b)(7)(C) 70080609 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

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

AFFIDAVIT
I, SFC (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b)(6), (b)(7)(C)

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

WITNESSES:

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

(Signature of Person Administering Oath)

Dec 13 2006
(b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

PC 1/27
ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

APD PE v1.00

DA FORM 2623, NOV 2006

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EXHIBIT

10-L-0126 ACLU CID ROI 8332

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 8397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FOB Sumail IRAQ
2. DATE: 2008 06 09
TIME: 1930
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
GRADE/STATUS: E-6/Active
8. ORGANIZATION OR ADDRESS: DCO 1327 1Bct 1AD

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

ON 16 May 08, around 1700, myself along with 5th plt, DCO conducted a detainee drop, SOT Engagements and a meet with Sheikh (b)(6), (b)(7)(C) in Albu Tuma. I believe a fair more thought, that we sped the FOB at 1700 and returned around 2000. Anyway it was late PFT moon and dark when we RTB'd. Our Route was Hershey to Tampa & we took the same route back. on the way out we stopped in Mezra, where Hershey + Tampa intersect. there we released the detainees to the Mezra LLC. the detainees were in my truck and I was 3rd in the oom. spc (b)(6), (b)(7)(C) handed the detainees to me, and I escorted them, along with the 1LT (b)(6), (b)(7)(C) and spc (b)(6), (b)(7)(C) to the LLC. spc (b)(6), (b)(7)(C) was also on the ground, the LT talked with the LLC for a bit, while I organized + checked security. we then mounted back up and traveled to Albu Tuma. we stopped on MKT st for about an hour + while the LT conducted SOT with someone, I don't know who while I ran local security. we then mounted up + went Sheikh (b)(6), (b)(7)(C) for a while. After completing SOT's with Sheikh (b)(6), (b)(7)(C) we RTB'd. End of statement

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

10. EXHIBIT
11. INITIALS (b)(6), (b)(7)(C)
PAGE 1 OF 2 PAGES

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

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Fup summit DATED 2008 06 09

9. STATEMENT (Continued)

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

1, 554 **(b)(6), (b)(7)(C)** AFFIDAVIT

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

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

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

Dec 1-327
ORGANIZATION OR ADDRESS

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

Dec 1-327 INF
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 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 MWR Building, FOB Summerall, Bayji, IZ, APO AE 09393		2. DATE 30 Jun 08	3. TIME 1700	4. FILE NUMBER (b)(6), (b)(7)(C) 0066-08-CID469-
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/SPC			

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 and wanted to question me about the following offense(s) of which I am suspected/accused. (b)(6), (b)(7)(C) False Official Statement (b)(6), (b)(7)(C)

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

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

-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.

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

5. COMMENTS (Continue on reverse side)

Q. Have you been advised of your rights within the last 30 days and have you requested legal counsel? A. NO

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)		(b)(6), (b)(7)(C)	
1a. NAME (Type or Print)			
b. ORGANIZATION OR ADDRESS AND PHONE			
2a. NAME (Type or Print)		4. TYPE NAME OF INVESTIGATOR SA (b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 32 nd MP DET (CID) COB Speicher, Tikrit, IZ, APO AE 09393	

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 283) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

- 1. WARNING - Inform the suspect/accused of
 - a. Your official position.
 - b. Nature of the offense(s)
 - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must under your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you , or both."

-or-

(For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even it you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?" *Yes* (b)(6), (b)(7)(C)
(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Do you want a lawyer at this time?" *No* (b)(6), (b)(7)(C)
(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"Have you ever requested a lawyer after being read your rights?" *No* (b)(6), (b)(7)(C)
(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer that 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

At this time, are you willing to discuss the offense(s) under *Yes* (b)(6), (b)(7)(C) investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused say "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all case the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:
1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do no obligate him/her to answer further questions.

- 2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

SWORN STATEMENT

LOCATION: COB Summerall, Bayji, IZ APO AE 09393

FILE NUMBER: 0066-08-CID469

DATE: 30 Jun 08 **TIME:** 1650-2123 (b)(6), (b)(7)(C)

NAME: (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS** E-4/SPC

ORGANIZATION OR ADDRESS: D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

On June 9 2008 I along with other members of 5th platoon at around 1930 was told by the platoon sgt. That we all needed to make a sworn statement about what happened on the May 16. We met down at sfc (b)(6), (b)(7)(C) room and we all talked about what we were going to write on the statement. After the platoon agreed that we did not want to get the LT in anymore trouble than he had already had gotten himself into. We were told by the platoon sgt that we were going to write on the sworn statements that instead of what happened we were going to say that the LT dropped 2 guys off at the CLC checkpoint instead of the one guy we actually dropped off and that instead of saying we drove through the desert we were going to write that we took the same route into the fob as we took out. So after the brief we went down to ssgt (b)(6), (b)(7)(C) and sgt (b)(6), (b)(7)(C) room and had to write what we were just told to write down. While I was in there I heard Ssgt (b)(6), (b)(7)(C) and sgt (b)(6), (b)(7)(C) correcting people if they were about to write something different. Originally I along with other people didn't remember certain things about that since it didn't seem like anything that day was a big deal. So ssgt (b)(6), (b)(7)(C) and sgt (b)(6), (b)(7)(C) coached us through the right way to right the statements. In my statement I initially stated that we dropped 2 people off at the CLC checkpoint which was incorrect we actually only dropped off one detainee and the other detainee who I know now was Ali monsour stayed in the truck. Also on the statement instead of writing what happen I wrote down what I was told to and wrote that we took the same route back in as we took out instead of writing we drove through the desert on the way back.

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

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

Q. Did you author the above statement?

A. Yes.

Q. How do you know the time and date you provided the statement to the unit?

A. I was shown a copy of the statement I provided, and the date and time were on the statement?

Q. Do you remember who was providing statements for the unit?

A. I know (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were there, and (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were there as well. As far as I know everyone from the unit filtered in and wrote statements.

Q. Who was the Platoon Sergeant at the time the statements were written?

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

Q. Where did SFC (b)(6), (b)(7)(C) provide the briefing on writing the statements?

A. Down next to his containerized housing unit (CHU).

Q. Was SFC (b)(6), (b)(7)(C) present when you wrote your statement?

A. No, he was not.

Q: Did SFC (b)(6), (b)(7)(C) influence your statement on 9 Jun 08 in any way?

A: When we were sitting around SFC (b)(6), (b)(7)(C) CHU he told us what to write. SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were the two who made sure we wrote what we were supposed.

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

PAGE 1 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 30 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

Q. Was a vote taken in the platoon about whether or not to write the statements showing inaccurate details of 16 May 08?

A. Not really a vote, it was like raise your hand if you do not want to do it. Someone raised their hand, and I do not remember who it was. We were then told we needed to decide right now if we were going to write statements like we were told to write them or if we wanted to write the truth. The person lowered their hand, because it was like getting singled out in the platoon.

Q. Did you agree with writing the statement you were told to write with the details you were told to write in it?

A. It was a little with trying to help out the LT, and agreeing with what the rest of the platoon was going to write. It would be bad for one person to write a different statement than the rest of the platoon, it would have screwed the whole platoon.

Q. Did you write any statements before 9 Jun 08 for your unit?

A. Yes, but they were torn up or something.

Q. Why did you write statements on two different days?

A. We messed up the first ones.

Q. How did you mess up the first ones?

A. All of us thought it was a normal day and we had gone out at the normal time, we were completely off the correct times after someone checked the times with the TOC. There was other stuff like people writing in the wrong areas of the forms, the headings were messed up and stuff like that. We were told they could not be used, and when we were told to write the second ones, we were told we had to write them because we had messed up the first ones.

Q. Why did you write the statement?

A. Because we were told to.

Q. Who told you you had to write the statements?

A. SSG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C)

Q. What was the intention of the Platoon writing statements?

A. To help the LT out pretty much. We were told we had to write them before the investigation started.

Q. Were you told to write anything specific in the statement you provided on 9 Jun 08?

A. That we did drop off two people at the CLC checkpoint at Hershey and Tampa, and that we took the same route back to the FOB that we left on.

Q. Who told you to write that you dropped off two people at the CLC checkpoint and that you took the same route to and from FOB Summerall?

A. SSG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C)

Q. Why were you told to write you had dropped off the two people at the CLC checkpoint and took the same route to and from FOB Summerall?

A. To not incriminate the LT any more than we had to, to try to help him out.

Q. Did you know what you were writing in the statement was false?

A. Yes.

Q. Did you tell anyone you did not wish to write the statement?

A. No.

Q. Did you feel you had the option to write the statement differently, or not write a statement at all?

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

PAGE 2 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 30 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

A. No.

Q. What do you believe would have happened if you had refused to write the statement as you were told to write it, or refused to write a statement at all?

A. I do not know, one of the main reasons is SSG (b)(6), (b)(7)(C) lives around us, he is with us all the time. He comes over and talks to me all the time. He came over and told me that I needed to get a lawyer because his lawyer told him that I should. His lawyer told him that everyone in his vehicle should get a lawyer because we could all be charged with conspiracy for murder. I was in his CHU writing the statement, I do not know what would have happened if I had refused.

Q. Did you want to write a different statement than the one you provided to the unit on 9 Jun 08?

A. I just did not want to write a statement period, it was the fact that we were writing something other than what had happened. I was not fighting about writing it, I just did not want to write it. I knew that I was going to have to write the statement, there was no way around it.

Q. Do you believe you would have suffered any consequences if you had refused to write the statement?

A. Of some kind, I have no idea what. It could have been anything like me losing my position as a dismount and having to be the driver, or if the platoon had stayed together, being known as that guy who did not stand by the platoon.

Q. Do you feel you were forced to make the statement?

A. I was not physically forced, but there was no getting around it, I was going to have to make the statement.

Q. Were you provided breaks during the interview to eat and use the latrine?

A. Yes.

Q. How were you treated during your interview?

A. Fine.

Q. Is there anything you wish to add to this statement at this time?

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

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

PAGE 3 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 30 Jun 08, (b)(6), (b)(7)(C)
CONTINUED:

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 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.

Witness #1:

Witness #2:

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

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 30th day of Jun 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 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	2. DATE	3. TIME	4. FILE NUMBER
MWR Building, FOB Summerall, Bayji, IZ, APO AE 09393	1 Jul 08	15:45	0066-08-CID469-
5. Name (Last First MI)	8. ORGANIZATION OR ADDRESS		
(b)(6), (b)(7)(C)	D Company, 1-327 th Infantry Regiment		
6. SSN	7. GRADE/STATUS	FOB Summerall, Bayji, IZ, APO AE 09393	
(b)(6), (b)(7)(C)	E-4/SPC		

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 and wanted to question me about the following offense(s) of which I am suspected of committing: False Official Statement, Assault

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

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

-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.

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

5. COMMENTS (Continue on reverse side)

Q. Have you been advised of your rights within the last 30 days and have you requested legal counsel? A. No

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)		(b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE		(b)(6), (b)(7)(C)
2a. NAME (Type or Print)		SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR
		32 nd MP DET (CID) COB Speicher, Tikrit, IZ, APO AE 09393

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

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

BY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

- 1. WARNING - Inform the suspect/accused of
 - a. Your official position.
 - b. Nature of the offense(s)
 - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must under your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you , or both."

-or-

(For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even it you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?" ^{(b)(6), (b)(7)(C)} **yes**
 (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"
 (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer that 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.) **No** ^{(b)(6), (b)(7)(C)}

"Do you want a lawyer at this time?" ^{(b)(6), (b)(7)(C)} **yes**
 (If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused say "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all case the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed.
 Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

- 1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do no obligate him/her to answer further questions.

- 2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

REVERSE OF DA FORM 3881

For Official Use Only
Law Enforcement

ACLU-RDI 5576 p.325

EXHIBIT 003551
10-L-0126-ACLU CID ROI 8342

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 <i>FOB Summerall</i>	2. DATE <i>1 JUL 08</i>	3. TIME <i>1610</i>	4. FILE NO. <i>0066-08-C12469</i>
5. NAME (Last, First, MI) <i>(b)(6), (b)(7)(C)</i>	8. ORGANIZATION OR ADDRESS <i>D Co, 1/327th INF REG</i>		
6. SSN <i>(b)(6), (b)(7)(C)</i>	7. GRADE/STATUS <i>E-5/RA</i>		<i>FOB Summerall, BAYJI, IZ</i>

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 *Criminal Investigations Command* and wanted to question me about the following offense(s) of which I am

suspected/accused *(b)(6), (b)(7)(C) Conspiracy, False Official Statement III (b)(6), (b)(7)(C)*

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

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

- 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.

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

5. COMMENTS (Continue on reverse side)

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)		
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INVESTIGATOR <i>(b)(6), (b)(7)(C)</i>
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR <i>SA (b)(6), (b)(7)(C)</i>
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR <i>TIKRIT CID, 32nd MP BPT (CID) LOB SPECIMOR, TIKRIT, IZ</i>

Section C. Non-Waiver

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

I want a lawyer.

(b)(6), (b)(7)(C) I do not want to be questioned or say anything.

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

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

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

- 1. WARNING - Inform the suspect/accused of:
 - a. Your official position
 - b. Nature of offense(s).
 - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must understand your rights."

 - a. "You do not have to answer my questions or say anything."
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- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?" *yes* (b)(6), (b)(7)(C)
(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Do you want a lawyer at this time?" *yes* (b)(6), (b)(7)(C)
(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"Have you ever requested a lawyer after being read your rights?" *NO* (b)(6), (b)(7)(C)
(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e. fewer than 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN THE SUSPECT/ACCUSED REFUSES TO SIGN THE WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

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In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogations, completion may be temporarily postponed. Notes should be kept on the circumstances.

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PRIOR INCRIMINATING STATEMENTS:
1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

COMMENTS (Continued)

For Official Use Only

Law Enforcement

10-1-0126 Sensitive

EXHIBIT

102 000357
ACLU CID ROI 8344

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 <i>FOB Summerall</i>	2. DATE (b)(6), (b)(7)(C) <i>1 JUL 08</i>	3. TIME (b)(6), (b)(7)(C) <i>1624</i>	4. FILE NO. <i>0066-08-00419</i>
5. NAME (Last, First, MI) <i>(b)(6), (b)(7)(C)</i>	8. ORGANIZATION OR ADDRESS <i>D Co, 1/327th INF REG FOB SUMMERALL, BAY JI, IZ</i>		
6. SSN <i>(b)(6), (b)(7)(C)</i>	7. GRADE/STATUS <i>E-4/RA</i>		

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 Investigations Command* and wanted to question me about the following offense(s) of which I am suspect: *Conspiracy, False Official Statement III* (b)(6), (b)(7)(C)

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:

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

(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 speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

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)		
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INVESTIGATOR <i>(b)(6), (b)(7)(C)</i>
2a. NAME (Type or Print)		5. TYPE AND TITLE OF INTERVIEWER <i>SA (b)(6), (b)(7)(C)</i>
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR <i>TIKRIT CID, 32nd MP DET (CID) COB SUMMERALL, TIKRIT, IZ</i>

Section C. Non-Waiver

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

I want a lawyer (b)(6), (b)(7)(C) I do not want to be questioned or say anything (b)(6), (b)(7)(C)

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

ANY SWORN STATEMENT (DA form 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

- 1. WARNING - Inform the suspect/accused of:
 - a. Your official position
 - b. Nature of offense(s).
 - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must understand your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

- or -

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

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

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?" **(b)(6), (b)(7)(C) Yes**
 (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Do you want a lawyer at this time?" **Yes (b)(6), (b)(7)(C)**
 (If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"Have you ever requested a lawyer after being read your rights?" **NO (b)(6), (b)(7)(C)**
 (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e. fewer than 30 days ago), obtain legal advise on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN THE SUSPECT/ACCUSED REFUSES TO SIGN THE WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

- 2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogations, completion may be temporarily postponed. Notes should be kept on the circumstances.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

PRIOR INCRIMINATING STATEMENTS:
 1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

For Official Use Only

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 MWR Building, FOB Summerall, Bayji, IZ, APO AE 09393		2. DATE 1 Jul 08	3. TIME 17:45	4. FILE NUMBER 066-08-CID469-
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/SPC			

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 and wanted to question me about the following offense(s) of which I am suspected/accused. False Official Statement (b)(6), (b)(7)(C)

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

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

-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.

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

5. COMMENTS (Continue on reverse side)

Q. Have you been advised of your rights within the last 30 days and have you requested legal counsel? A. 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)		(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE			
2a. NAME (Type or Print)		5. TYPE NAME OF INVESTIGATOR SA (b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 32 nd MP DET (CID) COB Speicher, Tikrit, IZ, APO AE 09393	

SECTION C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer (b)(6), (b)(7)(C) I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEW (b)(6), (b)(7)(C)

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 283) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

PART II - RIGHTS WARNING PROCEDURE**THE WARNING**

1. WARNING - Inform the suspect/accused of
 - a. Your official position.
 - b. Nature of the offense(s)
 - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must under your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you , or both."

-or-

(For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even it you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?" *yes* (b)(6), (b)(7)(C)
 (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?" *NO* (b)(6), (b)(7)(C)
 (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer that 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?" *yes* (b)(6), (b)(7)(C)
 (If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused say "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all case the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed.

Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do no obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

REVERSE OF DA FORM 3881

ACLU-RDI 5576 p.331

For Official Use Only

Law Enforcement

10-1-0126 ACLU CID ROI 8348

EXHIBIT

104
000361

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 MWR Building, FOB Summerall, Bayji, IZ, APO AE 09393		2. DATE 1 Jul 08	3. TIME 1820	4. FILE NUMBER 0066-08-CID469-
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/SPC			

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 and wanted to question me about the following offense(s) of which I am suspected/accused: False Official Statement, Conspiracy

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

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (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.

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

5. COMMENTS (Continue on reverse side)

Q. Have you been advised of your rights within the last 30 days and have you requested legal counsel? A. No

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)			
b. ORGANIZATION OR ADDRESS AND PHONE			
2a. NAME (Type or Print)		5. TITLE SA	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 32 nd MP DET (CID) COB Speicher, Tikrit, IZ, APO AE 09393	

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE
 (b)(6), (b)(7)(C)

DATE TO ANY SWORN STATEMENTS (AR FORM 182) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

- 1. WARNING - Inform the suspect/accused of
 - a. Your official position.
 - b. Nature of the offense(s)
 - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 - "Before I ask you any questions, you must under your rights."
 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you , or both."

-or-

(For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even it you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?" *yes* (b)(6), (b)(7)(C)

(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Do you want a lawyer at this time?" *yes* (b)(6), (b)(7)(C)

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"Have you ever requested a lawyer after being read your rights?" *No* (b)(6), (b)(7)(C)

(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer that 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused say "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all case the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

- 1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do no obligate him/her to answer further questions.

- 2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

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 MWR Building, FOB Summerall, Bayji, IZ, APO AE 09393		2. DATE 1 Jul 08	3. TIME 21:34	4. FILE NUMBER (b)(6), (b)(7)(C) -08-CID469-
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-7/SFC			

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 and wanted to question me about the following offense(s) of which I am suspected/accused: Obstruction of Justice\\ (b)(6), (b)(7)(C)

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:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (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.

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

5. COMMENTS (Continue on reverse side)

Q. Have you been advised of your rights within the last 30 days and have you requested legal counsel? A. *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)		(b)(6), (b)(7)(C)
1a. NAME (Type or Print)	(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)	(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE		
		SA (b)(6), (b)(7)(C) 6. O 32 nd MP DET (CID) COB Speicher, Tikrit, IZ, APO AE 09393

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (FORM 302) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

- 1. WARNING - Inform the suspect/accused of
 - a. Your official position.
 - b. Nature of the offense(s)
 - c. The fact that he/she is a suspect/accused.
- 2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must under your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you , or both."

-or-

(For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even it you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights? (b)(6), (b)(7)(C) **YES**
 (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?" **No** (b)(6), (b)(7)(C)
 (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer that 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?" **No** (b)(6), (b)(7)(C)
 (If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" **Yes** (b)(6), (b)(7)(C)
 (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused say "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all case the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed.
 Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

- 1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do no obligate him/her to answer further questions.

- 2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION: COB Summerall, Bayji, IZ APO AE 09393

FILE NUMBER: 0066-08-CID469

DATE: 1 Jul 08 TIME: 20:27 (b)(6), (b)(7)(C)

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) GRADE/STATUS E-7/SFC

ORGANIZATION OR ADDRESS: D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393

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

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

At approximately 9 June 2008, I was ordered by Lt. (b)(6), (b)(7)(C) my acting CO., to have my platoon write sworn statements about where we dropped off our detainees, Lt. (b)(6), (b)(7)(C) told me after he came back from a patrol w/another platoon to the Messerah CLC checkpoint, he couldn't understand why the CLC leader would lie about how many detainees were dropped off. So, that same day, I instructed my two Squad Leaders(Sgt. (b)(6), (b)(7)(C) was acting squad leader for 2nd squad), to have the boys write sworn statements on the actions that day, specifically where we dropped off our detainees...both my leaders said " we got it"...I said that I would print out the blank sworn statements. Now, I am not exactly sure of when I had all the men gather to talk to me at my pad in relation to when the statements were written but I do remember addressing the men about the whole situation. It is my job to always inform my men of any situation in which we are all involved in or if it affects all of us. I have been that way, and continued even after I was informed about the death of Ali Monsoor. I told my men everything that I knew of this possible inquiry into our platoon operations regarding a detainee that we dropped off approx. 5 days ago. (b)(6), (b)(7)(C), (b)(7)(D)

(b)(6), (b)(7)(C), (b)(7)(D) This made me mad. My platoon always joked about how they were always under investigation for one thing or another...that never sat well w/me being the new platoon sergeant. Not that the men would say such a thing proudly, but because it is never a point of pride, in my eyes, to be questioned about the manner which you lead or of how you conducted your business. To me, being criticized w/out just cause or reason was just a way to pick a fight w/me. So I'm sure that I spoke of such things along that line...I knew that there were no official investigations that was announced, yet. However, I felt insulted in that there was someone insinuating that I or my men did something wrong outside of our sworn duties. I knew that it was my platoon that dropped him off, but who's to say that he wasn't picked up by someone else or that there might be someone out there that hates US forces so much as to try to frame coalition forces or make false claims. That's what was running in my mind at the time and I probably said things in that manner, more or less. Hell, the platoon leader wasn't even here to confirm, deny, defend, or go on the attack as far as protecting the honor of our platoon, company, unit, or Flag. So, as far as I was concerned I do remember emphasizing that we have to put down that we dropped off the detainees to the CLC and that there was no way that our Lt., one of our own was going down for something that we didn't do or worst yet, for something "someone" said who might be against Americans or Coalition Forces. (Just for the record, at that time, I had no proof or reason to believe anything other than that we dropped off both our detainees, alive. Of course, later when more evidence or proof or information was arising from what Lt. (b)(6), (b)(7)(C) was sharing w/me and w/my own further investigation of what people knew...that was not the case). I did not order anyone to lie nor did I threaten anyone to put down things that I wanted them to put down or not say. I did, however, believe that my platoon did nothing wrong to include the Lt. and that if we stuck together, we could "weather the storm" you might say. I was the last to turn in my

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

DA Form 2823-E

FOR OFFICIAL USE ONLY

EXHIBIT 106

ACLU-RDI 5576 p.336

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8353

000366

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 1 Jul 08

CONTINUED:

statement.

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

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

Q. Did you author the above statement?

A. Yes.

Q. Did you intend at any time to cover up any actions of your Platoon when you asked them to write the statements they provided?

A. No.

Q. At the time the statements were written, did you believe a crime had been committed by 1LT (b)(6), (b)(7)(C) or any other person in your platoon against Mr. MANSOUR?

A. When I wrote the statement, no I did not believe a crime had happened.

Q. Did you request the statements written by your Platoon include dropping off two detainees at the CLC checkpoint and omit the detour in to the desert on the way back to FOB Summerall?

A. I mentioned dropping off the two detainees, and letting the Unit know we had dropped off the two detainees was the most important part. I told them that all we needed to do was relate we had dropped off the two detainees and not to go in to detail about anything else as the only thing in question was where the detainees had been dropped off at. I know that I spoke to the leaders about the statements, and told them the emphasis was on where we had dropped the two detainees off at.

Q. At the time you requested your Platoon write the statements, did you believe two detainees had been dropped off at the CLC Checkpoint?

A. Yes.

Q. Why did you believe the two detainees had been dropped off at the CLC checkpoint?

A. The LT told me. I actually honestly thought we had dropped him off at the second stop in Albu Toma when the man was handing out sodas to the Soldiers.

Q. Do you believe any member of your Platoon knew 1LT (b)(6), (b)(7)(C) was involved in the death of Mr. MANSOUR at the time they wrote the statements to the unit?

A. No.

Q. Is there anything you wish to add to this statement at this time?

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

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

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 1 Jul 08, CONTINUED:

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 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.

Witness #1:

Witness #2:

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

Subscribed and sworn before me, a person authorized by law to administer oaths, this 1st day of Jul 2008, at FOB Summerall, Bayji, IZ

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT**LOCATION:** FOB Summerall, Bayji, IZ APO AE 09393**FILE NUMBER:** 0066-08-CID469**DATE:** 2 Jul 08 ^{(b)(6), (b)(7)(C)} **TIME:** 1700 to 1847 ^{(b)(6), (b)(7)(C)}**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/STATUS:** E-6/SSG**ORGANIZATION OR ADDRESS:** D Company, 1-327th Infantry Regiment, FOB Summerall, APO AE 09393^{(b)(6), (b)(7)(C)} I, (b)(6), (b)(7)(C) want to make the following statement under oath:Q. SA ^{(b)(6), (b)(7)(C)}A. SSG ^{(b)(6), (b)(7)(C)}Q: Do you know 1LT ^{(b)(6), (b)(7)(C)}

A: Yes.

Q: Describe your relationship with 1LT ^{(b)(6), (b)(7)(C)}

A: He was my platoon leader from around 15 Sep 07 until around 13 Jun 08.

Q: I have received information you may have knowledge that 1LT ^{(b)(6), (b)(7)(C)} held a knife to an Iraqi's neck. Is this true?

A: No, it wasn't at the Iraqi's neck; it was at his right ear.

Q: Please describe what occurred?

A: We were on a mission in Albu Toma looking for intelligence. 1LT ^{(b)(6), (b)(7)(C)} received information that there was someone on his hit list in that area. We went to a house and dismounted and everyone secured the area. I going around to the Soldiers and the other squad leaders checking to make sure everyone was in their positions pulling security. I came into the courtyard of this house and I saw 1LT ^{(b)(6), (b)(7)(C)} had a tip of a knife, covered with his thumb at an Iraqi's right ear. I approached 1LT ^{(b)(6), (b)(7)(C)} and told him that he need to put the knife away and that was not the correct way to get or receive information. He put the knife away. That Iraqi was not the individual we were looking for. The Iraqi had given 1LT ^{(b)(6), (b)(7)(C)} the information of where his brother was, before I arrived in the area. We then walked to the market to where the brother was and we detained the brother.

Q: Who was the Iraqi that 1LT ^{(b)(6), (b)(7)(C)} had the knife to his ear?

A: I don't remember.

Q: When did this occur?

A: It was prior to ^{(b)(6), (b)(7)(C)} our interpreter, quitting. I really don't recall the exact date. I know it was approximately one month before the 21 Apr 08 IED attack.Q: Was ^{(b)(6), (b)(7)(C)} the interpreter that day?

A: Yes.

Q: Was there any other interpreters on the mission that day?

A: No.

Q: What type of knife did 1LT ^{(b)(6), (b)(7)(C)} put to the Iraqi's ear?

A: I don't recall.

Q: Did 1LT ^{(b)(6), (b)(7)(C)} cut the Iraqi?

A: No.

Q: Did 1LT ^{(b)(6), (b)(7)(C)} threaten the Iraqi in any other way?

A: No.

Q: Did 1LT ^{(b)(6), (b)(7)(C)} strike the Iraqi in any way ^{(b)(6), (b)(7)(C)}INITIALS OF PERSON MAKING STATEMENT ^{(b)(6), (b)(7)(C)}

PAGE 1 OF 4 PAGES

DA Form 2823-E

FOR OFFICIAL USE ONLY

EXHIBIT 107

ACLU-RDI 5576 p.339

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8356

000369

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 2 Jul 08,

CONTINUED:

A: No.

Q: Have you ever witnessed 1LT (b)(6), (b)(7)(C) abuse any detainee?

A: No.

Q: What is (b)(6), (b)(7)(C) real name?

A: I don't know.

Q: Where is (b)(6), (b)(7)(C) now?

A: He told me that his family lives in the village located across from COB Speicher. He quit so he could get married. I believe (b)(6), (b)(7)(C) lives in that village now.

Q: Who else saw 1LT (b)(6), (b)(7)(C) put a knife to the Iraqi's ear?

A: No one that I am aware of.

Q: Did you discuss this incident with 1LT (b)(6), (b)(7)(C) after returning to FOB Summerall?

A: Yes, I just reiterated to him that is not the way business is to be conducted. He said to me something to the effect of, I got the information I was looking for.

Q: Have you ever heard 1LT (b)(6), (b)(7)(C) talk about a detainee named Ali MANSOUR?

A: No.

Q: Were you involved in a mission to arrest Ali MANSOUR on 5 May 08?

A: Yes. I was SFC (b)(6), (b)(7)(C) driver. At that time I did not know the individual's name, but since this investigation I found out that the Iraqi we detained on 5 May 08 was Ali MANSOUR.

Q: Did you dismount during this arrest?

A: No.

Q: How many vehicles were in this mission?

A: Three.

Q: Which vehicle were you in the order?

A: I was the last vehicle and I was parked in the intersection about 250 meters to the entrance of the house.

Q: Did you see the dismounted Soldiers enter the house?

A: No, there was a wall obstructing my view to the house.

Q: How much time passed at this mission?

A: From the time we were Sheik (b)(6), (b)(7)(C) house until the time we left Ali MANSOUR's house, it was about two to two and one half hours.

Q: Did you dismount and go into Sheik (b)(6), (b)(7)(C) house?

A: No.

Q: How many interpreters were on this mission?

A: One. It was either (b)(6), (b)(7)(C)

Q: Did you see Ali MANSOUR being loaded into a vehicle?

A: Yes. I saw him brought out and put into 1LT (b)(6), (b)(7)(C) vehicle which was right by the entrance to the house.

Q: What was Ali MANSOUR wearing?

A: I am not sure; all I remember was white shorts.

Q: Was anyone else detained during the same mission when Ali MANSOUR was detained?

A: I believe he was the only one.

Q: Were you on the 16 May 08 mission to return Ali MANSOUR to Albu Toma? (b)(6), (b)(7)(C)

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

PAGE 2 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 2 Jul 08,

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

A: No. I was on leave.

Q: Are you aware that Ali MANSOUR was found dead on 17 May 08?

A: Yes, I found out when I came back from leave.

Q: Do you know who killed Ali MANSOUR?

A: No.

Q: Have you heard anything about who may have killed Ali MANSOUR?

A: Yes. I heard from SFC (b)(6), (b)(7)(C) that 1LT (b)(6), (b)(7)(C) killed him.

Q. Is there anything you wish to add to this statement at this time?

A. No. //End of Statement//

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 4 PAGES

DA Form 2823-E

FOR OFFICIAL USE ONLY

EXHIBIT 107

ACLU-RDI 5576 p.341

LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8358

000371

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Summerall, Bayji, IZ, DATED 2 Jul 08,
CONTINUED:

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 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.

Witness #1:

Witness #2:

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

ent)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 2nd day of Jul 2008, at FOB Summerall, Bayji, IZ

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

stering Oath)

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

(Typed name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 PAGES

4 MAY 08

HAND RECEIPT/ANNEX NUMBER
For use of this form, see DA PAM 710-2-1.
The proponent agency is ODCSLOG.

FROM: CPATT. IAA

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

TO: 5TH DIST. DEPT. CO.

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

HAND RECEIPT NUMBER

FOR ANNEXOR ONLY

END ITEM STOCK NUMBER

END ITEM DESCRIPTION

PUBLICATION NUMBER

PUBLICATION DATE

STOCK NUMBER a.	ITEM DESCRIPTION b.	SEC	UI	QTY AUTH	QUANTITY			
					A	B	C	D
GUY 379	GLOCK - MODEL #19			1				
	GLOCK MAGAZINES			4				
X16807Z	BERETTA - MODEL #90S			1				
	BERETTA MAGAZINES			6				
	From: (b)(6), (b)(7)(C)							
	To: (b)(6), (b)(7)(C)							

WHEN USED AS A:

HAND RECEIPT, enter Hand Receipt Annex Number
HAND RECEIPT FOR QUARTERS FURNITURE, enter Condition Codes
HAND RECEIPT ANNEX/COMPONENTS RECEIPT, enter Accounting Requirements Code (ARC).

DA FORM 2062, JAN 1982

EDITION OF JAN 58 IS OBSOLETE

PAGE 1 OF 1

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1
FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

ROI NUMBER 0066-08-CID469-51978

PAGE 1 OF 2 PAGES

DETAILS

About 1200, 12 Jul 08, SA (b)(6), (b)(7)(C) briefed CPT (b)(6), (b)(7)(C) Military Magistrate, MND-North Operational Law, SJA, COB Speicher, on all known aspects of this investigation, and how it was suspected Mr. MANSOUR's blood may be present on the clothing and/or equipment 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) were wearing on 16 May 08.

About 1722, 12 Jul 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who granted authorizations to search 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) residences. The authorizations were documented on Search and Seizure Authorizations.

About 1815, 13 Jul 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) subsequent to a magistrate's authorization, provided a copy of the search authorization to SSG (b)(6), (b)(7)(C), SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) conducted a search of SSG (b)(6), (b)(7)(C) assigned living area at (b)(6), (b)(7)(C) Life Support Area (LSA) # 13, COB Speicher. The search resulted in the seizure of the following items of evidence: two pair tan boots; one camel back hydration system; two Interceptor Body Armor carriers; one pair gloves; one Army Combat Helmet cover; one Army Combat Uniform (ACU) jacket; two pair ACU trousers; one ACU undershirt; two ammunition pouches; and one pouch/carrier. During the search, SA (b)(6), (b)(7)(C) utilized a Lynn Peavey Ultralight Alternate Light Source (ALS) to examine suspected items of evidence. SA (b)(6), (b)(7)(C) exposed digital images of the seized evidence utilizing a Nikon D80 digital camera with flash.

About 1845, 13 Jul 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Commander, Security Detachment, STB, 1st AD, who arrived at the building and related he was mistaken on the room number he provided as 1LT (b)(6), (b)(7)(C) residence. The correct room was Room F in the same building located approximately 50 meters from Room 8. SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) and briefed her on the room number mistake. SA (b)(6), (b)(7)(C) drafted a second Affidavit and Search and Seizure Authorization reflecting the correct room for 1LT (b)(6), (b)(7)(C)

About 2133, 13 Jul 08, CPT (b)(6), (b)(7)(C) granted authorization to search 1LT (b)(6), (b)(7)(C) residence located at (b)(6), (b)(7)(C) of the building between (b)(6), (b)(7)(C) COB Speicher. The authorization was documented on a Search and Seizure Authorization.

About 2147, 13 Jul 08, SA (b)(6), (b)(7)(C) provided a copy of the Search and Seizure authorization to 1LT (b)(6), (b)(7)(C)

About 2207, 13 Jul 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) subsequent to a magistrate's authorization, conducted a search of 1LT (b)(6), (b)(7)(C) assigned living area at (b)(6), (b)(7)(C) of a building located between (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) COB Speicher. The search resulted in the seizure of the following items of evidence: one ACH cover, two pairs of boots, two pairs of gloves, four sets of ACU trousers, one pair of kneepads, one groin protector, one Improved first aid kit pouch, one magazine pouches, two hand grenade pouches, one Improved outer

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

Special Agent

ORGANIZATION

Tikrit CID Office, 32nd MP Det (CID)
COB Speicher, Tikrit, IZ, APO AE 09393

DATE

13 Jul 08

EXHIBIT

109

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

FOR OFFICIAL USE ONLY

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1
FOR OFFICIAL USE ONLY – Law Enforcement Sensitive

ROI NUMBER 0066-08-CID469-51978

PAGE 2 OF 2 PAGES

DETAILS

tactical vest carrier, and one Interceptor body armor carrier. During the search, SA (b)(6), (b)(7)(C) utilized a Lynn Peavey Ultralight Alternate Light Source (ALS) to examine suspected items of evidence. SA (b)(6), (b)(7)(C) exposed digital images of the seized evidence utilizing a Nikon D80 digital camera with flash.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Tikrit CID Office, 32nd MP Det (CID)
COB Speicher, Tikrit, IZ, APO AE 09393

SIGNATURE

DATE

13 Jul 08

EXHIBIT

107

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

1. I, Special Agent (b)(6), (b)(7)(C), Tikrit CID Office, USACIDC
(Name) (Organization or Address)

having been duly sworn, on oath depose and state that:

Preliminary investigation determined at approximately 1830, 16 May 08, while enroute to return a released detainee, 1LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) ordered his convoy to stop in the village of Albu Tu'mah, Bayji district. 1LT (b)(6), (b)(7)(C) exited his vehicle and stated, "I don't want anybody with me except for the Terp and SSG (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) ordered his interpreter, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) to remove Mr. Ali MANSOUR, a detainee, from the same vehicle. 1LT (b)(6), (b)(7)(C) led Mr. MANSOUR, SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) to a railroad track culvert, approximately 100 meters south of the convoy. Once inside the culvert 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut off Mr. MANSOUR's clothing. 1LT (b)(6), (b)(7)(C) then demanded Mr. MANSOUR tell him everything he knows and then fired two rounds from a 9mm pistol at Mr. MANSOUR. SSG (b)(6), (b)(7)(C) then placed an incendiary hand grenade on Mr. MANSOUR's neck and pulled the pin, activating the grenade. 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and Mr (b)(6), (b)(7)(C) returned to the convoy vehicles and proceeded back to FOB Summerall. Mr. MANSOUR's body was found around 2030, 17 May 08, by Iraqi Police patrols. At the crime scene Iraqi Police recovered a 9mm shell casing, which was near the body and a metal item, identified as a detonator, from beneath the neck.

2. The affiant further states that:

On 13 Jun 08, Special Agent (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) witnessed by (b)(6), (b)(7)(C) an MND-N G3 Linguist, Arabic Translator, who executed a written sworn statement detailing how on 16 May 08, 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut the clothes off of Ali MANSOUR, with knives, while at a culvert in the Bayji district. 1LT (b)(6), (b)(7)(C) then had Ali MANSOUR sit on a rock in the culvert where he executed Ali MANSOUR with two shots from a 9mm Glock semi-automatic pistol. SSG (b)(6), (b)(7)(C) then placed and employed an incendiary grenade on Ali MANSOUR's neck. 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) collected the cut clothing and departed the culvert area with Mr. (b)(6), (b)(7)(C)

On 18 Jun 08, the crime scene was processed and several digital photographs and video was exosed of the scene. Particularly noted, was blood drops and spatter. A review of photographs taken of Ali MANSOUR's body, and of a Bayji medical doctor's report of examination of Ali MANSOUR's body indicated a laceration on his right knee. This laceration was never noted during the screening by U.S. medical personnel, while Ali MANSOUR was in U.S. custody.

On 11 Jul 08, while briefing digital evidence in this investigation, it was surmized that the clothing and military equipment 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) were wearing on 16 May 08, may contain the presence of Ali MANSOUR's blood.

It is believed the laceration to Ali MANSOUR's knee was caused when 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut Ali MANSOUR's clothes from his body. It is further believed Ali MANSOUR's blood from the knee laceration and from the gunshot wounds produced spatter which may have been transferred to both 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) Also, it is believed that Ali MANSOUR's blood may have been present on his cut clothing which would most likely in turn be transferred to 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) while they were collecting the clothing to dispose of it.

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Law Enforcement**

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of

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

(the person) (and)

CHU (b)(6), (b)(7)(C) LSA 13, COB Summerall, Tikrit, IZ, APO AE 09393

(the quarters or billets) (and)

(the automobile)

and (seizure) (apprehension) of

ACU's, boots, gloves, ACH, eye protection

(items persons searched for)

body armor. Any personal and/or military equipment containing suspected blood evidence.

TYPED NAME AND ORGANIZATION OF AFFIANT

(b)(6), (b)(7)(C) Special Agent
Tikrit CID Office, USACIDC

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12th DAY OF

July

2008

AT

1722

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY

ADMINISTERING THE OATH

CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA 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.

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of

SSG (b)(6), (b)(7)(C)
(the person) (and)

CHU (b)(6), (b)(7)(C) LSA 13, COB Summerall, Tikrit, IZ, APO AE 09393

(the quarters or billets) (and)

(the automobile) and (seizure) (apprehension) of ACU's, boots, gloves, ACH, eye protection
(items persons searched for)

body armor. Any personnal and/or military equipment containing suspected blood evidence.

TYPED NAME AND ORGANIZATION OF AFFIANT

(b)(6), (b)(7)(C) Special Agent
Tikrit CID Office, USACIDC

SIGNATURE OF AFFIANT

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12th DAY OF July 2008 AT 1722

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY
ADMINISTERING THE OATH

CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA Military
Magistrate

SIGNATURE OF AUTHORITY ADMINISTERING THE OATH

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

INSTRUCTIONS F

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**

SEARCH AND SEIZURE AUTHORIZATION

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: (Name and Organization of the person to whom authorization is given)
Any Special Agent of the Tikrit CID Office, or any Special Agent, USACIDC

(An affidavit) (A sworn) or (unsworn) oral statement having been made before me by Special Agent (b)(6), (b)(7)(C)
(Name of Affiant)

32nd MP Det (CID), COB Speicher, Tikrit, IZ APO AE 09393
(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

SSG (b)(6), (b)(7)(C) who resides at (b)(6), (b)(7)(C) COB Speicher, Tikrit, IZ, APO AE 09393

for the property described as ACU's, boots, gloves, ACH, eye protection, body armor. Any personal and/or military equipment suspected to contain blood 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:

CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA, Military Magistrate
(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 12 day of July, 2008

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL
(b)(6), (b)(7)(C) O-3

DUTY POSITION OF AUTHORIZING OFFICIAL
Military Magistrate

ORGANIZATION OF AUTHORIZING OFFICIAL
MND-North Operational Law, SJA
COB Speicher, Tikrit, IZ APO AE 09393

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

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 (b)(6), (b)(7)(C), Tikrit CID Office, USACIDC
(Name) (Organization or Address)

having been duly sworn, on oath depose and state that:

Preliminary investigation determined at approximately 1830, 16 May 08, while enroute to return a released detainee, 1LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) ordered his convoy to stop in the village of Albu Tu'mah, Bayji district. 1LT (b)(6), (b)(7)(C) exited his vehicle and stated, "I don't want anybody with me except for the Terp and SSG (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) ordered his interpreter, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) to remove Mr. Ali MANSOUR, a detainee, from the same vehicle. 1LT (b)(6), (b)(7)(C) led Mr. MANSOUR, SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) to a railroad track culvert, approximately 100 meters south of the convoy. Once inside the culvert 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut off Mr. MANSOUR's clothing. 1LT (b)(6), (b)(7)(C) then demanded Mr. MANSOUR tell him everything he knows and then fired two rounds from a 9mm pistol at Mr. MANSOUR. SSG (b)(6), (b)(7)(C) then placed an incendiary hand grenade on Mr. MANSOUR's neck and pulled the pin, activating the grenade. 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) returned to the convoy vehicles and proceeded back to FOB Summerall. Mr. MANSOUR's body was found around 2030, 17 May 08, by Iraqi Police patrols. At the crime scene Iraqi Police recovered a 9mm shell casing, which was near the body and a metal item, identified as a detonator, from beneath the neck.

2. The affiant further states that:

On 13 Jun 08, Special Agent (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) witnessed by (b)(6), (b)(7)(C) an MND-N G3 Linguist, Arabic Translator, who executed a written sworn statement detailing how on 16 May 08, 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut the clothes off of Ali MANSOUR, with knives, while at a culvert in the Bayji district. 1LT (b)(6), (b)(7)(C) then had Ali MANSOUR sit on a rock in the culvert where he executed Ali MANSOUR with two shots from a 9mm Glock semi-automatic pistol. SSG (b)(6), (b)(7)(C) then placed and employed an incendiary grenade on Ali MANSOUR's neck. 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) collected the cut clothing and departed the culvert area with Mr. (b)(6), (b)(7)(C)

On 18 Jun 08, the crime scene was processed and several digital photographs and video was exosed of the scene. Particularly noted, was blood drops and spatter. A review of photographs taken of Ali MANSOUR's body, and of a Bayji medical doctor's report of examination of Ali MANSOUR's body indicated a laceration on his right knee. This laceration was never noted during the screening by U.S. medical personnel, while Ali MANSOUR was in U.S. custody.

On 11 Jul 08, while briefing digital evidence in this investigation, it was surmized that the clothing and military equipment 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) were wearing on 16 May 08, may contain the presence of Ali MANSOUR's blood.

It is believed the laceration to Ali MANSOUR's knee was caused when 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut Ali MANSOUR's clothes from his body. It is further believed Ali MANSOUR's blood from the knee laceration and from the gunshot wounds produced spatter which may have been transferred to both 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C). Also, it is believed that Ali MANSOUR's blood may have been present on his cut clothing which would most likely in turn be transferred to 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) while they were collecting the clothing to dispose of it.

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Law Enforcement**

Sensitive

DA FORM 3744-R, MAR 85, IS OBSOLETE.

EXHIBIT

000380

APD PE v1.00

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of 1LT (b)(6), (b)(7)(C)
(the person) (and)
(b)(6), (b)(7)(C) Building located between (b)(6), (b)(7)(C) COB Summerall, Tikrit, IZ, APO AE 09393
(the quarters or billets) (and)
 _____ and (seizure) (apprehension) of ACU's, boots, gloves, ACH, eye protection
(the automobile) (items persons searched for)
 body armor. Any personal and/or military equipment containing suspected blood evidence.

TYPED NAME AND ORGANIZATION OF AFFIANT
(b)(6), (b)(7)(C) Special Agent
Tikrit CID Office, USACIDC (b)(6), (b)(7)(C)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12th DAY OF July 2008 AT 1722

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY
 ADMINISTERING THE OATH
 CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA Military
 Magistrate (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.

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of ILT (b)(6), (b)(7)(C)
(the person) (and)

(b)(6), (b)(7)(C) Building located between (b)(6), (b)(7)(C) COB Summerall, Tikrit, IZ, APO AE 09393
(the quarters or billets) (and)

(the automobile) () and (seizure) (apprehension) of ACU's, boots, gloves, ACH, eye protection
(items persons searched for)

body armor. Any personal and/or military equipment containing suspected blood evidence.

TYPED NAME AND ORGANIZATION OF AFFIANT

(b)(6), (b)(7)(C) Special Agent
Tikrit CID Office, USACIDC

SIGNATURE OF AFFIANT

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12th DAY OF July 2008 AT 1722

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY

ADMINISTERING THE OATH
CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA Military
Magistrate

(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.

SEARCH AND SEIZURE AUTHORIZATION

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: *(Name and Organization of the person to whom authorization is given)*
Any Special Agent of the Tikrit CID Office, or any Special Agent, USACIDC

(An affidavit) (A sworn) or (unsworn) oral statement) having been made before me by Special Agent (b)(6), (b)(7)(C)
(Name of Affiant)

32nd MP Det (CID), COB Speicher, Tikrit, IZ APO AE 09393
(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

1LT (b)(6), (b)(7)(C) who resides at (b)(6), (b)(7)(C) Building located between (b)(6), (b)(7)(C) COB Speicher

for the property described as ACU's, boots, gloves, ACH, eye protection, body armor. Any personal and/or military equipment suspected to contain blood 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:

CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA, Military Magistrate
(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 12 day of July, 2008

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL CPT (b)(6), (b)(7)(C) O-3	DUTY POSITION OF AUTHORIZING OFFICIAL Military Magistrate
ORGANIZATION OF AUTHORIZING OFFICIAL MND-North Operational Law, SJA COB Speicher, Tikrit, IZ APO AE 09393	(b)(6), (b)(7)(C)

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

1. I, Special Agent (b)(6), (b)(7)(C) Tikrit CID Office, USACIDC
(Name) (Organization or Address)

having been duly sworn, on oath depose and state that:

Preliminary investigation determined at approximately 1830, 16 May 08, while enroute to return a released detainee, 1LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) ordered his convoy to stop in the village of Albu Tu'mah, Bayji district. 1LT (b)(6), (b)(7)(C) exited his vehicle and stated, "I don't want anybody with me except for the Terp and SSG (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) ordered his interpreter (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) to remove Mr. Ali MANSOUR, a detainee, from the same vehicle. 1LT (b)(6), (b)(7)(C) led Mr. MANSOUR, SSG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) to a railroad track culvert, approximately 100 meters south of the convoy. Once inside the culvert 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut off Mr. MANSOUR's clothing. 1LT (b)(6), (b)(7)(C) then demanded Mr. MANSOUR tell him everything he knows and then fired two rounds from a 9mm pistol at Mr. MANSOUR. SSG (b)(6), (b)(7)(C) then placed an incendiary hand grenade on Mr. MANSOUR's neck and pulled the pin, activating the grenade. 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) returned to the convoy vehicles and proceeded back to FOB Summerall. Mr. MANSOUR's body was found around 2030, 17 May 08, by Iraqi Police patrols. At the crime scene Iraqi Police recovered a 9mm shell casing, which was near the body and a metal item, identified as a detonator, from beneath the neck.

2. The affiant further states that:

On 13 Jun 08, Special Agent (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) witnessed by (b)(6), (b)(7)(C) an MND-N G3 Linguist, Arabic Translator, who executed a written sworn statement detailing how on 16 May 08, 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut the clothes off of Ali MANSOUR, with knives, while at a culvert in the Bayji district. 1LT (b)(6), (b)(7)(C) then had Ali MANSOUR sit on a rock in the culvert where he executed Ali MANSOUR with two shots from a 9mm Glock semi-automatic pistol. SSG (b)(6), (b)(7)(C) then placed and employed an incendiary grenade on Ali MANSOUR's neck. 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) collected the cut clothing and departed the culvert area with Mr. (b)(6), (b)(7)(C)

On 18 Jun 08, the crime scene was processed and several digital photographs and video was exosed of the scene. Particularly noted, was blood drops and spatter. A review of photographs taken of Ali MANSOUR's body, and of a Bayji medical doctor's report of examination of Ali MANSOUR's body indicated a laceration on his right knee. This laceration was never noted during the screening by U.S. medical personnel, while Ali MANSOUR was in U.S. custody.

On 11 Jul 08, while briefing digital evidence in this investigation, it was surmized that the clothing and military equipment 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) were wearing on 16 May 08, may contain the presence of Ali MANSOUR's blood.

It is believed the laceration to Ali MANSOUR's knee was caused when 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) cut Ali MANSOUR's clothes from his body. It is further believed Ali MANSOUR's blood from the knee laceration and from the gunshot wounds produced spatter which may have been transferred to both 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) Also, it is believed that Ali MANSOUR's blood may have been present on his cut clothing which would most likely in turn be transferred to 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) while they were collecting the clothing to dispose of it.

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EXHIBIT 112

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of 1LT (b)(6), (b)(7)(C)
(the person) (and)

(b)(6), (b)(7)(C) Building located between (b)(6), (b)(7)(C) COB Summerall, Tikrit, IZ, APO AE 09393
(the quarters or billets) (and)

(the automobile) and (seizure) (apprehension) of ACU's, boots, gloves, ACH, eye protection
(items persons searched for)

body armor. Any personal and/or military equipment containing suspected blood evidence.

TYPED NAME AND ORGANIZATION OF AFFIANT

(b)(6), (b)(7)(C) Special Agent
Tikrit CID Office, USACIDC

SIGNATURE OF AFFIANT

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 13th 12th DAY OF July 2008 AT 2133

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY

ADMINISTERING THE OATH
CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA 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.

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of 1LT (b)(6), (b)(7)(C)
(the person) (and)

(b)(6), (b)(7)(C) Building located between (b)(6), (b)(7)(C) COB Summerall, Tikrit, IZ, APO AE 09393
(the quarters or billets) (and)

(the automobile) and (seizure) (apprehension) of ACU's, boots, gloves, ACH, eye protection
(items persons searched for)

body armor. Any personal and/or military equipment containing suspected blood evidence.

TYPED NAME AND ORGANIZATION OF AFFIANT

(b)(6), (b)(7)(C) Special Agent
Tikrit CID Office, USACIDC

SIGNATURE OF AFFIANT

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS (b)(6), (b)(7)(C)
13th DAY OF July 2008 AT 2133
12th

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY
ADMINISTERING THE OATH

CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA 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.

SEARCH AND SEIZURE AUTHORIZATION

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO: (Name and Organization of the person to whom authorization is given)

Any Special Agent of the Tikrit CID Office, or any Special Agent, USACIDC

(An affidavit) (A sworn) or (unsworn) oral statement having been made before me by Special Agent (b)(6), (b)(7)(C)
(Name of Affiant)

32nd MP Det (CID), COB Speicher, Tikrit, IZ APO AE 09393

(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

1LT (b)(6), (b)(7)(C) who resides at (b)(6), (b)(7)(C) Building located between (b)(6), (b)(7)(C) COB Speicher

for the property described as ACU's, boots, gloves, ACH, eye protection, body armor. Any personal and/or military equipment suspected to contain blood 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:

CPT (b)(6), (b)(7)(C) MND-North Operational Law, SJA, Military Magistrate
(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 13 ¹² day of July 2008

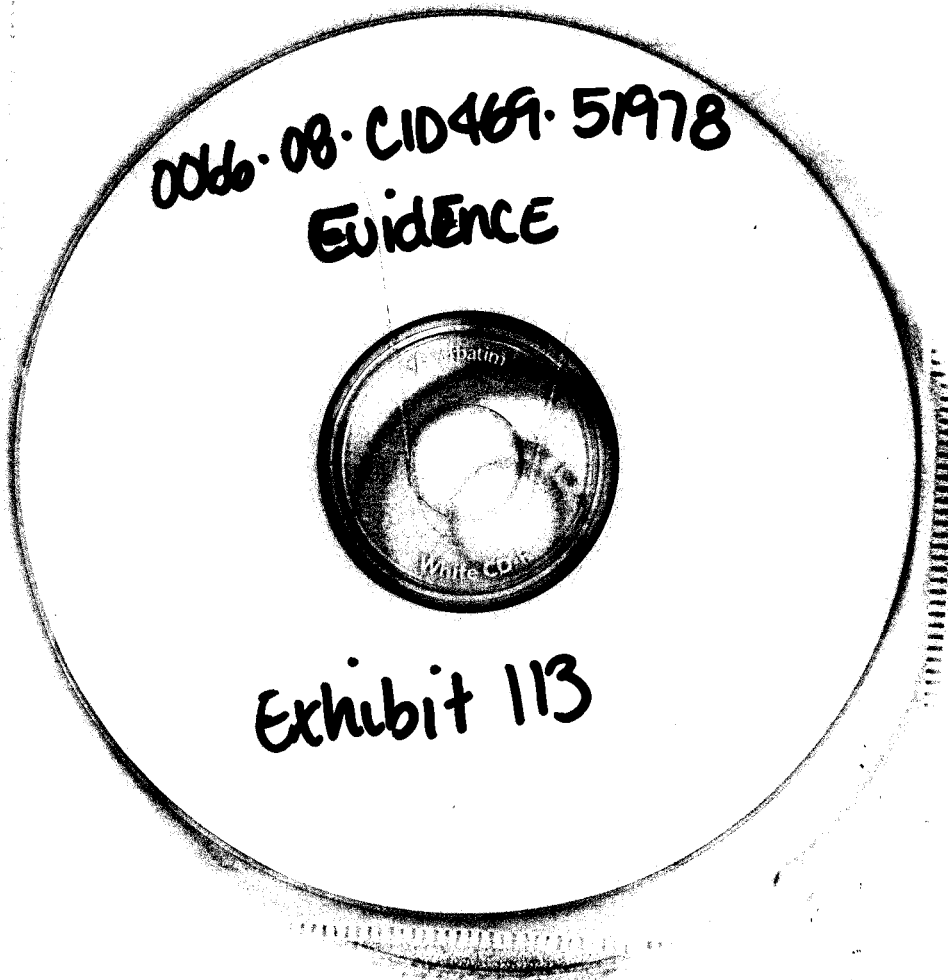
TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL
CPT (b)(6), (b)(7)(C) O-3

DUTY POSITION OF AUTHORIZING OFFICIAL
Military Magistrate

ORGANIZATION OF AUTHORIZING OFFICIAL
MND-North Operational Law, SJA
COB Speicher, Tikrit, IZ APO AE 09393

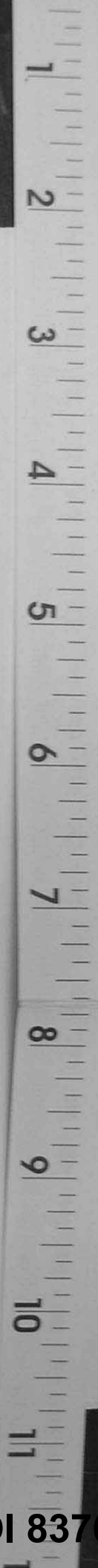
(b)(6), (b)(7)(C)

Photographic Compact Disc
Evidence



FOR OFFICIAL USE ONLY
Law Enforcement Sensitive

0066-08-CID469-51978



0066-08-CID469-51978



صفحة اليوم الخاصة

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

تأكيذا الرجاء

(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)



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



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



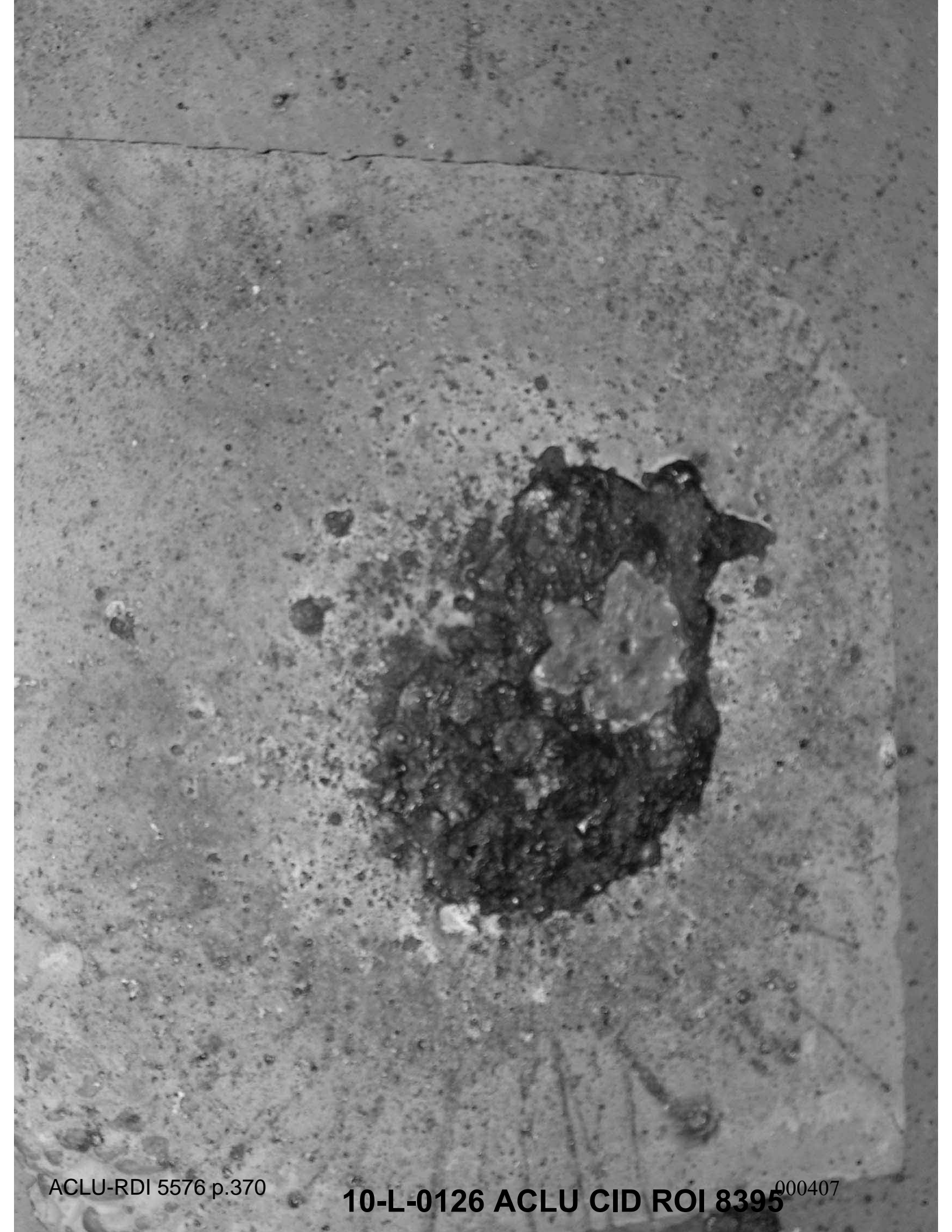
(b)(6), (b)(7)(C)

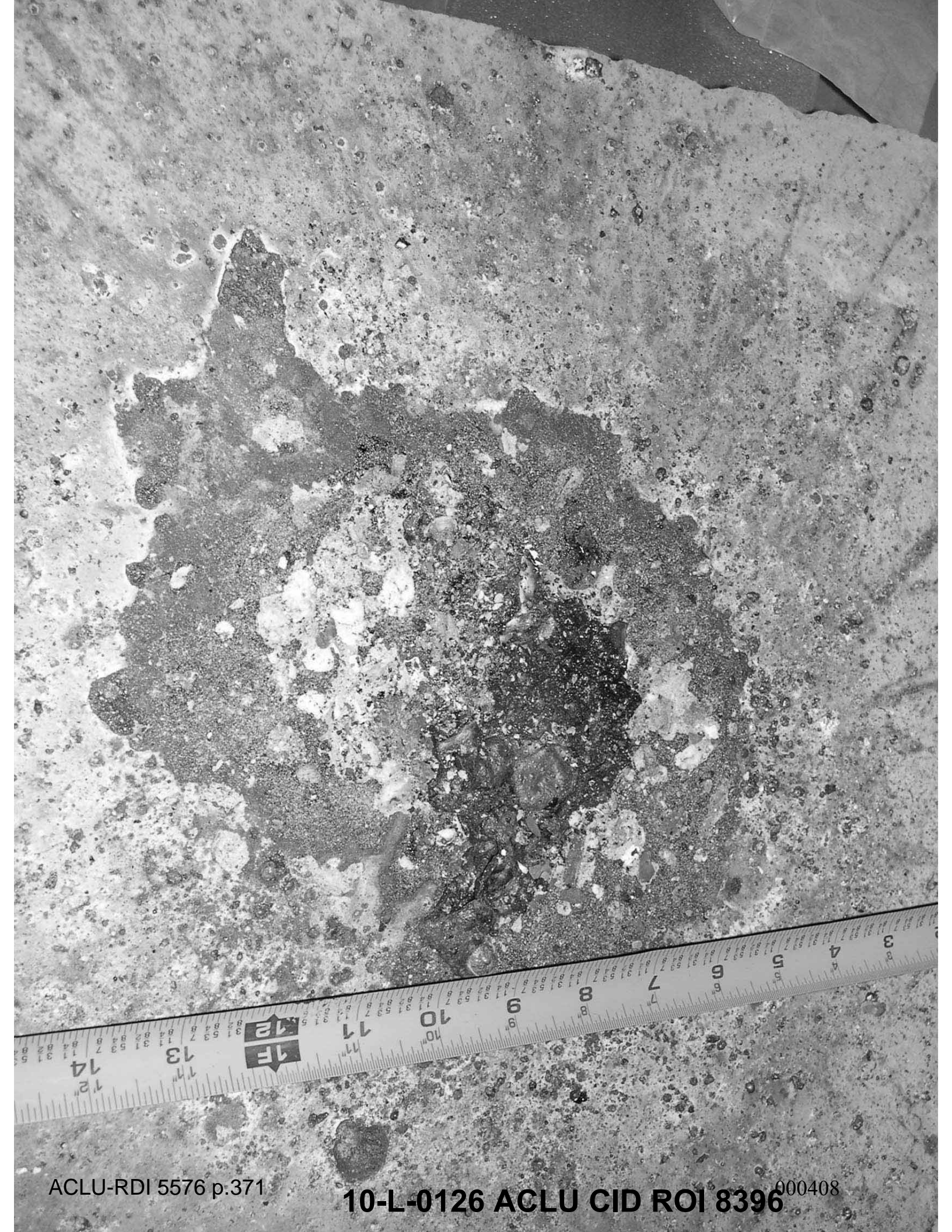
(b)(6), (b)(7)(C)

0066-08-CID469-51978



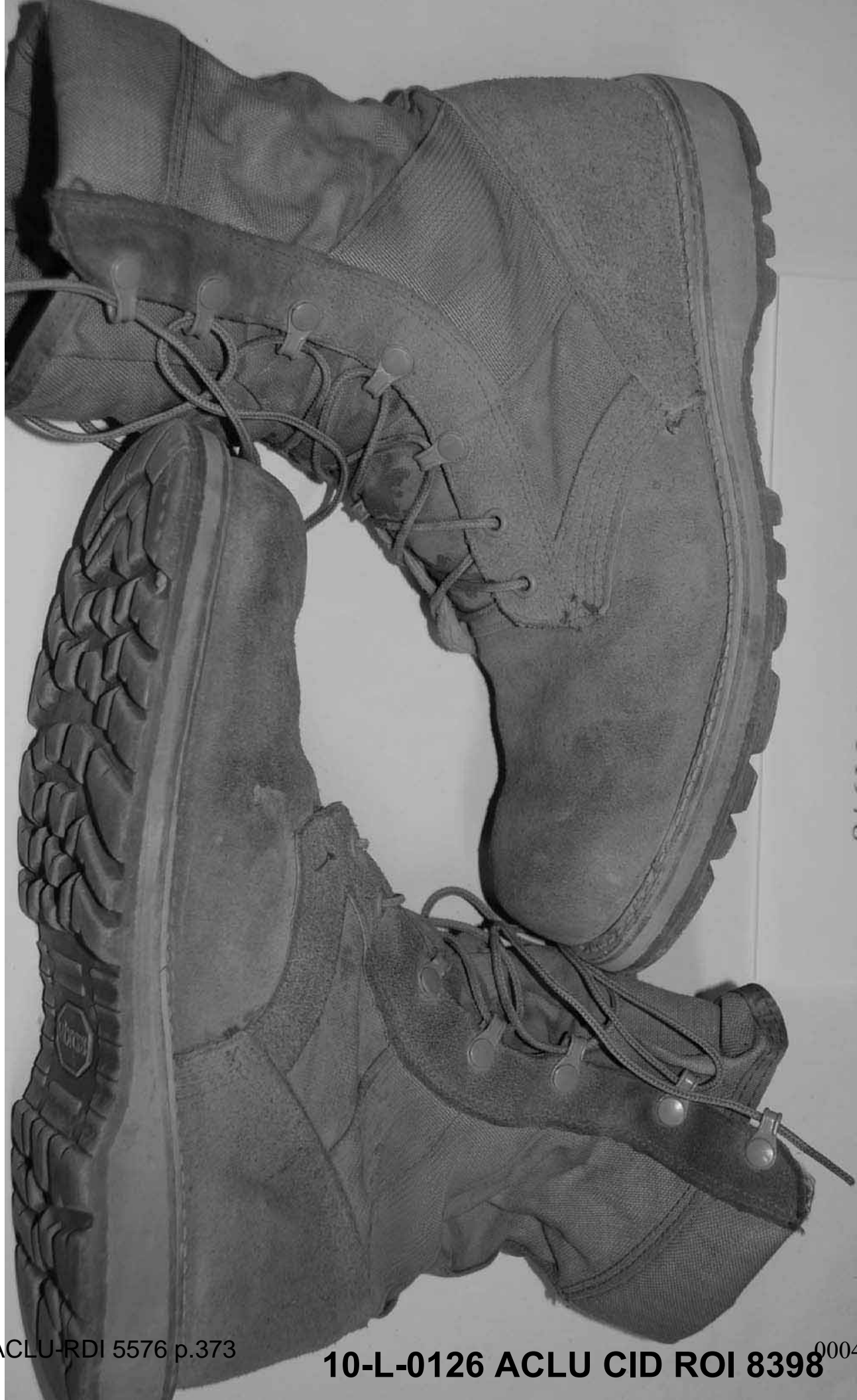








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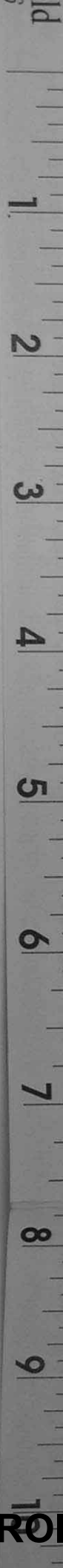


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0066-08-CID469-51978

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

0066-08-CID469-51978



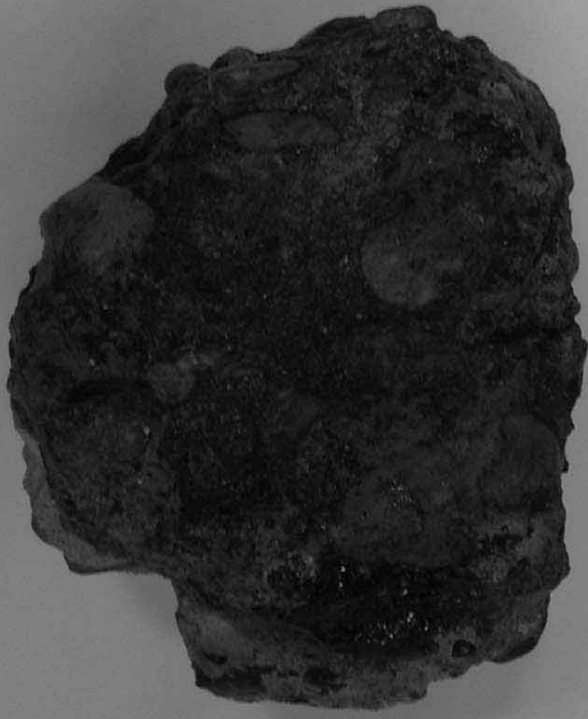
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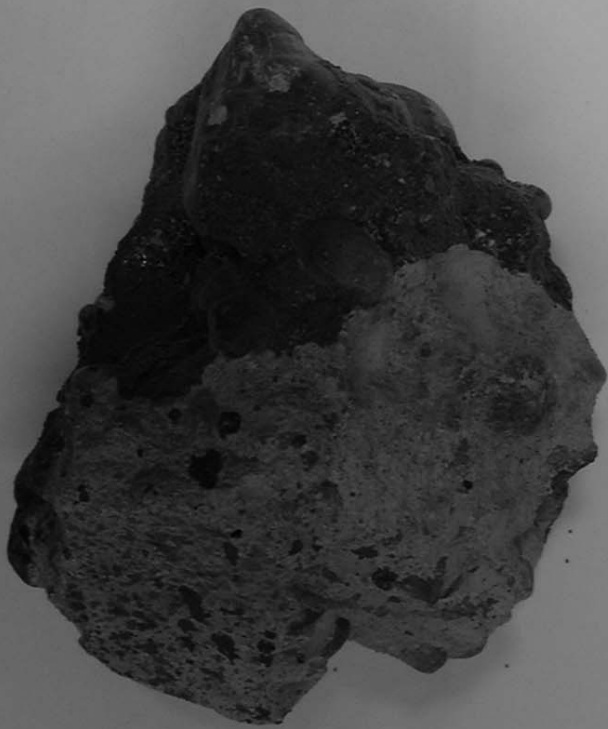
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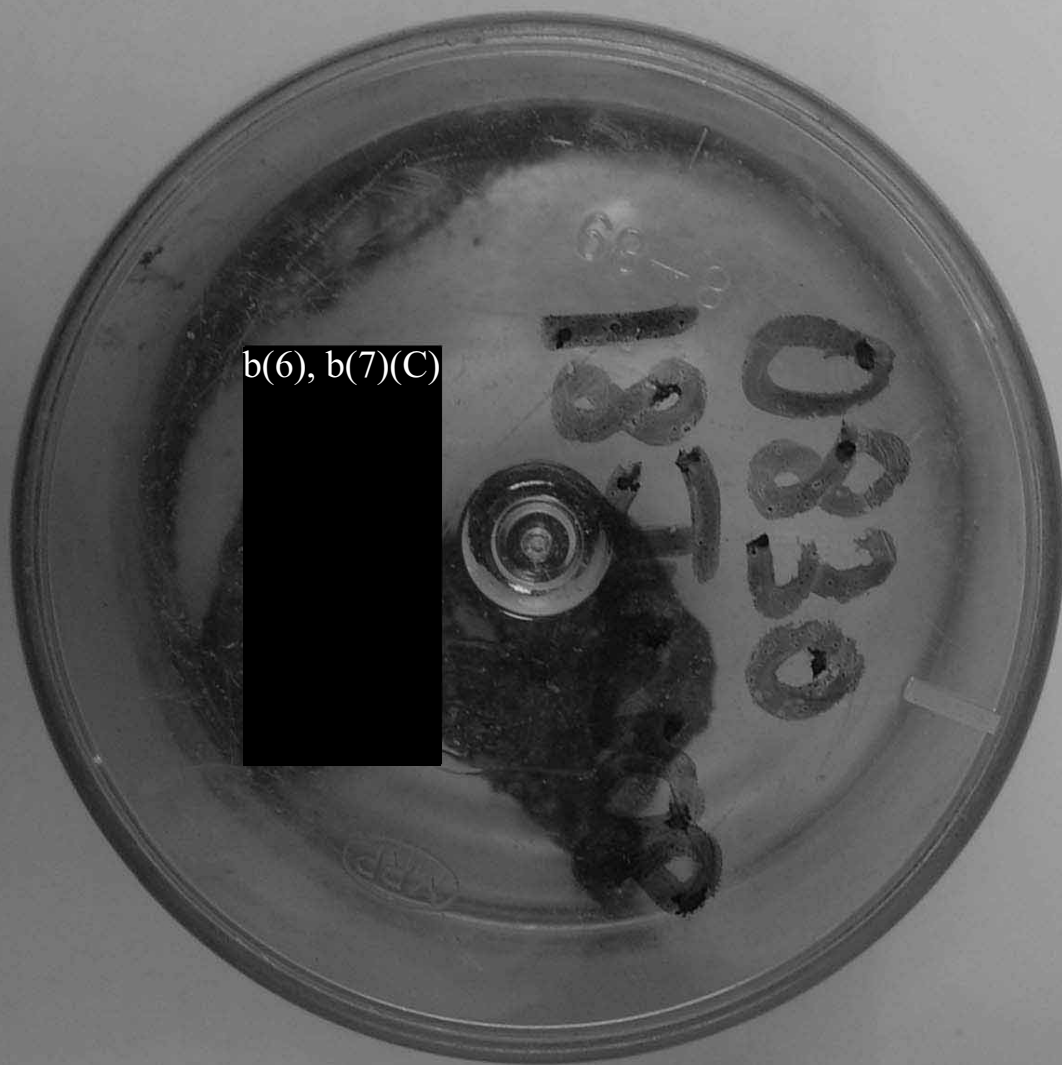
b(6), b(7)(C)

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0066-08-CID469-51978

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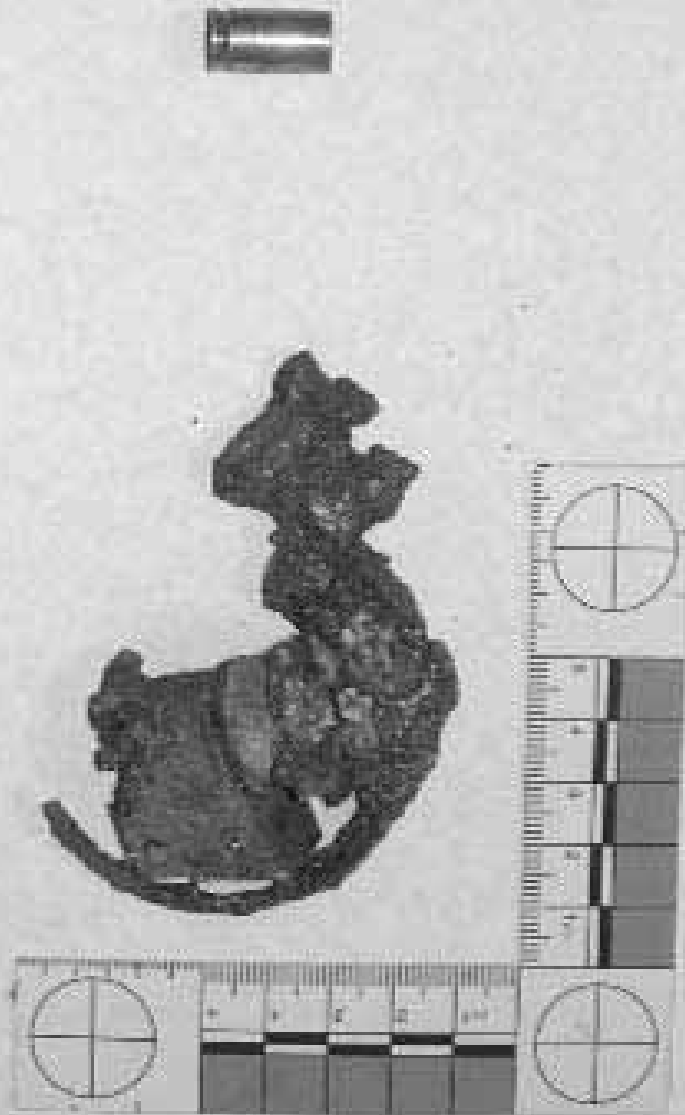
b(6), b(7)(C)

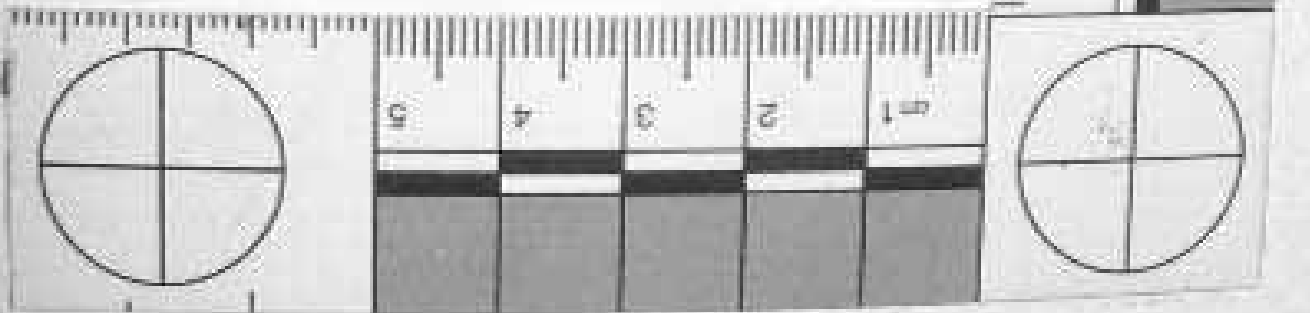
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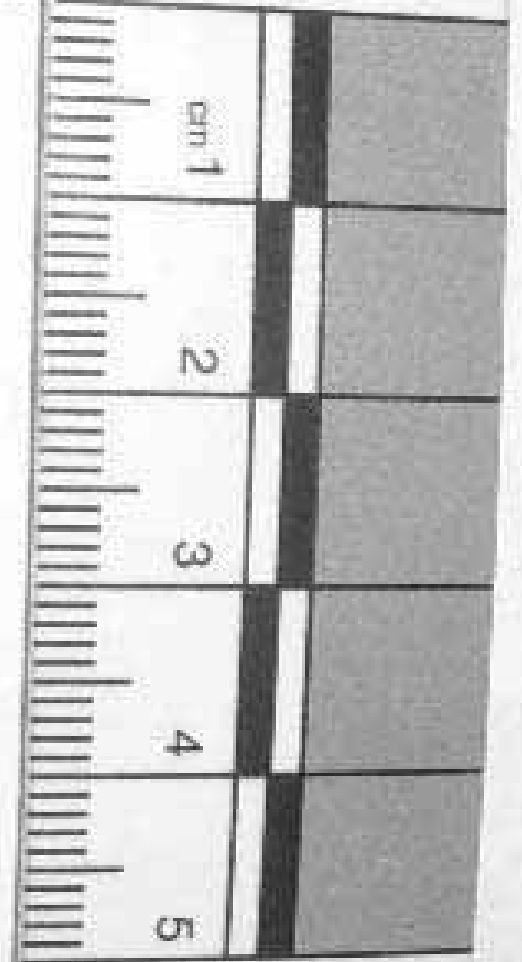
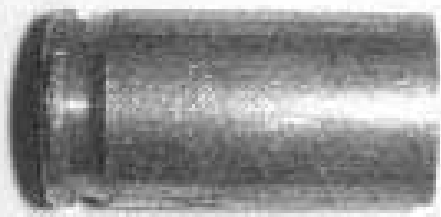
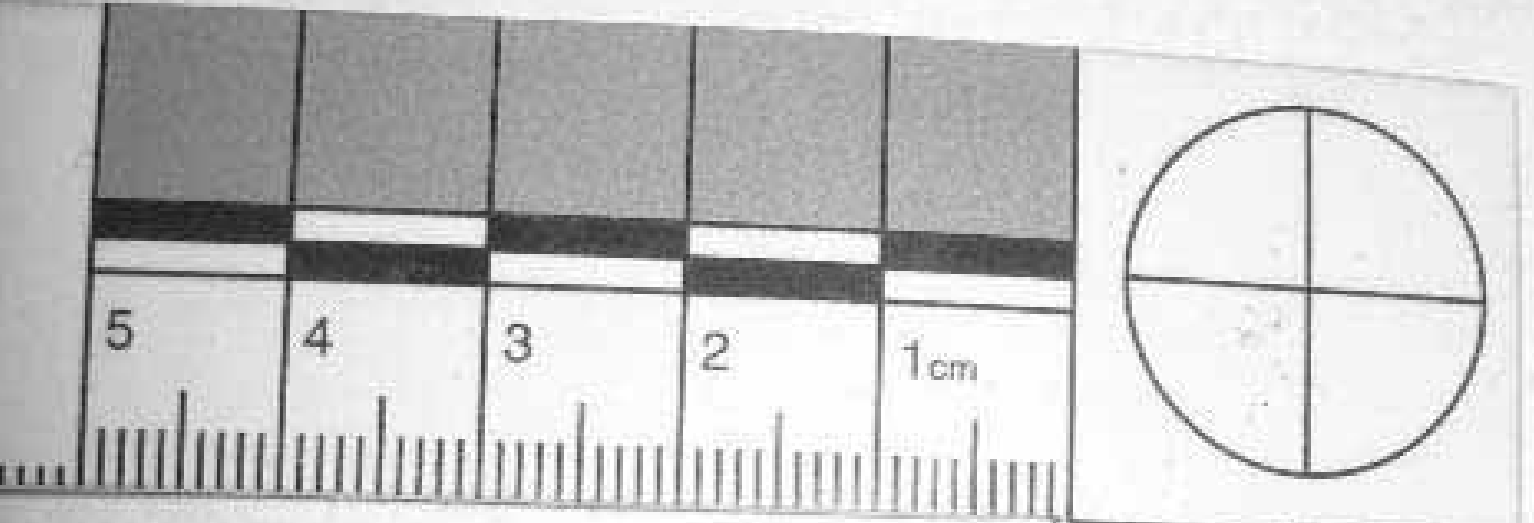
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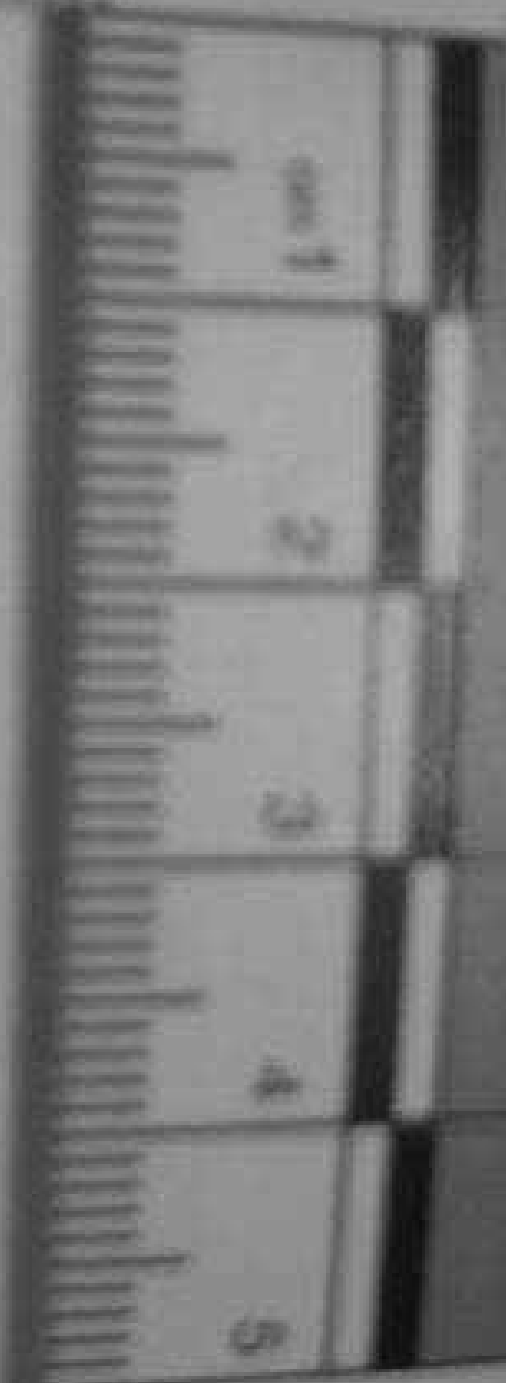


0066-08-CID469









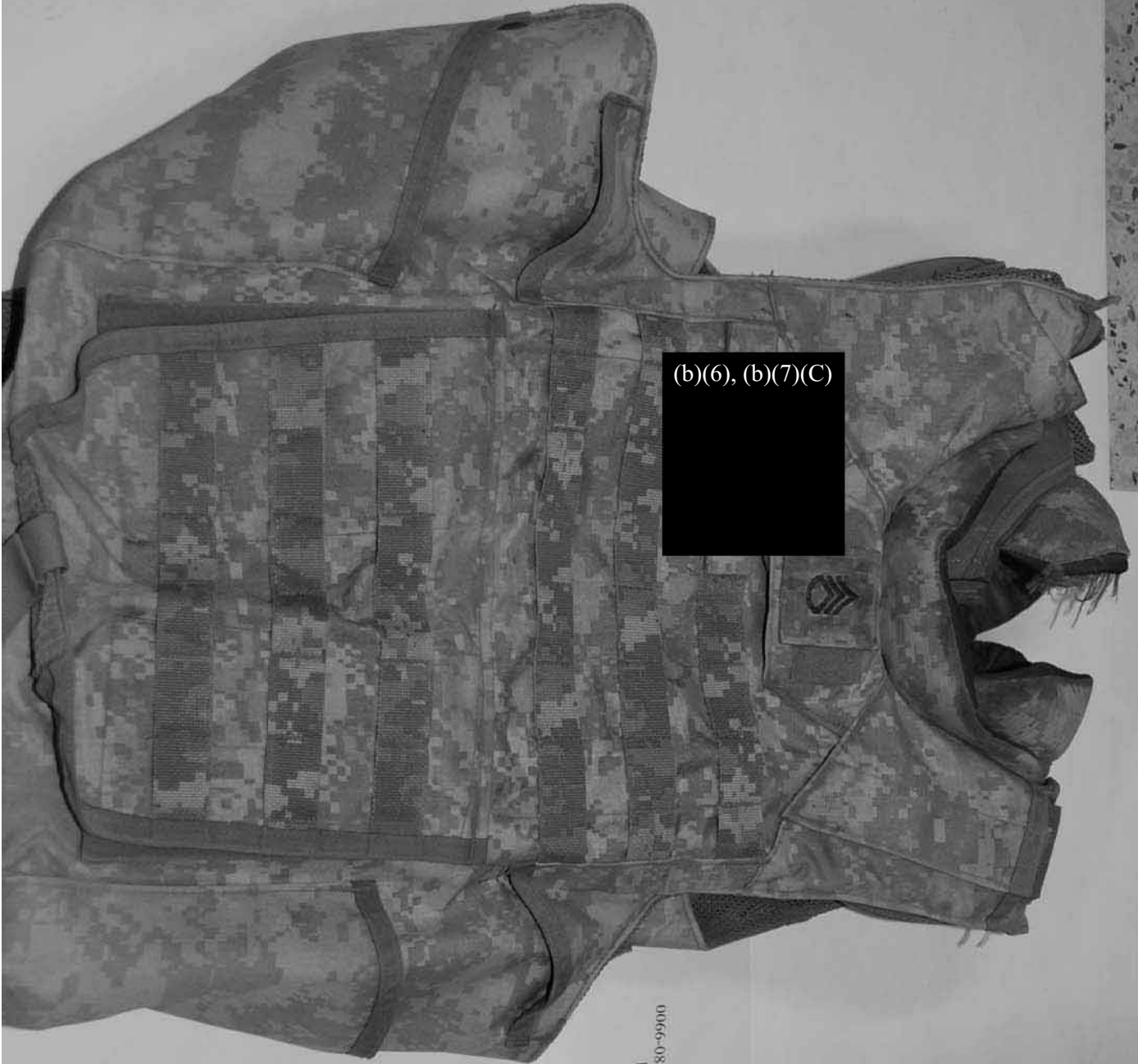


0066-08-CID469-51978
13 Jul 08

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



0066-08-CID469-51978
13 Jul 08



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

0066-08-CID469-51978
13 Jul 08



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0066-08-CID469-51978
13 Jul 08



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

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13 Jul 08





0066-08-CID469



MADE IN AUSTRIA
GLOCK, INC. SMYRNA, GA

6HY209

6HY209



Graham-Field
1-800-645-8176

0066-08-CID469-51978





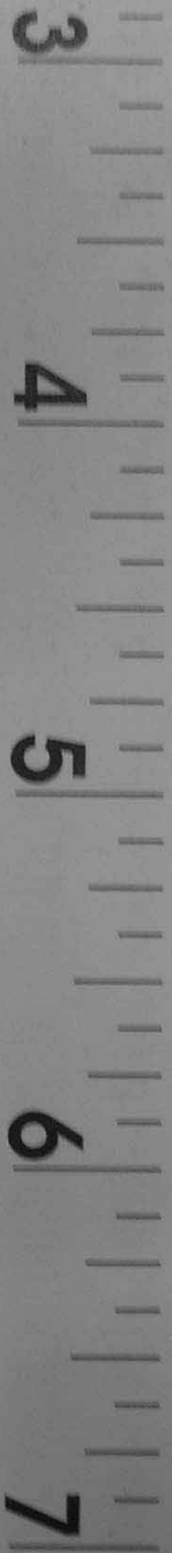
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GM Y 379



0066-08-CID469-51978



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0066-08-CMD469-51978

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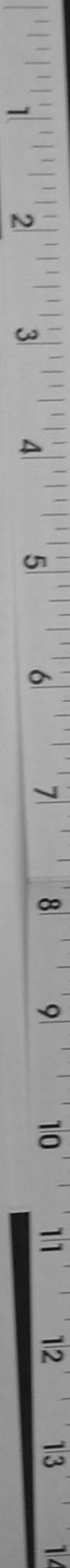
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0066-08-CID469-51978



am-Field
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0066-08-CID469-51978



ACLU-RO 155 61122

10-L-0126 ACLU CID ROI 8447

000459



0066-08-11046A



0066-08-010469

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0066-08-CID469-51978

PAGE 1 OF 1 PAGES

DETAILS

About 0930, 25 Jul 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who related on 23 Jul 08, she interviewed Dr. (b)(6), (b)(7)(C) the attending medical examiner for Mr. MANSOUR. Dr. (b)(6), (b)(7)(C) stated he observed two gunshot wounds on Mr. MANSOUR's body, both with exit wounds. Dr. (b)(6), (b)(7)(C) related he was able to determine the trajectory of the projectiles but did not find any evidence of the projectiles in the body. Dr. (b)(6), (b)(7)(C) stated Mr. MANSOUR suffered burns to approximately nine percent of his body which were concentrated around the neck and head. Dr. (b)(6), (b)(7)(C) was unable to determine the cause of the burns. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION:

Tikrit CID Office
COB Speicher, Tikrit, IZ APO AE 09393

DATE

25 Jul 08

EXHIBIT

1/1

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

INTERNAL USE ONLY

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1
FOR OFFICIAL USE ONLY – Law Enforcement Sensitive

ROI NUMBER 0066-08-CID469-51978

PAGE 1 OF 1 PAGE

DETAILS

About 1656, 7 Aug 08, SA (b)(6), (b)(7)(C) telephonically interviewed Mr. (b)(6), (b)(7)(C) Police Transition Team, 561st Military Police Company, FOB Summerall, who related in mid April 08 he signed out a Glock 9mm to a member of the 1/327th INF REG, who presented themselves as a member of a Military Transition Team or National Police Transition Team. Mr. (b)(6), (b)(7)(C) stated he could not recall the exact name of the individual but if SFC (b)(6), (b)(7)(C) name was on the hand receipt, then that was the individual he signed the weapon out to. Mr. (b)(6), (b)(7)(C) recalled also signing out a Beretta to the same individual. Mr. (b)(6), (b)(7)(C) recalled the individual returned the first Glock as it was not functioning correctly and obtained an additional Glock. Mr. (b)(6), (b)(7)(C) denied signing out additional Glockes to anyone else. Mr. (b)(6), (b)(7)(C) stated he did not know or recall dealing with 1LT (b)(6), (b)(7)(C)

About 1000, 10 Aug 08, SA (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) conducted a review of the Iraqi documents collected to date. Mr. (b)(6), (b)(7)(C) translated several remaining documents which were posted to the file. The death certificate and identification report was included with these documents, were obtained initially during the week of 13 – 18 Jun 08. A preliminary translation was completed in order to determine the content of the documents. Mr. (b)(6), (b)(7)(C) completed the official translation which was appended as an exhibit to this report.

///LAST ENTRY///

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

ORGANIZATION
Tikrit CID Office
COB Speicher, Tikrit, IZ, APO AE 09393

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

DATE
10 Aug 08

EXHIBIT

15

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1
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ROI NUMBER 0066-08-CID469-51978

Page 1 of 1 Page

DETAILS

About 1400, 15 Aug 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) Iraqi Police Transition Team, FOB Summerall. Mr. (b)(6), (b)(7)(C) related he arrived at FOB Summerall in June 2007 and adopted the responsibility of maintaining a weapons cage which contained numerous weapons utilized to train the Iraqi Police. Mr. (b)(6), (b)(7)(C) related no log book or inventory was ever maintained in the weapons storage cage and there was no accurate record of weapons leaving or returning to the weapons cage. Mr. (b)(6), (b)(7)(C) related he remembered being in the weapons cage when SFC (b)(6), (b)(7)(C) requested a 9mm Glock and a 9mm Barretta pistol. He related SFC (b)(6), (b)(7)(C) gave the impression he was with the Military Transition Team (MTT) and wanted to sign out the weapons for training purposes. Mr. (b)(6), (b)(7)(C) related SFC (b)(6), (b)(7)(C) was the only military person he had ever witnessed signing out weapons from the weapons cage. He related both weapons were signed out to SFC (b)(6), (b)(7)(C) on a hand receipt and provided a copy of the hand receipt to this office earlier. A couple of minutes after SFC (b)(6), (b)(7)(C) was issued the pistols, SFC (b)(6), (b)(7)(C) returned and claimed the 9mm Glock he initially signed out was malfunctioning. Mr. (b)(6), (b)(7)(C) related Mr. (b)(6), (b)(7)(C) issued another 9mm Glock pistol to SFC (b)(6), (b)(7)(C) in exchange for the bad pistol. Mr. (b)(6), (b)(7)(C) related he was under the impression Mr. (b)(6), (b)(7)(C) was going to change the serial number on the existing hand receipt to reflect the new 9mm Glock pistol issued to SFC (b)(6), (b)(7)(C). However, he was not sure if that happened and could not find any other hand receipts to SFC (b)(6), (b)(7)(C). Mr. (b)(6), (b)(7)(C) related he did know 1LT (b)(6), (b)(7)(C) but he never issued any weapons to him from the weapons cage. Mr. (b)(6), (b)(7)(C) related since the incident happened, the weapons cage had since been turned over to the military. Mr. (b)(6), (b)(7)(C) had nothing further to add that would assist in this investigation.

About 1200, 22 Aug 08, this office received the Final Reports from the Latent Print Branch, USACIL, which disclosed the examinations of the cartridge cases and grenade remnants revealed there were no latent prints suitable for identification.

About 1555, 22 Aug 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) B Company, 1st STB, 1st BCT, 101st ABN DIV, COB Speicher. PFC (b)(6), (b)(7)(C) related she did not remember the day she received the toothbrush or Mr. MANSOUR, but stated she met with Mr. (b)(6), (b)(7)(C) at the Civil Military Operations Center (CMOC), FOB Summerall, to discuss another matter. She related towards the end of their meeting, Mr. (b)(6), (b)(7)(C) handed her a black plastic bag and was told by Mr. (b)(6), (b)(7)(C) that U.S. agent's requested he bring a toothbrush belonging to Mr. MANSOUR. PFC (b)(6), (b)(7)(C) related she did not open the plastic bag to verify if there was in fact a toothbrush inside of it. Instead, PFC (b)(6), (b)(7)(C) placed the bag on CPT (b)(6), (b)(7)(C) desk along with a note. PFC (b)(6), (b)(7)(C) had nothing further to add that would assist in this investigation.///LAST ENTRY///

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

ORGANIZATION
Tikrit CID Office
COB Speicher, Tikrit, IZ, APO AE 09393

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

DATE
22 Aug 08

EXHIBIT
116

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LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 8452 000464



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DEPARTMENT OF THE ARMY
 US ARMY CRIMINAL INVESTIGATION LABORATORY
 4930 N 31ST STREET
 FOREST PARK, GA 30297-5205

CILA-LP

21 July 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32ND MILITARY POLICE
 DETACHMENT (CID), COB SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: Latent Print Branch - Final Report
 USACIL Case Number 2008-CID131-1346
 Submitter Case Number 0066-07-CID469-51978

EXHIBITS:

- 2 - One cartridge case (Item 1, Doc 0588-08).
- 3 - One piece of grenade (Exterior portion only)
 (Item 2, Doc 0588-08).
- 10 - One cartridge case (Item 2, Doc 0589-08).
- 22 - Record finger and palm prints of (b)(6), (b)(7)(C)

FINDINGS:

1. Examination of Exhibits 2, 3 (Exterior portion only), and 10 did not reveal any latent prints suitable for identification.
2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

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

Latent Print Examiner



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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1 of 1

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DEPARTMENT OF THE ARMY
 US ARMY CRIMINAL INVESTIGATION LABORATORY
 4930 N 31ST STREET
 FOREST PARK, GA 30297-5205

CILA-LP

24 July 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32ND MILITARY POLICE
 DETACHMENT (CID), COB SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: Latent Print Branch - Final Report
 USACIL Case Number 2008-CID131-1346-A1
 Submitter Case Number 0066-08-CID469-51978

EXHIBIT:

23 - Record finger and palm prints of (b)(6), (b)(7)(C)

FINDINGS:

1. As previously reported on 21 July 08, examination of Exhibits 2, 3 (Exterior portion only), and 10 did not reveal any latent prints suitable for identification.
2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614/4874, Commercial (404) 469-7082/7109/7110/4612/4613/4614/4874, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

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

Latent Print Examiner



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1 of 1

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DEPARTMENT OF THE ARMY
 US ARMY CRIMINAL INVESTIGATION LABORATORY
 4930 N 31ST STREET
 FOREST PARK, GA 30297-5205

CILA-LP

24 July 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32ND MILITARY POLICE
 DETACHMENT (CID), COB SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: Latent Print Branch - Corrected Report
 USACIL Case Number 2008-CID131-1346
 Submitter Case Number 0066-08-CID469-51978

EXHIBITS:

- 2 - One cartridge case (Item 1, Doc 0588-08).
- 3 - One piece of grenade (Exterior portion only)
 (Item 2, Doc 0588-08).
- 10 - One cartridge case (Item 2, Doc 0589-08).
- 22 - Record finger and palm prints of (b)(6), (b)(7)(C)

FINDINGS:

1. Examination of Exhibits 2, 3 (Exterior portion only), and 10 did not reveal any latent prints suitable for identification.
2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

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

Latent Print Examiner



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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1 of 1

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

0084-08-CID036
0066-08-CID469-51978

PAGE 1 OF 1 PAGES

DETAILS

On 18 Aug 08, this office received a Request for Assistance from the Tikrit CID Office, Contingency Operating Base Speicher, Tikrit, Iraq APO AE 09393, to interview Mr. (former SGT) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) in reference to a possible murder of an Iraqi detainee by Coalition forces.

About 1200, 20 Aug 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) who agreed to allow a recording of the interview. Mr. (b)(6), (b)(7)(C) related he was in Iraq from Sep 07 to May 08 and was located at FOB Summerall with the 1-327th INF BN. Mr. (b)(6), (b)(7)(C) related that he worked as a medic on FOB Summerall and one of his duties was to conduct medical screenings of detainees. Mr. (b)(6), (b)(7)(C) related that on 5 May 08, he screened Mr. Ali MANSOUR (NFI) as part of the normal detainee/capture process. Mr. (b)(6), (b)(7)(C) related Mr. MANSOUR appeared to be "high" on some type of narcotic when he was brought in due to his constant smile and enlarged pupils; however, Mr. MANSOUR denied using any narcotic. Mr. (b)(6), (b)(7)(C) related that Mr. MANSOUR had what he thought looked to be a boot mark on his back. Mr. (b)(6), (b)(7)(C) stated Mr. MANSOUR did not related how he had received the injury on his back but related it occurred when he was arrested by Iraqi Police and Coalition Forces. Mr. (b)(6), (b)(7)(C) stated he did not notify his chain of command or did he conduct any further medical screenings as Mr. MANSOUR did not have any life threatening injuries. Mr. (b)(6), (b)(7)(C) related Mr. MANSOUR was one of several hundred detainees that he examined while he was deployed. Mr. (b)(6), (b)(7)(C) stated that during the month of May 08, he was preparing to redeploy and had no information pertaining to 1LT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or the death of Mr. MANSOUR. Mr. (b)(6), (b)(7)(C) related he had no information pertaining to any abuse of detainees while he was at FOB Summerall. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Monterey CID Office
Presidio of Monterey, CA 93944

SIGNATURE

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

DATE

20 Aug 08

EXHIBIT

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0363-08-CID033
	PAGE 1 OF 1 PAGE

BASIS FOR INVESTIGATION: About 0900, 13 Aug 08, this office received a Request for Assistance from SA (b)(6), (b)(7)(C) Tikrit, CID Office, Contingency Operating Base Speicher, Tikrit, Iraq APO AE 09393, who requested this office interview SFC (b)(6), (b)(7)(C) Warrior Transition Unit (WTU), Fort Campbell, KY 42223 (FCKY) in relation to any information 1LT (b)(6), (b)(7)(C) D Company, 1/327th Infantry Regiment, Forward Operating Base Summerall, Bayji, Iraq APO AP 09393, may have related about the death of Mr. Ali MANSOUR.

Between 1520 and 1705, 18 Aug 08, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) who provided a sworn statement relating although he briefly spoke with 1LT (b)(6), (b)(7)(C) at the end of May 08, he did not discuss Mr. MANSOUR or 1LT (b)(6), (b)(7)(C) investigation. SFC (b)(6), (b)(7)(C) stated he was informed by SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Rear Detachment, 1/327 Infantry Regiment, FCKY, that 1LT (b)(6), (b)(7)(C) shot an Iraqi national and was under investigation. SFC (b)(6), (b)(7)(C) further related he read about 1LT (b)(6), (b)(7)(C) investigation in the Oklahoma Journal, an Oklahoma news website.

About 1720, 18 Aug 08, SA (b)(6), (b)(7)(C) coordinated with SFC (b)(6), (b)(7)(C) who provided a copy of the NEWSOK.COM news article relating 1LT (b)(6), (b)(7)(C) was currently under investigation for killing an Iraqi National.

Between 1815 and 1908, 18 Aug 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) who provided a sworn statement. SSG (b)(6), (b)(7)(C) stated he spoke with 1LT (b)(6), (b)(7)(C) on two occasions wherein 1LT (b)(6), (b)(7)(C) admitted he shot an Iraqi National and was now under investigation. SSG (b)(6), (b)(7)(C) stated 1LT (b)(6), (b)(7)(C) did not show any remorse for shooting the Iraqi but said he would do it again because he had lost two of his Soldiers. SSG (b)(6), (b)(7)(C) further stated his Chain of Command openly discussed this investigation with unit members.

About 0015, 22 Aug 08, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) who related no further investigative activity was needed from this office. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION 31 st MP Detachment (CID), 3d MP GRP (CID), Ft Campbell, KY 42223
(b)(6), (b)(7)(C)	DATE 22 Aug 08
	EXHIBIT 120

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Automatic Termination (Para 13, AR 34-16)

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SWORN STATEMENT

FILE NUMBER : 0363-08-CID033

LOCATION : 31st Military Police Det (CID), Fort Campbell, KY 42223

DATE : 18 Aug 08 (b)(6), (b)(7)(C) TIME: 1705 (b)(6), (b)(7)(C)

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

SSN : (b)(6), (b)(7)(C) Grade/Status: E-7 / AD

(b)(6), (b)(7)(C) ORG/ADDRESS : D Company, Warrior Transition Unit, Fort Campbell, KY 42223

I, SFC (b)(6), (b)(7)(C) want to make the following statement under oath: On 21 Apr 2008, at approx. 1400 while returning back to the FOB Summerall from a patrol outside of Al Butoma, Iraq, I was the trail vehicle in a three vehicle convoy. My vehicle was hit by an IED. I was severely injured and given first aid until Medevac helicopters came to pick me and the other injured soldiers up. We were evacuated to FOB Speicher. I briefly remember seeing LT (b)(6), (b)(7)(C) before I was loaded on the bird. I was at Speicher from the 21st to the 25th of April 2008. The period of time that I was there he did not come to see me. I was then evacuated to Balad and then to Lundstul, Germany. The last time I had contact with LT (b)(6), (b)(7)(C) was when he came back to the states for R&R leave which was at the end of May. I called his parents house to see if he had made it home. I briefly talked to him to see how he was doing and how he was holding up about the IED incident. He said that he was doing ok. We then said goodbye. I have had no further contact with him since then. The only information I've received has been secondhand information and nothing directly from 1LT (b)(6), (b)(7)(C) or anyone else involved to my knowledge.

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

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

Q: Did you type the above narrative?

A: Yes.

Q: How well do you know 1LT (b)(6), (b)(7)(C)

A: I have known him since 1 Sep 07.

Q: What kind of relationship do you have with 1LT (b)(6), (b)(7)(C)

A: We didn't go out and drink but a standard Platoon Leader and Platoon SGT working relationship.

Q: How did you know when 1LT (b)(6), (b)(7)(C) was going to be back in the United States?

A: We turned in our leave dates as soon as we got to Iraq.

Q: What number did you call him at?

A: At his parents house, I don't remember the phone number.

Q: How did you know the number to his parents house?

A: That was the contact number he had provided to the Family Readiness Group. My wife had it on file along with other soldiers contact information.

Q: Exactly what was said when you spoke 1LT (b)(6), (b)(7)(C)

A: I asked him how he was doing and how he was holding up in relation to the attack we had been in. He told me he was doing ok. I told him I had talked to the fallen soldiers families and they were doing ok. He told me he was going to try and come see me during the last part of his (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

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

Page 1 of 3 Pages

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

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Case No. 0363-08-CID033

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

Statement of SFC (b)(6), (b)(7)(C), taken on 18 Aug 08 at Fort Campbell CID, Fort Campbell, KY 42223
Continued:"

leave. I told him it would be great to see him before he went back. I wanted him to see I was doing ok. Then we said goodbye and that was the last contact.

Q: Did 1LT (b)(6), (b)(7)(C) ever come see you or make any other contact after this?

A: No.

Q: Did anything seem strange about 1LT (b)(6), (b)(7)(C) when you spoke with him?

A: Nothing seemed out of the ordinary, but it was over the telephone, but from what I could tell everything seemed fine.

Q: Have you ever heard the name Mr. Ali MANSOUR?

A: No, I don't remember that name.

Q: Did 1LT (b)(6), (b)(7)(C) make any statements to you about any insurgents being killed?

A: No he did not.

Q: Are you aware of any incidents involving 1LT (b)(6), (b)(7)(C) during his current tour in Iraq?

A: Yes, Sometime in the middle of Jul 08, I spoke with SSG (b)(6), (b)(7)(C) who is on the rear detachment for 1/327 Infantry Regiment, who told me two Iraqi guys had been picked up and 5th platoon had been given the mission to return them to where they had been picked up at. Then SSG (b)(6), (b)(7)(C) stated 1LT (b)(6), (b)(7)(C) hand picked some guys he thought he could trust and they loaded the iraqi's up in the truck and dropped one off then took a different route back. At some point whoever was in the truck beat the second Iraqi up pretty bad then shot him. Then someone tried to put a Thermite Grenade on second iraqi's body to burn him. Then around the end of Jul 08, I read in the Oklahoman News Paper that 1LT (b)(6), (b)(7)(C) was involved in the killing of a local Iraqi with the use of a handgun.

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

A: He was a squad leader in third platoon while we were in Iraq.

Q: Why would SSG (b)(6), (b)(7)(C) tell you these things?

A: Because I asked him what was going on in Iraq with my old platoon because I hadn't had any contact with them.

Q: Did SSG (b)(6), (b)(7)(C) tell you how he found out about this information?

A: No.

Q: Was SSG (b)(6), (b)(7)(C) one of the individuals 1LT (b)(6), (b)(7)(C) picked to drop off the Iraq's?

A: No he wasn't he was in third platoon and SSG (b)(6), (b)(7)(C) told me 1LT (b)(6), (b)(7)(C) picked guys out of 5th platoon.

Q: When did SSG (b)(6), (b)(7)(C) return from Iraq and why?

A: He got evacuated sometime in Jul 08 due to some type of injury.

Q: Did SSG (b)(6), (b)(7)(C) tell you who shot the second Iraqi?

A: I think he said 1LT (b)(6), (b)(7)(C) but I'm not sure.

Q: Did SSG (b)(6), (b)(7)(C) tell you who was in the Vehicle with the second Iraqi?

A: The only one he knew or heard was in the vehicle was SSG (b)(6), (b)(7)(C) who was a squad leader in 5th platoon.

Q: Did SSG (b)(6), (b)(7)(C) tell you who put the Thermite Grenade on the Iraqi?

A: I believe he said SSG (b)(6), (b)(7)(C) was the one who put the thermite grenade on the Iraqi.

Q: Did SSG (b)(6), (b)(7)(C) tell you any other information concerning the death or abuse of any Iraqi's? (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

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

Page 2 of 3 Pages

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

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EXHIBIT

121

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LAW ENFORCEMENT SENSITIVE

Case No. 0363-08-CID033

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

Statement of SFC (b)(6), (b)(7)(C), taken on 18 Aug 08 at Fort Campbell CID, Fort Campbell, KY 42223
Continued:"

A: Not that I can remember at this time.

Q: Do you know of anyone else 1LT (b)(6), (b)(7)(C) spoke with or visited while on leave?

A: No.

Q: Is there anything else you would like to add to you statement at this time?

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

AFFIDAVIT

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

SFC (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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (b)(6), (b)(7)(C)

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

WITNESSES:

ORGANIZATION AND ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of AUG, 2008

(b)(6), (b)(7)(C)
(Signature of person administering oath)

SA (b)(6), (b)(7)(C)
(Typed Name of person administering oath)

10 USC § 936
(Authority to Administer Oath)

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

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

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EXHIBIT 121
000478 [Signature]

SWORN STATEMENT

FILE NUMBER :
LOCATION : 31st Military Police Det (CID), Fort Campbell, KY 42223
DATE : 18 Aug 08 (b)(6), (b)(7)(C) TIME: 19:08 (b)(6), (b)(7)(C)
NAME : (b)(6), (b)(7)(C)
SSN : (b)(6), (b)(7)(C) Grade/Status: E-6 / AD
ORG/ADDRESS : Rear Detachment, 1/327 Infantry Battalion, Fort Campbell, KY 42223

(b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), want to make the following statement under oath: On or about May 15, 2008 an investigation was started on a possible murder of an Iraqi National. It involved members of 5th PLT. D. Company 1-327 Infantry Battalion. During the investigation information was circulating around the F.O.B. about different scenarios that took place. Some of the information was coming from soldiers at the Battalion level and Company level. On one occasion I had spoken to SGT. (b)(6), (b)(7)(C) who is in 5th PLT. D company about what had happened and he mentioned very little in the way of specifics, he did mention that Lt. (b)(6), (b)(7)(C) and SSG. (b)(6), (b)(7)(C) had killed a Local National, that's all he mentioned. On or about the beginning of June 08, I saw Lt. (b)(6), (b)(7)(C) in the chowhall at fob speicher, we talked briefly about what had taking place and he said that he shot the guy and he didn't feel bad for what he did because 2 of his guys had been killed, and would do it again if he had too. A couple days later I saw him again in the chowhall and he only talked about the possibilities of what could happen such as going to prison, and it was a chance he would take. On or about late May 08, during a Company meeting the XO 1LT. (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) of D. Co. HQ's were talking about the events that took place. It was said that 5th plt. was tasked with taking two detainees back to where they were detained and release them. It was said that only one detainee was dropped off in mezra and the remaining detainee was kept in Lt. (b)(6), (b)(7)(C) truck and that he and some unknown members of his plt., just mentioned as guys he could trust. They said that the individual was tortured and later shot 2 times and a grenade was placed under his head. Also mentioned in the meeting that he had moved guys he could trust into his truck, and changed the order of movement for his vehicles.

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

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

Q: Did you type the above narrative?

A: Yes.

Q: Do you know 1LT (b)(6), (b)(7)(C)

A: Yes, I know him as a Platoon Leader in D company.

Q: What is your relationship with 1LT (b)(6), (b)(7)(C)

A: Just a work related relationship.

Q: Exactly what did 1LT (b)(6), (b)(7)(C) tell you the first time you talked to him about the death of the local national?

A: We were setting down eating chow in the chow hall and I specifically asked could he talk about why he was in trouble and he said he couldn't talk about is completely because it was still under investigation but he had shot a guy and would do it again because he had lost two guys. (b)(6), (b)(7)(C)

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

Page 1 of 3 Pages (b)(6), (b)(7)(C)

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(b)(6), (b)(7)(C) "Statement of SSG (b)(6), (b)(7)(C), taken on 18 Aug 08 at Fort Campbell CID, Fort Campbell, KY 42223 Continued:"

Then he went on to tell me that he hadn't been arrested and that he was the OIC for the gates guards for FOB SPIECHER.

Q: Did 1LT (b)(6), (b)(7)(C) say anything else to you about this incident during this conversation?

A: No.

Q: Exactly what did 1LT (b)(6), (b)(7)(C) tell you the second time you talked to him about the death of the local national?

A: We didn't talk about how the local national was killed we only talked about what could happen to him. We were in the chowhall and I asked him what could happen to him with his situation, referring to the death of the local national and he told me he could go to jail but that was a chance he was willing to take because he had lost two soldiers and he felt like what he had done was right. He then told me he didn't have any remorse for killing the local national because he had lost two guys.

Q: Did 1LT (b)(6), (b)(7)(C) ever tell you how he killed the local national?

A: Yes, he told me he shot the local national twice. He told me this during this first conversation.

Q: Did 1LT (b)(6), (b)(7)(C) tell you exactly where he shot the local national?

A: No.

Q: Did 1LT (b)(6), (b)(7)(C) tell you geographically where he had shot the local national?

A: No.

Q: Did 1LT (b)(6), (b)(7)(C) tell you the name of the local national he had shot?

A: No.

Q: Did 1LT (b)(6), (b)(7)(C) tell you exactly why he had shot the local national?

A: He only talked about himself and never about any of his soldiers and he never implied anyone else was involved in the killing of the local national. However during the company meeting either 1SG (b)(6), (b)(7)(C) of 1LT (b)(6), (b)(7)(C) told everyone that 1LT (b)(6), (b)(7)(C), (b)(7)(D)

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

Q: Do you know SSG (b)(6), (b)(7)(C)

A: All I know about him is that he is in D Company 1/327 Infantry Battalion. I've never spoke with him.

Q: Do you know if SSG (b)(6), (b)(7)(C) had any involvement with the death of a the local national 1LT (b)(6), (b)(7)(C) had shot twice?

A: I heard in the company meeting that SSG (b)(6), (b)(7)(C) placed a Thermite or fragmentary grenade under the local nationals head or under his body from 1SG (b)(6), (b)(7)(C) of 1LT (b)(6), (b)(7)(C) This was common knowledge around the FOI.

Q: Is everything in your statement true?

A: Yes.

Q: Is there anything else you would like to add to your statement at this time?

A: When I arrived back to Fort Campbell in the middle of Jul 08, I saw SFC (b)(6), (b)(7)(C) and he asked me what was going on with 5th Platoon and I told him pretty much everything I've put in this statement.

Q: Is there anything else you would like to add to your statement at this time?

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

(b)(6), (b)(7)(C) Page 2 of 3 Pages (b)(6), (b)(7)(C)

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(b)(6), (b)(7)(C) Statement of SSG (b)(6), (b)(7)(C) taken on 18 Aug 08 at Fort Campbell CID, Fort Campbell, KY 42223 Continued:
A:No///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C) SSG (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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT (b)(6), (b)(7)(C)

(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 18th day of Aug, 2008 at Fort Campbell CID, Fort Campbell, KY 42223

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

(Signature of Person Administering Oath)

ORGANIZATION AND ADDRESS

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

(Typed Name of Person Administering Oath)

10 USC § 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT:

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

Page 3 of 3 Pages

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

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EXHIBIT 122

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0066-08-CID469-51978

PAGE 1 OF 1 PAGES

DETAILS

About 1604, 1 Sep 08, SA (b)(6), (b)(7)(C) coordinated with SFC (b)(6), (b)(7)(C) HHC, 1st BCT, 101st ABN DIV, who provided a compact disc containing a unit roll number (URN) spread sheet, and the Blue Force Tracker report pertaining to the URN's 761726 and 761725, which were reported as being assigned to the 5th PLT, D CO, 1-327th INF. The report documented positional grid coordinates for URN 761726 between 1547 and 1703, 16 May 08. Further, the report documented positional grid coordinates for URN 761725 between 1548 and 1711, 16 May 08. No other activity was reported on 16 May 08, pertaining to both URN's. SFC (b)(6), (b)(7)(C) further explained there was no way of indicating if the Blue Force Tracker system was manually turned off or if it automatically shut down due to mechanical failure.

About 1200, 3 Sep 08, this office received the USACIL Trace Evidence Final Report. The report revealed the grenade remains recovered at the death scene by Iraqi Police and metal pieces recovered at the death scene by CID Special Agents, were consistent in their morphological characteristics and elemental composition with the post-combustion of an AN-M14 TH3 incendiary hand grenade and the remains of the "control" post-combusted AN-M14 TH3 incendiary hand grenade provided by this office. Further examination of the gauze pads recovered at the death scene by CID Special Agents, also revealed the presence of several composition of a post-combusted AN-M14 TH3 incendiary grenade.

About 1200, 3 Sep 08, this office received the USACIL DNA Branch Final Report. The report revealed blood was identified on the bullet recovered from the death scene. Blood was also discovered on the rocks and gauze pads recovered from the death scene. A chemical indication of blood was discovered on SSG (b)(6), (b)(7)(C) knife. A DNA profile was obtained from the bullet, both rocks, and gauze pads, which was consistent with originating from an unknown individual that genetically types as male. Although DNA was extracted from SSG (b)(6), (b)(7)(C) knife, a profile could not be obtained due to lack of genetic typing information. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION:	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Tikrit CID Office	
(b)(6), (b)(7)(C)		COB Speicher, Tikrit, IZ APO AE 09393	
		DATE	EXHIBIT
		3 Sep 08	123

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1600673	1BN187IN/3BCT/101AB	760079	S2-1BN187IN-3BCT-101AB
1600673	1BN187IN/3BCT/101AB	760080	S2TOC-1BN187IN-3BCT-101AB
1600673	1BN187IN/3BCT/101AB	566894	S3-1BN187IN-3BCT-101AB
1600673	1BN187IN/3BCT/101AB	760081	S3HH-1BN187IN-3BCT-101AB
1600673	1BN187IN/3BCT/101AB	760082	S4-1BN187IN-3BCT-101AB
1600673	1BN187IN/3BCT/101AB	1640246	S6-1BN187IN-3BCT-101AB
1600673	1BN187IN/3BCT/101AB	1640528	TOC-1BN187IN-3BCT-101AB
1600673	1BN187IN/3BCT/101AB	566892	XO-1BN187IN-3BCT-101AB
1911576	1BN320FA/2BCT/101AB	566673	CDR-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	760247	CHAP-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	566674	CSM-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	760248	FSO-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	566678	RTNS-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	760249	S1-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	566677	S2-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	566675	S3-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	566679	S4-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	760250	S4SEC-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	566680	S6-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	566676	TOC-1BN320FA-2BCT-101AB
1911576	1BN320FA/2BCT/101AB	760251	XO-1BN320FA-2BCT-101AB
1600667	1BN327IN/1BCT/101AB	566085	CDR-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760031	CDRHH-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760032	CHAP-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	566087	CSM-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	566095	CTCP-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	566118	FIST1-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760033	FIST1HH-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	566131	FIST2-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760034	FIST2HH-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	566144	FIST3-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760035	FIST3HH-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	566159	FIST4-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760036	FIST4HH-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760037	FSO-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760038	FSOHH-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	761727	LNO-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	9828765	PSD1-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	9828766	PSD2-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	9828767	PSD3-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	761726	RTNS1-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	761725	RTNS2-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760039	S1-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760040	S2-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760041	S2TOC-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	566088	S3-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760042	S3HH-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	760043	S4-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	1640244	S6-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	1640526	TOC-1BN327IN-1BCT-101AB
1600667	1BN327IN/1BCT/101AB	566086	XO-1BN327IN-1BCT-101AB

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DEPARTMENT OF THE ARMY
 US ARMY CRIMINAL INVESTIGATION LABORATORY
 4930 N 31ST STREET
 FOREST PARK, GA 30297-5205

CILA-TE

18 August 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32ND MILITARY POLICE
 DETACHMENT (CID), COB SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: Trace Evidence Branch - Final Report
 USACIL Case Number 2008-CID131-1346
 Submitter Case Number 0066-08-CID469-51978

EXHIBITS:

- 3 - Grenade piece (Item 2, Doc 0588-08).
- 11 - Remains of a "control" AN-M14 TH3 incendiary grenade (Item 1, Doc 0590-08).
- 12 - Metal pieces (Item 1, Doc 0594-08).
- 13 - Metal pieces (Item 2, Doc 0594-08).
- 16 - Gauze pads (Item 5, Doc 0594-08).

FINDINGS:

1. For reference purposes, the AN-M14 TH3 (thermate) incendiary hand grenade is composed of three basic components: a thin, cylindrical sheet metal grenade body; an M201A1 igniting fuze; and an incendiary filler mixture. The M201A1 igniting fuze contains three essential pyrotechnic mixtures: a primer, a delay element, and an ignition mixture. The incendiary main body filler mixture consists of two essential pyrotechnic mixtures: a starter mixture (First-Fire Mixture VII) and a thermate (TH3) mixture. The AN-M14 TH3 incendiary hand grenade is functioned by pulling the safety pin which releases the safety lever allowing the striker to spring forward and strike the primer. The primer initiates a chain reaction igniting the delay element, the ignition mixture, the starter mixture, and the thermate mixture. The thermate mixture proceeds by an aluminothermic reaction between powdered aluminum and a metal oxide which can burn at temperatures up to approximately 4,000



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CILA-TE

SUBJECT: Trace Evidence Branch - Final Report
USACIL Case Number 2008-CID131-1346
Submitter Case Number 0066-08-CID469-51978

degrees Fahrenheit and produces white-hot molten iron/slag. The slag produced by the initiation of an AN-M14 TH3 incendiary hand grenade primarily contains the elements aluminum (Al), silicon (Si), barium (Ba), and iron (Fe) with sulfur (S), titanium (Ti), and lead (Pb) as accessory elements.

2. Examination of the contents of Exhibit 11 (AN-M14 TH3 "control") disclosed the presence of gray slag which was consistent in its morphological characteristics and elemental composition with laboratory standards of the post-combustion remains from an AN-M14 TH3 incendiary hand grenade. Exhibit 11 did not contain the remnants of the AN-M14's M201A1 igniting fuze body.

3. Examination of the contents of Exhibits 3 (grenade piece), 12 (metal pieces), and 13 (metal pieces) disclosed the following:

a. Exhibit 3 contained the remains of an M201A1 igniting fuze body or a like fuze body. The M201A1 igniting fuze is used in several different chemical grenades, which includes the AN-M14 TH3 incendiary hand grenade. The primer housing, inside the M201A1 igniting fuze body, bore the head stamps: "W.R.A." and "MARK V". This primer housing was found to be similar to all three primer housings in each laboratory post-combustion AN-M14 TH3 incendiary hand grenade standard.

b. Exhibit 3 contained the partial remains of the top rimmed section of the thin, cylindrical sheet metal container attached to the fuze body. The diameter of the container which this item originated from was determined to be approximately 2-1/2 inches (O.D.). This diameter is physically consistent with the cylindrical diameter of the AN-M13 TH3 incendiary hand grenade.

c. Exhibits 3, 12, and 13 each contained pieces of gray slag that were consistent in their morphological characteristics and elemental composition with laboratory standards of the post-combustion AN-M14 TH3 incendiary hand grenade and the remains of Exhibit 11 ("control").

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CILA-TE

SUBJECT: Trace Evidence Branch - Final Report
USACIL Case Number 2008-CID131-1346
Submitter Case Number 0066-08-CID469-51978

4. Examination of the soiled gauze pads identified as Exhibit 16 revealed several small dark gray particles within the weave structure. These particles were determined to be consistent in elemental composition with laboratory standards of the post-combustion AN-M14 TH3 incendiary hand grenade and the remains of Exhibit 11 ("control").

5. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

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

Forensic Chemist



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DEPARTMENT OF THE ARMY
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CILA-DNA

13 August 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32ND MILITARY POLICE
 DETACHMENT (CID), COD SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: DNA Branch - Final Report
 USACIL Case Number 2008-CID131-1346
 Submitter Case Number 0066-08-CID469-51978

EXHIBITS:

- 9 - Bullet (Item 1, Doc 0589-08).
- 14 - Rock (Item 3, Doc 0594-08).
- 15 - Rock (Item 4, Doc 0594-08).
- 16 - Gauze pads (Item 5, Doc 0594-08).
- 18 - Knife from (b)(6), (b)(7)(C) (Item 1, Doc 0593-08).
- 19 - Knife with sheath from (b)(6), (b)(7)(C) (Item 2, Doc 0593-08).
- 19(1) - Knife.
- 19(2) - Sheath.
- 20 - Knife from (b)(6), (b)(7)(C) (Item 1, Doc 0592-08).
- 21 - Multi-tool with case from (b)(6), (b)(7)(C) (Item 2, Doc 0592-08).
- 21(1) - Multi-tool.
- 21(2) - Case.

FINDINGS:

1. Blood was identified on the bullet, both rocks and gauze pads.
2. A chemical indication of blood was obtained on the knife (Exhibit 18).
3. No blood was detected on the knife (Exhibit 19(1)), sheath (Exhibit 19(2)), knife (Exhibit 20) and multi-tool.



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CILA-DNA

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-1346
Submitter Case Number 0066-08-CID469-51978

4. No stains of apparent evidentiary value were observed on the case (Exhibit 21(2)).
5. DNA (deoxyribonucleic acid) was extracted from the bullet, both rocks, gauze pads and knife (Exhibit 18).
6. DNA profiles were obtained using PCR (polymerase chain reaction) technology on the fifteen STR (short tandem repeat) loci D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, D5S818, FGA, and the gender identification locus Amelogenin.
7. The DNA profile obtained from the bullet, both rocks and gauze pads is consistent with originating from an unknown individual that genetically types as male.
8. The DNA profile obtained from the knife (Exhibit 18) could not be conclusively interpreted due to mixture complexity and lack of genetic typing information.
9. The above listed exhibits will be returned to the submitting agency upon completion of laboratory testing. Retain the swab of the knife (Exhibit 18) prepared during analysis with the evidence.
10. The DNA results may be compared to other potential DNA contributors when suitable standards for comparison are submitted to this laboratory.
11. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email:

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CILA-DNA

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-1346
Submitter Case Number 0066-08-CID469-51978

usacil@conus.army.mil.

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

Forensic DNA Examiner

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AGENT'S INVESTIGATIVE REPORT
CID Regulation 195-1

ROI NUMBER 0205-08-CID024-

Page 1 of 2 pages

DETAILS:

BASIS FOR INVESTIGATION: On 15 Aug 08, this office received a Request for Assistance (RFA), from the 38th Military Police (MP) Detachment (CID), COB Speicher, Tikrit, Iraq, requesting this office conduct a local law enforcement check pertaining to 1LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) D Company, 1/327th Infantry Regiment, 1/101st Brigade Combat Team, Iraq. 1LT (b)(6), (b)(7)(C) was currently the suspect of murder in Report of Investigation 066-08-CID469-51987. 1LT (b)(6), (b)(7)(C) reportedly attended college at the University of Central Oklahoma. It was further requested this office coordinate with the university to determine 1LT (b)(6), (b)(7)(C) actual dates of attendance and if he had any adverse record with the university.

About 0900, 19 Aug 08, Ms. (b)(6), (b)(7)(C) Criminal Intelligence Coordinator (CIC), this office, conducted a check of the local law enforcement files and the Regional Organized Crime Information Center (ROCIC), which revealed no derogatory information pertaining to 1LT (b)(6), (b)(7)(C)

About 0945, 20 Aug 08, SA (b)(6), (b)(7)(C) this office, coordinated with Ms. (b)(6), (b)(7)(C) Coordinator of Academic Records, University of Central Oklahoma (UCO), 110 N. University Drive, Edmond, OK 73034 (EOK), who conducted a review of the university records, which showed 1LT (b)(6), (b)(7)(C) attended school from August 2002 thru May 2006. 1LT (b)(6), (b)(7)(C) received a Bachelor of Science degree on 5 May 2006.

About 1135, 20 Aug 08, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) Student Conduct, UCO, EOK, who indicated his office would need a written request before providing any conduct information pertaining to 1LT (b)(6), (b)(7)(C) A request was subsequently forwarded to Mr. (b)(6), (b)(7)(C)

About 1400, 22 Aug 08, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) who related he forwarded the request to the legal department for review and action.

About 1120, 27 Aug 08, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) Senior Legal Counsel, UCO, EOK, who related his office received the request from Mr. (b)(6), (b)(7)(C) but due to federal privacy laws, his office could not provide the requested information. Mr. (b)(6), (b)(7)(C) indicated his office wanted to cooperate, but was restricted to providing

TYPED NAME, SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION 90 th Military Police Detachment (CID) Fort Sill, OK 73503	
SIGNATURE (b)(6), (b)(7)(C)	DATE 9 Sep 08	EXHIBIT 128	

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AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER

0205-08-CID024-

Page 2 of 2 pages

DETAILS:

attendance dates, and could not provide information on adverse actions. Mr. (b)(6), (b)(7)(C) recommended this office coordinate with the Edmond Police Department to determine if they had any pertinent information.

About 0820, 4 Sep 08, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 38th MP Detachment (CID), COB Speicher, Tikrit, Iraq, and briefed him on the status of this RFA. SA (b)(6), (b)(7)(C) related that since the Senior Legal Counsel for the University stated they were not able to provide the information due to privacy act laws, he requested this office coordinate with the Edmond Police Department to determine if there were any incidents involving 1LT (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) stated that once coordination with the Edmond Police Department was completed, no further investigative assistance was needed and this office could close the RFA.

About 1110, 9 Sep 08, SA (b)(6), (b)(7)(C) received a Department Incident Report, #200405490, from the Edmond Police Department, 23 E 1st Street, Edmond, OK 73034, pertaining to 1LT (b)(6), (b)(7)(C) The report was concerning an incident in which 1LT (b)(6), (b)(7)(C) and his two brothers were the subjects of simple assault and battery. The report was dated 7 Nov 04, wherein there was a municipal summons for assault and battery, which went into mediation before being dismissed without cost. Additionally, the Edmond Police Department reported there was a fireworks violation on 8 Jun 01, but no reports were provided.
///Last Entry///

TYPED NAME, SEQUENCE NUMBER

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

ORGANIZATION

90th Military Police Detachment (CID)

Fort Sill, OK 73503

SIGNATURE

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

DATE

9 Sep 08

EXHIBIT

128

CID FORM 94-E

(Automated)

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PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (Para 13, AR 34-16)

ACLU-RDI 5576 p.448

10-L-0126 ACLU CID ROI 8578 000588
encl 1

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1
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ROI NUMBER 0066-08-CID469-51978

Page 1 of 1 Page

DETAILS

About 1450, 14 Oct 08, this office received the Final Report from the Firearms Branch, USACIL, which determined both cartridges collected from the death scene were fired from the 9mm Glock, serial number GWY 473. The examination further disclosed the weapon was functioning properly. The examination of the bullet failed to disclose significant individual characteristics for identification or elimination.

Agent's Comment: The 9mm Glock, serial number GWY 473, was identified by SFC (b)(6), (b)(7)(C) as the pistol he assigned 1LT (b)(6), (b)(7)(C) for missions.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER,

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

ORGANIZATION

Tikrit CID Office
COB Speicher, Tikrit, IZ, APO AE 09393

DATE

14 Oct 08

EXHIBIT

129

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DEPARTMENT OF THE ARMY
 US ARMY CRIMINAL INVESTIGATION LABORATORY
 4930 N 31ST STREET
 FOREST PARK, GA 30297-5205

CILA-FA

27 August 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32ND MILITARY POLICE
 DETACHMENT (CID), COB SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: Firearms Branch - Final Report
 USACIL Case Number 2008-CID131-1346
 Submitter Case Number 0066-08-CID469-51978

EXHIBITS:

- 1 - Pistol; 9mm Beretta, SN: 1353496 (Item 1, Doc 0587-08).
- 2 - Cartridge case; 9mm (Item 1, Doc 0588-08).
- 4 - Pistol; 9mm Glock, SN: GWY473 (Item 1, Doc 0591-08).
- 5 - Pistol; 9mm Glock, SN: GWY469 (Item 2, Doc 0591-08).
- 6 - Pistol; 9mm Glock, SN: GWY209 (Item 3, Doc 0591-08).
- 7 - Pistol; 9mm Glock, SN: GWY679 (Item 4, Doc 0591-08).
- 8 - Magazine; 9mm Glock (Item 5, Doc 0591-08).
- 9 - Bullet; 9mm (Item 1, Doc 0589-08).
- 10 - Cartridge case; 9mm (Item 2, Doc 0589-08).
- 17 - Six cartridges; 9mm (Item 1, Doc 0585-08).

FINDINGS:

1. Examination of Exhibit 4 (Pistol) disclosed that it is operational with its incorporated safety features working properly. The trigger pull is approximately 6.5 pounds. Exhibit 4 was test fired using Exhibit 8 (Magazine) and the test fired bullets and cartridge cases were recovered.
2. Examination of Exhibits 1, 5-7 (Pistols) disclosed that they are operational with their incorporated safety features working properly.
3. Microscopic examination of Exhibits 2 and 10 (Cartridge cases) disclosed that they were fired in Exhibit 4.



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CILA-FA

SUBJECT: Firearms Branch - Final Report
USACIL Case Number 2008-CID131-1346
Submitter Case Number 0066-08-CID469-51978

4. Examination of Exhibit 17 (Cartridges) disclosed that they are unfired, intact and designed for use in Exhibit 1, 4-7 (Pistols).

5. Examination of Exhibit 9 (Bullet) disclosed that it is consistent with a 9mm bullet that was fired from a barrel with the class characteristics of six polygonal rifled lands and grooves, such as a Glock or firearm with similar rifling. Microscopic examination of Exhibit 9 failed to disclose significant individual characteristics for identification or elimination.

6. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

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

Forensic Firearms Examiner

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0066-08-CID469-51978

PAGE 1 OF 1 PAGES

DETAILS

About 1603, 10 Nov 08, this office received a Garries Notice from USACIL. The Garries Notice detailed the DNA analysis of a stain from the boots of 1LT (b)(6), (b)(7)(C) would result in the consumption of the entire stain.

About 1500, 12 Nov 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who was of legal opinion there was probable cause 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) committed the offenses of Murder, Obstruction of Justice, and Conspiracy, when they worked together to kill Mr. MANSOUR. CPT (b)(6), (b)(7)(C) further opined there was no probable cause Mr. (b)(6), (b)(7)(C) committed the offense of False Official Statement; however, there was no probable cause to believe he committed the offenses of Murder, Conspiracy, and Misprision of a Serious Offense.

About 1833, 13 Nov 08, this office received a Garries Notice from USACIL. The Garries Notice detailed the DNA analysis of a stain from the groin protector of 1LT (b)(6), (b)(7)(C) would result in the consumption of the entire stain.

At 1400, 17 Nov 08, SA (b)(6), (b)(7)(C) collected two bags of clothing previously owned by Mr. MANSOUR, as evidence, from Mr. (b)(6), (b)(7)(C) //LAST ENTRY//

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION:	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Tikrit CID Office	
SIG (b)(6), (b)(7)(C)		COB Speicher, Tikrit, IZ APO AE 09393	
		DATE	EXHIBIT
		17 Nov 08	131



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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-DNA

29 October 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32nd MILITARY POLICE
DETACHMENT (CID), COB SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: Analysis of USACIL Laboratory Case 2008-CID131-1346
Submitter Case Number 0066-07-CID469-51978

This is to inform you that DNA analysis of a stain from the boots of (b)(6), (b)(7)(C) (Doc. 0734-08 Item 2 of 13) will result in consumption of the entire stain. In compliance with US v. GARRIES please notify the supporting Staff Judge Advocate or Legal Office that the evidence will be consumed. Please reply via email (b)(6), (b)(7)(C)@us.army.mil, fax (DSN: 797-4618 or by phone (b)(6), (b)(7)(C) within seven (7) working days. The analysis will automatically be conducted if no word is received from you or your legal authorities within these seven (7) working days. Analysis will begin on 10 November 2008 on the stain from the boots of (b)(6), (b)(7)(C) if no word is received from you or your legal authorities.

If an affirmative reply is received (i.e. observation of testing is requested), the Staff Judge Advocate has thirty (30) days to make the necessary arrangements to observe the DNA testing.

(b)(6), (b)(7)(C)
Forensic DNA Examiner



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DEPARTMENT OF THE ARMY
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CILA-DNA

13 November 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32nd MILITARY POLICE
DETACHMENT (CID), COB SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: Analysis of USACIL Laboratory Case 2008-CID131-1346
Submitter Case Number 0066-07-CID469-51978

This is to inform you that DNA analysis of a stain from the groin protector of (b)(6), (b)(7)(C) (Doc. 0734-08 Item 8 of 13) will result in consumption of the entire stain. In compliance with US v. GARRIES please notify the supporting Staff Judge Advocate or Legal Office that the evidence will be consumed. Please reply via email (b)(6), (b)(7)(C)@us.army.mil, fax (DSN: 797-4618 or by phone (b)(6), (b)(7)(C) within seven (7) working days. The analysis will automatically be conducted if no word is received from you or your legal authorities within these seven (7) working days. Analysis will begin on 24 November 2008 on the stain from the boots of (b)(6), (b)(7)(C) if no word is received from you or your legal authorities.

If an affirmative reply is received (i.e. observation of testing is requested), the Staff Judge Advocate has thirty (30) days to make the necessary arrangements to observe the DNA testing.

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

Forensic DNA Examiner



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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0066-08-CID469-51978

PAGE 1 OF 1 PAGES

DETAILS

About 1651, 9 Dec 08, SA (b)(6), (b)(7)(C) received USACIL DNA Branch final examination report # 2008-CID131-1346 A2/A3/A4. The report indicated there was blood identified on various items belonging to 1LT (b)(6), (b)(7)(C) and unknown DNA profiles were obtained from the blood. Further testing will compare the unknown DNA profiles to known DNA of Mr. MANSOUR upon receipt.

About 1032, 13 Feb 09, SA (b)(6), (b)(7)(C) received USACIL DNA Branch final examination report # 2008-CID131-1346 A5/A6/A7. The report indicated the clothing from Mr. MANSOUR turned out to be unsuitable for comparison to the unknown profile that was obtained from crime scene evidence. A Y-STR DNA analysis was conducted on the evidence from the buccal swabs from Mr. (b)(6), (b)(7)(C) brother of Mr. MANSOUR. The Y-STR DNA profiles from the rock and Mr. (b)(6), (b)(7)(C) were the same. Since the Y-STR profile is inherited by males from their father and brothers have the same Y-STR profile.

About 1000, 20 Feb 09, this office received the results of trial pertaining to SSG (b)(6), (b)(7)(C) and the offenses committed in this investigation. On 18 Feb 09, under a General Court-Martial, SSG (b)(6), (b)(7)(C) received a sentence to be reduced to E1; forfeit all pay and allowances; confined for 17 months; and to be discharged from the service with a bad-conduct discharge. ///LAST ITEM///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION:	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Tikrit CID Office	
SIG (b)(6), (b)(7)(C)		COB Speicher, Tikrit, IZ APO AE 09393	
		DATE	EXHIBIT
		20 Feb 08	134



FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-DNA

3 December 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32ND MILITARY POLICE
DETACHMENT (CID), COB SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-1346-A2/A3/A4
Submitter Case Number 0066-08-CID469-51978

EXHIBITS:

- 24 - Boots of (b)(6), (b)(7)(C) (Item 1, Doc 0733-08).
- 25 - Camel back of (b)(6), (b)(7)(C) (Item 2, Doc 0733-08).
- 26 - Vest of (b)(6), (b)(7)(C) (Item 3, Doc 0733-08).
- 27 - Body armor of (b)(6), (b)(7)(C) (Item 4, Doc 0733-08).
- 28 - Gloves of (b)(6), (b)(7)(C) (Item 5, Doc 0733-08).
- 29 - Helmet cover of (b)(6), (b)(7)(C) (Item 6, Doc 0733-08).
- 30 - Jacket of (b)(6), (b)(7)(C) (Item 7, Doc 0733-08).
- 31 - Trousers of (b)(6), (b)(7)(C) (Item 8, Doc 0733-08).
- 32 - Trousers of (b)(6), (b)(7)(C) (Item 9, Doc 0733-08).
- 33 - Shirt of (b)(6), (b)(7)(C) (Item 10, Doc 0733-08).
- 34 - Pouches of (b)(6), (b)(7)(C) (Item 11, Doc 0733-08).
- 35 - Pouch of (b)(6), (b)(7)(C) (Item 12, Doc 0733-08).
- 36 - Boots of (b)(6), (b)(7)(C) (Item 13, Doc 0733-08).
- 37 - Helmet cover and band of (b)(6), (b)(7)(C) (Item 1, Doc 0734-08).
 - 37(1) - Helmet cover.
 - 37(2) - Band.
- 38 - Boots of (b)(6), (b)(7)(C) (Item 2, Doc 0734-08).
 - 38(1) - Left boot.
 - 38(2) - Right boot.
- 39 - Boots of (b)(6), (b)(7)(C) (Item 3, Doc 0734-08).
- 40 - Gloves of (b)(6), (b)(7)(C) (Item 4, Doc 0734-08).
- 41 - Gloves of (b)(6), (b)(7)(C) (Item 5, Doc 0734-08).
- 42 - Trousers of (b)(6), (b)(7)(C) (Item 6, Doc 0734-08).
 - 42(1) - Trousers.
 - 42(2) - Trousers.



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

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CILA-DNA

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-1346-A2/A3/A4
Submitter Case Number 0066-08-CID469-51978

- 42(3) - Trousers.
- 42(4) - Trousers.
- 43 - Knee pads of (b)(6), (b)(7)(C) (Item 7, Doc 0734-08).
- 43(1) - Knee pad.
- 43(2) - Knee pad.
- 44 - Groin protector of (b)(6), (b)(7)(C) (Item 8, Doc 0734-08).
- 45 - Pouch of (b)(6), (b)(7)(C) (Item 9, Doc 0734-08).
- 46 - Pouches of (b)(6), (b)(7)(C) (Item 10, Item 0734-08).
- 47 - Pouches of (b)(6), (b)(7)(C) (Item 11, Doc 0734-08).
- 47(1) - Pouch.
- 47(2) - Pouch.
- 48 - Vest of (b)(6), (b)(7)(C) (Item 12, Doc 0734-08).
- 49 - Body armor of (b)(6), (b)(7)(C) (Item 13, Doc 0734-08).
- 50 - Toothbrush of Ali Mansour (Item 1, Doc 0704-08).
- 51 - Buccal swabs (b)(6), (b)(7)(C) (Item 1, Doc 0790-08).
- 52 - Hair sample of (b)(6), (b)(7)(C) (Item 2, Doc 0790-08).

FINDINGS:

1. Blood was identified on the groin protector of (b)(6), (b)(7)(C) and pouch (Exhibit 45) of (b)(6), (b)(7)(C)
2. A chemical indication of blood was obtained on the left boot of (b)(6), (b)(7)(C) (Exhibit 38(1)) and knee pad (Exhibit 43(1)) of (b)(6), (b)(7)(C). Immunological testing was not performed on these stains due to limited sample size.
3. No blood was detected on Exhibits 24 through 36, 37(1), 38(2), 39, 40, 42(2 through 4), 47(1), 48 and 49.
4. No stains of apparent evidentiary value were observed on Exhibits 37(2), 41, 42(1), 43(2), 46 and 47(2).
5. No analysis was performed on the hair sample of Hammed Mansour.
6. DNA (deoxyribonucleic acid) was extracted from the left boot of (b)(6), (b)(7)(C) (Exhibit 38(1)), knee pad (Exhibit 43(1)), groin protector (stains 1 and 2), pouch of (b)(6), (b)(7)(C) (Exhibit 45), toothbrush of Ali Mansour and buccal swabs of (b)(6), (b)(7)(C)

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

CILA-DNA

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-1346-A2/A3/A4
Submitter Case Number 0066-08-CID469-51978

7. DNA profiles were obtained using PCR (polymerase chain reaction) technology on the fifteen STR (short tandem repeat) loci D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, D5S818, FGA, and the gender identification locus Amelogenin.
8. The DNA profile obtained from the knee pad (Exhibit 43(1)) of (b)(6), (b)(7)(C) is consistent with originating from an unknown individual that genetically types as male (Unknown #2).
9. The partial DNA profile obtained from the groin protector of (b)(6), (b)(7)(C) (stain 1) is consistent with the DNA profile from Unknown #2.
10. No further DNA testing was performed on the groin protector (stain 2) due to an insufficient amount of autosomal DNA obtained. The DNA extract will be retained per SA Cushard for future Y-STR analysis.
11. The DNA profile obtained from the pouch of (b)(6), (b)(7)(C) (Exhibit 45) is consistent with originating from an unknown individual that genetically types as male (Unknown #3).
12. The DNA profile obtained from the left boot of (b)(6), (b)(7)(C) (Exhibit 38(1)) is consistent with originating from an unknown individual that genetically types as male (Unknown #4).
13. The unknown DNA profile (Unknown #1) from the DNA final report dated 13 August 2008 for USACIL case number 2008-CID131-1346 is excluded as a source of the DNA obtained from the knee pad (Exhibit 43(1)), groin protector (stain 1), pouch (Exhibit 45) and left boot (Exhibit 38(1)).
14. A mixture of DNA profiles from at least two individuals was obtained from the toothbrush of Ali Mansour. Therefore, the toothbrush is not a suitable standard for comparison purposes.
15. A DNA profile was obtained from the buccal swabs of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). However, no comparisons were made because this lab does not perform kinship analysis.

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

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CILA-DNA

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-1346-A2/A3/A4
Submitter Case Number 0066-08-CID469-51978

16. The results may be compared to other potential DNA contributors when suitable standards for comparison are submitted to this laboratory.

17. The above listed exhibits will be returned to the CID office at Ft. Campbell as requested by Cpt. (b)(6), (b)(7)(C) trial counsel, upon completion of laboratory testing. Retain the swab of the toothbrush prepared during analysis with the evidence.

18. This report was completed at or near the time of forensic examinations(s) and prepared in the ordinary course of business by the person identified below. This report was made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. The point of contact is (b)(6), (b)(7)(C) 4@us.army.mil, (b)(6), (b)(7)(C) and DSN 797-4466.

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

Forensic DNA Examiner



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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-DNA

11 February 2009

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 32ND MILITARY POLICE
DETACHMENT (CID), COD SPEICHER, TIKRIT, IRAQ, APO AE 09393

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-1346-A5/A6/A7
Submitter Case Number 0066-08-CID469-51978

EXHIBITS:

- 9 - Bullet (Item 1, Doc 0589-08) resubmitted as Item 1, Doc 251-08.
- 14 - Rock (Item 3, Doc 0594-08) resubmitted as Item 3 Doc 255-08.
- 15 - Rock (Item 4, Doc 0594-08) resubmitted as Item 4 Doc 255-08.
- 16 - Gauze pads (Item 5, Doc 0594-08) resubmitted as Item 5 Doc 255-08.
- 44 - Groin protector of (b)(6), (b)(7)(C) (Item 8, Doc 0734-08).
- 51 - Buccal swabs of (b)(6), (b)(7)(C) (Item 1, Doc 0790-08).
- 53 - Clothing of Ali Mansour (Item 1, Doc 1041-08).
 - 53(1) - Dishdasha.
 - 53(2) - Dishdasha.
 - 53(3) - Dishdasha.
 - 53(4) - Shirt.
 - 53(5) - Shirt.
 - 53(6) - Boxer shorts.
 - 53(7) - Boxer shorts.
 - 53(8) - Long john bottoms.
- 54 - Blanket and belt of Ali Mansour (Item 2, Doc 1041-08).
 - 54(1) - Blanket.
 - 54(2) - Belt.

FINDINGS:



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CILA-DNA

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-1346-A5/A6/A7
Submitter Case Number 0066-08-CID469-51978

1. A chemical indication of blood was obtained on the rock (Exhibit 14).
2. No analysis was performed on Exhibits 15, 16, 54(1), and 54(2). See DNA final report dated 13 August 2008 for USACIL case number 2008-CID131-1346 for previous analysis of Exhibits 15 and 16.
3. DNA (deoxyribonucleic acid) was extracted from the neck and left and right armpit areas (Exhibits 53(1), 53(4), 53(5)), the left and right armpit areas (Exhibits 53(2) and 53(3)) and the inside waistband (Exhibits 53(7) and 53(8)) of the clothing of Ali Mansour.
4. DNA profiles were obtained using PCR (polymerase chain reaction) technology on the fifteen STR (short tandem repeat) loci D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, D5S818, FGA, and the gender identification locus Amelogenin.
5. No further DNA testing was performed on the shirt (Exhibit 53(4) left armpit) and shirt (Exhibit 53(5) neck area and right armpit) due to an insufficient amount of DNA obtained.
6. A mixture of DNA profiles from at least two individuals was obtained from the swabs of the clothing of Ali Mansour (Exhibits 53(1) neck area and left and right armpits, 53(2) left and right armpits, 53(3) left and right armpits, 53(4) neck area, 53(7) inside waistband, and 53(8) inside waistband. Therefore, the clothing is not a suitable secondary standard for comparison purposes.
7. The DNA profile obtained from the shirt (Exhibit 53(5) left armpit) could not be conclusively interpreted due to a lack of genetic typing information.
8. No DNA results were obtained from the swab of the right armpit from the shirt (Exhibit 53(4)) due to degraded and/or insufficient amount of DNA present in the sample.

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CILA-DNA

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-1346-A5/A6/A7
Submitter Case Number 0066-08-CID469-51978

9. DNA profiles were obtained from the rock (Exhibit 14), groin protector of (b)(6), (b)(7)(C) (stain 2) and buccal swabs of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) using PCR (polymerase chain reaction) technology on the seventeen Y-STR loci DYS456, DYS389(I), DYS390, DYS389(II), DYS458, DYS19, DYS385(a/b), DYS393, DYS391, DYS439, DYS635, DYS392, Y GATA H4, DYS437, DYS438 and DYS448.

10. Exhibit 9 was not suitable for Y-STR DNA analysis.

11. The Y-STR DNA profile obtained from the rock (Exhibit 14) matches the Y-STR profile from (b)(6), (b)(7)(C). Therefore, Hamed Mansour and his paternal male relatives are not excluded as potential DNA donors to this sample.

Utilizing the Applied Biosystems Yfiler Haplotype Database, consisting of 1276 Caucasian, 985 Black and 597 Hispanic individuals, the selected Y-STR profile was observed 0 times in all three population groups. Applying a 95% upper confidence interval results in an estimated frequency of approximately:

- 1 in 426 Caucasian individuals
- 1 in 329 Black individuals
- 1 in 199 Hispanic individuals.

12. The Y-STR DNA profile obtained from the groin protector of (b)(6), (b)(7)(C) (stain 2) could not be conclusively interpreted due to a lack of genetic typing information.

13. The above listed exhibits will be returned to the CID office at Ft. Campbell as requested by Cpt. (b)(6), (b)(7)(C) trial counsel, upon completion of laboratory testing. Retain the swabbings of the clothing prepared during analysis with the evidence.

14. This report was completed at or near the time of forensic examinations and prepared in the ordinary course of business by the person identified below. This report was made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

CILA-DNA

SUBJECT: DNA Branch - Final Report

USACIL Case Number 2008-CID131-1346-A5/A6/A7

Submitter Case Number 0066-08-CID469-51978

The point of contact is (b)(6), (b)(7)(C) @us.army.mil, DSN 797-4466, Commercial (b)(6), (b)(7)(C)

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

Forensic DNA Examiner

DEPARTMENT OF THE ARMY REPORT OF RESULT OF TRIAL

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO:

Commander, Fort Campbell Installation, Fort Campbell, Kentucky 42223

1. Notification under R.C.M. 1101 and AR 27-10, paragraph 5-30 is hereby given in the case of the United States v SSG

(b)(6)(b)(6) (b)(6)(b)(7)C J.S. Army, HHC, 1st BCT, Fort Campbell, KY 42223

2. Trial by General court-martial on 18 February, 2009 at Fort Campbell, KY 42223

convened by: CMCO Number 3 HQ, Fort Campbell Installation, Fort Campbell, KY 42223, dated 5 August 2008

3. Summary of offenses, pleas, and findings:

CH	ART UCMJ	SPEC	BRIEF DESCRIPTION OF OFFENSE(S)	PLEA	FINDING
I	78	The	At or near Fob Summerall, Iraq o/a 16 May 08, was an accessory to murder after the fact in order to hinder the apprehension of 1LT (b)(6) by burning Ali Mansur Mohamed's body. (SEE CONTINUATION SHEET)	NG	NG*

4. SENTENCE:

To be reduced to Private (E-1); To forfeit all pay and allowances; To be confined for 17 months; and To be discharged from the service with a bad-conduct discharge.

5. Date sentence adjudged and effective date of any forfeiture or reduction in grade (YYYYMMDD) : 20090218/20090304
(See UCMJ Articles 57-58b and R.C.M. 1101.)

6. Contents of pretrial agreement concerning sentence, if any:
The Convening Authority agrees to disapprove any confinement judged in excess of 60 months.

7. Number of days of presentence confinement, if any: None.

8. Number of days of judge-ordered administrative credit for presentence confinement or restriction found tantamount to confinement, if any: 59 days.

9. Total presentence confinement credit toward post-trial confinement: 59 days.

10. Name(s) and SSN(s) of companion accused or co-accused, if any:

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

11. DNA processing IAW 10 U.S.C. § 1565 is is not required.

12. Conviction(s) does does not require sex offender registration IAW 42 U.S.C. § 14071.

CF:

Cdr, Fort Campbell Installation; Cdr, HHC, 1 BCT; Cdr, 1BCT; OSJA, Fort Campbell Installation; Trial Counsel; Defense Counsel; Accused; FAO; CID Fort Campbell; DA Corrections

TYPED NAME <u>(b)(6)</u>	SIGNATURE <u>(b)(6)</u>
RANK CPT	BRANCH OF SERVICE U.S. Army

Item 3, Continued:

CH	Art UCMJ	SPEC	Brief Description of Offenses	Plea	Findings
II	107	The	At or near FOB Summerall, Iraq, o/a 7 Jun 08, sign an official document then known by SSG (b)(6) to be false.	G	G
III	118	The	At or near FOB Summerall, Iraq, o/a 16 May 08, with premeditation, murder Ali Mansur Mohamed.	NG	NG*
IV	128	The	At or near FOB Summerall, Iraq, o/a 5 May 08, assault Ali Mansur Mohamed by standing on the back of his legs while he was laying face down on the ground.	G	G
V	134	The	At or near FOB Summerall, Iraq, o/a 7 Jun 08, wrongfully endeavor to impede an investigation in the case of US vs 1LT (b)(6) by directing members of his platoon to complete statements containing false information.	NG	NG*
Add'l Charge	93	The	At or near FOB Summerall, Iraq, o/a 16 May 08, did maltreat Ali Mansur Mohamed, by failing to release him, instead escorted him into the desert and stripped him naked.	G	G

* Dismissed on motion by Trial Counsel w/prejudice

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0066-08-CID469-51978

PAGE 1 OF 1 PAGES

DETAILS

About 0957, 3 Apr 09, CPT (b)(6), (b)(7)(C) 3rd MP Group SJA, provided the following legal opine pertaining to Mr. (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) was of the legal opinion there is no probable cause to believe Mr. (b)(6), (b)(7)(C) committed the offenses of Conspiracy, Murder, and Misprision of a Serious Offense. CPT (b)(6), (b)(7)(C) related Mr. (b)(6), (b)(7)(C) was present during the death of Mr. MANSOUR; however, he did not take part in any of the events and he eventually came forward and notified law enforcement of everything that occurred at the scene.

About 0900, 13 Apr 09, this office received the results of trial pertaining to 1LT (b)(6), (b)(7)(C) and the offenses committed in this investigation. On 27 Feb 09, under a General Court-Martial, 1LT (b)(6), (b)(7)(C) received a sentence to forfeit all pay and allowances; confined for 25 years; and to be discharged from the service.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION:	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Tikrit CID Office	
SIG (b)(6), (b)(7)(C)		COB Speicher, Tikrit, IZ APO AE 09393	
		DATE	EXHIBIT
		13 Apr 09	138

DEPARTMENT OF THE ARMY REPORT OF RESULT OF TRIAL

For use of this form, see AR 27-10; the proponent agency is OTJAG

TO:

Commander, Fort Campbell Installation, Fort Campbell, Kentucky 42223

1. Notification under R.C.M. 1101 and AR 27-10, paragraph 5-30 is hereby given in the case of the United States v

1LT

(b)(6)(b)(6)(b)(6) (b)(6)(b)(7)C HHC, 1st BCT, Fort Campbell, KY 42223

2. Trial by General court-martial on 23-27 Feb, 2009 at Fort Campbell, KY 42223

convened by: CMCO Number 3 HQ, Fort Campbell Installation, Fort Campbell, KY 42223, dated 5 August 2008,

as amended by CMCO No 1, HQ, Fort Campbell Installation, Fort Campbell, KY 42223, dated 12 February 2009

3. Summary of offenses, pleas, and findings.

CH	ART UCMJ	SPEC	BRIEF DESCRIPTION OF OFFENSE(S)	PLEA	FINDING
I	107	The	at or near FOB Summerall, Iraq, c/a ^{21 May 08} (b)(6)(b) make a false official statement to	NG	NG
II	118	The	at or near FOB Summerall, Iraq, c/a ^{16 May 08} (7)C w/ Premeditation, murder Ali Mansur Mohamed.	NG	NG*

(SEE CONTINUATION SHEET)

4. SENTENCE:

To forfeit all pay and allowances; To be confined for 25 years; and To be dismissed from the service.

5. Date sentence adjudged and effective date of any forfeiture or reduction in grade (YYYYMMDD): 20090320/20090403
(See UCMJ Articles 57-58b and R.C.M. 1101.)

6. Contents of pretrial agreement concerning sentence, if any:
None

7. Number of days of presentence confinement, if any: None

8. Number of days of judge-ordered administrative credit for presentence confinement or restriction found tantamount to confinement, if any: 50 days.

9. Total presentence confinement credit toward post-trial confinement: 50 days.

10. Name(s) and SSN(s) of companion accused or co-accused, if any:

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

11. DNA processing IAW 10 U.S.C. § 1565 is is not required.

12. Conviction(s) does does not require sex offender registration IAW 42 U.S.C. § 14071.

CF:
Cdr, HHC, 1 BCT; Cdr, 1BCT; OSJA, 101 ABN Div (AASLT) & FTCKY; Trial Counsel; Defense Counsel; Accused; FAO; CID Fort Campbell

TYPED NAME (b) (6)	SIGNATURE (b) (6)
RANK Trial Counsel	BRANCH OF SERVICE ARMY

CONTINUATION SHEET, DA Form 4430, (b)(6)(b)(6)(b)(6)(b)(6), ILT, (b)(6)(b)(7)C U.S. Army, HHC, 1st BCT, Fort Campbell, KY 42223

Item 3, Continued:

CH	Art UCMJ	SPEC	Brief Description of Offenses	Plea	Findings
II	128	The	at or near FOB Summerall, Iraq o/a 5 May 08, strike Ali Mansur Mohamed with a helmet.	NG	G

* Not Guilty of Premeditated Murder but Guilty of the lesser included offense of Murder with intent to kill or inflict great bodily harm in violation of UCMJ Article 118(2).

FORENSIC LABORATORY EXAMINATION REQUEST

1. TO: <input type="checkbox"/> Director USACIL 4930 N. 31st Street Forest Park, GA 30297-5205 <input checked="" type="checkbox"/> Other (Specify): Serology	2. FROM: Special Agent in Charge 38yh MP Det (CID) COB Speicher, Tikrit, Iraq APO AE 09393	4. EXAM PRIORITY <input type="radio"/> ROUTINE <input checked="" type="radio"/> EXPEDITE <input type="checkbox"/> Trial/Article 32/39A (*) <input type="checkbox"/> Subject in pre-trial confinement <input type="checkbox"/> Subject pending PCS/ Separation/Reenlist (*) <input checked="" type="checkbox"/> Other (Specify in Block 13) *Date _____	5. LAB USE ONLY a. LAB CASE # b. METHOD OF RECEIPT c. RECEIVED BY/DATE
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6. SUBMITTING AGENCY CASE NUMBER 0066-08-CID469-51978	7. TYPE OF OFFENSE Murder
---	-------------------------------------

8. PREVIOUS EVIDENCE SUBMITTED DATE: 2008-08-12	MAIL METHOD: Registered Mail	LAB CASE #: 2008-CID131-1346	SUSPECT(S): (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
--	---------------------------------	---------------------------------	---

9. SUSPECT(S) [Last, first and middle name(s)] (b)(6), (b)(7)(C)	10. VICTIM(S) [Last, first and middle name(s)] AL JOBOURI, Ali Mansour Muhammad (AKA Ali Mansur)
--	--

11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., Summary of investigation, crime scene sketches/photographs, statements)

Evidence collected was believed to have been worn by and contain possible DNA of Mr. MANSOUR.

12. EVIDENCE SUBMITTED	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
53 54	Bag (Item 1, Voucher _____) Bag (Item 2, Voucher _____)

FORENSIC LABORATORY EXAMINATION REQUEST

1. TO: Director USACIL <input checked="" type="checkbox"/> 4930 N. 31st Street Forest Park, GA 30297-5205 <input type="checkbox"/> Other (Specify):	2. FROM: Special Agent in Charge 38th MP Det (CID) COB Speicher, Tikrit, Iraq APO AE 09393	4. EXAM PRIORITY <input type="radio"/> ROUTINE <input checked="" type="radio"/> EXPEDITE <input checked="" type="checkbox"/> Trial/Article 32/39A (*) <input type="checkbox"/> Subject in pre-trial confinement <input type="checkbox"/> Subject pending PCS/ Separation/Reenlist (*) <input type="checkbox"/> Other (Specify in Block 13) *Date <u>2009-02-16</u>	5. LAB USE ONLY a. LAB CASE # b. METHOD OF RECEIPT c. RECEIVED BY/DATE
6. SUBMITTING AGENCY CASE NUMBER 0066-07-CID469-51978		7. TYPE OF OFFENSE Murder	
8. PREVIOUS EVIDENCE SUBMITTED DATE: 2008-11-17 MAIL METHOD: Registered Mail LAB CASE #: 2008-CID131-1346 SUSPECT(S): (b)(6), (b)(7)(C)			
9. SUSPECT(S) {Last, first and middle name(s)} (b)(6), (b)(7)(C)		10. VICTIM(S) {Last, first and middle name(s)} AL JOBOURI, Ali Mansour Muhammad (AKA Ali Mansur)	
11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., Summary of investigation, crime scene sketches/photographs, statements) See initial report.			
12. EVIDENCE SUBMITTED			
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT		
14 15 16	Jar with rock (Item 3, VO 0894-08) Jar with rock (Item 4, VO 0594-08) Jar with gauze pads (Item 5, VO0594-08)		

12. EVIDENCE SUBMITTED (Continued)

a. EXHIBIT	b. DESCRIPTION OF EXHIBIT

13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)

Serology: Please re-examine Exhibits 14-16, performing Y-STR analysis on them.

EXPEDITE: Due to the command interest generated by this investigation and the potential media coverage it is requested all examinations be expedited in order for prosecution to go forward in a timely manner.

Conduct any further examination you deem necessary.

14.a. INVESTIGATOR AND ALTERNATE POC
(Typed or Printed) (Mandatory Information)

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

b. TELEPHONE (Primary/Alt):

c. DSN (Primary/Alt): (b)(6), (b)(7)(C)

d. Fax:

e. E-Mail: (b)(6), (b)(7)(C)@iraq.centcom.mil

15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE

2009-02-03

b. TYPED/PRINTED NAME OF REQUESTOR

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

c. SIG

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

d. TELEPHONE (Primary/Alt):

e. DSN (Primary/Alt): (b)(6), (b)(7)(C)

f. Fax:

g. E-Mail: (b)(6), (b)(7)(C)@iraq.centcom.mil

16. LAB USE ONLY

LAB CASE #

FORENSIC LABORATORY EXAMINATION REQUEST

<p>1. TO:</p> <p>Director USACIL <input checked="" type="checkbox"/> 4930 N. 31st Street Forest Park, GA 30297-5205</p> <p><input type="checkbox"/> Other (Specify):</p>	<p>2. FROM:</p> <p>Special Agent in Charge 38th MP Det (CID) COB Speicher, Tikrit, Iraq APO AE 09393</p>	<p>4. EXAM PRIORITY</p> <p><input type="radio"/> ROUTINE <input checked="" type="radio"/> EXPEDITE</p> <p><input checked="" type="checkbox"/> Trial/Article 32/39A (*)</p> <p><input type="checkbox"/> Subject in pre-trial confinement</p> <p><input type="checkbox"/> Subject pending PCS/ Separation/Reenlist (*)</p> <p><input type="checkbox"/> Other (Specify in Block 13)</p> <p>*Date <u>2009-02-16</u></p>	<p>5. LAB USE ONLY</p> <p>a. LAB CASE #</p> <p>b. METHOD OF RECEIPT</p> <p>c. RECEIVED BY/DATE</p>
<p>6. SUBMITTING AGENCY CASE NUMBER</p> <p>0066-07-CID469-51978</p>		<p>7. TYPE OF OFFENSE</p> <p>Murder</p>	
<p>8. PREVIOUS EVIDENCE SUBMITTED</p> <p>DATE: 2008-11-17 MAIL METHOD: Registered Mail LAB CASE #: 2008-CID131-1346 SUSPECT(S): (b)(6), (b)(7)(C)</p>			
<p>9. SUSPECT(S) [Last, first and middle name(s)]</p> <p>(b)(6), (b)(7)(C)</p>		<p>10. VICTIM(S) [Last, first and middle name(s)]</p> <p>AL JOBOURI, Ali Mansour Muhammad (AKA Ali Mansur)</p>	
<p>11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., Summary of investigation, crime scene sketches/photographs, statements)</p> <p>See initial report.</p>			
<p>12. EVIDENCE SUBMITTED</p>			
<p>a. EXHIBIT</p>	<p>b. DESCRIPTION OF EXHIBIT</p>		
<p>9</p>	<p>Projectile (Item 1, VO 0589-08)</p>		

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12. EVIDENCE SUBMITTED (Continued)

a. EXHIBIT	b. DESCRIPTION OF EXHIBIT

13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)

Serology: Please examine Exhibits 9 and 25, performing Y-STR analysis on them to see if the profiles are the same.

EXPEDITE: Due to the command interest generated by this investigation and the potential media coverage it is requested all examinations be expedited in order for prosecution to go forward in a timely manner.

Conduct any further examination you deem necessary.

14.a. INVESTIGATOR AND ALTERNATE POC
(Typed or Printed) (Mandatory Information)

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

b. TELEPHONE (Primary/Alt):

c. DSN (Primary/Alt): (b)(6), (b)(7)(C)

d. Fax:

e. E-Mail: (b)(6), (b)(7)(C)@iraq.centcom.mil

15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE

2009-02-03

b. TYPED/PRINTED NAME OF REQUESTOR

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

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

d. TELEPHONE (Primary/Alt):

e. DSN (Primary/Alt): (b)(6), (b)(7)(C)

f. Fax:

g. E-Mail: (b)(6), (b)(7)(C)@iraq.centcom.mil

16. LAB USE ONLY

LAB CASE #

FORENSIC LABORATORY EXAMINATION REQUEST

1. TO: Director USACIL <input checked="" type="checkbox"/> 4930 N. 31st Street Forest Park, GA 30297-5205 <input type="checkbox"/> Other (Specify):	2. FROM: Special Agent in Charge 32nd MP Det (CID) COB Speicher, Tikrit, Iraq APO AE 09393	4. EXAM PRIORITY <input type="radio"/> ROUTINE <input checked="" type="radio"/> EXPEDITE <input type="checkbox"/> Trial/Article 32/39A (*) <input type="checkbox"/> Subject in pre-trial confinement <input type="checkbox"/> Subject pending PCS/ Separation/Reenlist (*) <input checked="" type="checkbox"/> Other (Specify in Block 13) *Date _____	5. LAB USE ONLY a. LAB CASE # b. METHOD OF RECEIPT c. RECEIVED BY/DATE
	3. RETURN EVIDENCE TO: Commander, 11th MP BN (CID) ATTN: Evidence Custodian Camp Victory, Iraq APO AE 09432		

6. SUBMITTING AGENCY CASE NUMBER 0066-07-CID469-51978	7. TYPE OF OFFENSE Murder
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8. PREVIOUS EVIDENCE SUBMITTED DATE: _____ MAIL METHOD: _____ LAB CASE #: _____ SUSPECT(S): _____

9. SUSPECT(S) [Last, first and middle name(s)] (b)(6), (b)(7)(C)	10. VICTIM(S) [Last, first and middle name(s)] AL JOBOURI, Ali Mansour Muhammad (AKA Ali Mansur)
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11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., Summary of investigation, crime scene sketches/photographs, statements)

See attached initial report.

12. EVIDENCE SUBMITTED	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
1	M-9 Beretta 9mm, serial #1353496 (Item 1, VO 0587-08)
2	9mm shell casing (Item 1, VO 0588-08)
3	Grenade piece (Item 2, VO 0588-08)
4	Glock 9mm, serial # GWY473 (Item 1, VO 0591-08)
5	Glock 9mm, serial # GWY469 (Item 2, VO 0591-08)
6	Glock 9mm, serial # GWY209 (Item 3, VO 0591-08)
7	Glock 9mm, serial # GWY379 (Item 4, VO 0591-08)
8	Magazine (Item 5, VO 0591-08)
9	Projectile (Item 1, VO 0589-08)
10	9mm shell casing (Item 2, VO 0589-08)
11	Container with control sample of AN-M14 TH3 Incendiary Grenade (Item 1, VO 0590-08)
12	Jar with two metal pieces (Item 1, VO 0594-08)
13	Jar with various pieces of metal (Item 2, VO 0594-08)
14	Jar with rock (Item 3, VO 0594-08)
15	Jar with rock (Item 4, VO 0594-08)
16	Jar with gauze pads (Item 5, VO 0594-08)

12. EVIDENCE SUBMITTED (Continued)	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
17	6 Rounds 9mm ball ammunition, control item (Item 1, VO 0585-08)
18	Knife, folding type (Item 1, VO 0593-08)
19	Knife (Item 2, VO 0593-08)
20	Knife, folding type (Item 1, VO 0592-08)
21	Multi-tool (Item 1, VO 0592-08)
22	Major case prints of SSG (b)(6), (b)(7)(C)

13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)

Latent Prints: Please examine exhibits 2, 3, and 10 to determine if any latent prints, suitable for comparison, are identified. If any latent prints are identified compare with Exhibit 22. Major case prints of 1LT (b)(6), (b)(7)(C) will be forwarded as soon as they are collected.

Firearms: Please examine and fire Exhibit 4 utilizing one of Exhibit 17 with Exhibit 8. Compare the spent shell casing with Exhibits 2 and 10 to determine if there is a match. Compare the fired round with Exhibit 9 to determine if there is a match. If there is not a match conduct the same examination with Exhibits 1, 5, 6, and 7. NOTE: Exhibit 4 was identified as the weapon maintained by 1LT (b)(6), (b)(7)(C) and is believed to be the weapon he used when the victim was killed. Exhibits 4 through 7 have been recently fired and cleaned since the incident on 16 May 08.

Trace Evidence: Please examine and compare the chemical make up of Exhibits 3, 12, 13, and 16 and compare with Exhibit 11 to determine if it is a match. All exhibits are believed to contain the chemical make up consistent with that of an AN-M14 TH3 Incendiary Grenade. Note: Exhibit 16 is believed to contain blood evidence as well.

Serology: Please examine Exhibits 9, 16, 18, 19, 20, and 21 for blood evidence. Determine if human blood is present and what the DNA profile is and if the profile is consistent on all exhibits. Examine Exhibits 14 and 15 for blood evidence and maintain sample on record for future use, if needed. Efforts are ongoing to obtain a DNA example from the victim for comparison. The victim has since been buried and we are pending authorization for the remains to be exhumed and transported to a medical examiner's office.

EXPEDITE: Due to the command interest generated by this investigation and the potential media coverage it is requested all examinations be expedited in order for prosecution to go forward in a timely manner. Please notify this office if the request to expedite is denied.

14.a. INVESTIGATOR AND ALTERNATE POC (Typed or Printed) (Mandatory Information) SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	b. TELEPHONE (Primary/Alt):
	c. DSN (Primary/Alt): (b)(6), (b)(7)(C)
	d. Fax: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil
	e. E-Mail: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil

15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE	b. TYPED/PRINTED NAME OF REQUESTOR	d. TELEPHONE (Primary/Alt):
2008-06-21	(b)(6), (b)(7)(C) Special Agent	(b)(6), (b)(7)(C)
	(b)(6), (b)(7)(C)	e. DSN (Primary/Alt): (b)(6), (b)(7)(C)
		f. Fax: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil
		g. E-Mail: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil

	16. LAB USE ONLY
	LAB CASE #

FORENSIC LABORATORY EXAMINATION REQUEST

<p>1. TO:</p> <p><input checked="" type="checkbox"/> Director USACIL 4930 N. 31st Street Forest Park, GA 30297-5205</p> <p><input type="checkbox"/> Other (Specify):</p>	<p>2. FROM:</p> <p>Special Agent in Charge 32nd MP Det (CID) COB Speicher, Tikrit, Iraq APO AE 09393</p>	<p>4. EXAM PRIORITY</p> <p><input type="radio"/> ROUTINE <input checked="" type="radio"/> EXPEDITE</p> <p><input type="checkbox"/> Trial/Article 32/39A (*) <input type="checkbox"/> Subject in pre-trial confinement <input type="checkbox"/> Subject pending PCS/ Separation/Reenlist (*) <input checked="" type="checkbox"/> Other (Specify in Block 13)</p> <p>*Date _____</p>	<p>5. LAB USE ONLY</p> <p>a. LAB CASE #</p> <hr/> <p>b. METHOD OF RECEIPT</p> <hr/> <p>c. RECEIVED BY/DATE</p>
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<p>6. SUBMITTING AGENCY CASE NUMBER</p> <p>0066-07-CID469-51978</p>	<p>7. TYPE OF OFFENSE</p> <p>Murder</p>
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<p>8. PREVIOUS EVIDENCE SUBMITTED</p> <p>DATE: 2008-06-23</p>	<p>MAIL METHOD: Registered Mail</p>	<p>LAB CASE #:</p>	<p>SUSPECT(S): (b)(6), (b)(7)(C)</p>
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<p>9. SUSPECT(S) [Last, first and middle name(s)]</p> <p>(b)(6), (b)(7)(C)</p>	<p>10. VICTIM(S) [Last, first and middle name(s)]</p> <p>AL JOBOURI, Ali Mansour Muhammad (AKA Ali Mansur)</p>
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11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., Summary of investigation, crime scene sketches/photographs, statements)

See attached initial report.

12. EVIDENCE SUBMITTED	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
23	Major Case prints of 1LT (b)(6), (b)(7)(C)

FOUO

12. EVIDENCE SUBMITTED (Continued)	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT

13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)

Latent Prints: Please compare any latent prints developed with Exhibit 23 to determine if there is a match.

Initial Request:
Please examine exhibits 2, 3, and 10 to determine if any latent prints, suitable for comparison, are identified. If any latent prints are identified compare with Exhibit 22. Major case prints of 1LT (b)(6), (b)(7)(C) will be forwarded as soon as they are collected.

14.a. INVESTIGATOR AND ALTERNATE POC (Typed or Printed) (Mandatory Information) SA (b)(6), (b)(7)(C) SA [REDACTED]	b. TELEPHONE (Primary/Alt): c. DSN (Primary/Alt): (b)(6), (b)(7)(C) d. Fax: e. E-Mail: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil
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15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE 2008-06-26	b. TYPED/PRINTED NAME OF REQUESTOR (b)(6), (b)(7)(C) Special Agent (b)(6), (b)(7)(C)	d. TELEPHONE (Primary/Alt): e. DSN (Primary/Alt): (b)(6), (b)(7)(C) f. Fax: g. E-Mail: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil
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FOUO	16. LAB USE ONLY LAB CASE #
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FORENSIC LABORATORY EXAMINATION REQUEST

<p>1. TO:</p> <p><input checked="" type="checkbox"/> Director USACIL 4930 N. 31st Street Forest Park, GA 30297 5205</p> <p><input type="checkbox"/> Other (Specify):</p>	<p>2. FROM:</p> <p>Special Agent in Charge 32nd MP Det (CID) COB Speicher, Tikrit, Iraq APO AE 09393</p>	<p>4. EXAM PRIORITY</p> <p><input type="radio"/> ROUTINE <input checked="" type="radio"/> EXPEDITE</p> <p><input type="checkbox"/> Trial/Article 32/39A (*) <input type="checkbox"/> Subject in pre-trial confinement <input type="checkbox"/> Subject pending PCS/ Separation/Reenlist (*) <input checked="" type="checkbox"/> Other (Specify in Block 13)</p> <p>*Date _____</p>	<p>5. LAB USE ONLY</p> <p>a. LAB CASE #</p> <p>b. METHOD OF RECEIPT</p> <p>c. RECEIVED BY/DATE</p>
<p>3. RETURN EVIDENCE TO:</p> <p>Commander, 11th MP BN (CID) ATTN: Evidence Custodian Camp Victory, Iraq APO AE 09432</p>			

<p>6. SUBMITTING AGENCY CASE NUMBER</p> <p>0066-07-CID469-51978</p>	<p>7. TYPE OF OFFENSE</p> <p>Murder</p>
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<p>8. PREVIOUS EVIDENCE SUBMITTED</p> <p>DATE: 2008-06-21</p>	<p>MAIL METHOD: Registered Mail</p>	<p>LAB CASE #:</p>	<p>SUSPECT(S): (b)(6), (b)(7)(C)</p>
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<p>9. SUSPECT(S) [Last, first and middle name(s)]</p> <p>(b)(6), (b)(7)(C)</p>	<p>10. VICTIM(S) [Last, first and middle name(s)]</p> <p>AL JOBOURI, Ali Mansour Muhammad (AKA Ali Mansur)</p>
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11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., Summary of investigation, crime scene sketches/photographs, statements)

Toothbrush listed below was received from family of the deceased.

12. EVIDENCE SUBMITTED	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
24	Toothbrush (Item 1, VO _____)

12. EVIDENCE SUBMITTED (Continued)

a. EXHIBIT	b. DESCRIPTION OF EXHIBIT

13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)

Serology: Please examine Exhibit 24 to determine if DNA profile can be extracted. If a DNA profile can be made compare with DNA profile obtained from Exhibits 9, 16, 18, 19, 20, and 21.

Initial Request:
Please examine Exhibits 9, 16, 18, 19, 20, and 21 for blood evidence. Determine if human blood is present and what the DNA profile is and if the profile is consistent on all exhibits. Examine Exhibits 14 and 15 for blood evidence and maintain sample on record for future use, if needed. Efforts are ongoing to obtain a DNA example from the victim for comparison. The victim has since been buried and we are pending authorization for the remains to be exhumed and transported to a medical examiner's office.

14.a. INVESTIGATOR AND ALTERNATE POC
(Typed or Printed) (Mandatory Information)

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

b. TELEPHONE (Primary/Alt):

c. DSN (Primary/Alt): (b)(6), (b)(7)(C)

d. Fax: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil
e. E-Mail:

15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE

2008-07-01

b. TYPED/PRINTED NAME OF REQUESTOR

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

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

d. TELEPHONE (Primary/Alt):

e. DSN (Primary/Alt): (b)(6), (b)(7)(C)

f. Fax: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil
g. E-Mail:

16. LAB USE ONLY

LAB CASE #

FORENSIC LABORATORY EXAMINATION REQUEST			
1. TO: Director USACIL <input checked="" type="checkbox"/> 4930 N. 31st Street Forest Park, GA 30297-5205 <input type="checkbox"/> Other (Specify):	2. FROM: Special Agent in Charge 32nd MP Det (CID) COB Spelcher, Tikrit, Iraq APO AE 09393	4. EXAM PRIORITY <input type="radio"/> ROUTINE <input checked="" type="radio"/> EXPEDITE <input type="checkbox"/> Trial/Article 32/39A (*) <input type="checkbox"/> Subject in pre-trial confinement <input type="checkbox"/> Subject pending PCS/ Separation/Reenlist (*) <input checked="" type="checkbox"/> Other (Specify in Block 13) *Date _____	5. LAB USE ONLY a. LAB CASE # b. METHOD OF RECEIPT c. RECEIVED BY/DATE
3. RETURN EVIDENCE TO: Commander, 11th MP BN (CID) ATTN: Evidence Custodian Camp Victory, Iraq APO AE 09432			
6. SUBMITTING AGENCY CASE NUMBER 0066-07-CID469-51978		7. TYPE OF OFFENSE Murder	
8. PREVIOUS EVIDENCE SUBMITTED DATE: 2008-06-21 MAIL METHOD: Registered Mail LAB CASE #: SUSPECT(S): (b)(6), (b)(7)(C)			
9. SUSPECT(S) [Last, first and middle name(s)] (b)(6), (b)(7)(C)		10. VICTIM(S) [Last, first and middle name(s)] AL JOBOURI, Ali Mansour Muhammad (AKA Ali Mansur)	
11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., Summary of investigation, crime scene sketches/photographs, statements) Swabs and hair samples are from brother of deceased.			
12. EVIDENCE SUBMITTED			
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT		
25 26	Swabs (Item 1, VO <u>0790-08</u>) Hair Samples (Item 2, VO <u>0790-08</u>)		
SEP 11 2008 RA 850 876 446 OS			

DD FORM 2922, JUL 2006

REPLACES DA FORM 3655, AF FORM 1880, AND NCIS FORM 5580/29, WHICH ARE OBSOLETE.

Adobe Designer 7.0

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12. EVIDENCE SUBMITTED (Continued)	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
<p>13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)</p> <p>Serology: Please extract a DNA profile from either Exhibit 25 or 26 and determine if it is consistent with that of a relative (brother) of any extracted DNA profile from previously submitted Exhibits.</p> <p>Initial Request: Please examine Exhibits 9, 16, 18, 19, 20, and 21 for blood evidence. Determine if human blood is present and what the DNA profile is and if the profile is consistent on all exhibits. Examine Exhibits 14 and 15 for blood evidence and maintain sample on record for future use, if needed. Efforts are ongoing to obtain a DNA example from the victim for comparison. The victim has since been buried and we are pending authorization for the remains to be exhumed and transported to a medical examiner's office.</p> <p>Please examine Exhibit 24 to determine if DNA profile can be extracted. If a DNA profile can be made compare with DNA profile obtained from Exhibits 9, 16, 18, 19, 20, and 21.</p>	
<p>14.a. INVESTIGATOR AND ALTERNATE POC (Typed or Printed) (Mandatory Information)</p> <p>SA (b)(6), (b)(7)(C) SA [REDACTED]</p>	<p>b. TELEPHONE (Primary/Alt): _____</p> <p>c. DSN (Primary/Alt): (b)(6), (b)(7)(C)</p> <p>d. Fax: _____</p> <p>e. E-Mail: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil</p>
<p>15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION</p>	
<p>a. DATE</p> <p>2008-07-04</p>	<p>b. TYPED/PRINTED NAME OF REQUESTOR</p> <p>(b)(6), (b)(7)(C) Special Agent</p> <p>(b)(6), (b)(7)(C)</p>
	<p>d. TELEPHONE (Primary/Alt): _____</p> <p>e. DSN (Primary/Alt): (b)(6), (b)(7)(C)</p> <p>f. Fax: _____</p> <p>g. E-Mail: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil</p>
<p>FOUO</p>	
<p>16. LAB USE ONLY</p> <p>LAB CASE # _____</p>	

DD FORM 2922 (BACK), JUL 2006

FORENSIC LABORATORY EXAMINATION REQUEST

1. TO: Director USACIL <input checked="" type="checkbox"/> 4930 N. 31st Street Forest Park, GA 30297-5205 <input type="checkbox"/> Other (Specify):	2. FROM: Special Agent in Charge 32nd MP Det (CID) COB Speicher, Tikrit, Iraq APO AE 09393	4. EXAM PRIORITY <input type="radio"/> ROUTINE <input checked="" type="radio"/> EXPEDITE <input type="checkbox"/> Trial/Article 32/39A (*) <input type="checkbox"/> Subject in pre-trial confinement <input type="checkbox"/> Subject pending PCS/ Separation/Reenlist (*) <input checked="" type="checkbox"/> Other (Specify in Block 13) *Date _____	5. LAB USE ONLY a. LAB CASE # b. METHOD OF RECEIPT
	3. RETURN EVIDENCE TO: Commander, 11th MP BN (CID) ATTN: Evidence Custodian Camp Victory, Iraq APO AE 09432		c. RECEIVED BY/DATE

6. SUBMITTING AGENCY CASE NUMBER 0066-08-CID469-51978	7. TYPE OF OFFENSE Murder
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8. PREVIOUS EVIDENCE SUBMITTED DATE: 2008-06-21	MAIL METHOD: Registered Mail	LAB CASE #: 2008-CID131-1346	SUSPECT(S): (b)(6), (b)(7)(C)
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9. SUSPECT(S) [Last, first and middle name(s)] (b)(6), (b)(7)(C)	10. VICTIM(S) [Last, first and middle name(s)] AL JOBOURI, Ali Mansour Muhammad (AKA Ali Mansur)
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11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., Summary of investigation, crime scene sketches/photographs, statements)

Evidence was seized from living areas of 1LT **(b)(6), (b)(7)(C)** and SSG **(b)(6), (b)(7)(C)** subsequent to Magistrate's Authorization. The clothing and equipment seized was believed to have been worn during the incident.

12. EVIDENCE SUBMITTED	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
27	Boots (Item 1, VO 0733-08)
28	Camel Bačk (Item 2, VO 0733-08)
29	Vest - OTV (Item 3, VO 0733-08)
30	Vest - Interceptor Body Armor (Item 4, VO 0733-08)
31	Gloves (Item 5, VO 0733-08)
32	Helmet Cover (Item 6, VO 0733-08)
33	ACU Jacket (Item 7, VO 0733-08)
34	ACU Trousers (Item 8, VO 0733-08)
35	ACU Trousers (Item 9, VO 0733-08)
36	Shirt (Item 10, VO 0733-08)
37	Pouches (Item 11, VO 0733-08)
38	Pouch (Item 12, VO 0733-08)
39	Boots (Item 13, VO 0733-08)
40	Helmet Cover (Item 1, VO 0734-08)
41	Boots (Item 2, VO 0734-08)
42	Boots (Item 3, VO 0734-08)

FOUO

12. EVIDENCE SUBMITTED (Continued)	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
43	Gloves (Item 4, VO 0734-08)
44	Gloves (Item 5, VO 0734-08)
45	ACU Trousers (Item 6, VO 0734-08)
46	Knee Pads (Item 7 VO 0734-08)
47	Groin Protector (Item 8, VO 0734-08)
48	Pouch (Item 9, VO 0734-08)
49	Pouches (Item 10, VO 0734-08)
50	Pouches (Item 11, VO 0734-08)
51	Vest - OTV (Item 12, VO 0734-08)
52	Vest - Interceptor Body Armor (Item 13, VO 0734-08)

13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)

Serology: Please 27 through 52 to determine if there is any human blood detected. If blood is detected please compare DNA profile of blood with that of the DNA profile extracted from previously submitted evidence. Concentration need only be directed to the front of clothing and equipment with specific attention to the sleeves of jackets and shirts and pant pockets of trousers. Examination of boots can be concentrated on the front toe area.

Trace Evidence: Please examine Exhibits 27, 31, 33 through 36, 39, and 41 through 45 to determine if any chemicals are present consistent with that of an AN-M14 TH3 Incendiary Grenade.

Conduct any further examination you deem necessary.

14.a. INVESTIGATOR AND ALTERNATE POC (Typed or Printed) (Mandatory Information) SA (b)(6), (b)(7)(C) SA [REDACTED]	b. TELEPHONE (Primary/Alt): c. DSN (Primary/Alt): (b)(6), (b)(7)(C) d. Fax: (b)(6), (b)(7)(C) e. E-Mail: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil
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15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE 2008-08-12	b. TYPED/PRINTED NAME OF REQUESTOR (b)(6), (b)(7)(C) Special Agent c. SIGNATURE [Signature] (b)(6), (b)(7)(C)	d. TELEPHONE (Primary/Alt): e. DSN (Primary/Alt): (b)(6), (b)(7)(C) f. Fax: g. E-Mail: (b)(6), (b)(7)(C)@us.army.mil; (b)(6), (b)(7)(C)@iraq.centcom.mil
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FOUO	16. LAB USE ONLY
	LAB CASE #

DD FORM 2922 (BACK), JUL 2006

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPC/CID SEQUENCE NUMBER

0006-08-CID-169

CRD REPORT/CID ROI NUMBER

51978

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

RECEIVING ACTIVITY Tikrit CID OFFICE	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	LOCATION COB Speicher, IZ APO AE 09394
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER Mr. (b)(6), (b)(7)(C) <input checked="" type="checkbox"/> OTHER (b)(6), (b)(7)(C)		ADDRESS (Include Zip Code) Rayji-Tanha, IZ
LOCATION FROM WHERE OBTAINED From the hand of Mr. (b)(6), (b)(7)(C) at cmc 000, COB Speicher, IZ, APO AE 09394	REASON OBTAINED Evidence	TIME/DATE OBTAINED 1400/ 17 Nov 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)
1	1	Bag, clear and white of color, plastic type construction, torn and used condition, containing various articles of clothing belonging to Mr. Mansour, all in used condition, placed in clean paper bag and sealed with tape. MFID with 1400/17 Nov 08 (b)(6), (b)(7)(C)
2	1	Bag, black in color, plastic type construction, used condition, containing various articles of clothing belonging to Mr. Mansour, all in used condition, placed in clean paper bag and sealed with tape. MFID with 1400/17 Nov 08 (b)(6), (b)(7)(C)
///LAST ITEM///		

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-2	17 Nov 08	SIGN (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Evaluation as evidence
		NAME, GRADE OR TITLE Mr. (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	
1-2		(b)(6), (b)(7)(C)	SIGNATURE RA 376-774600US	Released to Registered Mail
		NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE Registered Mail	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137

1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement

26 Sep 76 Which are Obsolete.

LOCATION

DOCUMENT NUMBER

142

ACLU-RDI 5576 p.484

10-L-0126 ACLU CID ROI 8848

000855

EVIDENCE./PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER		
RECEIVING ACTIVITY Tikrit CID Office		LOCATION COB Speicher, Tikrit, IZ		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER X (b)(6), (b)(7)(C) SFC/ E-7, Platoon Sergeant OTHER		ADDRESS (Include Zip Code) D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
LOCATION FROM WHERE OBTAINED From the hands of SFC (b)(6), (b)(7)(C) while in the MWR building, FOB Summerall, Bayji, IZ. APO AE 09393		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1255/ 18 Jun 08	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	6	Rounds, 9mm Ball M882, bearing markings WCC05. Rounds maintained in original cardboard container with styrofoam insert. Marked for identification with 1255/18 Jun 08 (b)(6), (b)(7)(C) ----- -----LAST ITEM-----		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	18 Jun 08	(b)(6), (b)(7)(C)	SA (b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
	<i>18 Jun 08</i>	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	<i>Released to unit former custodian</i>
1	<i>JUN 21 2008</i>	(b)(6), (b)(7)(C)	SIGNATURE	RECEIVED BY EVIDENCE CUSTODIAN
		(b)(6), (b)(7)(C)	NAME, GRADE OR TITLE	SCRCNI
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

EXHIBIT 147

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER		
RECEIVING ACTIVITY Tikrit CID Office		LOCATION COB Speicher, Tikrit, IZ		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER (b)(6), (b)(7)(C) O-3/CPT, S-2 OTHER X		ADDRESS (Include Zip Code) HHC, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
LOCATION FROM WHERE OBTAINED From the hands of CPT (b)(6), (b)(7)(C) while in the MWR building, FOB Summerall, Bayji, IZ.		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1726/ 13 Jun 08	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Compact Disc, white and silver in color, bearing markings of Princo, CD-R, 700MB/80Min, 2x-56x, CD-Recordable printed on disc, with writing in red in color ink on the front of the disc in Arabic writing which translated as "Death of an Innocent". Disc was contained in a clear, plastic type construction protective sleeve. Marked for ID on the Disc and Sleeve with 1726, 13 Jun 08 (b)(6), (b)(7)(C) (From CPT (b)(6), (b)(7)(C))		
////////	////////	(b)(6), (b)(7)(C) //LAST ITEM//////////////////////////////////////		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	13 Jun 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
1	JUN 21 2008	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE (b)(6), (b)(7)(C) CPT	SIGNATURE (b)(6), (b)(7)(C) SA	RECEIVED BY EVIDENCE CUSTODIAN SCRCNI
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

EXHIBIT 142

EVIDENCE/PROPERTY CUSTODY DOCUMENT

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

MPR/CID SEQUENCE NUMBER 0066-08-CID469

CRD REPORT/CID ROI NUMBER

RECEIVING ACTIVITY Tikrit CID Office

LOCATION COB Speicher, Tikrit, IZ

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED

OWNER (b)(6), (b)(7)(C) SPC E-4 OTHER X

ADDRESS (Include Zip Code) D Company, 1-327th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393

LOCATION FROM WHERE OBTAINED From the hands of SPC (b)(6), (b)(7)(C) while in the MWR building, FOB Summerall, Bayji, IZ.

REASON OBTAINED Evidence

TIME/DATE OBTAINED 1800-1830 1726 13 Jun 08 (b)(6), (b)(7)(C)

Table with columns: ITEM NO., QUANTITY, DESCRIPTION OF ARTICLES. Includes items 1-4: M-9 Pistol, Plastic bag, Document, Documents. Includes handwritten note: 'LAST ITEM' and 'M.F.R. Time/date obtained was corrected from 1726 to 1800-1830.'

CHAIN OF CUSTODY

Table with columns: ITEM NO., DATE, NAME, GRADE OR TITLE, SIGNATURE, PURPOSE OF CHANGE OF CUSTODY, EVALUATION AS EVIDENCE, RECEIVED BY EVIDENCE CUSTODIAN. Includes large redaction (b)(6), (b)(7)(C) and a date stamp JUN 21 2008.

EXHIBIT 142

EVIDENCE/PROPERTY CUSTODY DOCUMENT

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

MPR/CID SEQUENCE NUMBER 0066-08-CID469

CRD REPORT/CID ROI NUMBER

RECEIVING ACTIVITY Tikrit CID Office	LOCATION COB Speicher, Tikrit, IZ
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER (b)(6), (b)(7)(C) E-5, HUMINT Collector OTHER X	ADDRESS (Include Zip Code) B Company, 1 st STB, 1 st BCT FOB Summerall, Bayji, IZ, APO AE 09393
LOCATION FROM WHERE OBTAINED From the hands of SGT (b)(6), (b)(7)(C) while in the MWR building, FOB Summerall, Bayji, IZ, APO AE 09393	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1134/ 14 Jun 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
1	1	9mm Shell casing, metal type construction, brass in color, used condition, bearing the markings on the primer side "WCC 05". Shell casing sealed in a brown paper bag. DA Form 4002 affixed to the brown paper bag, MFID: 1134, 14 Jun 08, (b)(6), (b)(7)(C)
2	1	Grenade piece. Charred, melted and used condition. Silver, grey and yellow in color. Melted grenade sealed in a brown paper bag. DA Form 4002 affixed to the brown paper bag, MFID: 1134, 14 Jun 08, (b)(6), (b)(7)(C)
//////////	//////////	//////////////////////////////////////LAST ITEM//////////////////////////////////////

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 and 2	14 Jun 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
1 and 2	20 Jun 08	(b)(6), (b)(7)(C) SGT	(b)(6), (b)(7)(C) SA	Released to unit for evidence custody
1 and 2	JUN 21 2008	(b)(6), (b)(7)(C) SA	(b)(6), (b)(7)(C) SA	RECEIVED BY EVIDENCE CUSTODIAN SCREEN
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

EXHIBIT 142

For Official Use Only

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469	
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER	
RECEIVING ACTIVITY Tikrit CID Office		LOCATION COB Speicher, IZ, APO AE 09393	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER (b)(6), (b)(7)(C) O-2, XO OTHER X		ADDRESS (Include Zip Code) D Company, 1/327 th Infantry Regiment FOB Summerall, Bayji, IZ APO AE 09393	
LOCATION FROM WHERE OBTAINED From the hands of 1LT (b)(6), (b)(7)(C) while in the FOB Summerall MWR building, FOB Summerall, Bayji, IZ, APO AE 09303.		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1615/ 16 Jun 08
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>	
1	1	Projectile, metal type construction, grey and brass in color, flattened, damaged and used condition. Placed in a plastic container and sealed. MFID: 1615, 16 Jun 08, (b)(6), (b)(7)(C) BUCHAZAPD	
2	1	Shell casing, 9mm, metal type construction, brass and red in color, spent and used condition, bearing the markings on the primer side "WCC 05". Placed in a plastic container. MFID: 1615, 16 Jun 08, (b)(6), (b)(7)(C)	
////////	////////	//////////////////////LAST ITEM////////////////////////////////////	
CHAIN OF CUSTODY			
ITEM NO.	DATE	NAME, GRADE OR TITLE	PURPOSE OF CHANGE OF CUSTODY
1 and 2	16 Jun 08	(b)(6), (b)(7)(C) SA	EVALUATION AS EVIDENCE
1 and 2	20 Jun 08	(b)(6), (b)(7)(C) SA	Transferred to unit Evidence Custodian
1 and 2	JUN 21 2008	(b)(6), (b)(7)(C) SA	RECEIVED BY EVIDENCE CUSTODIAN
		SIGNATURE	
		NAME, GRADE OR TITLE	
		SIGNATURE	
		NAME, GRADE OR TITLE	
		SIGNATURE	
		NAME, GRADE OR TITLE	

EXHIBIT 142

For Official Use Only

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER
0066-08-CID469

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army
Criminal Investigation Command

CRD REPORT/CID ROI NUMBER

RECEIVING ACTIVITY Tikrit CID Office	LOCATION COB Speicher, IZ, APO AE 09393
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER N/A OTHER X	ADDRESS (Include Zip Code) Firing Range, FOB Summerall, Bayji, IZ APO AE 09393
LOCATION FROM WHERE OBTAINED From the ground of the firing range, FOB Summerall, Bayji, IZ, APO AE 09303.	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 2010/ 17 Jun 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
1 ////////	1 ////////	Plastic container with black twist style lid containing an undetermined amount of control samples of known melted AN-M14 TH3 incendiary grenades. MFID: 2010, 17 Jun 08, (b)(6), (b)(7)(C) //////////////////////////////////////LAST ITEM//////////////////////////////////////

CHAIN OF CUSTODY

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	17 Jun 08	SIGNATURE N/A	(b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
		NAME, GRADE OR TITLE Firing range ground	(b)(6), (b)(7)(C)	
1	20 Jun 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to unit for evidence custody
		NAME, GRADE OR TITLE SA	(b)(6), (b)(7)(C)	
1	JUN 21 2008	(b)(6), (b)(7)(C)	SIGNATURE	RECEIVED BY
		(b)(6), (b)(7)(C)	NAME, GRADE OR TITLE	EVIDENCE CUSTODIAN
		SIGNATURE	SIGNATURE	SCRCNI
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

EXHIBIT 142

DA FORM 4137
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete.

For Official Use Only
Law Enforcement

DOCUMENT NUMBER **0590 08**

ACLU-RDI 5576 p.490

10-L-0126 ASLUCID ROI 8854

000861

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER		
RECEIVING ACTIVITY Tikrit CID Office		LOCATION COB Speicher, Tikrit, IZ		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER (b)(6), (b)(7)(C) SFC/ E-7, Platoon Sergeant OTHER X		ADDRESS (Include Zip Code) D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
LOCATION FROM WHERE OBTAINED From the hands of SFC (b)(6), (b)(7)(C) while in the MWR building, FOB Summerall, Bayji, IZ, APO AE 09393		REASON OBTAINED Evidence	TIME/DATE OBTAINED 2226-2230/ 14 Jun 08	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Pistol, brand name Glock, Serial number GWY473 on the barrel, slide and receiver, in used condition, marked with Glock, 19 Austria, 9x19 on one side of slide and made in Austria, Glock INC, Smyrna.GA. Contained inside of a black in color, plastic type construction, box with top. Box has built in retaining system fitting pistol inside of box and bears markings of Glock safe action pistol, perfection, int. Pat on box top and side of box has paper type tag bearing 1 unit pistol glock 19 cal.9x19, a bar code, 4000, and GWY473 and also bears the writing of "training weapon. MFID on the slide, lower receiver, and barrel of pistol and box top and bottom with 2226, 14 Jun 08, (b)(6), (b)(7)(C)		
2	1	Pistol, brand name Glock, Serial number GWY469 on the barrel, slide and receiver, in used condition, marked with Glock, 19 Austria, 9x19 on one side of slide and made in Austria, Glock INC, Smyrna.GA. Contained inside of a black in color, plastic type construction, box with top. Box has built in retaining system fitting pistol inside of box and bears markings of Glock safe action pistol, perfection, int. Pat on box top and side of box has paper type tag bearing 1 unit pistol glock 19 cal.9x19, a bar code, 4000, and GWY469 and also bears the writing of "training weapon. MFID on the slide, lower receiver, and barrel of pistol and box top and bottom with 2227, 14 Jun 08, (b)(6), (b)(7)(C)		
3	1	Pistol, brand name Glock, Serial number GWY209 on the barrel, slide and receiver, in used condition, marked with Glock, 19 Austria, 9x19 on one side of slide and made in Austria, Glock INC, Smyrna.GA. Contained inside of a black in color, plastic type construction, box with top. Box has built in retaining system fitting pistol inside of box and bears markings of Glock safe action pistol, perfection, int. Pat on box top and side of box has paper type tag bearing 1 unit pistol glock 19 cal.9x19, a bar code, 4000, and Continued on page 2		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 THRU 5	14 Jun 08	(b)(6), (b)(7)(C) SFC	(b)(6), (b)(7)(C) SA	EVALUATION AS EVIDENCE
1 THRU 5	JUN 21 2008	(b)(6), (b)(7)(C) S.A.	SIGNATURE	RECEIVED BY EVIDENCE CUSTODIAN SCRCNI
		(b)(6), (b)(7)(C)	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

EXHIBIT 142

For Official Use Only

Continuation of DA Form 4137, Evidence/Property Custody Document:

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
4	1	Continued from page 1 GWY209 and also bears the writing of "training weapon. MFID on the slide, lower receiver, and barrel of pistol and box top and bottom with 2228, 14 Jun 08, (b)(6), (b)(7)(C) Pistol, brand name Glock, Serial number GWY379 on the barrel, slide and receiver, in used condition, marked with Glock, 19 Austria, 9x19 on one side of slide and made in Austria, Glock INC, Smyrna.GA. Contained inside of a black in color, plastic type construction, box with top. Box has built in retaining system fitting pistol inside of box and bears markings of Glock safe action pistol, perfection, int. Pat on box top and side of box has paper type tag bearing 1 unit pistol glock 19 cal.9x19, a bar code, 4000, and GWY379 and also bears the writing of "training weapon. MFID on the slide, lower receiver, and barrel of pistol and box top and bottom with 2229, 14 Jun 08, (b)(6), (b)(7)(C)
5	1	Magazine, Black in color, plastic and metal type construction, with twelve evenly spaced holes on the back side numbered from 4 through 14. Bearing markings of 9mm, Glock, Austria on the back and Glock on the bottom. Magazine was MFID on the bottom and side with 2230, 14 Jun 08, (b)(6), (b)(7)(C)
//////////	//////////	//////////////////////LAST ITEM////////////////////////////////////

For Official Use Only
Law Enforcement
Sensitive

EXHIBIT 142

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER		
RECEIVING ACTIVITY Tikrit CID Office		LOCATION COB Speicher, Tikrit, IZ		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER (b)(6), (b)(7)(C) ILT OTHER X		ADDRESS (Include Zip Code) D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
LOCATION FROM WHERE OBTAINED From trunks in containerized housing (b)(6), (b)(7)(C) FOB Summerall, Bayji, IZ.		REASON OBTAINED Evidence	TIME/DATE OBTAINED 2032-2036/ 18 Jun 08	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Knife, folding type with attached pocket clip, black and silver in color, metal type construction, approximately 5" long in folded configuration and approximately 9" when extended. Knife bears markings on blade of "Rex Applegate, WE. Fairbairn, Gerber, USA and sword in stone picture" on one side of blade and "Covert Folder, 154CM" on the opposite side, knife is in used and dirty condition. Marked for ID on the handle with 2032, 18 Jun 08 (b)(6), (b)(7)(C) (From trunk in (b)(6), (b)(7)(C))		
2	1	Multi-tool, brand name Gerber with carrying case. Multi-tool is grey and black in color, plastic and metal type construction, containing tools and knife, approximately 4" in length in folded configuration and is in used and dirty condition. Multi-tool bears the markings of "Gerber" in on each side. Case is black in color, cloth type construction with hook and loop fastener, and belt loop, in used and dirty type construction. Multi-tool and case were marked for ID on knife and case with 2036, 18 Jun 08, (b)(6), (b)(7)(C) (Trunk inside (b)(6), (b)(7)(C))		
//////////	//////////	<p>//////////////////////LAST ITEM//////////////////////////////////////</p> <p><i>M.F.D. Evidence was not marked as documented due to requested lab examinations</i></p> <p>(b)(6), (b)(7)(C)</p> <p><i>MFR: THE PACKAGING WAS MFD W/ 1153/24 JUN 08 AS TO</i></p> <p><i>APPEAR ON SEALS.</i></p>		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-2	18 Jun 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
1-2	20 JUN 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to unit Evidence Custodian
1-2	JUN 21 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
		SIGNATURE	SIGNATURE	SCRCNI
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

EXHIBIT 1012

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER
0066-08-CID469

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army
Criminal Investigation Command

CRD REPORT/CID ROI NUMBER

RECEIVING ACTIVITY Tikrit CID Office	LOCATION COB Speicher, Tikrit, IZ
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER X (b)(6), (b)(7)(C) SSG OTHER	ADDRESS (Include Zip Code) D Company, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393
LOCATION FROM WHERE OBTAINED From the hands of SSG (b)(6), (b)(7)(C) while in the D Company Headquarters building, and containerized housing unit (b)(6), (b)(7)(C) FOB Summerall, Bayji, IZ.	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1949-2019/ 18 Jun 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
1	1	Knife, folding type with attached pocket clip, grey and silver in color, metal type construction, approximately 5 1/2" long in folded configuration and approximately 9" when extended. Knife bears markings on blade of "Carson design, M21-14, U.S.PAT 5,596,808" on one side of blade and symbol of broken square with "CRKT" on the opposite side, knife is in used and dirty condition. Marked for ID on the handle with 1949, 18 Jun 08, (b)(6), (b)(7)(C) (From SSG (b)(6), (b)(7)(C))
2	1	Knife with sheath. Knife, fixed type blade. Knife has brown and black in color handle of plastic and leather type construction. Blade of knife is black in color, metal type construction, bearing markings of "USMC" on one side of blade and "KA-BAR Olean, N.Y." on the opposite side. Handle is approximately 4 1/2" in length and blade is approximately 7" in length with the first approximate 3" a serrated blade. Knife was in used condition. Sheath was Black and beige in color, metal, cloth and plastic type construction. Top of sheath is cloth type construction belt attachment with strap to secure knife handle and attached to the body of sheath with metal rivet type fasteners. Body of sheath is plastic and metal type construction with four pairs of metal eyelets with an approximate 24" length of green cord through the two upper eyelets. Sheath bore markings of "KA-BAR" on the plastic body. Marked for ID on knife and sheath with 2019, 18 Jun 08, (b)(6), (b)(7)(C) Trunk inside (b)(6), (b)(7)(C)
//////////	//////////	////////// LAST ITEM ////////// M.F.K. Evidence was not marked as documented due to requested lab tests (b)(6), (b)(7)(C) MFF. THE PACKAGING WAS MFD W/ 1153/21 JUN 08 (b)(6), (b)(7)(C) AS TO APPEAR ON SELLS.

CHAIN OF CUSTODY			
ITEM NO.	DATE	RELEASED BY	RECEIVED BY
1-2	18 Jun 08	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) TLE SSG	(b)(6), (b)(7)(C) NA SA (b)(6), (b)(7)(C)
1-2	20 Jun 08	(b)(6), (b)(7)(C) NA SA (b)(6), (b)(7)(C)	SA
1-2	JUN 21 2008	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SA	SIGNATURE NAME, GRADE OR TITLE
		SIGNATURE NAME, GRADE OR TITLE	SIGNATURE NAME, GRADE OR TITLE
		SIGNATURE NAME, GRADE OR TITLE	SIGNATURE NAME, GRADE OR TITLE

EXHIBIT 142

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CID REPORT/CID ROI NUMBER		
RECEIVING ACTIVITY Tikrit CID Office		LOCATION COB Speicher, Tikrit, IZ, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER Crime Scene <input checked="" type="checkbox"/> OTHER		ADDRESS (Include Zip Code) N/A		
LOCATION FROM WHERE OBTAINED Ground of Culvert located beneath railroad tracks at Grid LD 59625 61025 in the proximity of FOB Summerall, Bayji, IZ		REASON OBTAINED Evidence	TIME/DATE OBTAINED 0830-0915 18 Jun 08	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Jar, plastic type construction with plastic screw on lid containing two pieces of unknown metal type substance. Jar was sealed and marked for identification with 0830/18 Jun 08 (b)(6), (b)(7)(C) and marked BIOHAZRD. (ground)-----		
2	1	Jar, plastic type construction with plastic screw on lid containing various pieces of unknown metal type substance. Jar was sealed and marked for identification with 0835/18 Jun 08 (b)(6), (b)(7)(C) and marked BIOHAZRD. (ground)-----		
3	1	Jar, plastic type construction with plastic screw on lid containing one rock. Jar was sealed and marked for identification with 0843/18 Jun 08 (b)(6), (b)(7)(C) and marked BIOHAZRD. (ground)		
4	1	Jar, plastic type construction with plastic screw on lid containing one rock. Jar was sealed and marked for identification with 0855/18 Jun 08 (b)(6), (b)(7)(C) and marked BIOHAZRD. (ground)		
5	1	Jar, plastic type construction with plastic screw on lid containing two cloth-like gauze pads. Jar was sealed and marked for identification with 0915/18 Jun 08 (b)(6), (b)(7)(C) and marked BIOHAZRD. (ground)		
-----LAST ITEM-----				
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 through 5	18 Jun 08	SIGNATURE N/A	(b)(6), (b)(7)(C)	Evaluation as Evidence
1 through 5	20 Jun 08	NAME, GRADE OR TITLE Crime Scene	NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	Released to kin's Evidence Custodian
1 through 5	JUN 21 2008	SIGNATURE (b)(6), (b)(7)(C)	SIGNATURE SA	RECEIVED BY EVIDENCE CUSTODIAN
		NAME, GRADE OR TITLE SA	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

EXHIBIT 142

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469-		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CID REPORT/CID ROI NUMBER 51978		
RECEIVING ACTIVITY Tikrit CID Office		LOCATION COB Speicher, Tikrit, IZ, APO AE 09393		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER (b)(6), (b)(7)(C) SSG <input type="checkbox"/> OTHER		ADDRESS (Include Zip Code) B Co, 1/327 th Infantry Regiment COB Speicher, APO AE 09393 Tikrit, IZ		
LOCATION FROM WHERE OBTAINED (b)(6), (b)(7)(C) COB Speicher, APO AE 09393, Tikrit, IZ (SSG (b)(6), (b)(7)(C) Living Area)		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1815-1914 13 Jul 08	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)		
1	2	Boots, Desert Ops, Brand Name "Blackhawk Warrior Wear", Model 0012745-2, tan, in used condition. size 8.5 USA. In used condition. Sealed in a suitable container and marked for identification with 1815/13 Jul 08 (b)(6), (b)(7)(C) (Biohazard)		
2	1	Camel back, Brand Name "Maximum Gear", green electric ACU pattern, name (b)(6), (b)(7)(C) marked on front. In used condition. Sealed in a suitable container and marked for identification with 1817/13 Jul 08 (b)(6), (b)(7)(C) (Biohazard)		
3	1	Vest, body armor carrier (OTV), size medium, green electric ACU pattern, with SSG/E-6 rank and name tag (b)(6), (b)(7)(C) affixed to it. Serial Number 63014. Neck guard is attached. In used condition. Sealed in a suitable container and marked for identification with 1824/13 Jul 08 (b)(6), (b)(7)(C) (Biohazard)		
4	1	Vest, Interceptor Body Armor carrier, size medium, green electric ACU pattern. Neck guard, throat guard. and two side plate carriers are attached. Serial number not legible. In used condition. Sealed in a suitable container and marked for identification with 1827/13 Jul 08 (b)(6), (b)(7)(C) (Biohazard)		
5	2	Gloves, combat, Model CAG-1, PO: 7329, size Small, tan and black. In used condition. Sealed in a suitable container and marked for identification with 1830/13 Jul 08 (b)(6), (b)(7)(C) (Biohazard)		
6	1	Cover, helmet, green camouflage electric ACU pattern, size Large/XLarge. Name tag (b)(6), (b)(7)(C) affixed to it. Patch with Black clover and #1 affixed to it. In used condition. Sealed in a suitable container and marked for identification with 1834/13 Jul 08 (b)(6), (b)(7)(C) (Biohazard)		
7	1	Jacket, green camouflage electric ACU pattern, size medium regular with (b)(6), (b)(7)(C) written on inside tag. In used condition. Sealed in a suitable container and marked for identification with 1856/13 Jul 08 (b)(6), (b)(7)(C) (Biohazard)		
8	1	Trousers, Army Combat Uniform, green camouflage electric ACU pattern, size medium regular with "6201" written on inside tag. In used condition. Sealed in a suitable container and marked for identification with 1858/13 Jul 08 (b)(6), (b)(7)(C) (Biohazard)		
Continued on next page				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 thru 13	13 Jul 08	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SSG	(b)(6), (b)(7)(C)	Collected as evidence
1, 3-6, 10-13	15 Jul 08	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	SIGNATURE Registered Mail RA 376 773 459 US	Forwarded to Evidence Custodian
2 + 7-9	15 Jul 08	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	SIGNATURE Registered Mail RA 376 773 462 US	Forwarded to Evidence Custodian
1, 3-6, 10-13	11 Aug 08	SIGNATURE Registered Mail NAME, GRADE OR TITLE RA 376 773 459 US	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN SCRCNI
2, 7-9	11 Aug 08	SIGNATURE Registered Mail NAME, GRADE OR TITLE RA 376 773 462 US	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN SCRCNI

DA FORM 4137
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete.

Blue Connex
FOUO

DOCUMENT NUMBER 0733 08

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EXHIBIT

Continuation of Description of Articles received from: SSG [REDACTED] b(6), b(7)(C)

ITEM #	QUANTITY	DESCRIPTION OF ARTICLES
9	1	Trousers, Army Combat Uniform, green camouflage electric ACU pattern, size inseam 29 1/2-32 1/2 in, waist 31-35 in. In used condition. Sealed in a suitable container and marked for identification with 1859/13 Jul 08 [REDACTED] (Biohazard)-----
10	1	Shirt, long sleeve, green camouflage electric ACU pattern on sleeves, solid green on front and back. "Army Strong" printed on front of shirt, Airborne tab and black patch with Eagle affixed upside down to right sleeve, left sleeve pocket has "G 16" written on it. In used condition. Sealed in a suitable container and marked for identification with 1902/13 Jul 08 [REDACTED] (Biohazard)-----
11	2	Pouches, green camouflage electric ACU pattern, with straps on back. In used condition. Sealed in a suitable container and marked for identification with 1910/13 Jul 08 [REDACTED] (Biohazard)-----
12	1	Pouch, brand name Spec Ops, green camouflage electric ACU pattern, with straps on back. In used condition. Sealed in a suitable container and marked for identification with 1912/13 Jul 08 [REDACTED] (Biohazard)-----
13	2	Boots, brand name Vibram, tan, size 8 1/2 R, In used condition. Sealed in a suitable container and marked for identification with 1914/13 Jul 08 [REDACTED] (Biohazard)-----
-----LAST ITEM-----		

Page ____ of ____ Pages

Document Number _____

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EXHIBIT _____

0733 08



DEPARTMENT OF THE ARMY
TIKRIT CID OFFICE
CONTINGENCY OPERATING BASE SPEICHER
TIKRIT, IRAQ APO AE 09393

CIRF-ZC-CC

14 Jul 08

MEMORANDUM FOR RECORD

SUBJECT: Release of Ballistic Panels

1. On 13 Jul 08, evidence was collected in conjunction with Report of Investigation 0066-08-CID469-51978 from SSG (b)(6), (b)(7)(C)
2. Items 3 and 4 contained the ballistic panels which were not required to be maintained as evidence. These items were removed and were returned to SSG (b)(6), (b)(7)(C) on 14 Jul 08.
3. The point of contact for this memorandum is the undersigned at VOIP (b)(6), (b)(7)(C) DSN (b)(6), (b)(7)(C) or email (b)(6), (b)(7)(C)@us.army.mil.

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

CW3, MP
Special Agent-in-Charge

Verified by:

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

SSG, USA

FOUO

0733 08

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469-
For use of this form see AR 190-45 and AR 195-5: the proponent agency is US Army Criminal Investigation Command		CID REPORT/CID ROI NUMBER 51978
RECEIVING ACTIVITY Tikrit CID Office	LOCATION COB Speicher, Tikrit, IZ, APO AE 09393	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER (b)(6), (b)(7)(C) ILT <input type="checkbox"/> OTHER	ADDRESS (Include Zip Code) Security Detachment, Special Troops Battalion, 1 st AD, COB Speicher, APO AE 09393 Tikrit, IZ	
LOCATION FROM WHERE OBTAINED (b)(6), (b)(7)(C) of an unmarked building between (b)(6), (b)(7)(C) COB Speicher, APO AE 09393, Tikrit, IZ (ILT (b)(6), (b)(7)(C) Living Area)	REASON OBTAINED Evidence	TIME/DATE OBTAINED 2207 - 2315 13 Jul 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
1	1	Cover, helmet, green camouflage electric ACU pattern, size Large/XLarge with helmet band bearing the markings "BDBE5704", (b)(6), (b)(7)(C) and "O POS". Both used condition. Sealed in a brown paper bag. Seals MFID: 1532, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2207, 13 Jul 08. (Biohazard)-----
2	1 pair	Boots with laces, Desert hot weather. Size 11R, tan, used condition. Sealed in a brown paper bag. Seals MFID: 1600, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2210, 13 Jul 08. (Biohazard)-----
3	1 pair	Boots with laces, Wellco name brand, tan, used and muddy condition. Sealed in a brown paper bag. Seals MFID: 1613, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2215, 13 Jul 08. (Biohazard)-----
4	1 pair	Gloves, size 11, green, cloth and leather construction, used condition. Sealed in a brown paper bag. Seals MFID: 1622, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2219, 13 Jul 08. (Biohazard)-----
5	1 pair	Gloves, size 14, black, leather construction, used condition. Sealed in a brown paper bag. Seals MFID: 1634, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2223, 13 Jul 08. (Biohazard)-----
6	4	Trousers, Army Combat Uniform, green camouflage electric ACU pattern, size medium regular, used condition. Sealed in a brown paper bag. Seals MFID: 1646, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2230, 13 Jul 08. (Biohazard)-----
7	1 pair	Knee pads, ALTA name brand, green camouflage electric ACU pattern, cloth metal and plastic construction, used condition. Sealed in a brown paper bag. Seals MFID: 1657, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2232, 13 Jul 08. (Biohazard)-----
8	1	Groin protector, green camouflage electric ACU pattern, used condition. Sealed in a brown paper bag. Seals MFID: 1704, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2235, 13 Jul 08. (Biohazard)-----
9	1	Improved First Aid Kit Pouch, green camouflage electric ACU pattern, used condition. Sealed in a brown paper bag.-----

Continued on page 2-----

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 thru 13	13 Jul 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
1 THRU 13	15 JUL 08	(b)(6), (b)(7)(C)	SIGNATURE N/A	Forwarded to Evidence Custodian
1-13	11 Aug 08	SA (b)(6), (b)(7)(C)	RA 376 773 581 US	RECEIVED BY EVIDENCE CUSTODIAN
		SIGNATURE Registered Mail	(b)(6), (b)(7)(C)	SCRCNI
		NAME, GRADE OR TITLE RA 376 773 581 US	SA (b)(6), (b)(7)(C)	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete.

LOCATION Blue Comex

DOCUMENT NUMBER 0734-08

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EXHIBIT

142

Continuation of Description of Articles received from: 1LT b(6), b(7)(C)

ITEM #	QUANTITY	DESCRIPTION OF ARTICLES
10	2	Seals MFID: 1714, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2242, 13 Jul 08. (Biohazard)-- Magazine Pouches, M-4, MOLE II, green camouflage electric ACU pattern, used condition. Sealed in a brown paper bag. Seals MFID: 1725, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2250, 13 Jul 08. (Biohazard)-----
11	2	Hand Grenade Pouches, green camouflage electric ACU pattern, used condition. Sealed in a brown paper bag. Seals MFID: 1735, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2258, 13 Jul 08. (Biohazard)-----
12	1	Improved Outer Tactical Vest front and back carrier with Yoke/Collar Back Assembly carrier, and Lower Back Protector Outershell. All with Serial Number 027970. All green camouflage electric ACU pattern and used condition. Sealed in a brown paper bag. Seals MFID: 1744, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2307, 13 Jul 08. (Biohazard)-----
13	1	Body Armor "Interceptor" Base Vest carrier, Point Blank name brand, size large, green electric ACU pattern, bearing a Velcro nametag (b)(6), (b)(7)(C) With Enhanced Side Ballistic Insert Outershell carriers (left and right). All used and dirty condition. Sealed in a brown paper bag. Seals MFID: 1753, 14 Jul 08 (b)(6), (b)(7)(C) 4002 affixed bearing collection time: 2315, 13 Jul 08. (Biohazard)-----
		-----LAST ITEM-----

Page 2 of 2 Pages

Document Number _____

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EXHIBIT _____

0734-08



DEPARTMENT OF THE ARMY
TIKRIT CID OFFICE
CONTINGENCY OPERATING BASE SPEICHER
TIKRIT, IRAQ APO AE 09393

CIRF-ZC-CC

14 Jul 08

MEMORANDUM FOR RECORD

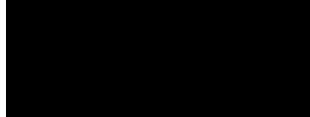
SUBJECT: Release of Ballistic Panels

1. On 13 Jul 08, evidence was collected in conjunction with Report of Investigation 0066-08-CID469-51978 from 1LT (b)(6), (b)(7)(C)

2. Items 12 and 13 contained the ballistic panels which were not required to be maintained as evidence. These items were removed and were returned to 1LT (b)(6), (b)(7)(C) on 14 Jul 08.

3. The point of contact for this memorandum is the undersigned at VOIP (b)(6), (b)(7)(C) DSN (b)(6), (b)(7)(C) or email (b)(6), (b)(7)(C)@us.army.mil.

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



CW3, MP
Special Agent-in-Charge

Verified by:

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

1LT, IN

0734-08

142
000872

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER		
RECEIVING ACTIVITY Tikrit CID Office		LOCATION COB Speicher, Tikrit, IZ		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER (b)(6), (b)(7)(C) E-5, HUMINT Collector OTHER X		ADDRESS (Include Zip Code) B Company, 1 st STB, 1 st BCT FOB Summerall, Bayji, IZ, APO AE 09393		
LOCATION FROM WHERE OBTAINED From the hands of SGT (b)(6), (b)(7)(C) while in the Battalion Aid Medical Facility, FOB Summerall, Bayji, IZ. APO AE 09393		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1642-1648/ 1 Jul 08	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	2	Swab, plastic and cotton type construction, containing the cheek swabbings of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Swabs were air dried and placed in a paper type construction box which was sealed with evidence tape and MFID with 1642, 1 Jul 08, (b)(6), (b)(7)(C) (BIOHAZARD) From the hand of SGT (b)(6), (b)(7)(C)		
2	1	Paper type envelope, white in color, containing several hair samples of (b)(6), (b)(7)(C) Envelope was sealed with evidence tape and MFID with 1648, 1 Jul 08, (b)(6), (b)(7)(C) (BIOHAZARD) From the hand of SGT (b)(6), (b)(7)(C)		
////	////	////////////////////LAST ITEM////////////////////		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 and 2	1 Jul 08	(b)(6), (b)(7)(C) SGT	SA (b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
and 2	2 Jul 08	(b)(6), (b)(7)(C) SA	SIGNATURE Registered Mail NAME, GRADE OR TITLE RA 376 773 405 US	Released to Registered Mail
1-2	11 Sep 08	SIGNATURE Registered Mail NAME, GRADE OR TITLE RA 376 773 405 US	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN SCRCNI
1-2	11 Sep 08	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	SIGNATURE Registered Mail NAME, GRADE OR TITLE RA 850 876 446 US	FORWARDED TO USAICIL FOR EXAMINATION
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137 1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete.

DOCUMENT NUMBER 0790 08

LOCATION USACIL

FOUO

LAW ENFORCEMENT SENSITIVE EXHIBIT

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0066-08-CID469		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER 51978		
RECEIVING ACTIVITY Tikrit CID Office		LOCATION COB Speicher, Tikrit, IZ		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED OWNER (b)(6), (b)(7)(C) O-3/CPT, S-2 OTHER X		ADDRESS (Include Zip Code) HHC, 1-327 th Infantry Regiment FOB Summerall, Bayji, IZ, APO AE 09393		
LOCATION FROM WHERE OBTAINED From the hands of CPT (b)(6), (b)(7)(C) while in Building 719, COB Speicher, APO AE 09393, Tikrit, IZ		REASON OBTAINED Evidence	TIME/DATE OBTAINED 1115/ 29 Jun 08	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Toothbrush, brand name "Smile", plastic type construction, pink handle with blue and white bristles. Toothbrush was sealed in a paper envelope and marked for identified with 1115/29 Jun 08 (b)(6), (b)(7)(C) From CPT (b)(6), (b)(7)(C)		
2	1	Bag, plastic type construction, black, was sealed in a paper envelope and marked for identified with 1115/29 Jun 08 (b)(6), (b)(7)(C) (From CPT (b)(6), (b)(7)(C))		
-----LAST ITEM-----				
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 & 2	29 Jun 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
1 & 2	1 Jul 08	(b)(6), (b)(7)(C)	NA	Forward to Evidence Custodian via registered mail
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

EXHIBIT