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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Schweinfurt CID Office
202D MILITARY POLICE GROUP (USACIDC), CMR 457, , APO NY
09033-9033

08 Jul 2009

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0010-2008-CID847-34682 - 5H1A /
5M2 / 5X5 / 5X6 / 5X1 / 9G1 / 9G2C / 9G2F / 9J

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 17 MAR 2007, 0001 - 16 APR 2007, 2359; CANAL, ABOUT 5 MINUTES WEST OF COP "ANGRY DRAGON", HAMDANI VILLAGE (WEST BAGHDAD), IRAQ
2. 03 JAN 2007, 0001 - 03 JAN 2007, 2359; ROUTE STEELERS, ABOUT 600 - 2000 METERS WEST OF CHECK POINT 578, BAGHDAD, IRAQ
3. 28 JAN 2008, 1426 - 28 JAN 2008, 1427; SCHWEINFURT CID OFFICE, BUILDING 296, LEDWARD BARRACKS, APO, AE 09033
4. 25 FEB 2008, 1644 - 10 MAR 2008, 1507; 21 SENECA STREET, OIL CITY, PA 16301
5. 01 FEB 2008, 1942 - 01 FEB 2008, 1942; CID OFFICE, LEDWARD BARRACKS, SCHWEINFURT, GERMANY, APO, AE 09033
6. 29 FEB 2008, 0900 - 29 FEB 2008, 0900; UNKNOWN LOCATION

DATE/TIME REPORTED: 10 JAN 2008, 1015

INVESTIGATED BY:

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

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SUBJECT:

1. (b)(6), (b)(7)(C); 1SG; (b)(6), (b)(7)(C) (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [MURDER], [CONSPIRACY]
2. (b)(6), (b)(7)(C); CPL; (b)(6), (b)(7)(C) (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [FAILURE TO REPORT]
3. (b)(6), (b)(7)(C); SPC; (b)(6), (b)(7)(C) (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [FAILURE TO REPORT]
4. (b)(6), (b)(7)(C); SGT; (b)(6), (b)(7)(C) (DOB); (POB); MALE; WHITE; HHC, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [MURDER], [CONSPIRACY]
5. (b)(6), (b)(7)(C); SGT; (b)(6), (b)(7)(C) (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [CONSPIRACY]

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6. (b)(6), (b)(7)(C) SPC; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [CONSPIRACY]

7. (b)(6), (b)(7)(C) SPC; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [CONSPIRACY]

8. (b)(6), (b)(7)(C) SPC; (b)(6), (b)(7)(C) (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [FAILURE TO REPORT]

9. (b)(6), (b)(7)(C) SSG; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [CONSPIRACY]

10. (b)(6), (b)(7)(C) SGT; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [FAILURE TO REPORT]

11. (b)(6), (b)(7)(C) SFC; (b)(6), (b)(7)(C); (DOB); (POB); MALE; NATIVE HAWAIIAN / OTHER PACIFIC ISLANDER; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [MURDER], [CONSPIRACY]

12. (b)(6), (b)(7)(C) SPC; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [MISPRISION SERIOUS OFFENSE (UNFOUNDED)]

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13. (b)(6), (b)(7)(C) ; SPC; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [MISPRISION SERIOUS OFFENSE (UNFOUNDED)]
14. (b)(6), (b)(7)(C) ; SPC; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [FAILURE TO REPORT]
15. (b)(6), (b)(7)(C) ; SGT; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09026; E1 ; [FAILURE TO REPORT]
16. (b)(6), (b)(7)(C) ; SPC; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09226; E1 ; [FAILURE TO REPORT]
17. (b)(6), (b)(7)(C) ; SPC; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; HEADQUARTERS AND HEADQUARTERS COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09226; E1 ; [MISPRISION SERIOUS OFFENSE (UNFOUNDED)]
18. (b)(6), (b)(7)(C) ; SPC; (b)(6), (b)(7)(C); (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09226; E1 ; [MISPRISION SERIOUS OFFENSE (UNFOUNDED)]
19. (b)(6), (b)(7)(C) ; SSG; (b)(6), (b)(7)(C); (DOB); (POB); MALE; BLACK; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09226; E1 ; [FAILURE TO REPORT], [FALSE OFFICIAL STATEMENT]

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20. (b)(6), (b)(7)(C) FORMER SPC; (b)(6), (b)(7)(C) (DOB); (POB); MALE; WHITE; A COMPANY, 1-18TH INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09226; E1 ; [FAILURE TO REPORT], [FALSE OFFICIAL STATEMENT]

21. (b)(6), (b)(7)(C) SPC; (b)(6), (b)(7)(C) ; (DOB); (POB); MALE; WHITE; A COMPANY, 1-2ND INFANTRY BATTALION, CONN BARRACKS, SCHWEINFURT, GERMANY, APO, ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09226; E1 ; [OBSTRUCTION OF JUSTICE], [FAILURE TO REPORT], [FALSE OFFICIAL STATEMENT]

VICTIM:

1. U.S. GOVERNMENT; [OBSTRUCTION OF JUSTICE], [MISPRISION SERIOUS OFFENSE (UNFOUNDED)], [FAILURE TO REPORT], [FALSE OFFICIAL STATEMENT], [CONSPIRACY]

2. UNKNOWN, IRAQI MALE 1 (DECEASED); XZ ; [MURDER] (NFI)

3. UNKNOWN, IRAQI MALE 4 (DECEASED); XZ ; [MURDER] (NFI)

4. UNKNOWN, IRAQI MALE 5 (DECEASED); XZ ; [MURDER] (NFI)

5. UNKNOWN, IRAQI MALE 3 (DECEASED); XZ ; [MURDER] (NFI)

6. UNKNOWN, IRAQI MALE 2 (DECEASED); XZ ; [MURDER] (NFI)

INVESTIGATIVE SUMMARY:

This office was notified by CPT (b)(6), (b)(7)(C) Trial Defense Services (TDS), Office of the Staff Judge Advocate (OSJA), Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG), that his client witnessed the murder of Iraqi detainees by Soldiers assigned to A Company (Co), 1-18th Infantry (INF) Battalion (BN), CBSG during their deployment to Iraq in 2007.

Investigation determined MSG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) committed the

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offenses of Murder and Conspiracy when they agreed to kill four Iraqi detainees, transported them to a deserted canal, executed them, and subsequently pushed their bodies into the canal to conceal their actions. Both SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) confessed to the murders and detailed MSG (b)(6), (b)(7)(C) actions during the incident.

Investigation determined SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) committed the offense of Conspiracy when they became aware of the plan to kill the detainees and knowingly joined the patrol which transported the detainees to the canal where they were executed.

Investigation determined CPL (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) committed the offense of Failure to Report when they became aware of the murders and failed to report the incident to military or law enforcement authorities.

Investigation determined SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) committed the offense of False Official Statement when they provided false statements denying any knowledge of the murders. All three individuals were re-interviewed and admitted to being present when MSG (b)(6), (b)(7)(C) shot and killed an Iraqi detainee.

Investigation determined SPC (b)(6), (b)(7)(C) committed the offense of Obstruction of Justice when he contacted SPC (b)(6), (b)(7)(C) and instructed him not to cooperate with this investigation.

Investigation further determined SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) did not commit the offense of Misprision of a Serious Offense as initially alleged. A review of all the investigative facts revealed there were no indications they knew anything regarding the murder of Iraqi detainees.

STATUTES:

Article 118, UCMJ: Murder

Article 81, UCMJ: Conspiracy

Article 134, UCMJ: Obstruction of Justice

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Article 134, UCMJ: False Official Statement

Article 134, UCMJ: Failure to Report

Article 134, UCMJ: Misprision of a Serious Offense (UNFOUNDED)

EXHIBITS:

ATTACHED:

1. Agent's Investigation Report (AIR) of SA (b)(6), (b)(7)(C) 16 Jan 08.
2. Statement of CPT (b)(6), (b)(7)(C) 10 Jan 08.
3. Waiver Certificate and Sworn Statement of SGT (b)(6), (b)(7)(C) 11 Jan 08.
4. Consent to Search obtained from SGT (b)(6), (b)(7)(C) 11 Jan 08.
5. USACIDC Request and Approval to Conduct Consensual Intercept Operation. (USACRC, USACIDC and File Copies Only)
6. Consent to Search obtained from SGT (b)(6), (b)(7)(C) 16 Jan 08.
7. AIR of SA (b)(6), (b)(7)(C) 16 Jan 08.
8. AIR of CmINV (b)(6), (b)(7)(C) 17 Jan 08.
9. AIR of SA (b)(6), (b)(7)(C) 7 Jan 08.
10. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 17 Jan 08.
11. Digital Video Discs (DVD) containing the video recorded interview of SPC (b)(6), (b)(7)(C) (USACRC and File Copies Only)
12. Consent to Search obtained from SPC (b)(6), (b)(7)(C) 17 Jan 08.

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13. AIR of SA (b)(6), (b)(7)(C) 17 Jan 08.
14. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from SGT (b)(6), (b)(7)(C) 17 Jan 08.
15. DVDs containing the video recorded interview of SGT (b)(6), (b)(7)(C) (USACRC and File Copies Only)
16. Consent to Search obtained from (b)(6), (b)(7)(C) 17 Jan 08.
17. AIR of SA (b)(6), (b)(7)(C) 17 Jan 08.
18. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 17 Jan 08.
19. DVDs containing the video recorded interview of SPC (b)(6), (b)(7)(C) (USACRC and File Copies Only)
20. Consent to Search obtained from SPC (b)(6), (b)(7)(C) 17 Jan 08.
21. AIR of INV (b)(6), (b)(7)(C) 17 Jan 08.
22. Technical and Listening Equipment (TLE) Usage and Safety Agreement signed by SGT (b)(6), (b)(7)(C) 17 Jan 08.
23. AIR of SA (b)(6), (b)(7)(C) 17 Jan 08
24. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from CPL (b)(6), (b)(7)(C) 17 Jan 08.
25. DVD containing the video recorded interview of CPL (b)(6), (b)(7)(C) (USACRC and File Copies Only)
26. Consent to Search obtained from CPL (b)(6), (b)(7)(C) 17 Jan 08.

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27. AIR of SA (b)(6), (b)(7)(C) 18 Jan 08.
28. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 18 Jan 08.
29. DVDs containing video recorded interview of SPC (b)(6), (b)(7)(C) (USACRC and File Copies Only)
30. AIR of SA (b)(6), (b)(7)(C) 18 Jan 08.
31. Non-Waiver Certificate of MSG (b)(6), (b)(7)(C) 18 Jan 08.
32. DVD containing video recorded interview of MSG (b)(6), (b)(7)(C) (USACRC and File Copies Only)
33. AIR of SA (b)(6), (b)(7)(C) 18 Jan 08.
34. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from SFC (b)(6), (b)(7)(C) 18 Jan 08.
35. DVD containing video recorded interview of SFC (b)(6), (b)(7)(C) (USACRC and File Copies Only)
36. AIR of SA (b)(6), (b)(7)(C) 18 Jan 08.
37. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from SGT (b)(6), (b)(7)(C) 18 Jan 08.
38. DVDs containing video recorded interview of SGT (b)(6), (b)(7)(C) (USACRC and File Copies Only)
39. Consent to Search obtained from SGT (b)(6), (b)(7)(C) 18 Jan 08.
40. AIR of SA (b)(6), (b)(7)(C) 18 Jan 08.
41. Consent to Search obtained from SFC (b)(6), (b)(7)(C) 18 Jan 08.

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42. AIR of SA (b)(6), (b)(7)(C) 19 Jan 08.
43. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 19 Jan 08.
44. DVDs containing video recorded interview of SPC (b)(6), (b)(7)(C) (USACRC and File Copies Only)
45. Consent to Search obtained from SPC (b)(6), (b)(7)(C) 19 Jan 08.
46. AIR of SA (b)(6), (b)(7)(C) 19 Jan 08.
47. Non-Waiver Certificate of SPC (b)(6), (b)(7)(C) 19 Jan 08.
48. DVD containing video recorded interview of SPC (b)(6), (b)(7)(C) (USACRC and File Copies Only)
49. Consent to Search obtained from SPC (b)(6), (b)(7)(C) 19 Jan 08.
50. AIR of SA (b)(6), (b)(7)(C) 19 Jan 08.
51. Waiver Certificate and Sworn Statement of SGT (b)(6), (b)(7)(C) 19 Jan 08.
52. DVDs containing video recorded interview of SGT (b)(6), (b)(7)(C) (USACRC and File Copies Only)
53. Consent to Search obtained from SGT (b)(6), (b)(7)(C) 19 Jan 08.
54. AIR of SA (b)(6), (b)(7)(C) 19 Jan 08.
55. Hand Drawn Sketch obtained from SGT (b)(6), (b)(7)(C) 19 Jan 08, and Unclassified Area Map of Baghdad, Iraq.
56. Waiver Certificate and Sworn Statement of SPC (b)(6), (b)(7)(C) 19 Jan 08.

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57. DVDs containing the video recorded interview of SPC (b)(6), (b)(7)(C) (USACRC and File Copies Only)
58. AIR of SA (b)(6), (b)(7)(C) 19 Jan 08.
59. Waiver Certificate and Sworn Statement of SPC (b)(6), (b)(7)(C) 19 Jan 08.
60. DVDs containing the video recorded interview of SPC (b)(6), (b)(7)(C) (USACRC and File Copies Only)
61. AIR of SA (b)(6), (b)(7)(C) 20 Jan 08.
62. AIR of SA (b)(6), (b)(7)(C) 22 Jan 08.
63. 1-18th INF BN Operation Iraqi Freedom Casualty List.
64. 1-18th INF BN Master Authorization List (MAL) and Personnel Alpha Roster.
65. AIR of SA (b)(6), (b)(7)(C) 22 Jan 08.
66. Hand Receipts bearing the signature of SGT (b)(6), (b)(7)(C) 9 Jul 07.
67. 1-18th INF BN Weapons Roster.
68. Affidavit and Search Authorization, 18 Jan 08 and 22 Jan 08.
69. AIR of SA (b)(6), (b)(7)(C) 22 Jan 08.
70. Sworn Statement of SPC (b)(6), (b)(7)(C) 22 Jan 08.
71. AIR of SA (b)(6), (b)(7)(C) 22 Jan 08.
72. Sworn Statement of SSG (b)(6), (b)(7)(C) 22 Jan 08, and Unclassified Area Map of Baghdad, Iraq.
73. AIR of SA (b)(6), (b)(7)(C) 22 Jan 08.

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74. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 22 Jan 08.
75. AIR of SA (b)(6), (b)(7)(C) 23 Jan 08.
76. Affidavit and Search Authorization, 23 Jan 08.
77. 1-18th INF BN M-9 MAL Weapons List.
78. Finance Leave Query pertaining to MSG (b)(6), (b)(7)(C), SFC (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)
79. AIR of SA (b)(6), (b)(7)(C) 24 Jan 08.
80. Sworn Statement of SPC (b)(6), (b)(7)(C) 23 Jan 08.
81. Consent to Search obtained from SPC (b)(6), (b)(7)(C) 23 Jan 08.
82. Consent to Search obtained from SPC (b)(6), (b)(7)(C) 24 Jan 08.
83. AIR of SA (b)(6), (b)(7)(C) 25 Jan 08.
84. Sworn Statement of SPC (b)(6), (b)(7)(C) 25 Jan 08.
85. Copy of photographs depicting captured Iraqi personnel.
86. AIR of SA (b)(6), (b)(7)(C) 28 Jan 08.
87. Affidavit and Search Authorization, 25 Jan 08.
88. AIR of SA (b)(6), (b)(7)(C) 28 Jan 08.
89. Sworn Statement of PFC (b)(6), (b)(7)(C) 28 Jan 08.
90. Sworn Statement of SGT (b)(6), (b)(7)(C) 28 Jan 08.

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91. AIR of SA (b)(6), (b)(7)(C) 28 Jan 08.
92. Sworn Statement and Hand Drawn Sketch obtained from SSG (b)(6), (b)(7)(C) 28 Jan 08.
93. Sworn Statement and Hand Drawn Sketch obtained from SSG (b)(6), (b)(7)(C) 28 Jan 08.
94. AIR of SA (b)(6), (b)(7)(C) 28 Jan 08.
95. Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 28 Jan 08.
96. AIR of SA (b)(6), (b)(7)(C) 28 Jan 08.
97. Sworn Statement of SPC (b)(6), (b)(7)(C) 28 Jan 08.
98. Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 28 Jan 08.
99. AIR of SA (b)(6), (b)(7)(C) 29 Jan 08.
100. Sworn Statement of SPC (b)(6), (b)(7)(C) 29 Jan 08.
101. Sworn Statement of SSG (b)(6), (b)(7)(C) 29 Jan 08.
102. Sworn Statement of CPL (b)(6), (b)(7)(C) 29 Jan 08.
103. Sworn Statement of SSG (b)(6), (b)(7)(C) 29 Jan 08.
104. AIR of SA (b)(6), (b)(7)(C) 29 Jan 08.
105. Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 29 Jan 08.
106. Sworn Statement and Hand Drawn Sketch obtained from SGT (b)(6), (b)(7)(C) 29 Jan 08.
107. Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 29 Jan 08.
108. Sworn Statement and Hand Drawn Sketch obtained from SFC (b)(6), (b)(7)(C) 29 Jan 08.

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109. AIR of SA (b)(6), (b)(7)(C) 29 Jan 08.
110. Sworn Statement of PFC (b)(6), (b)(7)(C) 29 Jan 08.
111. Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 29 Jan 08.
112. Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 29 Jan 08.
113. AIR of SA (b)(6), (b)(7)(C) 29 Jan 08.
114. February 2007 Combat Out Post (COP) Angry Dragon Personnel and Vehicle List.
115. AIR of SA (b)(6), (b)(7)(C) 30 Jan 08.
116. AIR of SA (b)(6), (b)(7)(C) 30 Jan 08.
117. Waiver Certificate and Sworn Statement of SGT (b)(6), (b)(7)(C) 30 Jan 08.
118. AIR of SA (b)(6), (b)(7)(C) 30 Jan 08.
119. Waiver Certificate and Sworn Statement of CPL (b)(6), (b)(7)(C) 30 Jan 08.
120. Waiver Certificate and Sworn Statement of SGT (b)(6), (b)(7)(C) 30 Jan 08.
121. AIR of SA (b)(6), (b)(7)(C) 30 Jan 08.
122. Sworn Statement of SGT (b)(6), (b)(7)(C) 30 Jan 08.
123. AIR of SA (b)(6), (b)(7)(C) 30 Jan 08.
124. Criminal Records Name Check pertaining to SPC (b)(6), (b)(7)(C) 15 Jan 08.
125. Criminal Records Name Check pertaining to SGT (b)(6), (b)(7)(C) 15 Jan 08.
126. AIR of SA (b)(6), (b)(7)(C) 31 Jan 08.

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127. Sworn Statement of SPC (b)(6), (b)(7)(C) 31 Jan 08, and copy of photograph depicting an injured Iraqi detainee.
128. AIR of SA (b)(6), (b)(7)(C) 31 Jan 08.
129. Waiver Certificate and Sworn Statement of SPC (b)(6), (b)(7)(C) 31 Jan 08, and copy of photograph depicting an injured Iraqi detainee.
130. AIR of SA (b)(6), (b)(7)(C) 1 Feb 08.
131. Waiver Certificate, Sworn Statement, and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 1 Feb 08.
132. AIR of SA (b)(6), (b)(7)(C) 4 Feb 08.
133. Sworn Statement of SPC (b)(6), (b)(7)(C) 4 Feb 08.
134. AIR of SA (b)(6), (b)(7)(C) 4 Feb 08.
135. Sworn Statement of PFC (b)(6), (b)(7)(C) 4 Feb 08.
136. Sworn Statement of SPC (b)(6), (b)(7)(C) 4 Feb 08.
137. AIR of SA (b)(6), (b)(7)(C) 4 Feb 08.
138. Waiver Certificate and Sworn Statement of SSG (b)(6), (b)(7)(C) 4 Feb 08.
139. AIR of SA (b)(6), (b)(7)(C) 4 Feb 08.
140. Sworn Statement of SPC (b)(6), (b)(7)(C) 4 Feb 08.
141. AIR of SA (b)(6), (b)(7)(C) 5 Feb 08.
142. Sworn Statement of SPC (b)(6), (b)(7)(C) 5 Feb 08.

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- 143. Sworn Statement of SGT (b)(6), (b)(7)(C) 5 Feb 08.
- 144. AIR of SA (b)(6), (b)(7)(C) 5 Feb 08.
- 145. Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 5 Feb 08.
- 146. Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 5 Feb 08.
- 147. AIR of SA (b)(6), (b)(7)(C) 5 Feb 08.
- 148. Sworn Statement of SPC (b)(6), (b)(7)(C) 5 Feb 08.
- 149. Sworn Statement of SPC (b)(6), (b)(7)(C) 5 Feb 08.
- 150. AIR of SA (b)(6), (b)(7)(C) 5 Feb 08.
- 151. Sworn Statement and Hand Drawn Sketch obtained from SSG (b)(6), (b)(7)(C) 5 Feb 08.
- 152. Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 5 Feb 08.
- 153. AIR of SA (b)(6), (b)(7)(C) 6 Feb 08.
- 154. Waiver Certificate and Sworn Statement of SPC (b)(6), (b)(7)(C) 6 Feb 08.
- 155. Sworn Statement of SGT (b)(6), (b)(7)(C) 6 Feb 08.
- 156. AIR of SA (b)(6), (b)(7)(C) 6 Feb 08.
- 157. Sworn Statement and Hand Drawn Sketch obtained from SGT (b)(6), (b)(7)(C) 6 Feb 08.
- 158. Sworn Statement of SPC (b)(6), (b)(7)(C) 6 Feb 08.
- 159. AIR of SA (b)(6), (b)(7)(C) 6 Feb 08.
- 160. Sworn Statement of SPC (b)(6), (b)(7)(C) 6 Feb 08.

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161. AIR of SA (b)(6), (b)(7)(C) 6 Feb 08.
162. Waiver Certificate, Sworn Statement and Hand Drawn Sketch obtained from 1LT (b)(6), (b)(7)(C) 6 Feb 08.
163. AIR of SA (b)(6), (b)(7)(C) 11 Feb 08.
164. Sworn Statement of SGT (b)(6), (b)(7)(C) 11 Feb 08.
165. AIR of SA (b)(6), (b)(7)(C) 12 Feb 08.
166. Sworn Statement of SPC (b)(6), (b)(7)(C) 12 Feb 08.
167. AIR of SA (b)(6), (b)(7)(C) 12 Feb 08.
168. Waiver Certificate and Sworn Statement of SPC (b)(6), (b)(7)(C) 12 Feb 08.
169. AIR of SA (b)(6), (b)(7)(C) 13 Feb 08.
170. Sworn Statement of SPC (b)(6), (b)(7)(C) 13 Feb 08.
171. AIR of SA (b)(6), (b)(7)(C) 15 Feb 08.
172. Sworn Statement of Mr. (b)(6), (b)(7)(C) 15 Feb 08.
173. AIR of SA (b)(6), (b)(7)(C) 19 Feb 08.
174. Non-Waiver Certificate of SPC (b)(6), (b)(7)(C) 31 Jan 08.
175. AIR of SA (b)(6), (b)(7)(C) 21 Feb 08.
176. AIR of SA (b)(6), (b)(7)(C) 21 Feb 08.
177. CDs containing digital copies of the European Special Investigation and Fraud Field Office (ESSIFO) Computer Examination Report, Report #0007-08-CID507.

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178. AIR of SA (b)(6), (b)(7)(C) 22 Feb 08.
179. Sworn Statement of PFC (b)(6), (b)(7)(C) 22 Feb 08.
180. Waiver Certificate, Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 22 Feb 08.
181. AIR of SA (b)(6), (b)(7)(C) 22 Feb 08.
182. Sworn Statement of 1LT (b)(6), (b)(7)(C) 22 Feb 08.
183. AIR of SA (b)(6), (b)(7)(C) 25 Feb 08.
184. Sworn Statement of SGT (b)(6), (b)(7)(C) 14 Feb 08.
185. AIR of SA (b)(6), (b)(7)(C) 26 Feb 08.
186. Waiver Certificate, Sworn Statement and Hand Drawn Sketch obtained from (b)(6), (b)(7)(C) 26 Feb 08.
187. AIR of SA (b)(6), (b)(7)(C) 7 Feb 08.
188. AIR of SA (b)(6), (b)(7)(C) 29 Feb 08.
189. 1-18th INF BN Flight Manifest.
190. Sworn Statement of SPC (b)(6), (b)(7)(C) 28 Feb 08.
191. AIR of SA (b)(6), (b)(7)(C) 10 Mar 08.
192. AIR of SA (b)(6), (b)(7)(C) 12 Mar 08.
193. Sworn Statement and Hand Drawn Sketches obtained from SPC (b)(6), (b)(7)(C) 12 Mar 08.
194. AIR of SA (b)(6), (b)(7)(C) 12 Mar 08.

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195. Affidavit and Search Authorization, 5 Mar 08.
196. CD containing photographic packet (Evidence).
197. CD containing original images associated with Exhibit 196. (USACRC, USACIDC and File Copies Only)
198. Sensitive Items Inventory List, Jun 06.
199. DA Form 31, Request and Authority For Leave pertaining to MSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) 19 Mar 07.
200. Non-Waiver Certificate of SSG (b)(6), (b)(7)(C) 12 Mar 08.
201. 1-18th INF BN MAL Weapon List.
202. AIR of SA (b)(6), (b)(7)(C) 13 Mar 08.
203. Sworn Statement and Hand Drawn Sketch obtained from Mr. (b)(6), (b)(7)(C) 27 Feb 08.
204. CD containing the audio recorded interview of Mr. (b)(6), (b)(7)(C) 13 Mar 08. (USACRC and File Copies Only)
205. Hand Drawn Sketch obtained from Mr. (b)(6), (b)(7)(C) 13 Mar 08.
206. AIR of SA (b)(6), (b)(7)(C) 13 Mar 08.
207. Waiver Certificate, Sworn Statement and Hand Drawn Sketch obtained from SPC (b)(6), (b)(7)(C) 25 Feb 08.
208. Waiver Certificate and Sworn Statement of SPC (b)(6), (b)(7)(C) 10 Mar 08.
209. Waiver Certificate and Sworn Statement of SPC (b)(6), (b)(7)(C) 9 Mar 08.
210. Consent to Search obtained from SPC (b)(6), (b)(7)(C) 19 Mar 08.

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- 211. Polygraph Examination Report, 19 Mar 08.
- 212. AIR of SA (b)(6), (b)(7)(C) 28 Mar 08.
- 213. Forensic Laboratory Examination Request, 28 Feb 08.
- 214. United States Army Criminal Investigation Laboratory (USACIL) Firearms Branch Final Report, Report # 2008-CID131-0464, 13 Mar 08.
- 215. AIR of SA (b)(6), (b)(7)(C) 2 Apr 08.
- 216. Non-Waiver Certificate of SPC (b)(6), (b)(7)(C) 2 Apr 08.
- 217. AIR of SA (b)(6), (b)(7)(C) 3 Apr 08.
- 218. AIR of SA (b)(6), (b)(7)(C) 28 Apr 08.
- 219. Non-Waiver Certificate of SGT (b)(6), (b)(7)(C) 26 Mar 08.
- 220. Non-Waiver Certificate of SGT (b)(6), (b)(7)(C), 15 Apr 08.
- 221. AIR of SA (b)(6), (b)(7)(C) 30 Apr 08.
- 222. CD containing photographic packet (Canal Site).
- 223. Rough Sketch depicting Canal Site, prepared by SA (b)(6), (b)(7)(C) 30 Apr 08.
- 224. AIR of SA (b)(6), (b)(7)(C) 3 Jul 08.
- 225. Affidavit and Search Authorization, 3 Jul 08.
- 226. AIR of SA (b)(6), (b)(7)(C) 30 Jul 08.
- 227. Forensic Laboratory Examination Request, 12 Mar 08.
- 228. USACIL Serology Branch Final Report, Report # 2008-CID131-0464-R1, 3 Jul 08.

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- 229. AIR of SA (b)(6), (b)(7)(C), 31 Jul 08.
- 230. Canvass Interview Worksheets, 27 Feb 08.
- 231. Task Force (TF) Vanguard Trip Tickets, 2 Jan - 2 Apr 07.
- 232. DA Form 1594, Daily Staff Journal or Duty Officer's Log, 26 Mar - 9 Apr 07.
- 233. Arabic Language Hai Al Amil Police Station Incident Reports, 3 Jan 07. (USACRC and File Copies Only)
- 234. English Language Translation of Exhibit 233.
- 235. Arabic Language Mortuary Affairs Incident Reports, 29 Dec 06 - 10 Jan 07. (USACRC and File Copies Only)
- 236. English Language Translation of Exhibit 235.
- 237. Mortuary Affairs Found Corpse Report, 3 Jan 07.
- 238. AIR of SA (b)(6), (b)(7)(C) 12 Aug 08.
- 239. Sworn Statement of PFC (b)(6), (b)(7)(C) 5 Aug 08.
- 240. AIR of SA (b)(6), (b)(7)(C) 16 Sep 08.
- 241. Consent to Search obtained from SPC (b)(6), (b)(7)(C) 16 Sep 08.
- 242. AIR of SA (b)(6), (b)(7)(C) 25 Sep 08.
- 243. AIR of SA (b)(6), (b)(7)(C) 24 Oct 08.
- 244. Consent to Search obtained from SPC (b)(6), (b)(7)(C) 24 Oct 08.
- 245. AIR of SA (b)(6), (b)(7)(C) 6 Nov 08.

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246. CD containing digital copies of the ESSIFO Computer Examination Report, Report # 0127-08-CID507. (USACRC and File Copies Only)
247. AIR of SA (b)(6), (b)(7)(C) 7 Nov 08.
248. Grant of Testimonial Immunity Memorandum For Record (MFR) pertaining to SSG (b)(6), (b)(7)(C) 7 Nov 08.
249. Sworn Statement of SSG (b)(6), (b)(7)(C) 7 Nov 08.
250. Copies of photographs detailing injured Iraqi detainee identified by SSG (b)(6), (b)(7)(C)
251. Unclassified Area Map detailing location of insurgent attack identified by SSG (b)(6), (b)(7)(C).
252. Rough Sketch depicting the location the injured Iraqi detainee was killed, prepared by SSG (b)(6), (b)(7)(C) 7 Nov 08.
253. AIR of SA (b)(6), (b)(7)(C) 4 Dec 08.
254. Sworn Statement of SSG (b)(6), (b)(7)(C) 4 Dec 08.
255. AIR of SA (b)(6), (b)(7)(C) 12 Dec 08.
256. CD containing photographic packet (prayer beads).
257. AIR of SA (b)(6), (b)(7)(C) 28 Jan 09.
258. Copy of Military.com Blog Entry and User Profile, 22 Jan 09.
259. AIR of SA (b)(6), (b)(7)(C) 6 Feb 09.
260. Sworn Statement of CPT (b)(6), (b)(7)(C) 28 Jan 09.
261. AIR of SA (b)(6), (b)(7)(C) 10 Feb 09.

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- 262. Sworn Statement of SPC (b)(6), (b)(7)(C) 10 Feb 09.
- 263. Sworn Statement of SPC (b)(6), (b)(7)(C) 10 Feb 09.
- 264. AIR of SA (b)(6), (b)(7)(C) 11 Feb 09.
- 265. B Co, 1-28th INF BN Alpha Roster, date unknown.
- 266. Sworn Statement of SPC (b)(6), (b)(7)(C) 10 Feb 09.
- 267. Sworn Statement of SSG (b)(6), (b)(7)(C) 10 Feb 09.
- 268. Sworn Statement of SFC (b)(6), (b)(7)(C) 11 Feb 09.
- 269. AIR of SA (b)(6), (b)(7)(C) 12 Feb 09.
- 270. Sworn Statement of PVT (b)(6), (b)(7)(C) 12 Feb 09, and Unclassified Area Map of Baghdad, Iraq.
- 271. AIR of SA (b)(6), (b)(7)(C) 17 Feb 09.
- 272. Sworn Statement of 1SG (b)(6), (b)(7)(C) 30 Jan 09.
- 273. 1-28th INF BN Deployment Orders.
- 274. AIR of SA (b)(6), (b)(7)(C) 19 Feb 09.
- 275. AIR of SA (b)(6), (b)(7)(C) 24 Feb 09.
- 276. Sworn Statement of SSG (b)(6), (b)(7)(C) 20 Feb 09.
- 277. AIR of SA (b)(6), (b)(7)(C) 24 Feb 09.
- 278. AIR of SA (b)(6), (b)(7)(C) 24 Feb 09.

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- 279. Sworn Statement of MAJ (b)(6), (b)(7)(C) 24 Feb 09.
- 280. AIR of SA (b)(6), (b)(7)(C) 24 Feb 09.
- 281. Sworn Statement of SFC (b)(6), (b)(7)(C) 23 Feb 09.
- 282. Sworn Statement of SPC (b)(6), (b)(7)(C) 23 Feb 09.
- 283. Sworn Statement of SPC (b)(6), (b)(7)(C) 23 Feb 09.
- 284. Sworn Statement of SPC (b)(6), (b)(7)(C) 23 Feb 09.
- 285. Sworn Statement and Map of SPC (b)(6), (b)(7)(C) 23 Feb 09.
- 286. Sworn Statement of SPC (b)(6), (b)(7)(C) 23 Feb 09.
- 287. AIR of SA (b)(6), (b)(7)(C) 25 Feb 09.
- 288. AIR of SA (b)(6), (b)(7)(C) 26 Feb 09.
- 289. Unclassified Area Map of Baghdad, Iraq, detailing the location where SGT (b)(6), (b)(7)(C) recovered the remains of two Iraqi males, 25 Feb 09.
- 290. AIR of SA (b)(6), (b)(7)(C) 26 Feb 09.
- 291. Sworn Statement of MSG (b)(6), (b)(7)(C) 26 Feb 09.
- 292. AIR of SA (b)(6), (b)(7)(C) 3 Mar 09.
- 293. Sworn Statement of Mr. (b)(6), (b)(7)(C) 2 Mar 09.
- 294. AIR of SA (b)(6), (b)(7)(C) 11 Mar 09.
- 295. Sworn Statement of SGT (b)(6), (b)(7)(C) 11 Mar 09, and Unclassified Area Map of Baghdad, Iraq.

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296. AIR of SA (b)(6), (b)(7)(C) 17 Apr 09.
297. Sworn Statement of SPC (b)(6), (b)(7)(C) 17 Apr 09.
298. AIR of SA (b)(6), (b)(7)(C) 21 Apr 09.
299. Sworn Statement of SA (b)(6), (b)(7)(C) 11 May 09.
300. Written Opine MFR of CPT (b)(6), (b)(7)(C) 1 May 09.
301. Record of Proceeding Under Article 15, UCMJ, and Report of Result of Trial pertaining to SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and MSG (b)(6), (b)(7)(C)
302. Evidence/Property Custody Documents (EPCD), Document Numbers (DN) 010-08 thru 018-08, 047-08, 053-08, 055-08, 056-08, 154-08, 179-08, and 002-09.

NOT ATTACHED:

Retained in the files of the Polygraph Division, U.S. Army Crime Records Center, Fort Belvoir, VA:

303. Polygraph Authorization of SPC (b)(6), (b)(7)(C) 13 Mar 08.
304. Polygraph Examination Statement of Consent of Mr. (b)(6), (b)(7)(C) 9 Mar 08.

The originals of Exhibits 1, 3, 4, 6 through 36, 38 through 62, 65, 66, 68 through 76, 79 through 86, 88 through 113, 115 through 188, 190 through 194, 196, 197, 200, 202 through 210, 212, 214 through 226, 228 through 230, 234, 236, 238 through 264, 266 through 272, and 274 are attached to the USACRC copy of this report. The original of Exhibit 2 is retained in the files of the TDS, OSJA, CBSG. The original of Exhibit 5 is maintained in the files of OSJA, USACIDC, 6010 6th Street, Fort Belvoir, VA 22060. The originals of Exhibit 37 are maintained as a permanent record of court proceedings (Graffenwoehr Law Center (GLC), OSJA, Grafenwoehr, Germany, APO AE 09114). The originals of Exhibits 63, 64, 67, 77, 114, 189, 198, 199 and 201 are retained in the files of the 1-2nd INF BN, CBSG (previously identified as

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1-18th INF BN, CBSG). The originals of Exhibit 78 are retained in the files of the Finance Office, CBSG. The originals of Exhibit 87 are maintained in the files of the United States District Court, 2 Exchange Ter #234, Providence, RI 02903-1720. The originals of Exhibit 211 are maintained in the files of the Polygraph Division, USACRC, 6010 6th Street, Fort Belvoir, VA 22060. The originals of Exhibits 213 and 227 are retained in the files of the USACIL, 4930 North 31st Street, Forest Park, GA 30297-5205. The originals of Exhibits 231, 232, and 302 are retained in the files of the Evidence Depository, this office. The original of Exhibit 233 is maintained in the files of the Hai Al-Amil Police Station, Baghdad, Iraq. The originals of Exhibits 235 and 237 are retained in the files of the 4-64th Army Reserve, 4th Brigade Combat Team (BCT), 1st Infantry Division (ID), JSS Jihad, Baghdad, Iraq. The originals of Exhibits 265 and 273 are maintained in the files of the 1-28th INF BN, Fort Riley, KS 66442. The originals of Exhibits 300 and 301 are maintained in the files of the GLC, OSJA, Grafenwoehr, Germany APO AE 09114.

STATUS: This is a Final Report. On 29 Apr 08, SPC (b)(6), (b)(7)(C) received non-judicial punishment under the provisions of Article 15, UCMJ; reduction to Private First Class (E3), forfeiture of \$422 a month for two months and to perform extra duty for 45 days. On 29 Apr 08, SPC (b)(6), (b)(7)(C) received non-judicial punishment under the provisions of Article 15, UCMJ; reduction to Private First Class (E3), forfeiture of \$422 pay for two months, and extra duty for 45 days. On 1 May 08, SPC (b)(6), (b)(7)(C) received non-judicial punishment under the provisions of Article 15, UCMJ; reduction to Private First Class (E3), suspended, to be automatically remitted if not vacated before 30 October 2008, and to perform extra duty for 45 days. On 10 Jul 08, SPC (b)(6), (b)(7)(C) received non-judicial punishment under the provisions of Article 15, UCMJ; reduction to Private First Class (E3), suspended, to be automatically remitted if not vacated before 9 October 2008; forfeiture of \$462.00 pay per month for two months, and extra duty for 45 days. On 10 Jul 08, SGT (b)(6), (b)(7)(C) received non-judicial punishment under the provisions of Article 15, UCMJ; reduction to Specialist (E4), forfeiture of \$510.00 pay per month for two months, both suspended, to be automatically remitted if not vacated before 9 December 2008, and restriction of movement for 45 days. On 18 Jul 08, SPC (b)(6), (b)(7)(C) received non-judicial punishment under the provisions of Article 15, UCMJ; reduction to Private First Class (E3), forfeiture of \$843.00 pay for two months, both suspended, to be automatically remitted if not vacated on or before 5 Nov 08, and extra duty for 30 days. On 18 Sep 08, SPC (b)(6), (b)(7)(C) received judicial punishment under the provisions of a general court-martial; reduction to Private (E1); confinement for forty years; and a Dishonorable Discharge. Pretrial agreement concerning sentence was initiated to disapprove any confinement in excess of seven (7) months, and other lawful punishment may be approved. On 02 Oct 08, SPC (b)(6), (b)(7)(C) received judicial

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punishment under the provisions of a general court-martial; reduction to Private (E1), forfeiture of all pay and allowances, Confinement for four (4) years, and a Bad Conduct Discharge. Pretrial agreement concerning sentence was initiated to disapprove any confinement in excess of eight (8) months, any other lawful punishment may be approved. On 24 Oct 08, SPC (b)(6), (b)(7)(C) received judicial punishment under the provisions of a summary court-martial; reduction to Private (E1), forfeiture of \$500 pay and restriction for 30 days. On 20 Feb 09, SGT (b)(6), (b)(7)(C) received judicial punishment under the provisions of a general court-martial; reduction to Private (E1), forfeiture of all pay and allowances, confinement for the length of his natural life with eligibility for parole and dishonorably discharged from the service. On 24 Feb 09, SGT (b)(6), (b)(7)(C) received non-judicial punishment under the provisions of Article 15, UCMJ; reduction to Specialist (E4), forfeiture of \$1109.00 pay for 2 months, extra duty for 45 days, and restriction for 45 day; all suspended, to be automatically remitted if not vacated on or before 23 August 2009. On 30 Mar 09, SFC (b)(6), (b)(7)(C) received judicial punishment under the provisions of a general court-martial; to be confined for the length of his natural life and to be dishonorably discharged from the service. A pretrial agreement concerning the sentence was initiated to disapprove any confinement in excess of 35 years, and other lawful punishments may be approved. On 16 Apr 09, MSG (b)(6), (b)(7)(C) received judicial punishment under the provisions of a general court-martial; to be reduced to the grade of E1, forfeiture of all pay and allowances, to be confined for the length of his natural life with eligibility for parole, and to be dishonorably discharged. No action was taken concerning SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C)

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:

Report Approved By:

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

Special Agent

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

Special Agent in Charge

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA

CDR, 202ND MP GRP (CID) (Organizational Email)

CDR, 1002ND MP BN (CID), BAMBERG, GE

CDR, 172 INF BDE, SCHWEINFURT, GE

CDR, 1/2 IN BN, SCHWEINFURT, GE

CDR, US ARMY GARRISON SCHWEINFURT, GE

DIRECTOR, DES, SCHWEINFURT, GE

AFIP (Dover)

AFIP

SJA, Gafenwoehr Law Center, Grafenwoehr, GE (Attn: CPT (b)(6), (b)(7)(C))

FILE

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 3 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 1015, 10 Jan 08, SA (b)(6), (b)(7)(C) was notified by CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Trial Defense Services (TDS), Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG), that his client witnessed the murder of Iraqi prisoners by Soldiers assigned to A Company (Co), 1-18th Infantry Battalion (INF BN), CBSG on their recent deployment to Iraq.

About 1020, 10 Jan 08, SA (b)(6), (b)(7)(C) was further briefed by CPT (b)(6), (b)(7)(C) who later provided a detailed typed document which he reported were his words which reported what his client told him about the incident. The document described an incident which involved multiple soldiers from a platoon size element of A Co, 1-18th INF BN, who captured about 5 – 7 suspected enemy combatants after the unit had received small arms fire on patrol in Iraq. The specific location and time of the incident was not provided, but at least 14 soldiers were reported as being present when the eventual alleged murders of Iraqi males (NFI) by three of the unit soldiers occurred. (See typed statement of CPT (b)(6), (b)(7)(C))

About 1600, 10 Jan 08, CPT (b)(6), (b)(7)(C) provided the name of the potential witness as SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Co, 1-18th INF BN, CBSG, but reported he had advised him to not cooperate with any CID investigation until he could attempt to obtain immunity through the Office of the Staff Judge Advocate (SJA), United States Army Europe (USAREUR).

SAC COMMENT: After the SAC consulted with MAJ (b)(6), (b)(7)(C) OSJA, 7th Army, USAREUR, and determined the immunity process could be ongoing for many days it was determined this office needed to continue to pursue significant investigative leads.

About 1334, 11 Jan 08, SA (b)(6), (b)(7)(C) this office, advised SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1-18th INF BN, CBSG, of his legal rights, which he waived and provided a sworn statement which detailed his knowledge of the incident. SGT (b)(6), (b)(7)(C) related in mid to late April 2007, he along with 12 other members of his unit engaged several enemy combatants while in the West Rashid area of Baghdad, Iraq. SGT (b)(6), (b)(7)(C) related they took at least four, perhaps several more prisoners who were suspected enemy combatants. He reported some weapons and ammunition were found in a building near where these prisoners were subdued. SGT (b)(6), (b)(7)(C) related the prisoners were loaded in the back of a military vehicle and transported to an isolated area near a canal. SGT (b)(6), (b)(7)(C) reported 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) planned to kill the prisoners. He reported these two NCO's along with SGT (b)(6), (b)(7)(C) eventually executed them and he believed the bodies were disposed of in a near by canal. SGT (b)(6), (b)(7)(C) stated that he and the remaining unit members were told not to say anything about what occurred. (See Sworn Statement)

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION Schweinfurt RA (CID) APO AE 09033
For (b)(6), (b)(7)(C)	DATE 16 Jan 08	EXHIBIT 1

CID FORM 94

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 2 OF 3 PAGES

DETAILS

About 1824, 11 Jan 08, SA (b)(6), (b)(7)(C) coordinated with SGT (b)(6), (b)(7)(C) who provided Consent to Search for the search of his digital camera for pictures related to this investigation. (See Consent to Search of (b)(6), (b)(7)(C) for details)

About 1830, 11 Jan 08, SA (b)(6), (b)(7)(C) attempted to locate the camera in the barracks room of SGT (b)(6), (b)(7)(C) but was unable to locate it. SGT (b)(6), (b)(7)(C) who was present for the search reported he was unsure where the camera was located.

AGENT's COMMENT: SGT (b)(6), (b)(7)(C) had no known vehicle to search.

About 2030, 11 Jan 08, SA (b)(6), (b)(7)(C) provided a Request for Authorization to Conduct Consensual Intercept Operation to 202nd MP Group (CID) for their approval and further distribution in order to obtain consent to allow SGT (b)(6), (b)(7)(C) who agreed to cooperate with a CID Consensual Intercept Operation to obtain material testimonial evidence from the soldiers involved in this incident. (See Request for Consensual Intercept)

About 1342, 13 Jan 08, SA (b)(6), (b)(7)(C) collected the digital camera of SGT (b)(6), (b)(7)(C) as evidence. The camera was collected on a DA Form 4137, Evidence/Property Custody Document (EPCD), Voucher Number 0010-08.

About 1200, 15 Jan 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) Deputy Commander, 2nd BCT, Conn Barracks, reported about Mar - May 07, 2d PLT (SFC (b)(6), (b)(7)(C) Plt, A Co, 1/18th) was attached 1/28th Infantry, (Black Lions), 4th BCT, 1st ID, (out of Ft Riley, KS) who were located in the NW (b)(6), (b)(7)(C) area, Iraq. He reported this BCT is still in Iraq and their records of patrol logs, and other unique information would still be in Iraq. The location of 1/28th Command and where A Co, 1/18th was previously co-located with them is Joint Security Station Black Lion (FOB Falcon).

MAJ (b)(6), (b)(7)(C) also reported there were several unmanned surveillance systems used in the area which may have captured some video of alleged events reported.

On 16 Jan 08, this office received the TLE approval for all targets requested with the exception of SSG (b)(6), (b)(7)(C). (See Conceptual Intercept Request for Details.)

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION Schweinfurt RA (CID) APO AE 09033
F (b)(6), (b)(7)(C)	DATE 16 Jan 08	EXHIBIT 1

CID FORM 94

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 3 OF 3 PAGES

DETAILS

About 1150, 16 Jan 08, SA (b)(6), (b)(7)(C) coordinated with SGT (b)(6), (b)(7)(C) who provided consent to search his digital camera and memory card for all digital images related to this investigation. (See Consent to Search for details)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt RA (CID) APO AE 09033

For

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

DATE

16 Jan 08

EXHIBIT

1

CID FORM 94

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1 FEB 77
ACLU-RDI 5596 p.31

10-L-0126 ACLU CID ROI 8898 000031

Here is the sum and substance of what you will get from my client:

SSG (b)(6), (b)(7)(C) was getting ready to go on leave so (b)(6), (b)(7)(C) was going to be the acting platoon sergeant in his absence, after giving the patrol brief and after SP'ing the COP they started out heading West then South thru M877 bordering M875, they received fire from the south, but had to push back to the East to maneuver around the swamp. After they got to the south of the swamp they maneuvered to the West to Rte. Cedars they were pushing North on Cedars when a local national male ran in front of SGT (b)(6), (b)(7)(C) Bradley he was to close to shoot but ran from East to West in front of him, Evoy pushed up then my vehicle stopped in front of the house, They got out and ran after the individual, the vehicles put up an outer cordon, once they secured the house, and the occupants inside the females they put in the courtyard their were roughly 5-7, then the males their were roughly 6-7, they brought them outside and put them against the wall. (b)(6), (b)(7)(C) had soldiers search the house, they found body armour, just flak vests and a big green A-Bag half full of linked 7.62mm rounds, in the house they couldnt find any theyapons, thats when 1SG (b)(6), (b)(7)(C) made his first comment that he wanted to "OFF" these guys, saying he knew they were bad he would be doing us a favor from fighting them another day. (b)(6), (b)(7)(C) cant remember whos idea it was but they started to cut the locks off the adjacent stores and cubbie holes, (b)(6), (b)(7)(C) then had his driver SPC (b)(6), (b)(7)(C) notify (b)(6), (b)(7)(C) our Company TOC, of of grid and sitrep of our detainees. one of the doors a couple doors down from the entrance to the house they found 4-5 RPK's light machine guns in an empty room after breaking the locks. Once they found the weapons, they took pictures of all the detainees with the confiscated weapons as a hole then as individuals, (b)(6), (b)(7)(C) believes they used SGT (b)(6), (b)(7)(C) camera. During this process this is when 1SG (b)(6), (b)(7)(C) had SSG (b)(6), (b)(7)(C) ask everyone if they would go along with their plans to kill these guys, (b)(6), (b)(7)(C) was asked and said (b)(6), (b)(7)(C) didnt care what they did but wouldnt contribute or do it, SSG (b)(6), (b)(7)(C) then asked (b)(6), (b)(7)(C) he said the same thing as (b)(6), (b)(7)(C) then SSG (b)(6), (b)(7)(C) wanted us to ask the soldiers for them, thats when (b)(6), (b)(7)(C) called our patrol, and (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) answered the call verifying our grid and number of detainees. This is when myself and SGT (b)(6), (b)(7)(C) were scolded for not being able to control our soldiers especially me for SPC (b)(6), (b)(7)(C) being my driver and (b)(6), (b)(7)(C) was the patrol leader. So after SSG (b)(6), (b)(7)(C) called at (b)(6), (b)(7)(C) and then talked to the rest of the soldiers with 1SG (b)(6), (b)(7)(C) on their plans.

After that all the detainees were blind folded then, they were already zip cuffed, then put in the back of SGT (b)(6), (b)(7)(C) Bradley, with (b)(6), (b)(7)(C) believe SPC (b)(6), (b)(7)(C) in the back pulling security. After all of the detainees were loaded up they proceed up back to the COP Angry Dragon. Once they got to the COP (b)(6), (b)(7)(C) believe they dropped some personnel and the other bradley, 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) went in to the TOC and told them they didnt have enough evidence on these detainees that they were going to take them to a local Iraqi Army Check point and release them, after that as they were walking to the vehicles

(b)(6), (b)(7)(C) told SSG (b)(6), (b)(7)(C) would go but am not taking part in their plans, In SGT (b)(6), (b)(7)(C) Bradley (b)(6), (b)(7)(C) believe he had now SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) in the back of the bradley was SPC (b)(6), (b)(7)(C) pulling security, in my vehicle it was me, SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) in 1SG (b)(6), (b)(7)(C) vehicle it was SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) believe they rolled out with only three vehicles, once they SP'd the COP, SSG (b)(6), (b)(7)(C) called me on the net to tell me to pick a location to take these detainees, (b)(6), (b)(7)(C)

asked where and he said since (b)(6), (b)(7)(C) knew the sector well pick somewhere, SGT (b)(6), (b)(7)(C) called and wanted directions so (b)(6), (b)(7)(C) said straight down RTE. Steelers heading west, half way down RTE. Steelers (b)(6), (b)(7)(C) tried to call 1SG (b)(6), (b)(7)(C) a couple times but he had turned off his blue force tracker and never answered his callsign, then (b)(6), (b)(7)(C) tried SSG (b)(6), (b)(7)(C) then soon he called me and said to hurry up and stop stalling, but it was more like hurry and stop asking us, since (b)(6), (b)(7)(C) knew the sector well. (b)(6), (b)(7)(C) became pissed and told (b)(6), (b)(7)(C) felt they were using me since it was my callsign on the trip ticket and they werent using their callsigns on the net just mine. Once they got to checkpoint 3 at the corner where Rte. Steelers meets going East-West and North-South, (b)(6), (b)(7)(C) had SGT (b)(6), (b)(7)(C) head south towards Habdani Village (sunni), then their was a street between two houses so (b)(6), (b)(7)(C) had Evoy turn West again into an open field next to Canal Road and headed south roughly 300 meters or so then 1sg (b)(6), (b)(7)(C) called me and said that was ok, once everyone dismounted, 1SG (b)(6), (b)(7)(C) called everyone in and asked who wanted to kill these guys, he already had his pistol drawn, (b)(6), (b)(7)(C) said he would kill them, and (b)(6), (b)(7)(C) drew his 9mm then said he would kill them, the rest of us said no they didnt want to participate in the killing of these detainees. so my crew got back into our vehicle and once the ramp was dropped on the bradley SPC (b)(6), (b)(7)(C) got in to the back of my vehicle in the empty seat, from where they were at they could see (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) and maybe one or two of the detainees the rest were concealed by the bradley, soon after they heard a volley of shots ring out, and seen the three of them leaning down taking the blind folds off and the zip-strips off their hands, so no one would know soldiers had done this, as to the pistols he is not sure if they used their issue 9mm pistols since they had alot of confiscated weapons 9mm Glocks around and even, for awhile alot of us wore them as secondary weapons, until battalion said not to anymore. The detainees were pushed into the canal and they went back to the COP, once at the COP, 1SG (b)(6), (b)(7)(C) called everyone to the clearing barrels and told everyone that what they, and he had done was for our fallen brothers that they lost earlier in the deployment, and if any thing happened the bodies were found if any one came asking questions that it would start and end with him. That he would take care of it.

When (b)(6), (b)(7)(C) was asking to leave the platoon, (b)(6), (b)(7)(C) was talking to 1SG in the TOC one nite it was about my not talking to anyone lately then (b)(6), (b)(7)(C) brought up why (b)(6), (b)(7)(C) wasnt able to leave second that (b)(6), (b)(7)(C) felt like (b)(6), (b)(7)(C) was set up for failure (b)(6), (b)(7)(C) never got an answer, then they both got a little upset, then the subject of the detainees came up indirectly, he told (b)(6), (b)(7)(C) he didnt care going to prison that everything he has done was to protect the company and his soldiers since he had no children, but still was told it was his decision why (b)(6), (b)(7)(C) stayed in the platoon then in the TOC.

Ive heard of a seperate incident where 1SG (b)(6), (b)(7)(C) did this before it was with the commanders PSD, they had just got hit by an IED, off of Rte. Steelers, noone was hurt or injured one of the gunners PIED a local national runnning away with a weapon, (b)(6), (b)(7)(C) heard he was shot in the leg, but when 1SG got their, the medics mysteriously missed two gunshots to his back

as far as the incident with my patrol, since my callsign was on the trip ticket (b)(6), (b)(7)(C) had to do the debrief (b)(6), (b)(7)(C) fixed one up detailing the days event then at the end when they left the COP put in they dropped off the detainees at checkpoint 578 the interesection of Rte.Steelers and Rte.Cedars, (b)(6), (b)(7)(C) can give any extra names to the others they dropped off at the COP but at that time the PSG and LT. had their patrols, so the soldiers that would of been their would of been, soldiers from my section Bravo Section ans 1st Squad, then for the other incident (b)(6), (b)(7)(C) can give the names to who was in PSD,

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: Schweinfurt CID Office APO AE 09033
2. DATE: 11 Jan 08
3. TIME: 1334
4. FILE NUMBER: (b)(6), (b)(7)(C)
5. Name (Last First MI): (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: SGT / Active Duty
8. ORGANIZATION OR ADDRESS: A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09033

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent. (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/accused: Misprision of a Serious Offense/(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 (b)(6), (b)(7)(C)
2. Anything I say or do can be used as evidence against me in a criminal trial (b)(6), (b)(7)(C)
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 (b)(6), (b)(7)(C)

-0-

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

5. COMMENTS (Continue on reverse side)
Have you been advised of your legal rights within the past 30 days and requested a lawyer? Yes / 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)
1a. NAME (Type or Print): (b)(6), (b)(7)(C)
1b. ORGANIZATION OR ADDRESS AND PHONE: Schweinfurt CID Office, Schweinfurt, GE, APO AE 09033
3. SIGNATURE OF INTERVIEWEE: (b)(6), (b)(7)(C)
4. SIGNATURE OF INVESTIGATOR: (b)(6), (b)(7)(C)
6. ORGANIZATION OF INVESTIGATOR: Schweinfurt CID Office, Schweinfurt, GE, APO AE 09033

SECTION C. Non-waiver

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

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

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LAWSWORN STATEMENT

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

LOCATION Schweinfurt CID Office	DATE (b)(6), (b)(7)(C) 11 Jan 2008	TIME (b)(6), (b)(7)(C) 1735	FILE NUMBER 0010-08-CID847-34682
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS SGT / ACTIVE DUTY
ORGANIZATION OR ADDRESS A Company, 1-18 th Infantry Battalion, Conn Barracks, APO AE 09226			

(b)(6), (b)(7)(C), (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 During the day while on patrol in West Rashid, Baghdad in and around the Jihad and Shurtah neighborhoods my patrol which included SSG (b)(6), (b)(7)(C), 1SG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) and myself among others were taken under fire while performing our regular duties. We pursued the individuals across several blocks until finally they fled into a building. This was a small storefront type building. Upon searching the house we found the individuals that we were pursuing along with an RPK and ammunition. At this time we separated the men, of which there was approximately 4 from they're families and put them in an abandoned store front. Soldiers continued to search the area during this time. SSG (b)(6), (b)(7)(C) at this time made it clear that he and the 1SG wanted to kill these detainees and not to radio Battalion. One soldier did and was yelled at for doing so. After that we mounted back up into our vehicles and began to continue to patrol. The detainees were placed in the back of a Bradley Fighting Vehicle along with PFC (b)(6), (b)(7)(C) as a guard. The Patrol continued to move through the area investigating houses and other things. At one point SSG (b)(6), (b)(7)(C) vehicle became stuck and it took us a while to free it. The vehicle was unable to start or move under its own power and was then towed back to Site 14, our combat out post. It was approaching night fall at this time. It was then that we dropped off additional personnel and moved back out into the sector towards a canal system near the Victory Base Complex. Upon arriving there SGT (b)(6), (b)(7)(C) Bradley Fighting Vehicle pulled away from the rest of our patrol out of sight. 1SG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) asked if SSG (b)(6), (b)(7)(C) and I wanted to come with them while they killed the detainees. Both I and SSG (b)(6), (b)(7)(C) declined and remained with the patrol. Shortly there after PFC (b)(6), (b)(7)(C) came to us, I told him to sit inside the truck. A moment or two later the sound of small arms fire could be heard from the direction that 1SG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) had gone in. Soon after they returned and reported that the detainees were dead. We were told to not discuss this with anyone. We then returned to Site 14. The next day SSG (b)(6), (b)(7)(C) reiterated the point that we were not talk about this with anyone.

Q: SA (b)(6), (b)(7)(C)
 A: SGT (b)(6), (b)(7)(C)
 Q: Did you type the above narrative?
 A: Yes.
 Q: When did this incident occur?
 A: It was around mid or late April 2007. It might have even been as late as May, but it was definitely before June because one of my buddies was killed in June 2007. I'm uncertain of the exact date.
 Q: Around what time during the day did this incident occur?
 A: The actually killing took place at dusk around 1900 - 2000hrs.
 Q: Who were the individuals that were with you on patrol that day?
 A: 1SG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C) (Doc), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) and an interpreter nicknamed (b)(6), (b)(7)(C) who was a local Iraqi National and worked for the Tital Corporation. There were others, but I can't remember their names.
 Q: Do you know the first names of (b)(6), (b)(7)(C)?
 A: No.
 Q: Describe the detainees which were captured.
 A: They were military aged Iraqi males, between ages 20 - 40. One of them was heavy set. I remember one of the guys had a tan jogging suit. I can't remember what the others were wearing.
 Q: Did you personally search any of the buildings?
 A: No. I can't remember who actually did.
 Q: Describe the weapons that were found.

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 11 January 2008 CONTINUED

A: There was a RPK machine gun, and there was a duffel bag filled with ammo, approximately 1000 rounds. We went to a couple of different sites and found things.

Q: What was your call sign?

A: (b)(6), (b)(7)(C) and the 1SG was (b)(6), (b)(7)(C)

Q: What occurred after the weapon and ammunition was found?

A: We put the detainees and the weapon in one of the store fronts. They were already zip tied and then I think we blindfolded them soon after.

Q: Were the detainees documented?

A: Pictures were taken by someone, perhaps even me, but I am sure they were deleted. I don't know whose camera was used. After all the events transpired SSG (b)(6), (b)(7)(C) made it clear to dispose of any pictures of the detainees.

Q: Who was the soldier that called in the report?

A: I don't know. It was one of the vehicle crews. SSG (b)(6), (b)(7)(C) yelled at me and someone else about the situation being called in.

Q: Where were the detainees when 1SG stated he wanted to kill them?

A: I found out about his intentions around the time they were put into the store front. I didn't actually hear him say he wanted to kill them, but I think his motives were relayed by SSG (b)(6), (b)(7)(C)

Q: Did anyone ask you if you would participate in killing the detainees?

A: At that time, I wasn't invited, but later on when we were in the final location, 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) asked if anyone was coming along.

Q: What occurred when you returned to the COP (Combat Out Post) prior to going to the final location?

A: I think (b)(6), (b)(7)(C) were dropped off, as well as the interpreter.

Q: Did you take the detainees out of the Bradley when you returned to the COP?

A: No. No one aside from us knew they were there. 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) went near the TOC (Tactical Operations Center) for about 10 - 15 minutes and they returned.

Q: What was said when 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) returned?

A: They told us we were going out to take care of the detainees. I didn't know exactly where we were going at the time.

Q: What route did you take after you left the COP?

A: We took route Steeler and headed west for about 5 minutes. We then turned south on a different road which didn't have a name. We took several different roads through a farmland area, and then stopped near a canal. I don't know if the canal had a specific name. The canal was about 10 ft wide and deep, and there were tall reeds growing out of it.

Q: Which side of the road was the canal on when you arrived?

A: It was on our right side. We then parked our vehicles. I think we had 4 vehicles around that time. The Bradley was the first vehicle, then two HMMWV's followed by another Bradley. I was in one of the HMMWV's.

Q: What occurred after you arrived at the canal?

A: Me, SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) all dismounted and came together as a group. At that time, myself and SSG (b)(6), (b)(7)(C) were asked if we were coming along. We declined.

Q: What happened next?

A: The rear Bradley began to drive further down the canal and out of view, maybe a couple of hundred meters. SGT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) walked in the direction of the Bradley. I don't know who was driving the Bradley. The Bradley had a crew of three, plus (b)(6), (b)(7)(C) who was guarding the detainees. Maybe five minutes later, (b)(6), (b)(7)(C) walked back to where we were. About 5 - 10 minutes after (b)(6), (b)(7)(C) arrived I heard a volley of small arms fire which lasted about maybe 30 seconds at most. It sounded like 14 or 15 rounds. I wasn't counting. About 10 minutes later the Bradley returned. I don't know if (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) walked back or returned with the vehicle.

Q: What type of weapon did 1SG (b)(6), (b)(7)(C) carry?

A: He had an M4, an M9 pistol, and a Glock pistol. The Glock was black, similar to the ones the Iraqi police carry.

Q: Were the Glocks registered?

A: No.

Q: What type of weapon did SSG (b)(6), (b)(7)(C) carry?

A: (b)(6), (b)(7)(C) a M4, and an M9. SGT (b)(6), (b)(7)(C) carried the same thing, but I'm not sure if they had additional weapons.

Q: What weapon did SGT (b)(6), (b)(7)(C) carry?

A: An M4. (b)(6), (b)(7)(C) carried an M4 as well. I don't know who else was inside the Bradley.

Q: When were the detainees blindfolded?

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

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

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PAGE 2 OF 5 PAGES

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 11 January 2008 CONTINUED

A: Right around the time they were placed in the store front.

Q: What happened to the bodies of the detainees?

A: From what I came to know, they were pushed into the canal as they were shot. But that's hearsay...I didn't see it myself. I think SGT (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) told me about it. I know SGT (b)(6), (b)(7)(C) didn't participate in the actual shooting, but he was driving the Bradley, so he was present at the time. I talked to SGT (b)(6), (b)(7)(C) about the incident later on after one of my buddies was killed a few months later. SGT (b)(6), (b)(7)(C) told me he lowered into the Bradley so that he wouldn't have to see what happened to the detainees.

Q: Did SGT (b)(6), (b)(7)(C) help push the bodies into the canal?

A: If he did, he didn't tell me. He would have had to leave the Bradley in order to do that. I don't think he did because his responsible was to be in the gun turret.

Q: Did SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) confirm that they killed the detainees?

A: (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) hinted at it by saying that it was done. When SSG (b)(6), (b)(7)(C) was telling us not to say anything about it, SSG (b)(6), (b)(7)(C) told us it was okay that the detainees were killed because they were the enemy.

Q: Was this incident discussed by anyone other than yourself and SGT (b)(6), (b)(7)(C) after SSG (b)(6), (b)(7)(C) gave the briefing?

A: No, not that I could think of. I do remember 1SG (b)(6), (b)(7)(C) told us that if anyone came by asking us questions about this incident, we should refer them to 1SG (b)(6), (b)(7)(C).

Q: When your unit first arrived at the village, how many individuals were pursued?

A: I don't know. I think there were one or two individuals that had taken shots at us.

Q: Was the individual(s) that fled one of the later captured prisoners?

A: I don't know.

Q: You called these individuals who your unit captured as "detainees", and not prisoners. What is the difference between a detainee and prisoner in your mind?

A: A detainee is someone you're holding for a short while, and a prisoner is someone you take with you to process at a later time.

Q: Do you believe the individuals who are bound, zip tied and then transported to other locations, prisoners?

A: Yes.

Q: Do you believe the individuals your unit captured were prisoners?

A: Yes.

Q: You stated earlier that there were four male prisoners. How sure are you?

A: I'm sure there were four, but there may have been more in addition to those four.

Q: Did the prisoners have any distinctive features...tattoos?

A: I really don't remember much about them. I think one of them gave (b)(6), (b)(7)(C) his prayer beads which I think (b)(6), (b)(7)(C) got rid of.

Q: Did the interpreter interview the prisoners when they were first captured?

A: He talked to them and told them to get against the wall, but I don't know if there was a detailed conversation.

Q: What were the names of the prisoners?

A: I don't know.

Q: What was your call sign?

A: SSG (b)(6), (b)(7)(C) call sign was (b)(6), (b)(7)(C) and mine was (b)(6), (b)(7)(C). I think the trip ticket was under (b)(6), (b)(7)(C).

Q: When you were fired upon, was that incident called in?

A: I don't know. I didn't call it in.

Q: After the prisoners were captured, did anyone call that in?

A: A driver did. I don't know who it was. But that's why SSG (b)(6), (b)(7)(C) got upset.

Q: Do you possess the camera you used to take pictures of the prisoners?

A: I have a camera that I had in Iraq, but I don't know if that's the same camera.

Q: How many cameras do you have?

A: I only have one. I had one in Iraq, but that one broke and I threw away somewhere...probably at the COP. I bought a second one while I was in Iraq and I have it in my room somewhere.

Q: Would you be willing to provide your camera to CID so that a search for any pictures can be conducted?

A: Absolutely.

Q: Did you have a computer while in Iraq?

A: Yes. I gave it to my father who lives in Rhode Island. I know that he was planning on reformatting the hard drive. I did download photos from the deployment onto my computer. I didn't download any photos from the incident onto my

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 11 January 2008 CONTINUED
computer, but I can find a way to get the computer for you if you want to search that as well.

Q: Did you take any pictures of the weapons the prisoners had?

A: Not that I recall.

Q: At any point, did anyone ask you if you were okay with the prisoners being killed?

A: Yes, SSG (b)(6), (b)(7)(C) did. When we first had the prisoners inside of the building, SSG (b)(6), (b)(7)(C) inferred that the prisoners were going to be killed, and he asked me if I was okay with that. I said that I was okay with that. Later on, at the canal, he again asked if I was coming to participate, and I declined.

Q: Why didn't you come forward with this information about the killing of these prisoners?

A: One, I was a little afraid of 1SG (b)(6), (b)(7)(C). He's a very imposing person. Also, I didn't want to rip up the platoon because the deployment was already hard enough.

Q: Did you know it was wrong not to report this?

A: Yes.

Q: Did 1SG (b)(6), (b)(7)(C) say he was going to kill the prisoners?

A: Not those exact words, but we understood that he was going to. He said something like we were going to take care of these guys, referring to the prisoners.

Q: Did SSG (b)(6), (b)(7)(C) say he was going to kill the prisoners?

A: I don't think I ever heard him say it. He said something like we were going to take care of these guys.

Q: Did SGT (b)(6), (b)(7)(C) say he was going to kill the prisoners?

A: If he did, he didn't say it around me.

Q: Why do you believe they actually did kill the prisoners?

A: When they came back, they told us not to talk about it; I heard the shots that were fired which came from the direction the prisoners were taken; and they came back without any prisoners.

Q: Why do you think the other soldiers in the Bradley with SGT (b)(6), (b)(7)(C) weren't involved?

A: Well, it was physically impossible for the driver or any of the soldiers in the Bradley to get out of the vehicle and do that. There responsibility was to be in the Bradley to provide security. Also, I've known SGT (b)(6), (b)(7)(C) for 5 years, and I know that he wouldn't do something like that.

Q: Where were you and the other soldiers when you heard the shots by the canal?

A: (b)(6), (b)(7)(C) was sitting inside the HMMWV; I had the door the HMMWV open and I was leaning on the doorframe of the vehicle. SGT (b)(6), (b)(7)(C) was near me, but I don't know exactly where; SPC (b)(6), (b)(7)(C) and a gunner was inside of 1SG's HMMWV, and the other soldiers were inside of the second Bradley.

Q: Do you think the soldiers that were around you were able to observe the killings of the prisoners?

A: No. We couldn't even see the Bradley that had driven down the road.

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

A: That anything like this ever happened is regretful.

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

A: Nothing comes to mind right now. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 11 January 2008

CONTINUED:
STATEMENT (Continued)

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5 (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)

(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 11th day of January, 2008 at Schweinfurt CID Office

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

(Administering Oath)

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

(Typed Name of Person Administering Oath)

Title 10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 5 PAGES

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Law Enforcement Sensitive

USACIDC Supplement 1 to AR 190-22

Date: (b)(6), (b)(7)(C) 11 Jan 08	Consent To Search (USACIDC Supplement 1 to AR 190-22)	Time: (b)(6), (b)(7)(C) 1824
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1. Name of person consenting to the search: SGT (b)(6), (b)(7)(C)	2. Organization and location:
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3. I have been advised that an inquiry is being conducted in connection with the following possible violation(s) of law:
Misprision of a Serious Offense!!!

4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.) (b)(6), (b)(7)(C)

5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: *(Initial and sign applicable blocks)*

a.	My Person	Initials	Signature
b.	My Quarters	Initials	Signature

Located At:

c.	My Vehicle	Initials	Signature
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Located At:
Described As:

d.	Other	(b)(6), (b)(7)(C)
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Located At: (b)(6), (b)(7)(C) Conn Barracks, Schweinfurt, Germany, APO AE 09226
Described As: Camera

I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations:
All images

6. This written permission is given to the undersigned (b)(6), (b)(7)(C) threats or promises of any kind:
(b)(6), (b)(7)(C)

Signature of Person Granting Consent
Signature of Witness (If Available)

6. Facts supporting approval of the request:

On 10 Jan 08, CPT (b)(6), (b)(7)(C) a Trial Defense Attorney, Schweinfurt, Germany provided a typed document to CID which he presented as a synopsis of a statement given by his client, SSG (b)(6), (b)(7)(C) A Co, 1/18th Inf Bn, APO AE 09226, who witnessed a murder of Iraqi prisoners, by soldiers in his unit, while deployed in Iraq. Information in the statement identified several members of his unit, by name, who committed the offenses. One of the soldiers who was named in the statement given by CPT (b)(6), (b)(7)(C) was SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) was approached by CID for an interview regarding the incident alleged by SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) agreed to the interview and gave a sworn statement describing the events of that evening. The statement of (b)(6), (b)(7)(C) corroborated the statement submitted by CPT (b)(6), (b)(7)(C) and named the same participants of the alleged murders.

The document submitted by CPT (b)(6), (b)(7)(C) and the sworn statement by SGT (b)(6), (b)(7)(C) described an incident which occurred mid or late April 2007, where at least thirteen soldiers of Alpha company, 1-18th Infantry Battalion took 4 to 7 prisoners that were suspected enemy combatants. They were captured after the unit had been fired on while they patrolled West Rashid, Baghdad; in and around the Jihad and Shuratah neighborhoods, Iraq.

1SG (b)(6), (b)(7)(C) A Co, 1/18th INF BN, Conn Barracks, Schweinfurt GE, (CBSG) reportedly was the first person to verbalize his desire to kill the prisoners. 1SG (b)(6), (b)(7)(C) discussed this idea further with SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Co, 1/18th INF BN, CBSG, who asked SSG (b)(6), (b)(7)(C) if he would go along with the plan to kill the prisoners; SSG (b)(6), (b)(7)(C) reported he did not care what they did, but he would not participate. SFC (b)(6), (b)(7)(C) talked to the other soldiers present and there was no indication that anyone objected. Once they all arrived at the chosen location where the prisoners were to be executed, 1SG (b)(6), (b)(7)(C) asked who wanted to kill them and only SFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) A Co, 1/18th INF BN, CBSG, and himself agreed to do it. The Information reported indicates all prisoners were shot by these three aforementioned NCO's utilizing small arms fire. Several witnesses saw SFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) take the prisoners to an area near a canal. They heard small arms fire and saw SFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) return without the prisoners. The soldiers who did not participate were described as being near the executions, and at least three soldiers not involved in the shootings reportedly may have witnessed the executions by the three NCO's. The prisoners bodies were reportedly unbound and hoods were removed prior to disposing of the bodies in the near by canal.

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0010 - 08 - CID 247 - 34682

7. Technical Devices (Check one or more) <input checked="" type="checkbox"/> Transmitter/Receiver without audio <input type="checkbox"/> Video <input checked="" type="checkbox"/> Concealed Recorder <input type="checkbox"/> Video With Audio <input checked="" type="checkbox"/> Microphone/ Amplifier <input type="checkbox"/> Pen Register <input type="checkbox"/> Telephone (Include phone #) <input checked="" type="checkbox"/> Other (Specify) Digital Voice Recorder Model #CD-SX25 <input type="checkbox"/> Provided by other LE Agency	8. Method of Employment of TLE (Check one or more) <input checked="" type="checkbox"/> Concealed on Person <input type="checkbox"/> In Personal Effects <input checked="" type="checkbox"/> In Vehicle <input checked="" type="checkbox"/> In Office/Room <input type="checkbox"/> On telephone <input type="checkbox"/> Other (Specify)
9. The purpose of this operation is to (Check one or more) <input checked="" type="checkbox"/> Obtain evidence of intent, knowledge, motive, or lack of entrapment <input checked="" type="checkbox"/> Corroborate evidence <input checked="" type="checkbox"/> Secure courtroom quality evidence <input checked="" type="checkbox"/> Gain evidence to support a search warrant or authorization <input type="checkbox"/> Protection of consenting party <input type="checkbox"/> Identify soldiers committing crimes together with civilian targets <input type="checkbox"/> Prevent loss of government property or funds <input type="checkbox"/> Other (Specify) Describe how intercept will be conducted: SGT (b)(6), (b)(7)(C) will wear a body wire and a backup Sony digital recorder and target the listed individuals in blocks 1&12 who are in the area. (b)(6), (b)(7)(C) will describe how the incident is affecting him or his problems related to the incident to solicit a reaction, response, or statement from the targeted individuals.	
10. Explanation of military interest warranting off-post investigation activities (where applicable) <input type="checkbox"/> This investigation is a procurement fraud investigation pursuant to DOD Instruction 5505.2 <input type="checkbox"/> Drug operations (Reference MOA/MOU with Local PD) <input checked="" type="checkbox"/> Other (explain) No plans to use TLE off the installation in Schweinfurt, Germany	
11. Coordination. This operation has been coordinated with the following: <input type="checkbox"/> U.S. Attorney's office <input type="checkbox"/> Department of Justice <input type="checkbox"/> Military trial counsel <input checked="" type="checkbox"/> Staff Judge Advocate (POC name and office): CPT (b)(6), (b)(7)(C) Trial Counsel, OSJA, Schweinfurt Legal Center, APO AE 09226 <input checked="" type="checkbox"/> The above point of contact concluded that the operation is appropriate and does not raise the issue of entrapment. <input checked="" type="checkbox"/> (Overseas operations only) The following point of contact was briefed on the operation and concluded that it does not violate foreign law, any applicable status of forces agreement, or other international agreement with the host country: On 11 Jan 08, this office coordinated with Mr. (b)(6), (b)(7)(C) Chief, Foreign Law Branch, Office of the Judge Advocate, HQ USAREUR APO AE 09014. <input type="checkbox"/> Local law enforcement (describe): <input type="checkbox"/> Other	

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3

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0010-08-c10847-34682

12. Additional information: (Include the block number that the information herein refers) Block 1 Continued: SGT (b)(6), (b)(7)(C) Male; White; SPC (b)(6), (b)(7)(C) Male; White; SPC (b)(6), (b)(7)(C) Male; White; SGT (b)(6), (b)(7)(C) Male; White; SPC (b)(6), (b)(7)(C) Male; White; SSG (b)(6), (b)(7)(C) Male; White; All targets are members of US Army; A Company (Co), 1-18th Infantry Battalion (INF BN) , Conn Barracks, Schweinfurt Germany, APO AE 09033 (CBSG)	
13. In my judgment, this monitoring is warranted in the interest of effective law enforcement. (b)(6), (b)(7)(C) 11 Jan 2008 Special Agent in Charge CW3 (b)(6), (b)(7)(C) Date	
14. Other Agencies Involved: <input type="checkbox"/> FBI <input type="checkbox"/> NCIS <input type="checkbox"/> AFOSI <input type="checkbox"/> DCIS <input type="checkbox"/> Other (Specify)	
15. Review by Group Legal Counsel. <input checked="" type="checkbox"/> The request complies with applicable law and regulations. Recommend <input checked="" type="checkbox"/> approval <input type="checkbox"/> disapproval Comments: Signature (b)(6), (b)(7)(C) Title: CPT, JA ; 202 nd MP GP GJA Date: 14 JAN 2008	
16. Recommendation of Group Commander. Recommend <input checked="" type="checkbox"/> approval <input type="checkbox"/> disapproval Comments: Signature (b)(6), (b)(7)(C) Title: Commander, 202 nd MP GP (CID) Date: 14 JAN 08	
17. Review by Staff Judge Advocate. <input checked="" type="checkbox"/> The request is legally sufficient and is in the interests of effective law enforcement. <input checked="" type="checkbox"/> approval <input type="checkbox"/> disapproval Comment: (b)(6), (b)(7)(C) Signature: [Redacted] Title: ATTY-NAVIGOR Date: 14 Jan 08	
18. Review by Commanding General or designee Recommend <input type="checkbox"/> Approval <input type="checkbox"/> Disapproval Signature _____ Date: _____	

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Date: 16 Jan (b)(6), (b)(7)(C) **Consent To Search** Time: 1130 (b)(6), (b)(7)(C)
 (USACIDC Supplement 1 to AR 190-22)

1. Name of person consenting to the search: SGT Charles L. QUIGLEY
 2. Organization and location: A Company, 1-18th Infantry Battalion
 Conn Barracks, Schweinfurt, Germany, APO AE 09226

3. I have been informed by the undersigned (b)(6), (b)(7)(C) that an inquiry is being conducted in connection with the following possible violation(s) of law:
 MISPRISION OF A SERIOUS OFFENSE/// (b)(6), (b)(7)(C)

4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.) (b)(6), (b)(7)(C)

5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: (Initial and sign applicable blocks)

a.	My Person	Initials	Signature
b.	My Quarters	Initials	Signature

Located At:

c.	My Vehicle	Initials	Signature
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Located At:

Described As: (b)(6), (b)(7)(C)

d.	Other	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)
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Located At: (b)(6), (b)(7)(C) Conn Barracks, Schweinfurt, Germany, APO AE 09226

Described As: Digital Camera, Brand name CASIO EXILIM, SN: 4110946F, with memory card

I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: (b)(6), (b)(7)(C)
 Any and all digital images retained on my digital camera and storage media installed therein, described as listed above. ///

6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) _____
 Signature of Witness (If Available)

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	(0009-08-CID081) ROI NUMBER 0010-08-CID847-34682
PAGE 1 OF 1 PAGE	

DETAILS

BASIS FOR INVESTIGATION: On 16 Jan 08, this office received a Request For Assistance (RFA) from the Schweinfurt CID Office, CMR 457, APO AE 09033, to locate, fully identify, and interview Mr. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (NFI), (b)(6), (b)(7)(C) regarding his knowledge of photographs depicting Iraqi prisoners of war. Additionally, it was requested this office seize a laptop computer, described as a 15" or 17" Dell XTS, serial number unknown, from Mr. (b)(6), (b)(7)(C) as it was previously owned by his son, SGT (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG). SGT (b)(6), (b)(7)(C) may have downloaded pictures of Iraqi prisoners of war onto the laptop computer prior to giving it to Mr. (b)(6), (b)(7)(C)

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

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) SIGNATURE (b)(6), (b)(7)(C)	ORGANIZATION West Point CID Office, Washington CID Bn, 3d MP Group (CID), USACIDC, West Point, NY 10996 DATE 16 Jan 08 EXHIBIT 7
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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 3 PAGES

DETAILS

LAW ENFORCEMENT RECORDS CHECKS:

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

ACI2: Negative

DCII: AKA - (b)(6), (b)(7)(C) False Swearing; case number 00019-04-547-7004N; 4 Jan 2004;

Disposition: Service Member was counseled

NCIC: No record

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

ACI2: Negative

NCIC: No record

1SG (b)(6), (b)(7)(C);

ACI2: Negative

DCII: Driving Under The Influence; case number 4625-90-033-5728T; 26 Aug 1990; Ft Campbell, KY;

Disposition: Judicial - Civil Court - Dismissed

DCII: Assault; case number 02324-96-034-5600V; 28 Mar 1996; Ft Hood, TX;

Disposition: Administrative - Oral Reprimand

DCII: Assault; case number 07795-95-034-8176E; 8 Nov 1995; Ft Hood, TX;

Disposition: None Taken - Dismissed

SSG (b)(6), (b)(7)(C);

ACI2: Negative

NCIC: No record in NCIC

CRC: No record in CRC

AGENT'S COMMENT: SJA Schweinfurt Legal Office provided information pertaining to SSG (b)(6), (b)(7)(C) regarding his involvement as a subject of several assaults consummated by a battery wherein he struck several members in his unit on different occasions during his recent deployment to Iraq. Pending action against SSG (b)(6), (b)(7)(C) is a Field Grade Article 15.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

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

DATE

17 January 2008

EXHIBIT

8

CID FORM 94

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1 FEB 77

ACLU-RDI 5596 p.47

10-L-0126 ACLU CID ROI 8916 000048

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 2 OF 3 PAGES

DETAILS

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

ACI2: Negative
CRC: No Record
NCIC: No Record

SGT (b)(6), (b)(7)(C);

ACI2: Negative
CRC: No Record
NCIC: No Record

SPC (b)(6), (b)(7)(C);

ACI2: Negative
CRC: No Record
NCIC: No Record

SPC (b)(6), (b)(7)(C);

ACI2: Negative
CRC: No Record
NCIC: No Record

SPC (b)(6), (b)(7)(C);

ACI2: Negative
DCII: No record at CRC
NCIC: Has a record in NCIC – will be mailed by CRC

SPC (b)(6), (b)(7)(C);

ACI2: Negative
CRC: No Record
NCIC: No Record

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

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

DATE

17 January 2008

EXHIBIT

8

CID FORM 94

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1 FEB 77
ACLU-RDI 5596 p.48

10-L-0126 ACLU CID ROI 8917 000049

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

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PAGE 3 OF 3 PAGES

DETAILS

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

ACI2: Negative

CRC: No Record

NCIC: No Record

SGT (b)(6), (b)(7)(C);

ACI2: Negative

DCII: No record at CRC

NCIC: Has a record in NCIC -- will be mailed by CRC

SPC (b)(6), (b)(7)(C);

ACI2: Negative

CRC: No Record

NCIC: No Record

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

ACI2: Negative

CRC: No Record

SPC (b)(6), (b)(7)(C);

ACI2: Negative

CRC: Larceny of AAFES Property; case number 05-547-0483g; 7 Oct 2005; Kitzingen, GM

Disposition: Non-judicial Field Grade Art 15; reduction from E3 to E1; extra duty for 45 days;
forfeiture of 1/2 month pay for 2 months = \$1,456.00

NCIC: Negative

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

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

DATE

17 January 2008

EXHIBIT

8

CID FORM 94

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AGENT'S INVESTIGATION REPORT
CID Regulation 195-1

0010-08-CID847-34682 (b)(6), (b)(7)(C)
Page 1 of 1 Pages

About 1450, 17 Jan 08, SA (b)(6), (b)(7)(C) was provided consent to video record his interview from SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Co, 1-18th INF Reg, Conn Barracks, Schweinfurt, Germany APO AE 09226 (CBSG). (See Video Recording of SPC (b)(6), (b)(7)(C) for details)

AGENT'S COMMENT: SPC (b)(6), (b)(7)(C) was searched prior to being escorted into the interview room.

About 1501, 17 Jan 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, wherein he admitted to being present when four unidentified Iraqi males were taken prisoner by his patrol in West Rashid, Baghdad, Iraq (WRBI) sometime in April 2007. SPC (b)(6), (b)(7)(C) stated he was informed by SSG (b)(6), (b)(7)(C) A Co, 1-18th INF Reg, CBSG, of the intent of 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) all of A Co, 1-18th INF Reg, CBSG to kill the four Iraqi prisoners. SPC (b)(6), (b)(7)(C) stated he informed SSG (b)(6), (b)(7)(C) that he was willing to go with them to the site where they were going to kill the Iraqis. SPC (b)(6), (b)(7)(C) further stated 1SG (b)(6), (b)(7)(C) briefed all of the members of the patrol who were at the location where the Iraqis were killed. SPC (b)(6), (b)(7)(C) stated 1SG (b)(6), (b)(7)(C) instructed them to not discuss the incident, and that if they were asked any questions to tell the person to come talk to him. Additionally, 1SG (b)(6), (b)(7)(C) said they had killed the Iraqis for their fallen comrades, SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) (See Sworn Statement for details)

AGENT'S COMMENT: SPC (b)(6), (b)(7)(C) provided three separate sketches during the course of his interview depicting the house where the Iraqis were captured, the incident location where the Iraqis were killed and the location of the members of the patrol in their vehicles after leaving their Combat Operating Base. SA (b)(6), (b)(7)(C) Schweinfurt CID Office, witnessed the rights advisement, interview, sworn statement and consent to search of SPC (b)(6), (b)(7)(C) (See Sketches for details)

About 2019, 17 Jan 08, SA (b)(6), (b)(7)(C) received consent from SPC (b)(6), (b)(7)(C) for the search of his barracks room located in (b)(6), (b)(7)(C) (See Consent to Search for details)

AGENT'S COMMENT: SPC (b)(6), (b)(7)(C) was fingerprinted and photographed at the conclusion of his interview.

About 2215, 17 Jan 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) conducted a search of SPC (b)(6), (b)(7)(C) barracks room, which failed to reveal anything of evidentiary value.

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

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

Schweinfurt CID Office
202d Military Police Group (CID)
APO AE 09033

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

Date: 7 Jan 08

Exhibit: 9

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 Schweinfurt CID Office, Schweinfurt, Germany APO AE 09033	2. DATE 17 Jun 08	3. TIME 1501	4. FILE NO. 0010-08-CID847
5. NAME (Last, First, MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS 34682 A Company, 1-18th Infantry Battalion Conn Barracks, Schweinfurt, Germany APO AE 09226		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/accused: Murder, Conspiracy/// (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 question or say anything. (b)(6), (b)(7)(C)
2. Anything I say or do can be used as evidence against me in a criminal trial. (b)(6), (b)(7)(C)
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. (b)(6), (b)(7)(C)

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE (b)(6), (b)(7)(C)	
1a. NAME (Type or Print) SA (b)(6), (b)(7)(C)	b. ORGANIZATION OR ADDRESS AND PHONE Schweinfurt CID Office APO AE 09033		
2a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR (b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE		5. TYPED NAME OF INVESTIGATOR SA (b)(6), (b)(7)(C)	
		6. ORGANIZATION OF INVESTIGATOR Ansbach CID Office APO AE 09250	

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

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 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 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"**

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 Schweinfurt, Germany	2. DATE (YYYYMMDD) 2008/01/17	3. TIME 2015 J	4. FILE NUMBER 0010-08-CID847-34662
5. LAST NAME, FIRST NAME, MIDDLE NAME b(6), b(7)(C)	6. SSN b(6), b(7)(C)	7. GRADE/STATUS E-4/SPC/AD	
8. ORGANIZATION OR ADDRESS A Co, 1-18th INF Reg, Conn Barracks, Schweinfurt, Germany APO AE 09226			

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

Sometime around April 07 out of COP Angry Dragon, in West Rasheed, Baghdad, Iraq, our section went out on a patrol with 1SG's crew. While on patrol, local nationals approached our patrol and started telling us they were receiving sniper fire. From there, they point us in the direction where they were claiming the sniper fire came from. We went and investigated the area and decided to search a house. After searching a house, a local national told us he knew where they were firing from and he would take us to the place. As we were putting the local national into one of the vehicles, we receive fire from a machine gun. The patrol moved out towards the location, and as we were driving we saw about 4 males running away. We stopped them and decided to search around the area where they were at. While searching their house, we didn't find anything, but we decided to search a garage connected to the house that had locks on it. Inside, we found Sniper rifles and machine guns, and we also found bullet-proof vests. At that moment, SSG b(6), b(7)(C) told me to call up our location and what we were doing. Soon after, SSG b(6), b(7)(C) came over and asked me if I had called it up, and I responded yes, and he told me that I shouldn't have, and 1SG was going to call it up. From there, we detained the suspects, and put them in the back of one of the Bradleys with PFC b(6), b(7)(C) pulling security on them. As we were going back to the COP, the vehicle in which I was driving got stuck and broke down. We went back to the COP to drop off the vehicle and to change to a different one. As we changed vehicles, SSG b(6), b(7)(C) told us to move out again. We drove out of the COP and SSG b(6), b(7)(C) explained where there was a open field with a canal next to it. We drove towards it, and our vehicle pulled off to the side of the canal on a different road and pulled security, while the Bradley behind us drove past. We were sitting in the vehicle when PFC b(6), b(7)(C) came over onto our vehicle and sat inside. While inside, SSG b(6), b(7)(C) told us not to talk about anything and not to mention what was going on. At that time, we heard gunshots from what sounded like a 9mm handgun. SSG b(6), b(7)(C) told us not to say anything to anybody and to roll out. As we got to the COP and cleared our weapons, 1SG came over to us and told us not to mention the incident to anybody and if anybody asked, to go talk to him.

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

Q: Did you type the above statement?

A: Yes.

Q: Who went out of the COP to the canal with you?

A: 1SG b(6), b(7)(C) SFC b(6), b(7)(C) SGT b(6), b(7)(C) SPC b(6), b(7)(C) SPC b(6), b(7)(C) SSG b(6), b(7)(C) SPC b(6), b(7)(C) SGT b(6), b(7)(C) CPL b(6), b(7)(C) SPC b(6), b(7)(C) PFC b(6), b(7)(C) and SGT b(6), b(7)(C), but I don't remember where b(6), b(7)(C) was. And the four detainees.

Q: Who from your unit was most likely in the front vehicle?

A: Maybe SPC b(6), b(7)(C) SGT b(6), b(7)(C) and I am thinking SGT b(6), b(7)(C)

Q: Describe specifically the events of and immediately following the patrol receiving the initial enemy fire on the patrol.

A: We had just searched the first house and we were picking up a local national Iraqi who said he knew where the people were shooting from. We were taking him into the vehicle when we received contact. It was Machine gun fire from left of the vehicles

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

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

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt, German DATED 2008/01/17

0010 - 2008 - CID 847 - 34602

9. STATEMENT (Continued)

That is when we hopped in the vehicles. We turned the vehicles around and headed towards the direction of the contact. As we were driving that is when we saw 4 unarmed iraqi males running from the side of a building to another building. We stopped. They were standing outside pretending nothing was going on. So that is when we searched them and after that we began searching around the house. We found shell casings so we decided to keep searching and we found a garage that had a padlock on it. So we decided to cut the lock and open the garage. That is when they found all the weapons. We grabbed the Iraqis and asked them what they were doing with the weapons, and they said it wasn't theirs. But the house was theirs. So that is when we detained them, ziptied their wrists behind their backs, and blindfolded them with bandages. And that is when we put them in the back of the Bradley and had (b)(6), (b)(7)(C) pull security on them. After that we continued our patrol. That is when we were going to a different part of the neighbor hood and that is when our HMMWV got stuck.

Q: At what point did you call into to the COP to report the patrols actions?

A: When we stopped to search the iraqis, that is when SSG (b)(6), (b)(7)(C) told me to call in our location and that we stopped to search a house.

Q: Did anyone call in the discovery of the shell casings and weapons?

A: No, that is when I was told the 1SG was going to call it in.

Q: Describe the actions of the members of the patrol, while the search and the apprehension of the Iraqis occurred.

A: At first 1SG (b)(6), (b)(7)(C) had the Iraqis up against a wall and was talking to them through the interpreter. That was when I saw the casings and I let SSG (b)(6), (b)(7)(C) know, who told 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) and they decided search some more. That is when they opened the garage and found one or two sniper rifles and a couple of machine guns, and some 7.62 ammo and a couple of flak vests. SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were with the 1SG and SFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and the other dismount (maybe SPC (b)(6), (b)(7)(C)) were assisting in the search by looking around. 1SG most likely called over the dismounts who would have been responsible for ziptying and blindfolding the iraqis.

Q: What was said after the iraqis were loaded into the Bradley and you left the house?

A: No we just resumed the patrol, which was normal procedure, because the local national who we had brought with us said he knew other people who were shooting at them.

Q: Describe the house where the iraqis were apprehended?

A: It had a courtyard on the side and it was a two story house, and right next to the courtyard, underneath the two stories was where the garage was at.

Q: Did you hear any of the conversations prior to departing from the house?

A: No.

Q: Whose decision was it to return to the COP?

A: I think it was either SFC (b)(6), (b)(7)(C) or 1SG (b)(6), (b)(7)(C) because we had a broken down vehilce.

Q: What was wrong with the vehicle?

A: When it got stuck it went into a ditch with water, and the HMMWV would not start.

Q: When you arrived at the COP what occurred?

A: We got to the COP, SSG (b)(6), (b)(7)(C) told us to switch vehicles and we jumped into the other vehicle while the leaders were having a meeting and that is when he jumped back into the vehicle and rolled out of the COP.

Q: Who were the leaders having a meeting?

A: 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and maybe SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)

Q: What was the normal procedure for bringing detainees to the COP?

A: We would park the Bradleys and we would have someone get the detainees and take them to the outside of the TOC.

Q: What did you think was happening when this did not occur with this batch of detainees?

A: At first I thought we were going to just drop them off or scare away because we did not have enough evidence.

Q: Who else was at the house when the iraqis were detained?

A: I know they had family there, a couple of females and just people around the area.

Q: Describe the detainees.

A: I really don't remember them, I am pretty sure one of them was a short fat guy, other than that I don't remember what they looked like.

Q: What were they wearing?

A: Pants and a shirt on at least one or two of them, and one of them had the traditional robe. Not sure about the fourth.

Q: Where exactly in West Rashid was the house located?

A: It was south, south west of the COP maybe one or two kilometers from the COP. I think it was part Jihad, that was the name of the neighborhood in Baghdad. (b)(6), (b)(7)(C)

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

PAGE 2 OF 4 PAGES

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

LAW ENFORCEMENT SENSITIVE

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt, Germany DATED 2008/01/17

9. STATEMENT (Continued)

Q: What route was the house off of?
A: Just south of Route Steelers.
Q: At the beginning of the patrol what was your vehicle bumper number and call sign for you and your TC?
A: At the beginning I was in A207, at that time I think SSG (b)(6), (b)(7)(C) was (b)(6), (b)(7)(C) and I was (b)(6), (b)(7)(C)
Q: After leaving the COP with the detainees what was your vehicle bumper number?
A: That one I don't remember because it was someone else's.
Q: Why was the Bradley buttoned up inside the COP with detainees?
A: Probably because they knew we were still going out.
Q: Whose idea would it have been to not open up the Bradley?
A: I don't know, they just told me to go get another HMMVW.
Q: At what point did you realize the detainees were going to be killed?
A: While we were driving there that was when SSG (b)(6), (b)(7)(C) started saying not to talk about and not say anything, and I figured something bad was going to happen. And then when we parked SSG (b)(6), (b)(7)(C) said don't look over there and don't talk about. And that was when I realized it.
Q: Why did you not radio into the TOC what was happening?
A: Because of all the leaders there that knew what was going and all the soldiers I just didn't think about it.
Q: How far away from the shooting were you?
A: Less than 100 meters away.
Q: What exactly did you hear?
A: I heard the Bradley stop, I heard them drop the ramp and that is when (b)(6), (b)(7)(C) came over and we were all just there and that is when you heard the gunshots.
Q: How many gunshots did you hear?
A: I really don't remember, maybe 5 or 6.
Q: Did you see if the blindfolds or zipcuffs were removed from the detainees?
A: No I did not see if they were removed.
Q: When we were talking earlier you said you saw bloody rags from the back of a Bradley, where did these rags come from?
A: I don't know where the rags came from but they had been used to wipe off the blood.
Q: Where did they wipe the blood off of?
A: I am thinking off the ramp because the ramp was down.
Q: Did you see who shot the detainees?
A: No, I did not see it.
Q: Did you discuss the shooting with anyone?
A: Yes, with CPL (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)
Q: What did they tell you?
A: CPL (b)(6), (b)(7)(C) told me that he saw the 1SG, SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) had guns pointed at the four Iraqis heads, and then SPC (b)(6), (b)(7)(C) told me that he was sitting in his seat and dropped the ramp and heard the gunshots after awhile.
Q: There was another incident involving the Company Commander's PSD wherein 1SG (b)(6), (b)(7)(C) was said to have shot a wounded insurgent. What do you know about that?
A: I have never heard about that.
Q: After the shooting what was said prior to leaving the canal area?
A: I was just told not to talk about this, nothing happened, we just dropped the detainees off.
Q: Who told you this?
A: SSG (b)(6), (b)(7)(C)
Q: What did SSG (b)(6), (b)(7)(C) mean by "Dropped the detainees off"?
A: That we just let them go, if we didn't have evidence we just let them go usually.
Q: What did the patrol do after it left the canal area?
A: We went straight back to the COP.
Q: What was said and by whom when you returned to the COP?
A: We drove in and cleared our weapons, which is when 1SG (b)(6), (b)(7)(C) told us this was for SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) and if anybody asked about it to go talk to him.
Q: Did he say anything else?
A: No. (b)(6), (b)(7)(C)

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

PAGE 3 OF 4 PAGES

LAW ENFORCEMENT SENSITIVE

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt, Germany DATED 2008/01/17

9. STATEMENT (Continued)

Q: Was anyone in your patrol still carrying Glock's?

A: No, the only people with handguns were the people with issued 9mms.

Q: What was the type of gunfire you heard at the canal?

A: 9mm.

Q: Who in your patrol had a 9mm?

A: 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C)

Q: Did you know it was wrong to not report the murder of the four Iraqis?

A: Yes.

Q: Did you agree not to talk about the murder when 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) told you not to speak about it?

A: Yes.

Q: Why did you not report this incident?

A: Because I didn't want anyone to get into trouble because the 1SG and SFC (b)(6), (b)(7)(C) have done so much for us.

Q: Whose decision was it to kill the detainees?

A: I don't know.

Q: Did you dump any other bodies in the canal?

A: No, I don't know of any other bodies being dumped in the canal.

Q: What did you do after you got back to the COP?

A: After we talked to the 1SG and myself, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) talked about it and that was it.

Q: has anyone talked to you about it since then?

A: No.

Q: Previously in your statement you said that no one had told you what was going to happen prior, was that true?

A: No.

Q: What is the truth?

A: When we first detained the guys, 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) huddled up in a meeting then SSG (b)(6), (b)(7)(C) came over to the truck and he mentioned they were thinking of getting rid of the guys, which meant they were going to kill them. He also said to me after we dropped off the disabled vehicle at the COP, SSG (b)(6), (b)(7)(C) asked me if I was sure I wanted to go with them to get rid of the Iraqis at the canal.

Q: What did you say to SSG (b)(6), (b)(7)(C)?

A: I said yeah I'll go.

Q: Did anyone take any pictures during the incident?

A: No.

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

A: No.

AFFIDAVIT

I, SPC (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of January, 2008

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

Schweinfurt CID OFFICE, APO AE 09033 ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 PAGES

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Sketch of:

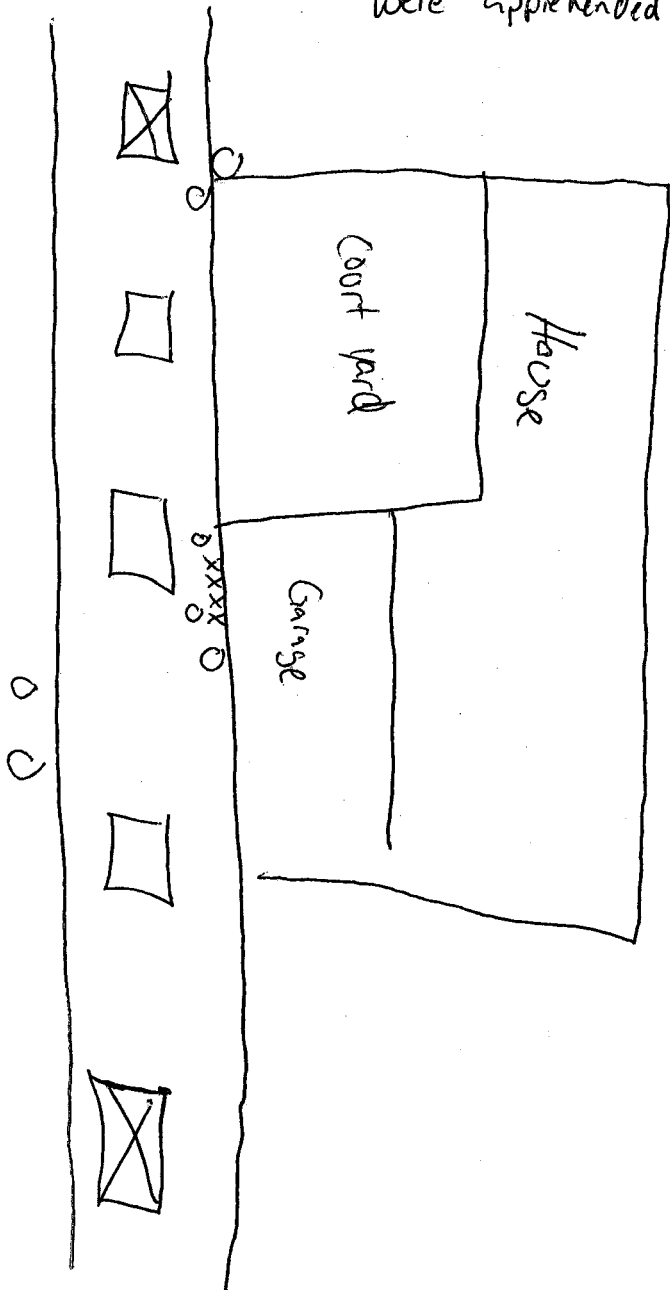
House where detainees
were apprehended

CASE #0010-08-CID847-34682

1710 17 Jan 08

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

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



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NOT DRAWN TO
SCALE

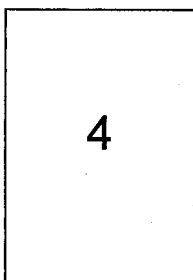
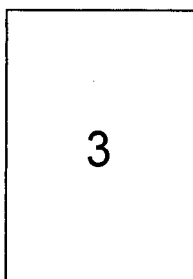
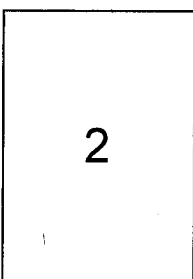
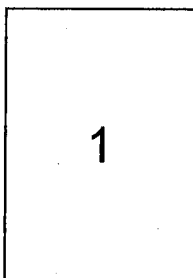
Sketch of where personnel were after leaving COP 2nd time

0010-2008-CID 847-34682

17 Jan 08 1633

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

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



ISG

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

SSG

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

SGT

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

SPC

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

SPC

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

SSG

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

PA SPC

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

SPC

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

SGT

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

not sure where he was

SGT

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

SPC

SPC

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

↑
4 detainees

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Sketch of:

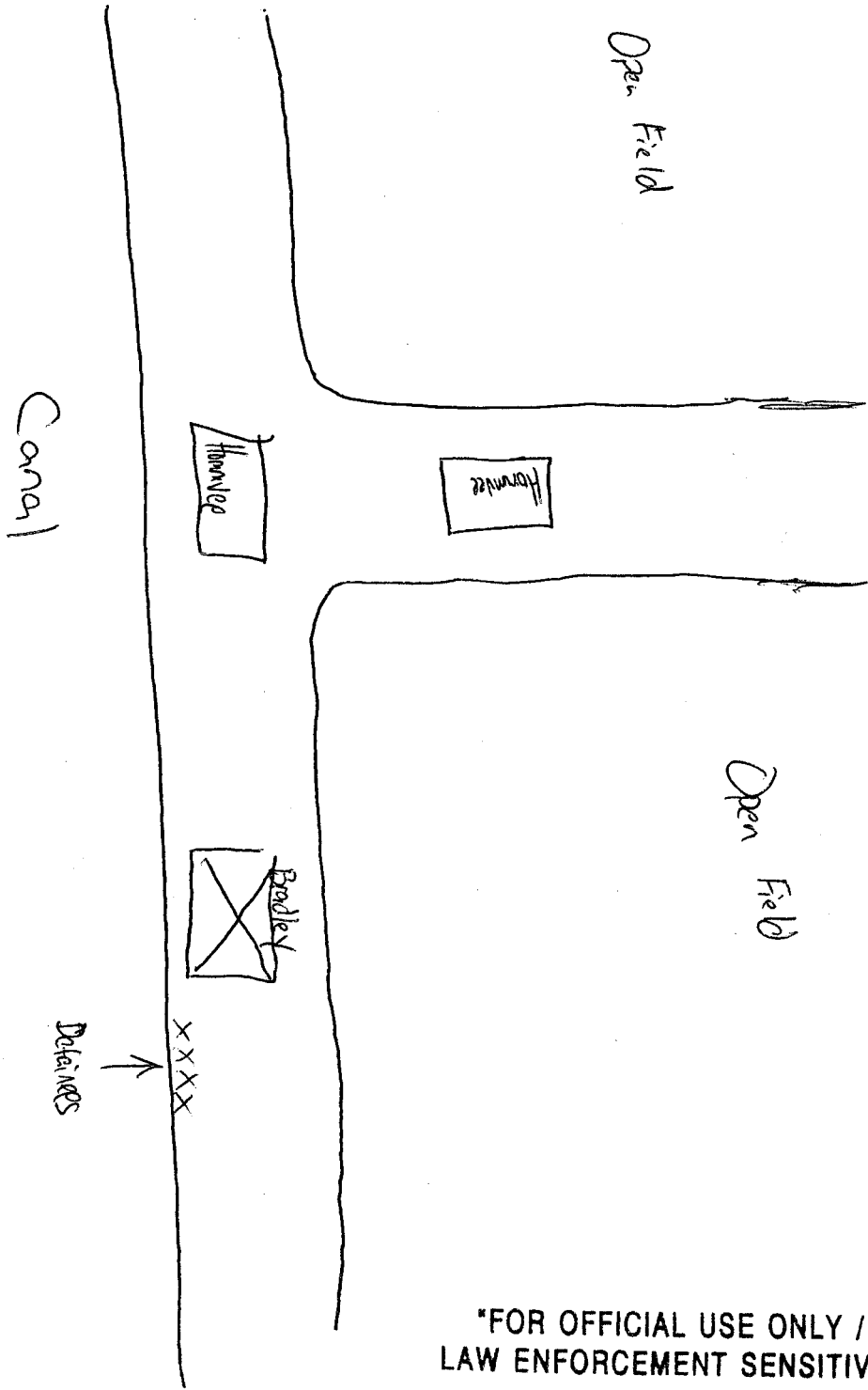
Canal where detainees were killed

CASE #0010-08-CID847-34682

1745 17 Jan 08

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

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



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NOT DRAWN TO
SCALE

Date: 17 Jan 08 HN		Consent To Search (USACIDC Supplement 1 to AR 190-22)		Time: 2019	(b)(6), (b)(7)(C)
1. Name of person consenting to the search: SPC (b)(6), (b)(7)(C)			2. Organization and location: A Co, 1-18 th Infantry Battalion Conn Barracks, APO AE 09226 0010-2008-CID 847-34682		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE///					
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)					
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(Initial and sign applicable blocks)</i>					
a.	My Person	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)		
b.	My Quarters	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)		
Located At: (b)(6), (b)(7)(C)		Conn Barracks, Schweinfurt, Germany APO AE 09226			
c.	My Vehicle	Initials	Signature		
Located At:					
Described As:					
d.	Other	Initials	Signature		
Located At:					
Described As:					
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: all Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, movies, journals, notebooks, papers, and computer input and output device(s), cellular telephone(s), prayer beads, IPOD's and MP3 players.					
I further authorize any law enforcement official with CID or assisting them to examine any of these items retained by CID in whatever manner necessary to allow evidence to be located, identified and further processed which supports this investigation. I further will freely provide any passwords or specific instructions necessary to assist in the search of any of these items.					
6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind: (b)(6), (b)(7)(C)					
(b)(6), (b)(7)(C)			Signature of Person Granting Consent		
Signature of USACIDC Special Agent			(b)(6), (b)(7)(C)		

About 1512, 17 Jan 08, SA (b)(6), (b)(7)(C) advised SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Co., 1/18th INF BN, Conn Barracks, Schweinfurt, GM APO AE 09026 of his legal rights, which he waived and admitted he was present when the detainees were killed. SGT (b)(6), (b)(7)(C) admitted prior to the killings 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) came to his Bradley fighting vehicle, at the COP, and told him they were going to kill the detainees. He reported they were then instructed to drive to the creek where the detainees were escorted out of the vehicle. (b)(6), (b)(7)(C) reported he then saw 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) put the detainees on their knees and then he witnessed SGT (b)(6), (b)(7)(C) shoot one of the detainees in head. SGT (b)(6), (b)(7)(C) reported he dropped down into the Bradley and heard more shots as he was dropping down. He reported when he looked back out, the three soldiers were kicking the shot detainees into the creek. SGT (b)(6), (b)(7)(C) reported they then got back into their vehicles and drove back to the COP. SGT (b)(6), (b)(7)(C) reported upon their return 1SG (b)(6), (b)(7)(C) told them to burn the bloody blindfolds that were in the back of his Bradley. This interview was captured on video tape utilizing a Sony Digital 8 Handy Cam, Model number DCR-TRV 730. (See Rights Waiver, Sworn Statement, and video 1 thru 5 for details)

AGENT'S COMMENT: During the course of the interview (b)(6), (b)(7)(C) provided three hand drawn sketches depicting the vehicle occupants, the creek area, and the overall area of the incident. (See Sketches for details)

About 1920, 17 Jan 08, SA (b)(6), (b)(7)(C) obtained the consent to search from (b)(6), (b)(7)(C) pertaining to his person, quarters and vehicle. (See Consent to Search for details)

About 2150, 17 Jan 08, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and INV (b)(6), (b)(7)(C) conducted a search of SGT (b)(6), (b)(7)(C) barracks room 212, Building 19A, Conn Barracks, Schweinfurt, Germany, APO AE 09226, which resulted in the identification and collection of one HP Laptop computer.

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

5th MP BN (CID)
202nd Military Police Group (CID)
Kaiserslautern, APO AE 09227

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

Date:

17 Jan 08

Exhibit:

13

About 2255, 17 Jan 08, SA (b)(6), (b)(7)(C) collected as evidence, one HP Laptop computer from SGT (b)(6), (b)(7)(C) on an evidence/Property Custody Document (EPCD) Voucher number 0011-08. (See EPCD for details)///LAST ENTRY///

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

5th MP BN (CID)
202nd Military Police Group (CID)
Kaiserslautern, APO AE 09227

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

Date: 17 Jan 08

Exhibit: 13

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

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

LOCATION: Schweinfurt, Germany **DATE:** 17 January 2008 **TIME:** 1512
FILE NUMBER: 0010-08-CID847-34682-
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **STATUS:** SGT
ORGANIZATION OR ADDRESS: A Co., 1/18th INF BN, Conn Barracks, Schweinfurt, GM APO AE 09026

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

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

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

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:** Have you ever been advised of your legal rights and requested legal counsel?

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)

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

SchweinFurt CID office

Witness# 2

Signature of Witness

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

Signature of Investigator/Special Agent

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

5th MP BN (CID)

KAISERSLAUTERN, APO AE 09067

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

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**"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"**
SWORN STATEMENT

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

LOCATION Schweinfurt, Germany	DATE 17 JAN 08	TIME 1918	FILE NUMBER (b)(6), (b)(7)(C) 0010 - 2008 - CID 847 - 34682
LAST NAME, FIRST NAME, MI (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-5/SGT	
ORGANIZATION OR ADDRESS A Co. 1-8 IN Schweinfurt, Germany APO, AE 09226			

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

Some time in April 2007, 2nd PLT A Co. 1-8 IN was conducting a mounted patrol with 1SG (b)(6), (b)(7)(C) and his crew. While on patrol, we received small arms fire. We started to follow the sounds of the small arms fire. As my Bradley came around a corner onto RTE Gedus I saw some individuals run into a building. I immediately drove up there to further investigate and called it up over the net to SFC (b)(6), (b)(7)(C). Once all the vehicles arrived on site, the passengers dismounted and began to search the buildings. After a while being inside, the dismounts came out with 4 males. At that point they were already cuffed. The dismounts then got bolt cutters from the back of one of the humvees and began cutting locks on the stores in front of the building. After thorough search of all the stores and the building they ran into, the dismounts found cases of ammo and a few AK-47's. At this point, the detainees family members were screaming and crying. Therefore, we decided to mount up and leave the area. The detainees were then put in my vehicle along with SFC (b)(6), (b)(7)(C) to pull security on them. After we all mounted up, SFC (b)(6), (b)(7)(C) instructed me to go back to the (b)(6), (b)(7)(C) (JSS Blacklion). Upon arriving at the JSS the Bradley crews including myself, were instructed to park outside in the Bradley motor pool but to stay with the Bradley's because we were going to go right back out. The three humvees went inside the JSS and when they returned 10-15 minutes later there was only two. While the humvees were inside, myself and my gunner, SFC (b)(6), (b)(7)(C) jumped out of the Bradley and began talking to our driver, SFC (b)(6), (b)(7)(C). When the humvees came out, SFC (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) came up to us and said that they had intentions of shooting the 4 detainees and to not talk to anyone about it. They also said to stay off company radio, to only use patrol radio. Then SFC (b)(6), (b)(7)(C) told us to mount back up and get ready to leave. At this point, it was already getting dark, so I grabbed my Night Vision Goggles and put them on. After we left the JSS, I called and asked SFC (b)(6), (b)(7)(C) where we were going. He replied to head towards Mam Dani Village and to stay off of major routes. The drive took approximately 20 minutes to get there. Once there SFC (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) instructed me to turn towards the creek that was just west of the village. After arriving at the creek, the vehicles began to set up a basic 360° security. After security was

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

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LAW ENFORCEMENT SENSITIVE"

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

FILE NUMBER: 0010-2008-CID 847-34682

STATEMENT OF

TAKEN AT Schweinfurt, Germany DATED 17 JAN 08 CONTINUED

established, 1SG (b)(6), (b)(7)(C) instructed me to drop ramp so the detainees could get out. My driver immediately dropped ramp, while he dropped ramp I was giving my gunner his sectors of fire. After the detainees were out, my driver raised the ramp again. After I gave my gunner his sectors of fire, I stood up to see what was happening. That's when I saw the 4 detainees on their knees facing the creek and 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) standing behind them with pistols drawn. I then saw SGT (b)(6), (b)(7)(C) shoot his weapon and the man in front of him drop and slump over unnaturally. After seeing this I immediately jumped back down into the Bradley and told my gunner and driver that they actually shot them. At this point, I felt sick to my stomach and couldn't believe they actually did that. As I was getting back into the (b)(6), (b)(7)(C) my hatch, I heard 3 or 4 more gunshots and assumed that 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) shot the men kneeling in front of them. I then stood up again and saw the three of them kicking the detainees into the creek. After I saw that, I immediately went back down into the Bradley. I then had to drop ramp again to allow the soldier that was in the back guarding the detainees to get back in. After he was mounted up we raised ramp and received instructions to go back to the JSS. Myself, my gunner, and my driver were speechless the entire way back. Once arriving back at the JSS, the Bradley's parked their vehicles and the hummers went to the clearing barrels to clear weapons. After everyone was dismantled, 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) brought us in and instructed us not to talk about what happened and to burn the crevats that were covering the eyes of the detainees. A few of the soldiers gathered them up and burned. After that night no one talked about that incident to anyone else. (b)(6), (b)(7)(C)

NOT USED

INITIALS OF PERSON MAKING STATEMENT:
ACLU-RDI 5596 p.65

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

"FOR OFFICIAL USE ONLY" PAGE 2 OF 6 PAGES

LAW ENFORCEMENT SENSITIVE
10-L-0126 ACLU CID ROF 89381

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

0000694

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0010-2008-CID 847-34682

STATEMENT OF: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) TAKEN AT: Schweinfurt, Germany; DATED: January 17, 2008

CONTINUED:

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

A. [REDACTED]
Q. Did you handwrite the above portion of this statement?
A. Yes.

Q. Did you witness those detainees being killed?
A. Yes, from my Bradley fighting vehicle.

Q. Who did you see who killed the detainees?
A. I saw one person shoot, SGT (b)(6), (b)(7)(C) but heard three or four more shots from the 1SG and SFC (b)(6), (b)(7)(C)

Q. Are you certain you didn't see the other two shoot?
A. Yes, but I heard them as I went back into the Bradley.

Q. Who exactly said what about killing those detainees?
A. 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) told myself, SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) that they had intentions of killing the four detainees while we were at the JSS or COP.

Q. Did they say the word kill?
A. I think they said shoot.
Q. So did they say they were going to shoot the detainees?
A. Roger.

Q. What guns were used?
A. I know they were pistols of some sort. I couldn't see what type they were.

Q. Did you witness this using NVG's?
A. Yes.

Q. What happened to those guns?
A. I don't know what guns they were using, if they were their military pistols then they brought them back but if they were other guns they got rid of them.

Q. What was your vehicle's radio call sign?
A. (b)(6), (b)(7)(C)

Q. What was your bumper number?

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

Q. When you left the COP, whose idea was it to turn off the Blue Force Trackers?

A. I do not know, the Bradley's don't have them.

Q. Describe the detainees fully.

A. Three were average height and weight and one was average height and husky.

Q. Why was the Bradley buttoned up at the COP with the detainees inside?

A. We were instructed to keep them inside.

Q. By whom?

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

Q. How close were you to the shootings?

A. Approximately 15 to 20 meters away.

Q. What exactly did you see?

A. I saw four detainees kneeling facing towards the creek and 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) behind them with pistols in their hand. Then I saw (b)(6), (b)(7)(C) shoot the detainee I believe in the head, and then I saw the detainee slump unnaturally. Then I went into the Bradley and heard the other shots.

Q. Who took the blindfolds and flexi-cuffs off?

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

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

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0010-2008-CID 847-34682

STATEMENT OF: (b)(6), (b)(7)(C) k.; (b)(6), (b)(7)(C) TAKEN AT: Schweinfurt, Germany; DATED: January 17, 2008
CONTINUED:

- A. I do not know.
- Q. Who shot who?
- A. All I saw is (b)(6), (b)(7)(C) shoot the detainee in front of him.
- Q. Was it the heavysset detainee
- A. No I don't believe so.
- Q. What was said after all of this?
- A. 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) brought us in and told us not to talk about this and to burn the items that were on the detainees like the cravats.
- Q. Did you see any of those items in the back of your Bradley when you exited at the COP?
- A. I saw the cravats.
- Q. Describe them.
- A. They were green, some looked like they had blood on them.
- Q. Who burnt them?
- A. I don't know.
- Q. Did you instruct anyone to burn them?
- A. Negative
- Q. Did someone say not to talk about this?
- A. Roger, 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C)
- Q. Have you talked about this with anyone?
- A. Me and (b)(6), (b)(7)(C) we talked about it on guard duty once.
- Q. What was said?
- A. How messed up it was.
- Q. Was there a plan regarding what to say if anyone came asking about this?
- A. Negative.
- Q. Did anyone bring one of those Glocks or anyone other weapons back to Germany?
- A. Negative, not that I know of.
- Q. Who was in your vehicle when you left the COP?
- A. SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) myself, SPC (b)(6), (b)(7)(C) and the four detainees.
- Q. Was (b)(6), (b)(7)(C) out of the vehicle and able to witness the killings?
- A. He was pulling security and had NVG's on, I don't know what he saw.
- Q. Who decided where to kill those detainees?
- A. I couldn't tell you exactly, but I want to say 1SG (b)(6), (b)(7)(C)
- Q. Why do you say that?
- A. He was the one that told me to go to the creek after I got to Hom Dani village.
- Q. Did you dump any other bodies there?
- A. Negative.
- Q. What did you do when you got back to the COP?
- A. I went back to my room.
- Q. Has anyone talked about this since?
- A. Nothing other than what I said.
- Q. Why did this happen?
- A. I couldn't tell you exactly, I think 1SG (b)(6), (b)(7)(C) wanted to do it because of what happened to SSG (b)(6), (b)(7)(C) a couple weeks prior.

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

PAGE 4 OF 6 PAGES

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0010-2008-CMD 847-34682

STATEMENT OF: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) TAKEN AT: Schweinfurt, Germany; DATED: January 17, 2008
CONTINUED:

- Q. When did this happen?
A. It was two or three weeks after SSG (b)(6), (b)(7)(C) died.
Q. Were there ever any other incidents like this?
A. Negative.
Q. What do you know about the 1SG shooting a wounded insurgent during the Company Commanders PSD?
A. I don't know anything about that.
Q. Do you know what you did concerning this incident was wrong?
A. Roger.
Q. Why did you do it?
A. I didn't want to rat on my buddies, fear of what was going to happen if I did say something.
Q. Could have you stopped this from happening?
A. I don't think so, I think they would have just replaced me.
Q. When you looked back out the Bradley, describe the detainees.
A. All four of them were slumped over, unnaturally slumped over.
Q. Did you know they were killed?
A. It looked like, but they could have been wounded because I didn't go down there.
Q. How were you treated today?
A. Fairly.
Q. How do you feel now that you've been honest about this?
A. Good and scared.
Q. Would you be able to show us where this happened exactly if we took you back there next week?
A. I could get you really close.
Q. Did anyone take any photographs of this?
A. Not that I saw.
Q. Do you have anything further to add to this statement concerning the matters under investigation?
A. No.///END OF STATEMENT// (b)(6), (b)(7)(C)

EXHIBIT _____

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 6 PAGES

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

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

STATEMENT OF:
CONTINUED:

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

TAKEN AT: Schweinfurt, Germany; DATED: January 17, 2008

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

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

ment)

Subscribed and sworn to before me, a person authorized by law to administer oath, this January 17, 2008, at Schweinfurt, Germany

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

(Signature of Person Administering Oath)

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

SPECIAL AGENT (b)(6), (b)(7)(C), (b)(7)(F)
5th MILITARY POLICE BATTALION (CID)
202ND MILITARY POLICE GROUP (CID),
USACIDC, Kaiserslautern, APO AE 09227

Schweinfurt CID Office

(Typed Name of Person Administering Oath)

ARTICLE 136 UCMJ / 18 USC 303

(Authority to Administer Oath)

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

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

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT

PAGE 6 OF 6 PAGES

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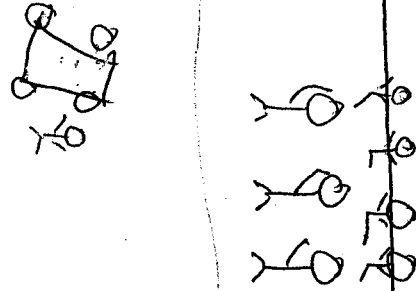
0010-2008-CID 847-34682

Prepared by: SGT

5712

DN 17 January 2008

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



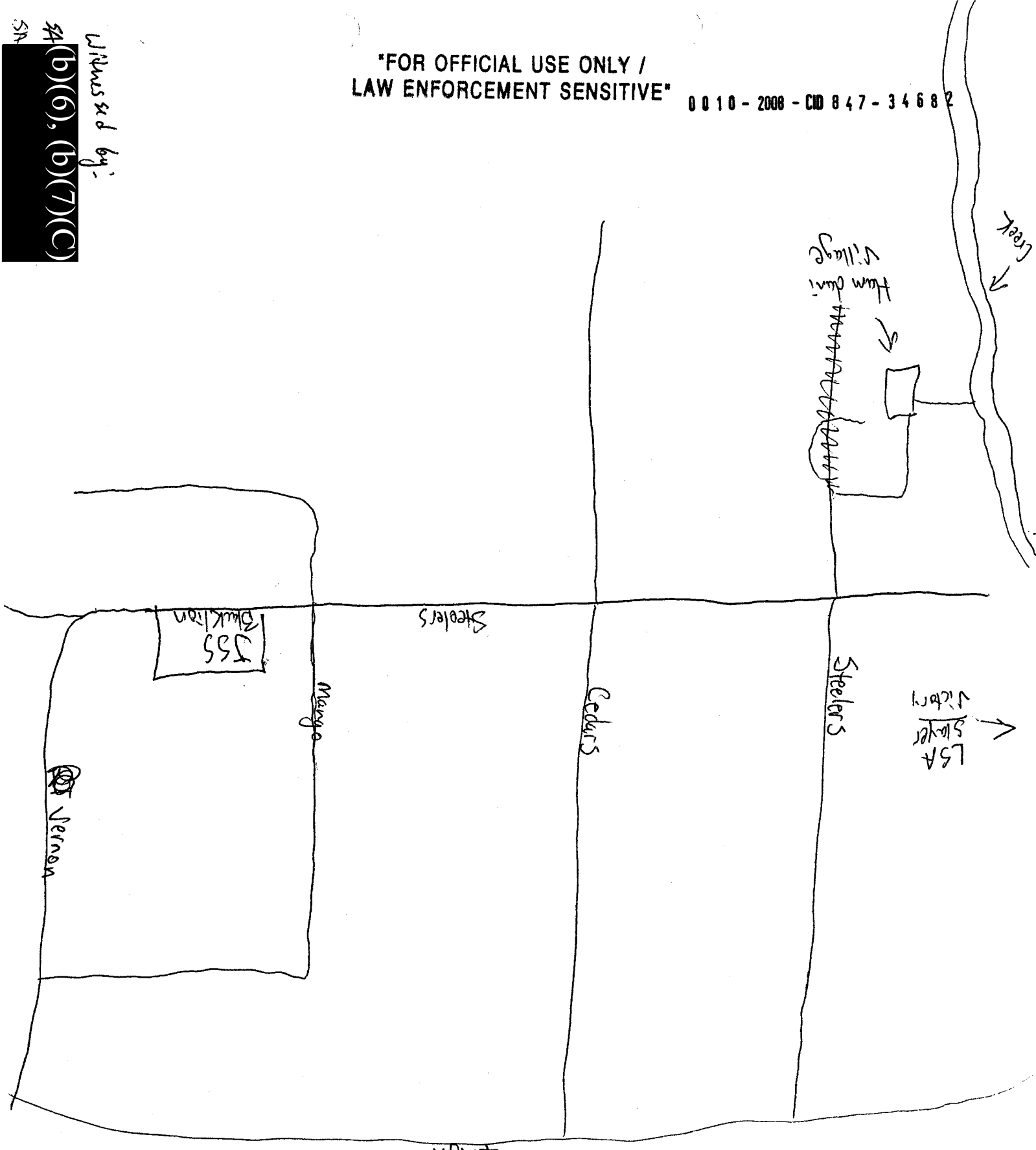
Witnessed by: SA
Witnessed by SA

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

"FOR OFFICIAL USE ONLY /
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0010-2008-CID 847-34682

Witnessed by:
SA (b)(6), (b)(7)(C)
SA



ON: 17 January 2008

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

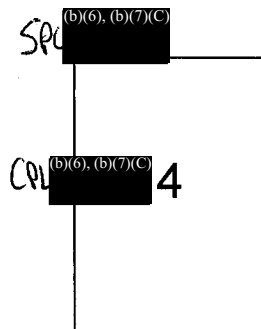
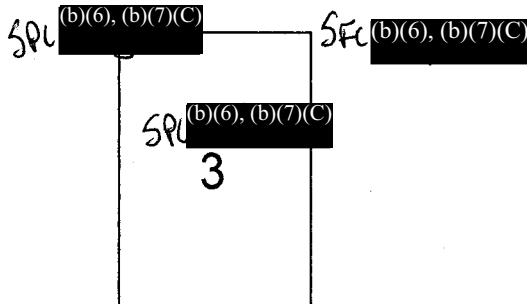
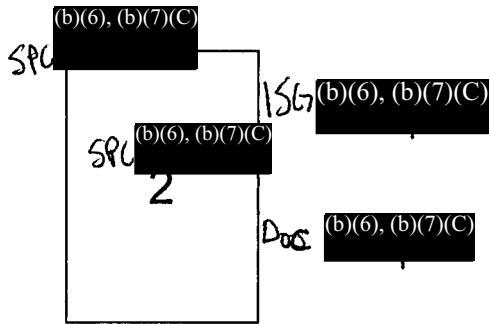
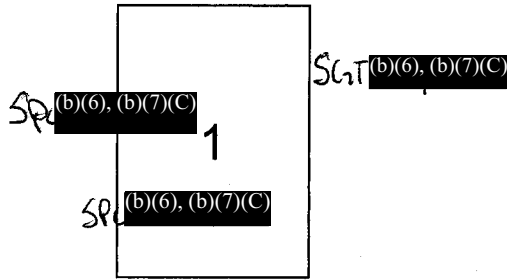
(b)(6), (b)(7)(C)

EXHIBIT 14

ACLU

U CID ROI 8944

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



Witnessed by:
(b)(6), (b)(7)(C)
SA
SA

Prepared by: SGT (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

Date: 17 JAN 08		Consent To Search (USACIDC Supplement 1 to AR 190-22)		Time: 1920
1. Name of person consenting to the search: (b)(6), (b)(7)(C)		2. Organization and location: A Co, 1-18th Infantry Battalion Conn Barracks, APO AE 09226		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE///				
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)				
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(initial and sign applicable blocks)</i>				
a.	My Person	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)	
b.	My Quarters	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)	
Located At: Conn Barracks		(b)(6), (b)(7)(C)	Schweinfurt, Germany AB, AE 09226	
c.	My Vehicle	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)	
Located At: Conn Barracks Bldg, 164		in parking lot.		
Described As: 1941 3/8: BMW Green				
d.	Other	Initials	Signature	
Located At:				
Described As:				
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: <i>all Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, movies, journals, notebooks, papers, and computer input and output device(s), cellular telephone(s), prayer beads, IPOD's and MP3 players.</i>				
I further authorize any law enforcement official with CID or assisting them to examine any of these items retained by CID in whatever manner necessary to allow evidence to be located, identified and further processed which supports this investigation. I further will freely provide any passwords or specific instructions necessary to assist in the search of any of these items.				
6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:				
(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)		sent
Signature of USACIDC Special Agent		(b)(6), (b)(7)(C)		available)

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 2 PAGES

DETAILS

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

Gunner HMMWV Bumper A-207: Platoon Sergeant Vehicle

About 1515, 17 Jan 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) A Company, 1/18th In, APO AE 09226, of his legal rights which he waived and provided significant details about an incident he believed occurred late March or early April 2007 when his platoon (White Platoon, 2d Plt) captured 5 – 8 Iraqi males with several weapons and ammunition. He reported after they returned to the Joint Security Station (JSS) Black Lion with the detainee's he was informed by SFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) they were going back out to release the detainee's. SPC (b)(6), (b)(7)(C) was the gunner in SFC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) HMMWV. SPC (b)(6), (b)(7)(C) reported no one approached him about killing the detainees, but he suspected something was going to happen as they drove to an area in the palm groves outside of Hamdani Village, Iraq. He did not witness the detainees being shot. He reported after hearing the distinctive sounds of 9mm fire in the area of the Bradley that shortly afterwards SSG (b)(6), (b)(7)(C) returned to his vehicle and they departed. He reported when they arrived back at their operating base, 1SG (b)(6), (b)(7)(C) told all the soldiers that were on patrol what happened, happened, and to never talk about it. (See Rights Waiver and Sworn Statement of (b)(6), (b)(7)(C) for details.)

AGENTS COMMENT: SPC (b)(6), (b)(7)(C) completed rough sketches (3) to assist in better understanding soldiers placement during movement and at the incident site. (See Sketches of SPC (b)(6), (b)(7)(C) for details)

About 2015, 17 Jan 08, SA (b)(6), (b)(7)(C) obtained a verbal consent to search from SPC (b)(6), (b)(7)(C) for evidence related to the investigation.

About 2235, 17 Jan 08, SA (b)(6), (b)(7)(C) re-addressed the consent to search with SPC (b)(6), (b)(7)(C) regarding remarks he made while waiting to provide his fingerprints about having detainee pictures on his computer. SA (b)(6), (b)(7)(C) asked him since he may have pictures would he consent to the search and potential seizure, which he agreed to. (See Consent to Search of SPC (b)(6), (b)(7)(C) for details.)

About 2300, 17 Jan 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) conducted a search of SPC (b)(6), (b)(7)(C) barracks room for items of evidence. After a doing an advanced search of hidden or deleted images numerous pictures of Iraqi's some of which SPC (b)(6), (b)(7)(C) identified as detainee's (NFI) and weapons were observed. In addition the prayer beads SPC (b)(6), (b)(7)(C) said he found during a house search were collected from SPC (b)(6), (b)(7)(C) (See DA Form 4137 VO # 0012-08 for details.)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt RA (CID) APO AE 09033

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

DATE

17 Jan 08

EXHIBIT

17

CID FORM 94

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LAW ENFORCEMENT SENSITIVE

1 FEB 77
ACLU-RDI 5596 p.74

10-L-0126 ACLU CID ROI 8953

000083

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 2 OF 2 PAGES

DETAILS

AGENTS COMMENT: SPC (b)(6), (b)(7)(C) was released to MAJ (b)(6), (b)(7)(C) Bn Executive Officer, 1/18th Inf Bn, Conn Barracks. Items of evidence turned into evidence depository upon return to the CID Office, 17 Jan 08.
/// Last Entry ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt RA (CID) APO AE 09033

DATE

17 Jan 08

EXHIBIT

17

CID FORM 94

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LAW ENFORCEMENT SENSITIVE

1 FEB 77
ACLU-RDI 5596 p.75

10-L-0126 ACLU CID ROI 8954

000084

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RIGHTS WAIVER/ NON-WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

0010-2008-CID 847-34682

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 for filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary (b)(6), (b)(7)(C)

Form with fields: 1. LOCATION (Schweinfurt Resident Agency, APO AE 09033), 2. DATE (17...), 3. TIME (15:15), 4. FILE NUMBER (0010-08-CID847-34682), 5. Name (Last First MI) (b)(6), (b)(7)(C)), 6. SSN (b)(6), (b)(7)(C)), 7. GRADE/STATUS (E-4/RA), Organization (A Company, 1/18th Infantry, APO AE 09226)

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

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

- 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)

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.

Form with fields: WITNESSES (if available), 1a. NAME (Type or Print) SA (b)(6), (b)(7)(C)), 1b. ORGANIZATION OR ADDRESS AND PHONE 1002nd MP Bn (CID), Bamberg, GE, 2a. NAME (Type or Print), 2b. ORGANIZATION OR ADDRESS AND PHONE, 3. SIGNATURE (b)(6), (b)(7)(C)), 4. SIGNATURE (b)(6), (b)(7)(C)), 5. TITLE SA, 6. ORGANIZATION OF INVESTIGATOR Schweinfurt CID

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

SWORN STATEMENT

0010-08-CID847-34682

LOCATION: SFT CID**FILE NUMBER:** 0010-08-CID847-34682**DATE:** 17 Jan 08 **TIME:** 20:27**NAME:** (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **GRADE/RANK:** E-4/SPC**ORGANIZATION OR ADDRESS:** A Co 118th Inf Bn Cann Barracks
Schweinfurt Germany

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

I want to make the following statement under oath:

About 14 Nov 05, I joined A Co, 1/18th Inf unit. I deployed with them 1 Sep 2006. I believe in the beginning of April 07, is when the incident occurred. I know a soldier named (b)(6), (b)(7)(C) who died on 16 April 2007 and I know the incident where the prisoners were killed happen before that. It was after (b)(6), (b)(7)(C) died, I believe it was at the end of March 07 to the beginning of April 07.

I recall on that particular day I was the gunner for the Platoon Sergeant SSG (b)(6), (b)(7)(C) and in the same vehicle on patrol was the driver and I am not sure who that was, SSG (b)(6), (b)(7)(C) was also in the vehicle and one interpreter, but I am not sure which one. The other vehicles with us on patrol in the areas of Muhallah (M 875 M 877 and M 891). There was 1SG (b)(6), (b)(7)(C) was in his vehicle with SGT (b)(6), (b)(7)(C) the company medic, (b)(6), (b)(7)(C) was his driver and (b)(6), (b)(7)(C) was his gunner. We had two Bradley Fighting vehicles, not sure who was in each Bradley. We were stopped on a road, side street, and I believe 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) and maybe (b)(6), (b)(7)(C) with some dismounts were looking around on foot. They were talking to an Iraqi Male (NFI) while I was pulling security. I saw one individual about 200 hundred yards away on a roof top and he got up probably on one knee and started firing at the convoy, most of his shots inaccurate. No battle damage, I started suppressing the area with my machine gun. He got down I kept watching and listening and I saw another individual in the area back from where I saw the first man and this guy started running away. This guy was on the ground. He was not the same guy it was defiantly two males. The patrol moved out in vehicles and maneuvered on the objective area. Trying to find them, kill or capture. We moved up and no one was in sight. I believe someone inspected the house, saw some brass, but no persons. We started heading out towards the west I believe it was probably in M 877 south on Cedars, that general area. That male that the NCO's were talking to before we took fire was in our truck at this point. We turned right on to a road, started heading down the road. We saw a group of 5 - 8 males and two or three females, older middle aged woman. The males varied in age, between late 20's and 40's. They were standing, some were sitting near a building, it was a row of shops and it appeared they were using one of the buildings as their home.

We stopped, dismounts of the patrol got out. We all noticed brass on the streets. SSG (b)(6), (b)(7)(C), 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) I know there were other dismounts were investigating this area. The Sunni male in the truck said to me that those guys were probably the guys that were shooting, I believe he told SSG (b)(6), (b)(7)(C) this information. No one was really saying they were the bad guys. Initially nothing was found in the house by dismounts, the dismounts were told to search the shed. In the shed was a tool bag full of 7.62, linked machine gun rounds. Once these were found they were made to go to their knees, only the males and they were zip cuffed. No blindfolds at this point, facing towards the wall, hands behind their backs. A more thorough search was done in the shed, they found a PKC machine gun, 2 SKS Russian Rifles and 2

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 6 PAGES

DA Form 2823-E

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 18

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 17 Jan 08, CONTINUED:
 to 4 AK 47's. Once that happened the 1SG and SSG (b)(6), (b)(7)(C) and the leaders on the ground said get these guys in the Bradley. I looked over my shoulder and could see them doing just that. We left the area, leaving the woman. We went back to the area we picked up the Sunni man and he walked away. As soon as we dropped that man off. I believe we went back to the COP and then my memory is not so good. I know we left the COP about the time it was getting dark. I remember being told by SSG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) that we were going back out to drop these detainees off. I am not sure on the vehicle count, but I know the two Humvees with the platoon Sergeant and the 1SG went out and one Bradley. The last time I saw the detainees before we left the COP, was when they were loaded in the Bradley when we took them prisoner. Its possible we left again right away from the COP, I just do not remember that event in great detail. We left the COP and started heading west down Route Steelers. We then cut left into the Muhallah and started heading south toward Hamdani Village, we then made kind of a left hand curve turn towards the south east and started heading down towards the canal. Once we got to the canal my vehicle turned off left and the Bradley kept going forward out of view. I could just barely see the 1SG's vehicle (the top) behind us, I was pulling security so I could not see much from my sector. SSG (b)(6), (b)(7)(C) told me and the driver to move up this road we were on and cover that way. SSG (b)(6), (b)(7)(C) got out of the vehicle and along with SSG (b)(6), (b)(7)(C) went back down the road towards 1SG (b)(6), (b)(7)(C) vehicle. I knew he was out there with us because I heard him on the patrol net. SSG (b)(6), (b)(7)(C) went all the way back, but I believe SSG (b)(6), (b)(7)(C) was near our Hummvee. I recall SGT (b)(6), (b)(7)(C) was standing on the driver side of the Hummvee right below my turret. (b)(6), (b)(7)(C) who had previously been guarding the detainees came up to our vehicle and got in. I believe that either SSG (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) or 1SG (b)(6), (b)(7)(C) told Hartson to come to our Hummvee. He got in the truck and shut the door, about then SGT (b)(6), (b)(7)(C) told me to pull security in the direction my gun was pointing and to keep my eyes on my sector for anything dangerous. Then it was quiet for about two minutes I could hear the Bradley ramp dropping I could see the turret lights with my night vision through the palm trees. At this point I turned back around pulling security. Two to three minutes after that is when I heard gun shots coming from behind me from where the Bradley was parked. They were distinctive 9mm pistol that were fired. About five minutes passed and door opens and SSG (b)(6), (b)(7)(C) gets inside the Hummvee, either (b)(6), (b)(7)(C) stayed with us or he went back to the Bradley, I believe SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) got into my Hummvee, SGT (b)(6), (b)(7)(C) may have went back to the 1SG's vehicle.

I believe there was a decision to go back to the cop. The driver turned the Hummvee around and we started driving back and I looked over to where the Bradley was parked and I did not see the detainees.

I thought when we took these detainees on route Steelers we were likely enroute to the DEHA on FOB Prosperity.

About 10 15 minute drive back to the COP and once we were all inside and cleared our weapons. I remember the driver and I went in the Hummvee to park the vehicle. I am not sure who said it, but I noticed there was a gathering of our soldiers around 1SG (b)(6), (b)(7)(C) so I walked over. I thought he was going to debrief us or actually tell us what happened out there. 1SG (b)(6), (b)(7)(C) said to all of

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 6 PAGES

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 17 Jan 08, CONTINUED:

us, what happened happened, that was for (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) He said that is should never leave that group, never talk about things along that lines. I remember he said forget that it ever happened. I could see that people wanted to ask him what actually happened I wanted to, then I did not want to know what happened. I figured it was not my duty to know what they did. I am not stupid, there was no way for me tell, I knew who was back there, I listened to the 1SG and just did not talk about it from there on.

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

A:

Q: Do you know of any other incidents where anyone from your unit A Company, 1/18th Infantry Battalion shot an enemy combatant without justification based on the rules of engagement during your time of service from Sep 2007 until your return in Nov 2007, other than what you have already provided?

A: No

Q: Do you know if 1SG (b)(6), (b)(7)(C) was involved in another incident where he may have shot a detainee in the back who had only previously been injured after that detainee was no longer a threat ?

A: No

Q: Did anyone ever ask you if you were OK with killing the detainees prior to the incident where you believe they were killed?

A: No

Q: What was your vehicle's call sign and bumper number.

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

Q: Do you recall if during this patrol one of the vehicles on the initial patrol during this day of the incident had some type of mechanical failure and was taken back to the COP?

A: I do not recall

Q: Describe the detainees fully, clothing, features?

A: Group of 6 – 8, males, Iraqi's, Shia, late 20's to 40's,:

Wearing dark colors, two were Man dresses, both dark shade in color: some of them had small beards, some stubles, nothing specific to recall. One of them had prayer beads he was one in a man robe.

Q: Do you believe anyone of these was the individuals you saw who you believe engaged you unit small arms fire?

A: To hard to tell, because of distance, I believe they were because of the weapons and brass but not sure.

Q: Do you know if the detainees gave anything to any of the soldiers on the patrol on that day or that night when you report your patrol left to release them?

A: Not that I recall, If anyone got prayer beads not that I know that (b)(6), (b)(7)(C) was with them a lot so maybe him.

Q: Were the detainees ever blindfolded?

A: Yes, I believe before they went into the Bradley.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 6 PAGES

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 17 Jan 08, CONTINUED:

Q: How close were you to the area where you believe the detainees were shot?

A: 70 – 90 meters.

Q: Did you see the muzzle flash from the firing that you believe killed detainees?

A: Yes I saw the muzzle flash, when I heard the firing I turned and saw this with my night vision on.

Q: Do you know who shot the detainees?

A: No

Q: Who do you think shot the detainees and why do you believe you may know?

A: I think 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) they were the only ones with them at the time this happened.

Q: What about the other individuals in the Bradley could they have participated ?

A: I do not believe they would have left their Bradley, its possible one could leave the vehicle, but the need to pull security is needed.

Q: Who seemed to be directing the patrol when it went out a night to reportedly release the detainees?

A: My vehicle was first, it should have been SSG (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) it seemed SSG (b)(6), (b)(7)(C) knew what was going on, he gave turning instructions to the Hummvee and the lead Bradley.

Q: Do you know if the detainees were dumped in the canal?

A: I do not know, I believe they were

Q: Describe the canal, at the time of the incident, water depth, reeds. ?

A: This canal had many reeds, steep embankments and you could not really see the water, but I am sure there was water in there.

Q: After the group met with 1SG (b)(6), (b)(7)(C) and he made his remarks about what took place, what did you do after the meeting ended.

A: Nothing that I can say I remember .

Q: Did you discuss this incident with anyone after the meeting with the 1SG?

A: Yes, I think it was our Platoon medic SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Co, 1/18th and you recall him saying something to me on guard duty in the tower, he said 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) had shot detainees, I told him I did not want to talk about it. He did not press me to speak. He did not say where he learned that information from.

Q: Do you remember seeing anyone expose photographs of the detainees or weapons at any point.?

A: No

Q: Did the incident of the shooting on your patrol by the enemy contact get called into your TOC?

A: Yes I believe so, I believe it was one of the Bradley, I may have called in to the patrol net, and gave distance and direction and a Bradley called into (b)(6), (b)(7)(C) the TOC at the COP

Q: Did the capture get called in?

A: I am not sure

Q: Are you sure you cannot remember more details about your time back at the COP between patrols.

A: I am positive.

Q: What time were you fired on by the two unknown males.

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 6 PAGES

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STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 17 Jan 08, CONTINUED:

A: I am not sure on the times to much, its seemed late afternoon, 1600 to 1700 or later.

Q: What time did your patrol detain these males?

A: About 40 minutes after the contact.

Q: What time did you depart to release the males which apparently resulted in their death?

A: Right at dusk, sun going down. Time unknown

Q: How long from the time you left the COP before you heard the shooting where you believe the were shot?

A: about 30 minutes to 35.

Q: Do you remember seeing any bloody rags that were in a vehicle after the shooting that night?

A: No

Q: Did you see the zip ties that may have been removed from the detainees ?

A: No

Q: Did anyone ask you to help conceal this incident by hiding any evidence that it occurred other than what you sais 1SG (b)(6), (b)(7)(C) told the group after the incident?

A: No

Q: Did you know of any non issued weapons that were present or used that night to kill the detainees?

A: No, but I know that NCO's always carried side arms that were not issued, Glock, 38 caliber, mostly Glock.

Q: Do you have any knowledge of others not already mentioned that were not on the patrol that were aware of the killings of these prisoners?

A: I am pretty sure that everyone else in the vehicles had the same feelings I did, we were not sure what was going on, but after the gun fire that night, you just did not want to question it and forget about it. So we would never have to really know what happened out there.

Q: What is the difference between prisoner and detainees?

A: Detainee someone we call in Iraq someone who committed a crime but is still waiting to get though the process, and a prisoner someone who has already behind bars and convicted of a crime.

Q: What do you believe these males who were killed that night were to you?

A: I feel they were detainees. Because they were not question or turned into the proper authorities at which point they would have been prisoners.

Q: Do you believe what happened, as you described it was wrong?

A: Yes, I believe that the killing was wrong.

Q: Do you have anything to say which would lead you to believe these detainees were attempting to harm any of these individuals and their deaths were justified?

A: I did not witness it, what I did see there was no indication it was justified.

Q: Why did you not report this on your own at some point?

A: Probably just the trauma the effect it had on me mentally and what the 1SG said and I listen to my 1SG so morally I had no problems. I had missions and its easy to forget there, once it comes up again like now, I am obviously reporting it now.

Q: Do you know you were obligated to report your knowledge of a crime

A: If I knew exactly what had happened I should have reported it. I thought it was known higher than me so I figured I could not go higher, but I do not know that for a fact.

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 6 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 17 Jan 08, CONTINUED:

A: SGT (b)(6), (b)(7)(C) SG (b)(6), (b)(7)(C) AND SGT (b)(6), (b)(7)(C) are all good guys and served their country during their time in the country and what's done is done, I feel really shitty about talking about this.

Q: Were you give breaks during this interview process?

A: Yes

Q: Were you treated fairly?

A: Yes /// 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 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:

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

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

Subscribed and sworn before me, a person authorized by law to administer oaths, this 17 day of Jan 2008, at Schweinfurt CID

Witness #2:

(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 6 OF 6 PAGES

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

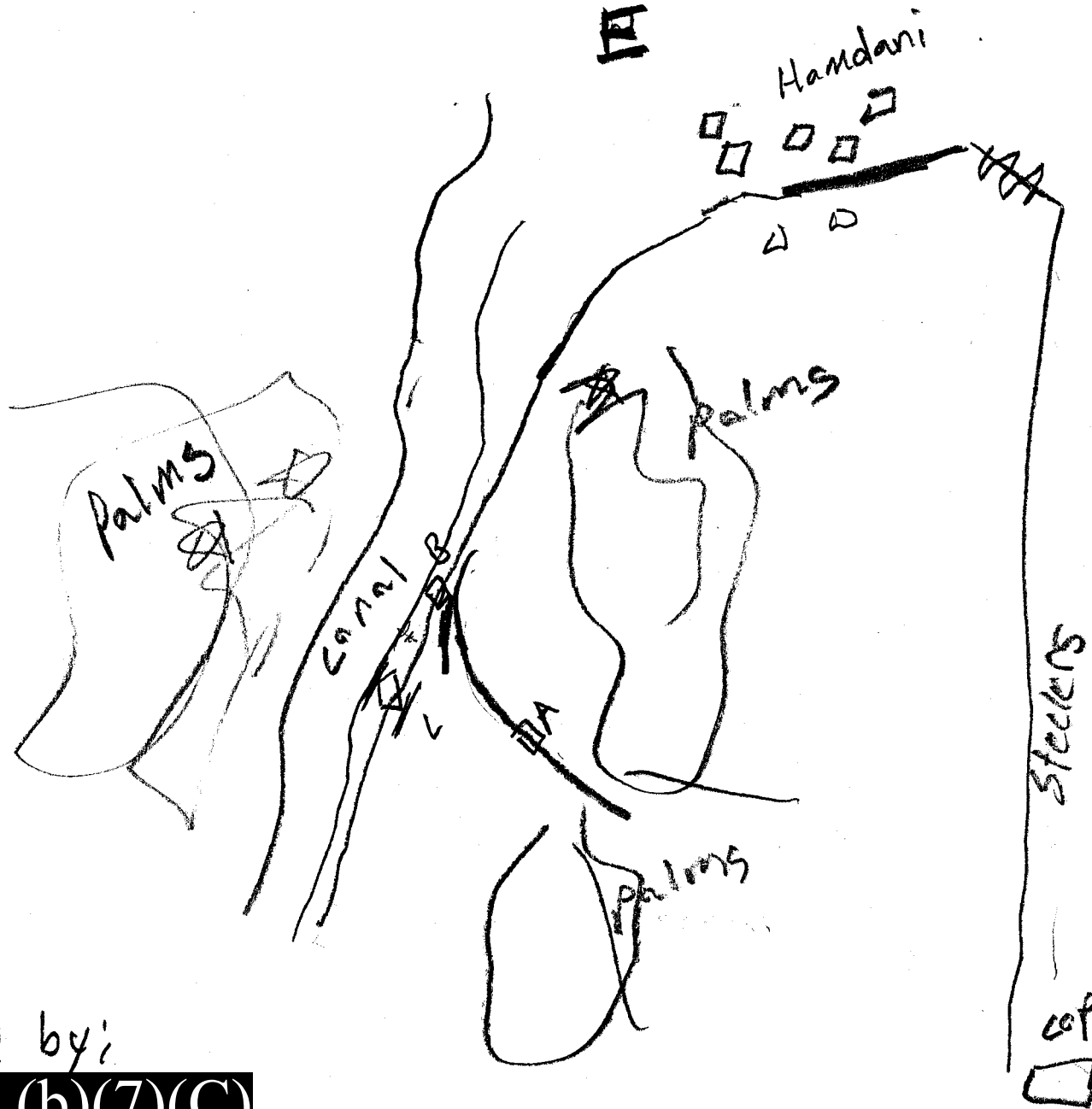
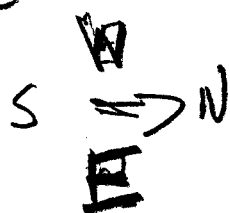
For Official Use Only

Law Enforcement Sensitive

Sketch of:

Dropping off Fob Slayer
the detainees

CASE #0010-08-CID847-34682



sketches by:

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

1/17/2008

ACLU-8-DI-5596 p.83

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

NOT DRAWN TO
SCALE

10-L-0126 ACLU ID: ROI 8962

A - my Humvee

B - 1st detainee Bradby

Drawn by:

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

Witness: SA (b)(6), (b)(7)(C)
SA [redacted]

17/1/2008

0010-08-CID847-34682

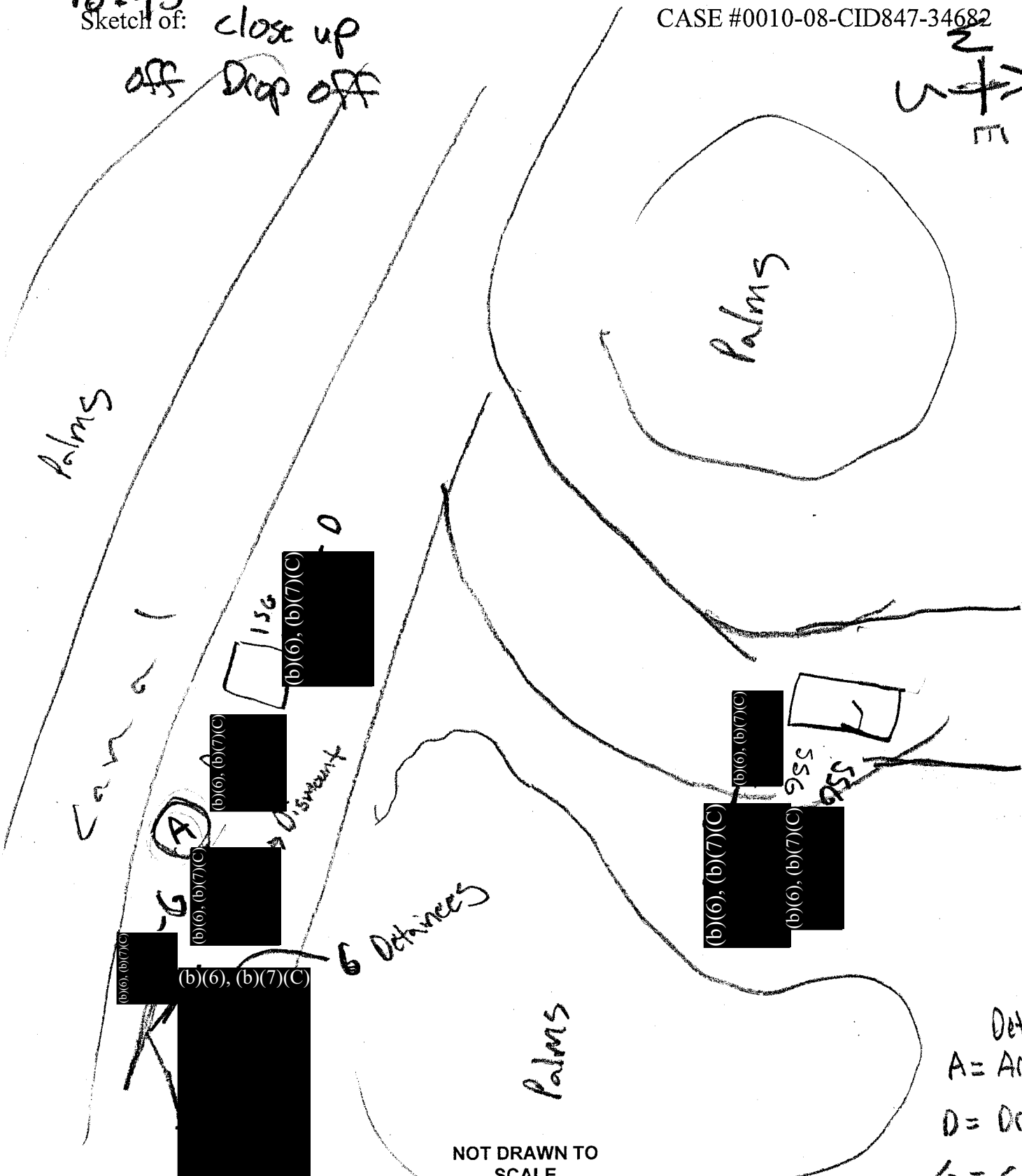
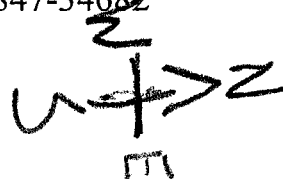
18:45
Sketch of:

For Official Use Only

Law Enforcement Sensitive

CASE #0010-08-CID847-34682

close up
off Drop off



NOT DRAWN TO SCALE

*FOR OFFICIAL USE ONLY /

Detainee
A = Area
D = Driver
G = Gunner

Drawn by:

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

Witness

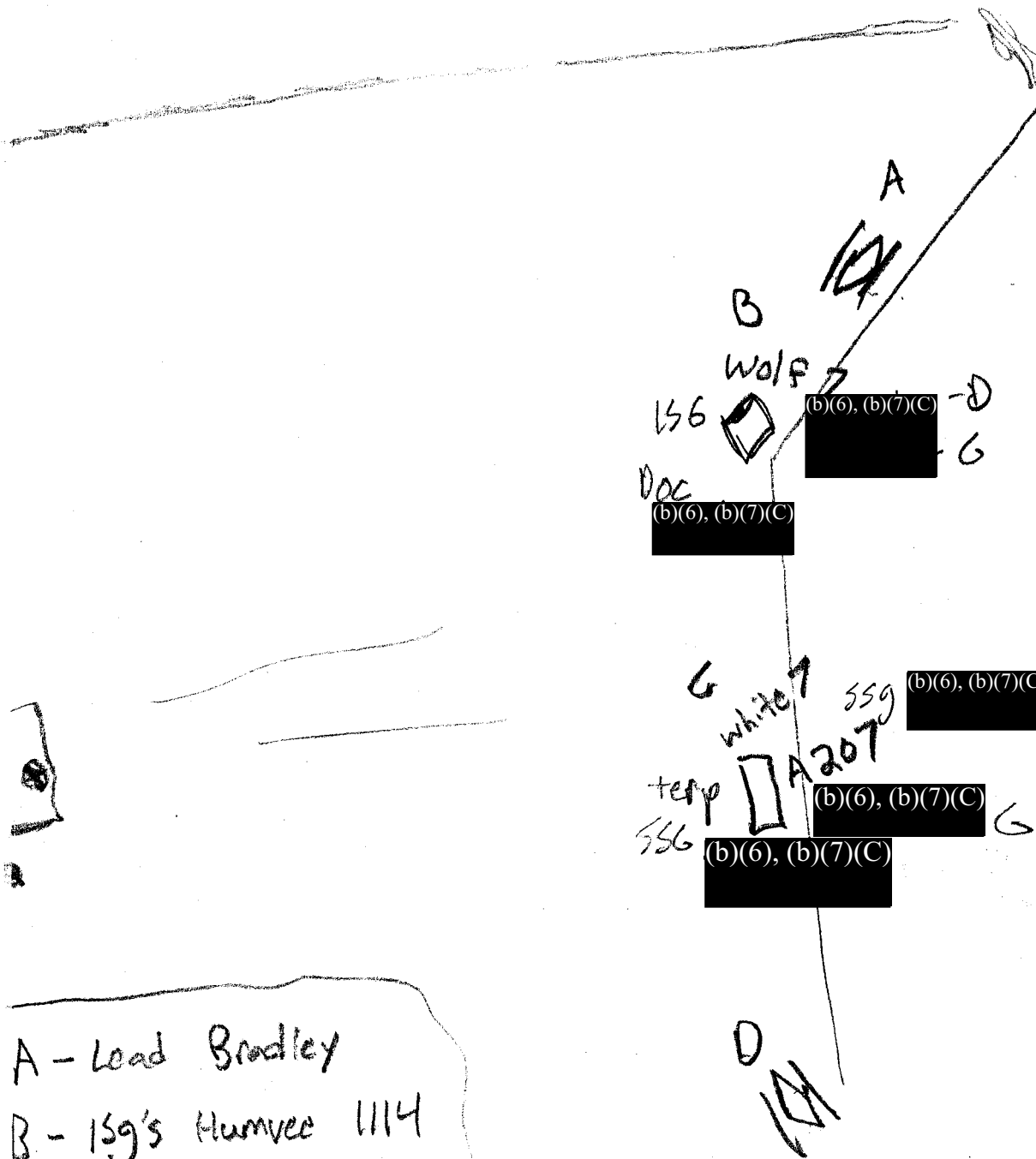
SA (b)(6), (b)(7)(C)
SA [redacted]

1852 For Official Use Only

Law Enforcement Sensitive

Sketch of: Initial contact

CASE #0010-08-CID847-34682



- A - Lead Bradley
- B - 15g's Humvee 1114
- C - PS's Humvee 1114
- D - trail Bradley

ACLU-RDI 5596 p.85

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

Date: 17 Jan 08		Consent To Search (USACIDC Supplement 1 to AR 190-22)		Time: 20:30-21:35
1. Name of person consenting to the search: (b)(6), (b)(7)(C)		2. Organization and location: 6010-08-CID:47-34682 A Co, 1-18 th Infantry Battalion Conn Barracks, APO AE 09226		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE///				
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)				
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(initial and sign applicable blocks)</i>				
a.	My Person	Initials	Signature	
b.	My Quarters	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)	
Located At:		(b)(6), (b)(7)(C) Conn Bks, Schweinfurt GE		
c.	My Vehicle	Initials	Signature	
Located At:		NA		
Described As:				
d.	Other	Initials	Signature	
Located At:				
Described As:				
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: <i>all Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, movies, journals, notebooks, papers, and computer input and output device(s), cellular telephone(s), prayer beads, IPOD's and MP3 players.</i>				
I further authorize any law enforcement official with CID or assisting them to examine any of these items retained by CID in whatever manner necessary to allow evidence to be located, identified and further processed which supports this investigation. I further will freely provide any passwords or specific instructions necessary to assist in the search of any of these items.				
6. This written permission is given to the undersigned (b)(6), (b)(7)(C)				
Signature of USACIDC Special Agent: (b)(6), (b)(7)(C)		Signature of Witness (If Available) (SA (b)(6), (b)(7)(C))		

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847- 34682
PAGE 1 OF 1 PAGES	

DETAILS
About 1530, 17 Jan 08, INV (b)(6), (b)(7)(C) briefed SGT (b)(6), (b)(7)(C) about the planned use of Technical Listening Equipment (TLE). SGT (b)(6), (b)(7)(C) was informed he would be placed in the Schweinfurt CID Office waiting room with approved targets to obtain potential evidence. (See TLE usage and safety document.)

About 2330, 17 Jan 08, INV (b)(6), (b)(7)(C) collected as evidence two cassette tapes from the Tape Deck of a Citation 20, Receiver/Recorder, which had recorded conversations between SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) and CPL (b)(6), (b)(7)(C) at various time on 17 Jan 08. (See Evidence Custody Property Document (ECPD) Voucher #013-08.)

The following significant conversations were recorded on cassette tape #1, side A, utilizing Citation 20:

After approximately 3 minutes and 10 seconds of recording; SGT (b)(6), (b)(7)(C) stated to SGT (b)(6), (b)(7)(C) "I should have known this was going to happen when I went to the Article 15 for SSG (b)(6), (b)(7)(C)"

After approximately 4 minutes and 20 seconds of recording; SPC (b)(6), (b)(7)(C) stated to SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) "I didn't say anything."

After approximately 8 minutes and 40 seconds of recording; SGT (b)(6), (b)(7)(C) stated to SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) "Those guys know what's going."

After approximately 13 minutes of recording; SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) compared their recollection of the number of vehicles that went out on the initial mission, which they determined to be between 5-7 vehicles.

After approximately 13 minutes and 30 seconds of recording; SGT (b)(6), (b)(7)(C) asked SPC (b)(6), (b)(7)(C) if he was the gunner of the Bradley Fighting Vehicle (BFV). SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) attempted to compare their recollection of the date of the incident, wherein SGT (b)(6), (b)(7)(C) stated the incident occurred after he returned from R&R, but prior to June 2007. SGT (b)(6), (b)(7)(C) stated he believed the incident happened shortly after SPC (b)(6), (b)(7)(C) (NFI) was a Killed In Action (KIA).

The following significant conversations were recorded on cassette tape #1, side B, utilizing Citation 20:

After approximately 4 minutes and 48 seconds of recording; SPC (b)(6), (b)(7)(C) stated to SGT (b)(6), (b)(7)(C) and CPL (b)(6), (b)(7)(C) that he had pictures on his computer, and he hoped that the pictures did not contain any evidentiary value to the investigation. SPC (b)(6), (b)(7)(C) further stated he had pictures of dead Iraqis on his laptop, and he hoped this office would look at them and not take his computer.

TYPED AGENT'S NAME AND SEQUENCE NUMBER INV (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt Resident Agency (CID), 202d MP GP
SIGNATURE For (b)(6), (b)(7)(C)	DATE 17 Jan 08
EXHIBIT 21	

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847- 34682
	PAGE 2 OF 1 PAGES

DETAILS

After approximately 10 minutes and 35 seconds of recording; SPC (b)(6), (b)(7)(C) stated to SGT (b)(6), (b)(7)(C) "We didn't do anything wrong", and SGT (b)(6), (b)(7)(C) replied, we did because "We knew about it".

After approximately 10 minutes and 45 seconds of recording; SPC (b)(6), (b)(7)(C) stated to SGT (b)(6), (b)(7)(C) and CPL (b)(6), (b)(7)(C) that he hated himself for what was done.

The following significant conversations were recorded on cassette tape #2, side A, utilizing Citation 20:

After approximately 3 minutes of recording; CPL (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), and SGT (b)(6), (b)(7)(C) were in the room, when CPL (b)(6), (b)(7)(C) asked SGT (b)(6), (b)(7)(C) "Do you believe they will interrogate the entire patrol?" **///LAST ENTRY///**

TYPED AGENT'S NAME AND SEQUENCE NUMBER INV (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt Resident Agency (CID), 202d MP GP
SIGNATURE FOE (b)(6), (b)(7)(C)	DATE 17 Jan 08
	EXHIBIT 21

0010-08-CID847-34682

I SGT (b)(6), (b)(7)(C) have agreed to work with the Criminal Investigation Office in Schweinfurt Germany by assisting in their attempts to obtain evidence, utilizing a transmitter and a back-up digital recorder, which will be put on my body and is commonly known as a "wire". The purpose of this "wire" is to record conversations between me and those unit members who have been approved for this operation.

I understand it is only my job to discuss my feelings about the killing of the prisoners which occurred while downrange with 1-18 IN, which I described in my sworn statement.

I understand if I feel my personal safety is at risk that I am not obligated to cooperate with this investigation and may stop participating at anytime, for any reason.

DATE: 17 Jan 08

Signature:

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

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

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1545, 17 Jan 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) A Company (Co), 1-18th Infantry Battalion (INF BN), Conn Barracks, Schweinfurt, Germany, APO AE 09026 (CBSG), of his legal rights, which he waived and provided a sworn statement, wherein he stated he was the gunner on the Bradley Fighting Vehicle (BFV), which transported the prisoners to the site where they were killed. SPC (b)(6), (b)(7)(C) denied he witnessed the killings, but did find cut zip-ties and blood covered blindfolds in the back of his vehicle upon completion of the mission. SPC (b)(6), (b)(7)(C) stated 1SG (b)(6), (b)(7)(C) instructed him to clean the blood from his vehicle, and burn the zip-ties and blindfolds. SPC (b)(6), (b)(7)(C) stated 1SG (b)(6), (b)(7)(C) stated they had done what they had done for their fallen brothers who were killed during their deployment to Iraq. (See Rights Waiver Certificate, Sworn Statement, and Video Tape Recording)

AGENT'S COMMENT: Once the interview started SPC (b)(6), (b)(7)(C) stated he did not consent to the interview being videotaped. The video recorder was immediately stopped and the interview continued. The entire interview process was witnessed by SA (b)(6), (b)(7)(C) this office.

About 1950, 17 Jan 08, SPC (b)(6), (b)(7)(C) provided a sketch which depicted the site where the prisoners were killed. (See Sketch)

About 2018, 17 Jan 08, SPC (b)(6), (b)(7)(C) provided a sketch which depicted the occupants of his vehicle on the drive to the site where the prisoners were killed. (See Sketch)

About 2020, 17 Jan 08, SPC (b)(6), (b)(7)(C) provided consent to search for his barracks room for evidence pertaining to this investigation. (See Consent to Search Form)

About 2315, 17 Jan 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) conducted a search of SPC (b)(6), (b)(7)(C) barracks room. The search met with negative results.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

DATE

17 Jan 08

EXHIBIT

23

CID FORM 94

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LAW ENFORCEMENT SENSITIVE

1 FEB 77
ACLU-RDI 5596 p.90

10-L-0126 ACLU CID ROI 8974

000103

LAW ENFORCEMENT SENSITIVE
RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary. (b)(6), (b)(7)(C)
LOCATION: Schweinfurt, GE **DATE:** 17 Jan 08 **TIME:** 15:45 (b)(6), (b)(7)(C)
FILE NUMBER: 0010-08-CID847-34682
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE / STATUS:** E-4/AD
ORGANIZATION OR ADDRESS: A Co. 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, GE, APO AE 09026

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command (b)(6), (b)(7)(C) Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Murder, 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 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:**

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement (b)(6), (b)(7)(C) giving a lawyer present with me.

Witness

SA _____
Signature of Witness

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

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

Witness # 2

Signature of Witness

Signature of Investigator/Special Agent

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

Schweinfurt CID Office

APO AE 09026

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

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EXHIBIT 24

**"FOR OFFICIAL USE ONLY /
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For use of this form, see AR 190-45; the proponent agency is Office of the Deputy Chief of Staff for Personnel.

LOCATION Schweinfurt CID Office	DATE (b)(6), (b)(7)(C) 17 Jan 08	TIME 2015 (b)(6), (b)(7)(C)	FILE NUMBER 0010-08-CID847-34682
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS SPC/AD
ORGANIZATION OR ADDRESS A Co. 1-18 th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09026			

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

We were on a combat patrol in Baghdad around the middle of our deployment. It daylight out. I was gunning a Bradley just like I had been for the time we were deployed. I remember rounding a street corner and we ended up in pursuit of some personnel. I do not remember if were shot at or saw someone with a weapon. We ended up stopping because the dismounts on the ground had saw what building the people went into or were shooting from. I remember looking out my left side periscope and seeing people bringing weapons from a weapons cache back to the vehicles. I remember seeing detainees a few seconds later being escorted to the back of my Bradley. After the weapons and personnel were loaded into our vehicle we began movement back to COP Angry Dragon. Part of our patrol ended up staying at the COP but we were instructed to stay in the vehicle, although I cannot remember from who. As we were waiting I opened my turret shield door and saw detainees in the back of my Bradley. I shut the door and went back up top to see what was going on. I remember seeing 1SG (b)(6), (b)(7)(C) vehicle come back out so we got into order of march and proceeded with the patrol. By this time it was getting dark so I had to switch from daysight to nightsight. We ended up patrolling around for sometime and we ended up on this canal road, I cannot remember exactly were. My driver was ordered to drop the ramp so I assumed they were taking the detainees out of the vehicle. After scanning my sector for roughly five minutes, I popped my head up to see what was going on, All I could see were IR lights from humvees. I had a bad feeling and thought maybe I knew what was going to happen, but I wasn't for sure. After sitting back down, soon after I heard gunshots coming from somewhere outside the vehicle. Instantly I had a gut feeling that the detainees had been shot. We were ordered to drop ramp a second time and then soon after to raise ramp. We had set there for a while then the patrol had took off. When we arrived back at our COP we park our Bradley and then I climbed down through the turret shield door into the back. By this time the Driver had already dropped ramp in preparation for us to get out of the Bradley. When I turned the light on to grab my gear I saw cut zip ties and bloody pieces of cloth laying in the floor of our troop compartment. A few seconds after noticing this 1SG (b)(6), (b)(7)(C) had walked up to the back of my Bradley and ordered myself and my driver to clean the mess up and that what was done was done for our fallen comrades. He walked away then I grabbed all of my equipment and proceeded back to my room to pass out for the night.

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

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

Q. Who typed the above narrative?

A. Me.

Q. Which Bradley were you the gunner of that night?

A. SGT (b)(6), (b)(7)(C) Bradley, I don't remember the bumper number.

Q. What was your callsign?

A. I think it was (b)(6), (b)(7)(C)

Q. Where were you located when you made contact initially?

A. I don't remember, when we patrolled I never knew what route we were on because I was constantly scanning my sector. It would have been helpful because later they made me a Bradley Commander and I had to learn all the routes.

Q. Who did you see with the prisoners after the cache was located?

A. Doc (b)(6), (b)(7)(C) he's the only one I recall escorting them, I know there were others but I don't remember who they were.

Q. Who is (b)(6), (b)(7)(C)

A. He was A Co.'s senior medic. He was always with the 1SG. He was the 1SG's personal medic.

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

Q. Why did your patrol go back to the COP after apprehending the Prisoners?

A. I don't know.

Q. Did you hear anyone call in that Prisoners were taken?

A. Vaguely, but I can't say 100% that it happened.

Q. When did you first see the Prisoners in the back of your Bradley?

A. When we stopped back at the COP before we went back out.

Q. Did you drop the ramp at the COP?

A. No, but I'm not certain.

Q. Why did you think your patrol was going back out with the Prisoners?

A. I originally thought we were going to the DHA, once we started driving around and I had a bad feeling, I don't know what triggered it.

Q. Did 1SG (b)(6), (b)(7)(C) give you any indication while at the COP or any other time that he planned to kill the Prisoners?

A. No.

Q. When did you realize the Prisoners were going to be killed?

A. Probably as soon as we left the COP, because I think SGT (b)(6), (b)(7)(C) may have told me, but I'm not sure. I'm pretty sure I did know, but I don't know how.

Q. How many Prisoners did you see in the back of your Bradley?

A. I want to say 5, and SPC (b)(6), (b)(7)(C) who was sitting back there guarding them.

Q. Where were the Prisoners located?

A. (b)(6), (b)(7)(C) was in the back left corner, there was one beside him and the others filled up the bench on the right side.

Q. Were they bound?

A. They were blindfolded and zip-tied with the hands behind the back.

Q. How were they blindfolded?

A. I think white pieces of cloth.

Q. Was the ramp of your Bradley lowered at all from the time you saw the Prisoners in the back at the COP and the time you arrived at the canal?

A. No.

Q. Is there any other way the Prisoners could have gotten out of the vehicle without you seeing them?

A. No.

Q. Did you see the Prisoners exit your Bradley?

A. No.

Q. Can you describe the Prisoners?

A. Military age males, one had on a white man dress, I can't remember the rest.

Q. Do you remember any Prisoner who had a tan colored joggin suit on?

A. I think so, I remember one who had a tan shirt on I believe. He was kind of fat and his stomach was sticking out.

Q. Who rode in your vehicle on the first part of the patrol until the Prisoners were taken?

A. I don't remember who my driver was or if we had dismounts, but I know SGT (b)(6), (b)(7)(C) was the Bradley Commander.

Q. In what order were you on the first part of the patrol?

A. I think we were first, I can't remember the rest of the vehicles.

Q. How many vehicles were out on the first part of the patrol?

A. I'm not really sure, I just can't remember.

Q. Who rode in your Bradley from the COP to the canal?

A. (b)(6), (b)(7)(C) Me, (b)(6), (b)(7)(C) the Detainees and my driver. I think (b)(6), (b)(7)(C) got in with the Detainees.

Q. Did you hear anyone say anything which led you to believe the Prisoners would be killed?

A. No.

Q. Was this the only time Prisoners were killed after apprehension by members of your unit?

A. Yes.

Q. Who killed the Prisoners?

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

Q. When did you hear this and who told you?

A. SPC (b)(6), (b)(7)(C) told me after the 1SG came to my Bradley after the patrol.

Q. What did he tell you happened?

A. I asked him who it was that shot the Detainees and he told me they did it.

Q. How far was your vehicle away from the canal when you parked it?

A. About 5 feet away.

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0010-08-CID847-34682

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Schweinfurt CID Office DATED 17Jan 08 CONTINUED

- Q. What guns were used to kill the Prisoners?
A. I would say a 9mm pistol judging by the sound.
- Q. How many shots did you hear?
A. Approximately 4-7 maybe.
- Q. Did you witness the killing of the Prisoners?
A. No.
- Q. Did SGT **(b)(6), (b)(7)(C)** witness the killing of the Prisoners?
A. No, I don't think he stood up.
- Q. Did SGT **(b)(6), (b)(7)(C)** have night vision goggles?
A. Yes.
- Q. Did you have night vision goggles?
A. No, but I had infrared vision on the turret of my Bradley.
- Q. Did you attempt to observe the incident through your gun sight?
A. No, because I was pulling security in the opposite direction and I didn't want to flag anyone with my weapon.
- Q. What does it mean to flag someone with your weapon?
A. Point the muzzle of your weapon at them.
- Q. Would you have to do that in order to see the incident through your infrared?
A. Yes.
- Q. Did you see who got the Prisoners out of the Bradley?
A. No.
- Q. Did you ever see the Prisoners after they left the Bradley?
A. Nope.
- Q. Did you know they were going to kill the Prisoners when you reached the canal?
A. Yes.
- Q. Why did you not stop the Prisoners from being killed?
A. I didn't know how I could and I was scared shitless.
- Q. What were you scared of?
A. I was scared that if I went against something the 1SG or SSG **(b)(6), (b)(7)(C)** did they would fuck me up. I am literally scared shitless of 1SG **(b)(6), (b)(7)(C)** and I think he would inflict physical harm on me. The whole senior leadership is like that. All the NCO's were so tight that they would stick together and make your life a living hell. If I would have tried to stop it, I guess I could have got out of the vehicle and tried to stop it but I didn't know who was on their side or if anyone would have helped me.
- Q. Did you have Blue Force Tracker in your vehicle?
A. No.
- Q. Do you remember who was in the other vehicles?
A. I know **(b)(6), (b)(7)(C)** should have been in the 1SG's vehicle. We switched crews too often.
- Q. Why was the Bradley ramp closed when you returned to the COP with the Prisoners?
A. I don't know, I guess so no one could see the Detainees but I don't know.
- Q. Did you hear 1SG **(b)(6), (b)(7)(C)** or SSG **(b)(6), (b)(7)(C)** on the radio on the drive to the canal?
A. No.
- Q. Did you hear anyone trying to call them during that time?
A. No.
- Q. Did you see who took the blindfolds and zip-ties off the Prisoners?
A. No.
- Q. Did you see anyone with the Prisoners after they left your Bradley?
A. No.
- Q. Do you know of an incident when 1SG **(b)(6), (b)(7)(C)** shot a Prisoner while with the PSD?
A. No.
- Q. Who decided where to take the Prisoners to kill them?
A. I don't know.
- Q. Was SSG **(b)(6), (b)(7)(C)** in your Bradley?
A. I don't think so.

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

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10-L-0126 **ACLU RDI 5596** **EXHIBIT 24**

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 17Jan 08 CONTINUED

- Q. Have you talked to anyone about the killing of the Prisoners since the incident?
A. No, only (b)(6), (b)(7)(C) right after the incident.
- Q. Was there a plan as to what to say if you were questioned about this incident?
A. No.
- Q. Did you hear 1SG (b)(6), (b)(7)(C) tell everyone the reason he killed the Prisoners at the clearing barrel that night?
A. No, I wasn't at the clearing barrel.
- Q. Did 1SG (b)(6), (b)(7)(C) tell you the names of the fallen brothers this incident was meant to honor?
A. SSG (b)(6), (b)(7)(C) but he wasn't KIA, (b)(6), (b)(7)(C) and I think (b)(6), (b)(7)(C)
- Q. Can you narrow down the time frame when this incident occurred?
A. It was sometime before the 1st of Jun 07 because I got promoted that day.
- Q. Has anyone asked you to lie or withhold information pertaining to this incident?
A. Nope.
- Q. Can you describe what you saw in the back of your vehicle when you arrived back at the COP after the incident?
A. When I turned on the light, I saw all kinds of cut black zip-ties and pieces of white cloth with blood on them, and there was blood on the floor too. There were no particles or anything just blood.
- Q. What exactly did 1SG (b)(6), (b)(7)(C) tell you to then?
A. He told me to get water and clean up the mess and to burn the zip-ties and bandages.
- Q. What did you do then?
A. I threw the zip-ties and the cloths in the burn barrel but I didn't really burn it. The shit was only smoldering so I just left it in the burn barrel smoldering. Then I rinsed off the inside of the Bradley with a bottle of water. There wasn't too much blood in there.
- Q. Did you kill the Prisoners?
A. No.
- Q. Did you see who killed the Prisoners?
A. No.
- Q. Did you see the Prisoners bodies get dumped in the canal?
A. No.
- Q. Why did you not report this incident earlier?
A. For fear of someone actually trying to shut me up. That fear there were a lot of things. I was straight up traumatized, and I didn't know how to handle it. I was going to tell Mental Health before, I even got one of their packets, but I didn't do it. I don't know what stopped me.
- Q. Did you know it was wrong to not report this earlier?
A. Yes.
- Q. Do you have anything else to add to this statement?
A. No.

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 17 January 2008 CONTINUED:
STATEMENT (Continued)

///NOT USED/// (b)(6), (b)(7)(C)

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

AFFIDAVIT

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

Reference source not found.

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.

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

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

WITNESS

SA

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of January, 2008 at Schweinfurt CID Office

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

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

ORGANIZATION OR ADDRESS

Title 10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 5 PAGES

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Law Enforcement Sensitive

Sketch of:

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

CASE #0010-08-CID847-34682

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

1950, 17 Jan 08

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

Witnessed by:

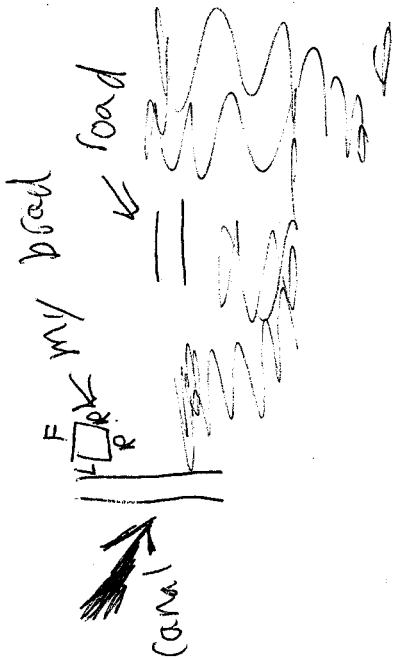
SA (b)(6), (b)(7)(C)

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

Witnessed
Identified by:

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

W = other vehicles



"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"
NOT DRAWN TO
SCALE

By:

20:1 17 Jan 08
20-3828

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

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

0010-2008-CID 847-34682

Witnessed by:

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

1

my brother
Myself
SGT (b)(6), (b)(7)(C)
Driver

Detainees
SPC (b)(6), (b)(7)(C)

Witnessed by:

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

2

I don't know

3

I don't know

4

I don't know

Date: 17 JAN 08		Consent To Search (USACIDC Supplement 1 to AR 190-22)		Time: 1920
1. Name of person consenting to the search: (b)(6), (b)(7)(C)		2. Organization and location: A Co, 1-18th Infantry Battalion Conn Barracks, APO AE 09226		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE///				
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)				
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(Initial and sign applicable blocks)</i>				
a.	My Person	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)	
b.	My Quarters	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)	
Located At: Conn Barracks		(b)(6), (b)(7)(C) Schweinfurt, Germany AB, AE 09226		
c.	My Vehicle	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)	
Located At: Conn Barracks Bldg. 164 in parking lot.				
Described As: 1991 3/8: BMW Green				
d.	Other	Initials	Signature	
Located At:				
Described As:				
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: <i>all Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, movies, journals, notebooks, papers, and computer input and output device(s), cellular telephone(s), prayer beads, IPOD's and MP3 players.</i>				
I further authorize any law enforcement official with CID or assisting them to examine any of these items retained by CID in whatever manner necessary to allow evidence to be located, identified and further processed which supports this investigation. I further will freely provide any passwords or specific instructions necessary to assist in the search of any of these items.				
6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:				
(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)		sent
Signature of USACIDC Special Agent		(b)(6), (b)(7)(C)		available)

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1

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Page 1 of 2 Pages

About 0854, 18 Jan 08, SA (b)(6), (b)(7)(C) was provided consent to video record his interview from SPC (b)(6), (b)(7)(C) A Co, 1-18th INF Reg, Conn Barracks, Schweinfurt, Germany APO AE 09226 (CBSG). (See Video Recording of SPC (b)(6), (b)(7)(C) for details)

AGENT'S COMMENT: SPC (b)(6), (b)(7)(C) was searched prior to being escorted into the interview room.

About 0902, 18 Jan 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, wherein he admitted to being present when four unidentified Iraqi males were taken prisoner by his patrol in West Rashid, Baghdad, Iraq (WRBI) sometime in the beginning of 2007. SPC (b)(6), (b)(7)(C) stated he did not witness the execution of the Iraqis. SPC (b)(6), (b)(7)(C) stated he remained in his vehicle throughout the patrol activities, but that he was made aware of the intentions of the patrol to kill the Iraqis, when he was told by either 1SG (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) both of A Co, 1-18th INF Reg, CBSG; that the Iraqis were going to be "taken care of." When SPC (b)(6), (b)(7)(C) was asked what this meant he stated they were going to kill the Iraqis and that he was okay with what they planned to do. SPC (b)(6), (b)(7)(C) stated during his interview that when he took on the job of the 1SG's driver he was asked if he would be able to handle incidents which violated Army regulations, to which SPC (b)(6), (b)(7)(C) told the 1SG was fine. SPC (b)(6), (b)(7)(C) stated during his interview that all Iraqi lives meant nothing to him and that he did not care if they died. SPC (b)(6), (b)(7)(C) stated it was a normal practice for the patrols, which the 1SG accompanied, to detain an Iraqi and drop them off in an opposing religious neighborhood. At which time the interpreter would thank the Iraqi for helping the Americans; give the Iraqi money; and announce the Iraqis religious sect, which was opposite of the neighborhood they were in, which placed the Iraqi in jeopardy. SPC (b)(6), (b)(7)(C) admitted he knew the patrol was going to kill the Iraqis and that it was a violation of the Rules of Engagement. (See Waiver Certificate and Sworn Statement for details)

AGENT'S COMMENT: SPC (b)(6), (b)(7)(C) provided two separate sketches during the course of his interview depicting the incident location where the Iraqis were killed and the location of the members of the patrol in their vehicles after leaving their Combat Operating Base. SPC (b)(6), (b)(7)(C) was fingerprinted and photographed at the conclusion of his interview. (See Sketches for details)

About 2110, 18 Jan 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C), Military Magistrate, Katterbach Law center, Ansbach, Germany APO AE 09250, who provided a verbal search authorization to search and seize photographs/negatives, videotapes, CDs/DVDs, digital media cards, cameras, camcorders, thumb drives, computers, game systems, IPOD/MP3 players, and external hard drives from the residence of SGT (b)(6), (b)(7)(C) located at (b)(6), (b)(7)(C) Building 168, CBSG.

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

Schweinfurt CID Office
202d Military Police Group (CID)
APO AE 09033

Signature: (b)(6), (b)(7)(C)
FOR

Date:
18 Jan 08

Exhibit: 27

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1

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AGENT'S COMMENT: CPT (b)(6), (b)(7)(C) was briefed thoroughly on the investigation and stated he would complete the required paperwork on 22 Jan 08.

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

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

Schweinfurt CID Office
202d Military Police Group (CID)
APO AE 09033

Signature: For (b)(6), (b)(7)(C)

Date:
18 Jan 08

Exhibit: 27

RIGHTS WRITING PROCEDURE/WAIVER CERTIFICATE

For use on this form, see AFM 90-89, the proponent agency is ODCSO.

**"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"**
DATA REQUIRED BY THE PRIVACY ACT

0010 - 2008 - CID 847 - 34682

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 Schweinfurt, Germany	2. DATE (b)(6), (b)(7)(C) 2008/01/18	3. TIME 09 02	FILE NO. 0010-08-CID847
5. NAME (Last, First, MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS A Company, 1-18th Infantry Regiment Conn Barracks, Schweinfurt, Germany APO AE 09226		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Murder, Conspiracy// (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 question 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. YES (b)(6), (b)(7)(C)

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)	(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR	
	(b)(6), (b)(7)(C)	
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR	
	SA (b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR	
	Ansbach CID Office APO AE 09250	

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

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 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 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)*

SWORN STATEMENT

LOCATION: Schweinfurt CID Office, APO AE 09033

FILE NUMBER: 0010-08 CID 847-34682

DATE: 18 January 2008

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

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

SSAN: (b)(6), (b)(7)(C) **GRADE/RANK:** E-4/SPC

ORGANIZATION OR ADDRESS: A Co, 1-18th INF Reg, Conn barracks, Schweinfurt, Germany

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

want to make the following statement under oath:

On the day in question we went out to conduct a regular day we got shot at when we were out that day. We then went to find the people that were shooting at us. We found 2 guys that had grenades and some ammo but no weapon so we questioned them with the terp and then drove around looking for the guys they told us about. They pointed out a building and we drove by. We then dropped them off and then we left. We then went back to the building that they pointed out and stopped out front with the building on the left front of the truck. The dismounts got out and then the started to look for things. The detained 4 males and put them in the back of a brad. Some one called it up as the dismounts continued to looking for other weapons. We then left and headed for the JSS. When we got back we did the normal thing I drove to fill up my truck. Then I was told to go back to the front gate because we would be leaving again. We left with the detained males in the back of the brad and drove around for a bit then headed for a cannell I was told to stop so I did then first sergeant and doc got out of the truck. I was told to turn around and pull security so I did. About 30 min past or so and then I was called on the radio and told that we were getting ready to go so I got ready. Then we headed back to the JSS but we did a little patrol on the way going through the streets. When we got back first sergeant and doc got out and I went to fill the truck up and do my normal rutting. Then got ready to rack out for the nig (b)(6), (b)(7)(C)

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

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

Did you type the above the statement?

A: Yes, I did.

Q: What were you told was going to happen to the detainees?

A: That they were going to be taking care of.

Q: What do you believe this meant?

A: They were going to be taken care of, they were going to be killed.

Q: Who told you this?

A: I don't remember who exactly told me, but 1SG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were the only people that I remember were in my truck that day other than my gunner.

Q: In other words what you are saying is that either (b)(6), (b)(7)(C) or 1SG (b)(6), (b)(7)(C) told you the detainees were going to be taking care of, which you took to mean they were going to be killed?

A: Correct.

Q: When did this conversation occur?

A: Probably when we were back at the JSS, if I had to state a specific time.

Q: So you are saying you don't remember exactly when you were told, but you were told prior to the incident?

A: I don't exactly remember, but more than likely I was.

Q: What was the normal SOP for transporting detainees from their point of capture to the JSS?

A: Zip tied, blindfolded them, walked them to the Bradley, and placed a soldier with a 9mm in the Bradley with them. Depending on the situation we might call in, but sometimes not. Then we roll back to the JSS. Once we arrived at the JSS we would determine if there were other detainees. Then we had to determine if there was enough to interrogate them, if not then we would take them to (if they were shite to a sunni neighborhood, if sunni toa shite neighborhood) and give them a hundred dollars and identify them as shite or sunni, sometimes we just let them go out the front gate, and sometimes we detained them.

Q: Approximately when did this incident occur?

A: Sometime after February 2007, because if I remember correctly it was raining and it wasn't cold, but it wasn't hot, but before June 2007.

Q: Did 1SG (b)(6), (b)(7)(C) turn off the Blue Force Tracker in your HMMWV after you left the JSS with the detainees?

A: Not that I know of (b)(6), (b)(7)(C)

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 4 PAGES

DA Form 2823-E

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 28

ACLU-RDI 5596 p.104

10-L-0126 ACLU CID ROI 8990

000118

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

(b)(6), (b)(7)(C) STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 18 Jan 08, CONTINUED:

Describe your actions at the place where the detainees were captured?

I was sitting in my truck talking to (b)(6), (b)(7)(C) We might have been talking about his boy.

Q: Did you notice anything unusual?

A: No, not really.

Q: Describe the building where they were taking prisoner.

A: Long building, might have been two story, I don't quite remember.

Q: How many prisoners were loaded into the Bradley?

A: I really wasn't paying attention, I believe there were three or four.

Q: When they were taken were any of there family members in the immediate area?

A: Not that I recall.

Q: Weapons were reported to have been found at the site, do you recall what type they were?

A: Not off hand, but normally we found AKs or RPKs.

Q: Do you remember if they found any type of ammunition or body armor?

A: Not off hand.

Q: Do you recall anyone being yelled at for calling in the capture of the detainees to the TOC without being told to do so?

A: No, I do not.

Q: Whose job was it normally to call these type of situations into the TOC?

A: One of the key leaders.

Q: Who were the Key Leaders on this patrol?

A: 1SG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C)

Q: How many vehicles were on the patrol?

A: Two Bradleys, probably three or four HMMWVs.

Q: Who was in the Bradleys?

A: I don't know.

Q: Who do you remember being on the patrol that day?

A: SSG (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C), myself, SGT (b)(6), (b)(7)(C), 1SG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) and more than likely the following personnel were there SGT (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C)

Q: Was SGT (b)(6), (b)(7)(C) on the patrol?

A: Might have been.

Q: Was SPC (b)(6), (b)(7)(C) on the patrol?

A: He might have been in one of the vehicles.

Q: Was SGT (b)(6), (b)(7)(C) on the patrol?

A: Might have been in a Bradley.

Q: Was PFC (b)(6), (b)(7)(C) on the patrol?

A: Do not remember.

Q: Was SPC (b)(6), (b)(7)(C) on the patrol?

A: I couldn't tell you yea or nay on that one.

Q: Was (b)(6), (b)(7)(C) on the patrol?

A: No clue.

Q: Who was your interpreter on the patrol?

A: I don't even remember our "terps" names.

Q: Did you work with an interpreter named (b)(6), (b)(7)(C) while in Iraq?

A: Yeah there was a (b)(6), (b)(7)(C)

Q: Describe your actions when the patrol returned to the JSS, prior to the incident?

A: Stopped off at the clearing barrel, DOC and 1SG dismounted, I can't remember if (b)(6), (b)(7)(C) did or not, but I drove the truck over and refueled. Then I drove back up to the gate area and got ready to roll out. Got in order of march and rolled out.

Q: Who was giving directions to the patrol at this point?

A: I can't remember.

Q: Where did you go from the JSS?

A: Headed out on RTE STEELERS going west then headed south, then a little more west. (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

(b)(6), (b)(7)(C) STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 18 Jan 08, CONTINUED:

Where did the patrol end up stopping?

A levee next to a canal with a field, trees, houses off in the distance.

Q: What was the degree of visibility?

A: I am gonna say it was getting dark, but we could drive without nods, but by the time we got back to the JSS it was pitch black.

Q: When you were leaving the JSS did you or SGT (b)(6), (b)(7)(C) ask 1SG (b)(6), (b)(7)(C) what or where you were taking the prisoners?

A: I can't remember.

Q: Were you aware that the detainees were killed while at the canal?

A: 90 percent yes, I did not see the incident and I did not hear any gunshots, therefore I am not a hundred percent.

Q: What was your vehicle bumper number?

A: ~~F7~~ A7 (b)(6), (b)(7)(C)

Q: What was your vehicle emblem?

A: My call sign was (b)(6), (b)(7)(C) for the 1SG.

Q: What weapon was carried by 1SG (b)(6), (b)(7)(C)?

A: A 9mm berretta and an M4.

Q: What weapon was SGT (b)(6), (b)(7)(C) carrying?

A: Same as 1SG (b)(6), (b)(7)(C)

Q: What weapon was SSG (b)(6), (b)(7)(C) carrying?

A: Just an M4 I think.

Q: When you left the JSS was your Blue Force Tracker operating?

A: As far as I know.

Q: Describe the Iraqis?

A: Males, militant age, I don't know I didn't have any contact with them.

Q: Why were the Detainees kept in the Bradley in the JSS?

A: Not my call.

Q: Whose decision would that have been?

A: one of the key leaders.

Q: Were there other incidents like this one?

A: None that I am aware of.

Q: What was your approximate distance from the shooting?

A: If I had to take a guess about 100 meters maybe 150.

Q: Who was on the Commander's PSD?

A: SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and their gunner. SGT (b)(6), (b)(7)(C) whatever medic happened to go, SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C)

Q: There was another incident involving the Company Commander's PSD wherein 1SG (b)(6), (b)(7)(C) was said to have shot a wounded insurgent. What is your knowledge of that incident?

A: That I have no fucking clue about, honest.

Q: After the incident were you instructed to not talk about the killings and to direct questions to the 1SG?

A: It might have happened but I don't remember. It sounds like a speech 1SG (b)(6), (b)(7)(C) would have made, but I don't remember.

Q: Have you talked to anyone about the killings?

A: No.

Q: Did you know it was wrong to capture, transport and kill the Iraqis in this incident?

A: Yes, I knew it was wrong.

Q: Why did you not report the incident?

A: Did not feel obligated to.

Q: Why not?

A: Because their lives mean shit to me.

Q: Did you know it was wrong to be aware of the intent to murder the Iraqis and go along with the plans to transport the Iraqis to the execution site? (b)(6), (b)(7)(C)

A: Yes.

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

PAGE 3 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 18 Jan 08, CONTINUED:

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

Did you or anyone else in your unit dump any other bodies at the canal?

No.

Q: Who decided the canal is where the execution would take place?

A: Do not know.

Q: Did you take any pictures of the detainees?

A: Not that I know of.

Q: Did anyone take any pictures?

A: Not that I know of.

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

A: No.///////END OF STATEMENT////////////////////////////////////

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

AFFIDAVIT

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

(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:

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

(Signature of Person Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 18 day of Jan 2008, at Schweinfurt, Germany

Witness #2:

(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 4 OF 4 PAGES

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Medical Occupants

0010 - 2000 - LW 41 - 34682

18 Jan 08

13 18

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

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

SPC

1

me 1st
2
(b)(6), (b)(7)(C)
Doc
(b)(6), (b)(7)(C)

3

4

For Official Use Only

Law Enforcement Sensitive

Sketch of:

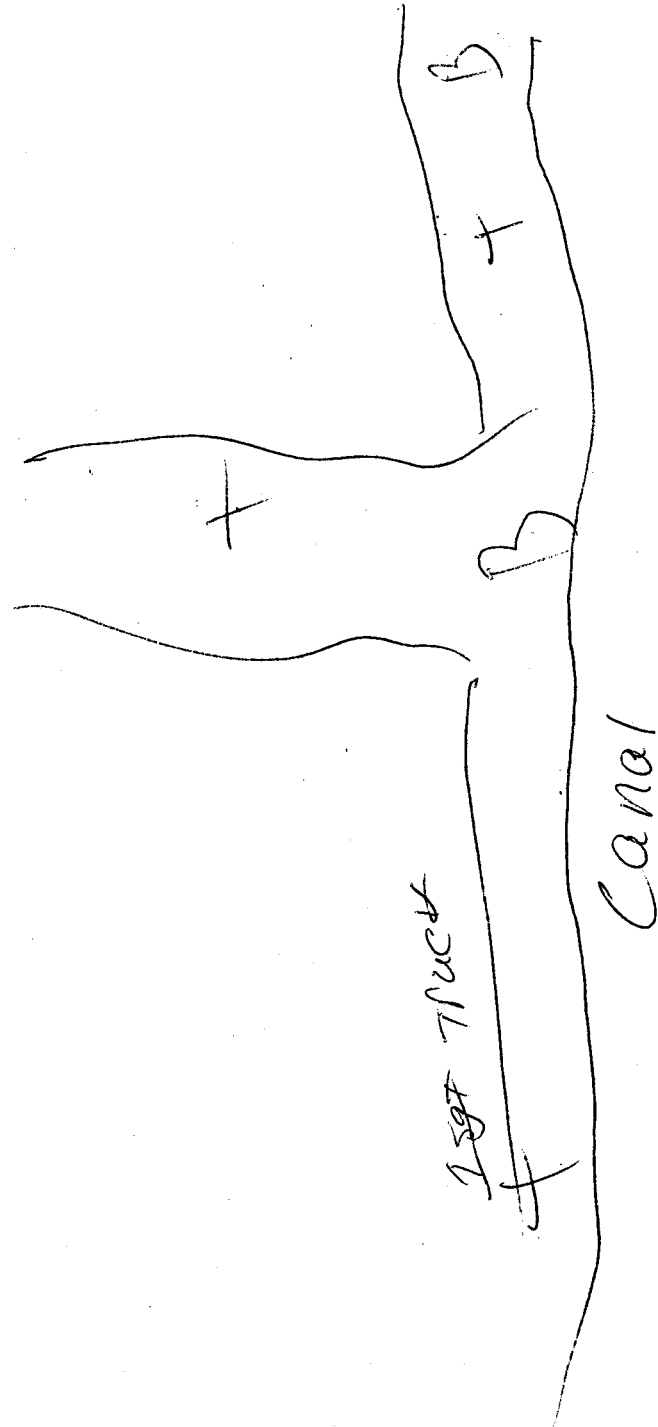
CASE #0010-08-CID847-34682

Vehicle positions
at Canal

B = Brad
T = truck

13 00 18 Jan 00

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



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NOT DRAWN TO
SCALE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 0920, 18 Jan 08, SA (b)(6), (b)(7)(C) this office, advised 1SG (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, of his legal rights which he invoked and requested legal counsel. (See Non Waiver Certificate for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

Schweinfurt CID Office
APO AE 09033

DATE

18 Jan 08

EXHIBIT

30

OFFICIAL USE ONLY

10-L-0126 ACLU CID ROI 9003

000130

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 Schweinfurt CID Office, Ledward Barracks, APO AE 09033	2. DATE 18 Jan 08	3. TIME 0920	4. FILE NO.
5. NAME (Last, First, MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-8/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

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

suspected/accused: Murder and Conspiracy///

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

- I do not have to answer any 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) HAVE YOU SOUGHT OR RETAINED LEGAL COUNSEL FOR THIS OR ANY OTHER CRIMINAL MATTER IN THE LAST 12 MONTHS
Have you ever requested a lawyer after being read your rights (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. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INVESTIGATOR
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 1002d Military Police Battalion (CID), Criminal Investigation Command (CID), APO, AE 09033

Section C. Non-waiver

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

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

About 0932, 18 Jan 08, SA (b)(6), (b)(7)(C) advised SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Co., 1/18th INF BN, Conn Barracks, Schweinfurt, GM APO AE 09026 of his legal rights, which he waived and admitted he shot a detainee in the back of the head and dumped his body in the canal. Further, he reported 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) shot the other three detainees in head and dumped their bodies in the canal. (See Rights Waiver and Sworn Statement for details)

AGENT'S COMMENT: Initially, SFC (b)(6), (b)(7)(C) was asked for consent to videotape the interview, which he declined. During the course of the interview SFC (b)(6), (b)(7)(C) provided one hand drawn sketch depicting the canal area (See Sketches for details)
 ///LAST ENTRY///

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

5th MP BN (CID)
 202nd Military Police Group (CID)
 Kaiserslautern, APO AE 09227

Signature: (b)(6), (b)(7)(C)
 [Handwritten Signature]

Date: 18 Jan 08

Exhibit: 33

**"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"
RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. 0010 - 2008 - CID 847 - 34682
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

LOCATION: Schweinfurt, Germany **DATE:** 18 January 2008 **TIME:** 0928 (b)(6), (b)(7)(C)
FILE NUMBER: 0010-08-CID847-34682-
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **STATUS:** SFC
ORGANIZATION OR ADDRESS: A Co., 1/18th INF BN, Conn Barracks, Schweinfurt, GM APO AE 09026

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Murder and 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 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.~~ (b)(6), (b)(7)(C)

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:** Have you ever been advised of your legal rights and requested legal counsel?

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.

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

Signature

SA (b)(6), (b)(7)(C)
Schweinfurt CID Office

Witness# 2

Signature of Witness

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

Signature

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

Signature of Investigator/Special Agent

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

5th MP BN (CID)

KAISERSLAUTERN, APO AE 09067

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

FOR OFFICIAL USE ONLY

**'FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE'
SWORN STATEMENT**

0010-2008-CID 847-34682

File Number : 0010-08-CID847-
Location : Schweinfurt, Germany
Date : 18 Jan 08
Time : 1345 (b)(6), (b)(7)(C)
Statement of : (b)(6), (b)(7)(C)
Grade/Status : E-7/AD
SSN : (b)(6), (b)(7)(C)
Org/Address : A Co., 1/18th INF BN, Schweinfurt, Germany APO AE 09226

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

On approximately the last week of March 2007 my platoon was conducting a patrol throughout our company sector along with 1SG (b)(6), (b)(7)(C) crew. While patrolling, we were engaged by personnel to the west. After maneuvering to the location where we received fire, the patrol did a search of the house and found four males in the house. We continued to search the house and the storage units connected to the house. After searching we found sniper rifles, a machine gun, AK-47's, and numerous rounds. We then detained the males and took them back to the Combat Outpost. After talking with 1SG, he felt that we did not have enough information to process these personnel and suggested that we take care of them. At the time we already lost two soldiers, one of them was SSG (b)(6), (b)(7)(C) to a sniper. 1SG then said to check if anyone had any issues with it. After checking with the soldiers, no one said anything so we moved back into sector. The patrol moved towards the Haymdani Village and then positioned on the east side of the canal. Once the vehicles were turned around, the Bradley Fighting Vehicle with the personnel dropped its ramp. The personnel were taken out of the Bradley and were lined up side by side. 1SG asked me and SGT (b)(6), (b)(7)(C) if we were good and we said yes. 1SG then shot the first guy, and then me and SGT (b)(6), (b)(7)(C) shot one as well. From what I can remember, 1SG also shot the last guy. 1SG then told us to start removing the zip strips and blind folds. After everything was removed, 1SG pushed one of the bodies into the canal and I assisted SGT (b)(6), (b)(7)(C) with another. 1SG and SGT (b)(6), (b)(7)(C) push the remaining bodies into the canal and then we got back into the vehicles. Once back in the vehicles, the patrol moved back to the COP. Once we were back at the COP, 1SG pulled all the guys in and said this was for our fallen soldiers and not to bring this up again.

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

A.

Q. Did you type the above paragraph?

A. Yes.

Q. What dates were you deployed to Iraq?

A. 2 Sep 06 to about 16 Nov 07.

Q. When did this incident occur?

A. Approximately the last week of March 2007.

Q. Why or how do you know that?

A. We lost two soldiers just before.

Q. When the detainee's were originally placed in the Bradley, did you know they would be killed?

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

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0010-2008-CID 847-34682

STATEMENT OF: (b)(6), (b)(7)(C) p. (b)(6), (b)(7)(C) ; TAKEN AT: Schweinfurt, Germany; DATED: January 18, 2008
CONTINUED:

- A. No.
- Q. When did you know then?
- A. We talked, the 1SG and I, at the COP.
- Q. What was the discussion?
- A. Stuff along the lines of possibly not information to process them, and that they would get released. We talked about whether any soldiers would have an issue with killing them.
- Q. How did the idea of killing the detainees come up?
- A. 1SG asked about it.
- Q. What did he ask?
- A. I can't recall specifically, but he asked me about it.
- Q. Did you ask any of the soldiers if they had a problem with killing any of the detainees?
- A. Yes, the 1SG told me to ask.
- Q. Who did you ask?
- A. I can't recall.
- Q. How many soldiers did you ask?
- A. I don't know but it was a few.
- Q. Did anyone say they had a problem with it?
- A. No.
- Q. What was discussed then?
- A. The 1SG and I talked about where would be a good location to do this at.
- Q. Who all was there?
- A. I know it was me and the 1SG, but I can't say for certain who all was there.
- Q. So you agreed upon the canal at the COP?
- A. Yes, I said sure when the 1SG asked if that would be a good place.
- Q. Who told the soldiers to turn off their blue force tracers?
- A. I don't know.
- Q. Did you turn yours off?
- A. Not that I recall.
- Q. Did you tell the guys to stay off the main routes?
- A. I think the 1SG took lead on that. He was directing that.
- Q. Did you hear anyone tell any of the soldiers to stay off the radio?
- A. I don't recall.
- Q. Did you tell anyone to stay off the radio?
- A. Not that I remember, I don't think so.
- Q. When you arrived at the canal, who did what?
- A. I know the Bradley dropped ramp, 1SG, myself and SGT (b)(6), (b)(7)(C) got the detainees out and then we walked to the canal.
- Q. Who was outside the vehicles during that time?
- A. From what I recall just us three.
- Q. What about the soldier who was guarding the detainees in the Bradley?
- A. I don't remember who it was, but I believe he was moved to the front of the vehicle.
- Q. What happened when you brought the detainees up to the canal?

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

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

0010 - 2008 - CID 847 - 34682

STATEMENT OF: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); TAKEN AT: Schweinfurt, Germany; DATED: January 18, 2008
CONTINUED:

A. They were lined up side by side.
Q. Then what?
A. 1SG asked us if we were good.
Q. What did you say?
A. We said yes.
Q. Then what happened?
A. Then the 1SG shot one of the detainees.
Q. How were the detainees positioned during this?
A. They were side by side, I can't remember if they were kneeling or standing.
Q. Were they flexi-cuffed?
A. Yes. ^{have} (b)(6), (b)(7)(C)
Q. Did they ^{have} blind folds on?
A. Yes. ^{have they} (b)(6), (b)(7)(C)
Q. ^{where} were they saying anything before they were shot? A. No (b)(6), (b)(7)(C)
Q. Did you shoot one of the detainees?
A. Yes.
Q. Where did you shoot him?
A. In his head.
Q. Where in the head?
A. The back.
Q. What did he do when you shot him?
A. Fell.
Q. Was he dead?
A. I believe so.
Q. Did the 1SG shoot any detainees?
A. Yes.
Q. How many?
A. I believe two.
Q. Where did he shoot them?
A. In the back of the head.
Q. Did they die?
A. I believe so.
Q. Did SGT (b)(6), (b)(7)(C) shoot any detainees?
A. Yes.
Q. How many?
A. One.
Q. Where did he shoot him?
A. Same place, in the back of the head.
Q. Did he die?
A. I believe so.
Q. What did you use to shoot the detainee?
A. My M9.
Q. What is the serial number to that pistol?
A. I don't know.
Q. It is still your assigned M9?

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

STATEMENT OF: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) TAKEN AT: Schweinfurt, Germany; DATED: January 18, 2008
CONTINUED:

- A. Not anymore.
- Q. Do you remember the rack number or anyway to identify it?
- A. No.
- Q. What did the 1SG and SGT (b)(6), (b)(7)(C) use?
- A. M9.
- Q. Both?
- A. Yes.
- Q. What happened after they were shot?
- A. We removed the zip-strips and blindfolds and pushed into the canal.
- Q. Where did the blindfolds and zip-strips go?
- A. I can't remember if they were policed up or threw in the canal.
- Q. What happened then?
- A. We got back into the vehicles and went back.
- Q. Who do you know who witnessed this?
- A. Other than us three, possibly SGT (b)(6), (b)(7)(C) because he was the Bradley Commander, other than that I don't know.
- Q. Was it dark?
- A. Yes.
- Q. Did you have NVG's on?
- A. I had them on, but they were not down.
- Q. Could see the 1SG and SGT (b)(6), (b)(7)(C)
- A. Yes, it was dark but you could still see.
- Q. When you returned to your vehicle, what did your troops ask?
- A. They didn't ask anything.
- Q. When was it brought up?
- A. Back at the COP.
- Q. Who said what?
- A. Everyone was brought in and the 1SG said it was for our fallen soldiers.
- Q. What else he say if anything?
- A. Not to bring it up.
- Q. What did the soldiers say?
- A. I don't think they said anything.
- Q. Who have you talked to about this incident since?
- A. Nobody.
- Q. You never talked to anyone about it?
- A. No.
- Q. Did the 1SG ever tell you lie if asked?
- A. No.
- Q. Why did this happen?
- A. I really don't know, anger. I wanted to ensure something never happened to my soldiers. I don't know.
- Q. How do you feel about this incident?
- A. I regret it. I wish it never happened and I made a mistake.
- Q. Would you be able to show this office where this happened if asked?
- A. Not exact location, general area. It was along the canal.

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 4 OF 6 PAGES (b)(6), (b)(7)(C)

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0010 - 2008 - CID 847 - 34682

STATEMENT OF: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) TAKEN AT: Schweinfurt, Germany; DATED: January 18, 2008
CONTINUED:

- Q. Did anything else like this happen?
A. No.
- Q. What was your vehicle's radio call sign?
A. My vehicle was (b)(6), (b)(7)(C)
- Q. What was your bumper number?
A. Alpha 207.
- Q. When you left the COP, whose idea was it to turn off the Blue Force Trackers?
A. I don't recall them being turned off.
- Q. Describe the detainees fully.
A. I don't know. They were male. I can't remember anything else of them.
- Q. Why was the Bradley buttoned up at the COP with the detainees inside?
A. I don't know.
- Q. Whose idea was that?
A. It wasn't my idea, I don't know.
- Q. Who took the blindfolds and flexi-cuffs off?
A. All three of us.
- Q. Was there a plan regarding what to say if anyone came asking about this?
A. No.
- Q. Did anyone bring one of those Glocks or anyone other weapons back to Germany?
A. No.
- Q. Who was in your vehicle when you left the COP?
A. My crew changed, but I think it was SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and I think SSG (b)(6), (b)(7)(C)
- Q. Who decided where to kill those detainees?
A. 1SG (b)(6), (b)(7)(C)
- Q. Did you dump any other bodies there?
A. No, this didn't happen any other time.
- Q. What did you do when you got back to the COP?
A. I went back to my room.
- Q. Has anyone talked about this since?
A. No.
- Q. Were there ever any other incidents like this?
A. No, not that I know.
- Q. What do you know about the 1SG shooting a wounded insurgent during the Company Commanders PSD?
A. I don't know anything.
- Q. Do you have anything further to add to this statement concerning the matters under investigation?
A. No.///END OF STATEMENT//

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 5 OF 6 PAGES (b)(6), (b)(7)(C)

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0010-2008-CID 047-34682

STATEMENT OF: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); TAKEN AT: Schweinfurt, Germany; DATED: January 18, 2008
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 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this January 18, 2008, at Schweinfurt, Germany

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

(Signature of Person Administering Oath)

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

SPECIAL AGENT (b)(6), (b)(7)(C), (b)(7)(F)
5th MILITARY POLICE BATTALION (CID)
202ND MILITARY POLICE GROUP (CID),
USACIDC, Kaiserslautern, APO AE 09227

(Typed Name of Person Administering Oath)

ARTICLE 136 UCMJ / 18 USC 303

(Authority to Administer Oath)

EXHIBIT _____

INITIALS OF PERSON MAKING STATEMENT

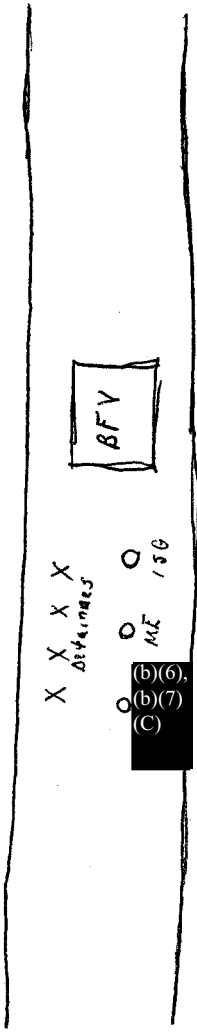
(b)(6), (b)(7)(C)

PAGE 6 OF 6

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

PAGES

CANAL



Prepared by [Redacted]

18 MAR 08
RD 5596

Witnessed By: [Redacted]

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

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PAGE 1 OF 1 PAGES

DETAILS

About 1038, 18 Jan 08, SA (b)(6), (b)(7)(C) advised SGT (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 1-18th Infantry Battalion (INF BN), Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG), of his rights, which he waived. SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, interviewed SGT (b)(6), (b)(7)(C) who provided a sworn statement, wherein he stated he shot two prisoners in the head with his M9 pistol while at the canal. SGT (b)(6), (b)(7)(C) stated he saw SFC (b)(6), (b)(7)(C) aim his M9 pistol at one of the prisoners and saw 1SG (b)(6), (b)(7)(C) with a weapon pointed at one of the other prisoners then he heard gun shots, at which time he fired his pistol killing the first prisoner. He then turned and shot the other prisoner in the head but did not believe the prisoner died instantly. 1SG (b)(6), (b)(7)(C) then walked up and shot the wounded prisoner two times in the chest with his pistol. SGT (b)(6), (b)(7)(C) also stated he witnessed 1SG (b)(6), (b)(7)(C) shoot a wounded prisoner two times in the chest on a separate patrol. The interview was videotaped. (See Rights Waiver Certificate, Sworn Statement, and Video Tape Recording)

About 1343, 18 Jan 08, SGT (b)(6), (b)(7)(C) provided a sketch which depicted the area, vehicle and personnel layout of the incident where the prisoners were killed by the canal. (See Sketch)

About 1348, 18 Jan 08, SGT (b)(6), (b)(7)(C) provided a sketch which depicted the site where the prisoners were killed by the canal. (See Sketch)

About 1616, 18 Jan 08, SGT (b)(6), (b)(7)(C) provided his consent to a search for his barracks room and vehicle. SGT (b)(6), (b)(7)(C) stated he would consent for all items to be searched in his room but he would not consent to his property being confiscated. SGT (b)(6), (b)(7)(C) stated members of this office could search his computer in his room and take it if some item of evidentiary value was found, but would not consent otherwise. (See Consent to Search)

Between 1745-1830, SA (b)(6), (b)(7)(C) this office, and SA (b)(6), (b)(7)(C) conducted a search of SGT (b)(6), (b)(7)(C) barracks room for evidence related to this investigation. The search met with negative results.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Schweinfurt CID Office, APO AE 09033	
(b)(6), (b)(7)(C)	DATE	EXHIBIT	
	18 Jan 08	36	

CID FORM 94

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ACLU-RED-5596 p.121

10-L-0126 ACLU CID ROI 9018

000143

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RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
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AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. 0010 - 2008 - CID 847 - 34682
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary. (b)(6), (b)(7)(C)
LOCATION: Schweinfurt, GE **DATE:** 18 Jan 08 **TIME:** 1038
FILE NUMBER: 0010-08-CID847-34682
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE / STATUS:** E-5/AD
ORGANIZATION OR ADDRESS: Co. 1-18th INF BN, Conn Barracks, Schweinfurt, GE, APO AE 09226
(b)(6), (b)(7)(C)

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

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

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.

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

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

Schweinfurt CID office

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

Witness # 2

Signature of Witness

Signature of Investigator/Special Agent
SA (b)(6), (b)(7)(C)
Schweinfurt CID Office
APO AE 09033

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

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

LOCATION Schweinfurt CID Office	DATE (b)(6), (b)(7)(C) 18 Jan 2008	TIME (b)(6), (b)(7)(C) 1608	FILE NUMBER 0010-08-CID847-34862
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS SGT/ACTIVE DUTY

ORGANIZATION OR ADDRESS
HHC, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 My name is (b)(6), (b)(7)(C) during the deployment from September 2006 until November 2007, I served as the A CO 1-18 Senior Line medic. The event in question took place sometime in late February or March of 2007. This incident happened before I went on leave in April, and after SSG (b)(6), (b)(7)(C) was killed. We were on a combat patrol, I don't remember what muhalla or exactly where but I think it was in shurta. On the patrol we started receiving small arms fire, while driving around to figure out where this small arms fire was coming from we came across two individuals, who where saying that they were kicked out of there house, and told they would be killed if they came back by shia members. During the conversation, we started receiving small arms fire again, we put some people on the roof of the house that we were currently by, and the people on the roof identified where the small arms fire was coming from. We took one of the guys that were threatened by Shia members with us, loaded up into our vehicles and went to the place identified as the small arms coming from. Once we got to the building where we were receiving small arms fire from, a fire team went in, I don't remember who was on that fire team and escorted four males outside the front door. The building doubled as stores on the bottom floor, there was five or six stores, and one or two apartments/houses on the other floor. The stores were all closed; all the stores were locked up. 1SG (b)(6), (b)(7)(C) immediately started questioning the four males that were brought out. Asking them questions about if they had heard shooting, or if they did it. During the questioning the fire team that went into the apartment continued searching and found two or three bags of 7.62 rounds for an AK 47. Some of the rounds were expended others were not. Everybody that was outside started cutting the locks on the stores and in one store there was a cache found. What exactly was in that cache I cannot remember exactly, but I believe there was one or two PKC's, several AK 47's, flak vests, and a couple Russian grenades. The guy that we had put in the humvee was brought out and asked if he recognized any of the males, he said yes and I can't remember if it was all or some of the guys were the ones that had threatened him earlier. We then let the guy who was threatened go, and loaded up the cache and detainees into the Bradleys. The original intent was to take these guys to the detainee center, but on the way to the COP there was a call saying we didn't have enough on the detainees to take them in. Since we were close to the COP anyway, we took the patrol inside the COP. We dropped off the Cache, and I think whatever interpreter we had. 1SG (b)(6), (b)(7)(C) then made the call to take the detainees to a canal and kill them. So the patrol went to the canal, and 1SG, SFC (b)(6), (b)(7)(C) and I took the detainees out of the back of the Bradley, lined them up and shot them. I did shoot two of the detainees. The first detainee fell back on me and I then turned and shot at the second detainee. I do not know who shot the other two detainees, but I am pretty sure SFC (b)(6), (b)(7)(C) shot one and 1SG (b)(6), (b)(7)(C) shot the other. We then pushed the bodies into the canal, and left. I cannot remember any exact time of day, but I know the patrol started out during the day, and got back to the COP for the final time when the sun was setting.

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

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

Q: Did you type the above narrative?

A: Yes.

Q: How many detainees were loaded onto the back of the Bradley and taken to the Canal?

A: Four.

Q: How many detainees were shot and pushed into the Canal?

A: Four.

Q: Are you certain the detainees died?

A: I'm pretty certain, but I didn't do any pulse check or breathing check on them.

Q: Did you witness 1SG shoot any of the detainees?

A: The only thing I saw him do was shoot one of the other detainees in the chest. This was after all of the detainees were already on the ground.

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

ACLU RDI 5596 p.123

DA FORM 2823

101-0126-ACLU CID ROI 9020

EXHIBIT 37

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0010-08-CID847-34862

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 18 January 2008 CONTINUED

Q: How would you describe the sounds the 2nd detainee you shot was making?

A: It was kind of a gurgle and moan mixed together.

Q: Did you witness SFC (b)(6), (b)(7)(C) shoot any of the detainees?

A: No. I can't say I actually watched him shoot the detainee.

Q: Do you believe SFC (b)(6), (b)(7)(C) killed one of the detainees?

A: Yes... because he was next to me. I saw him pull out his 9mm and aim it at the back of the detainees head. I heard the shots next to me, but I didn't physically see him fire his weapon. I think he was using his 9mm. I used a 9mm beretta, but I don't know the serial number. It was my assigned M9. HHC arms room# 67. That is the rack number.

Q: What type of weapon did 1SG (b)(6), (b)(7)(C) use to kill the detainee?

A: I'm 90% sure it was a Glock. I think he probably got it from one of the caches we found.

Q: Describe how you shot the detainee.

A: We stood them up facing the canal. I got behind the one on the far left. We were standing behind the detainees. I heard the shots from either SSG (b)(6), (b)(7)(C) or 1SG go off, and then I fired at the detainee I was directly behind. I was about a foot or two behind him, and my weapon was at the back of his head, about 6" to 1" away from the back of his head. I believe he was standing up, but they could've been on their knees. After I fired my weapon, the detainee that I shot fell back on me. I then turned to the right. I saw the detainee to the right of me flinch and turn after he heard the shot, and my weapon was pointed at him, anywhere from a foot to a couple of inches away. I then pulled the trigger and it hit him on the left side of his face from the ear forward. It could have been a little further back. But I didn't shoot him directly from behind. The 2nd detainee I shot fell to the ground and he was making a gurgling/moaning noise. I don't think he was moving. He was lying awkwardly on his back.

Q: What happened after the detainees were killed?

A: Myself, SFC (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) pushed them into the canal after their blindfolds were taken off.

Q: Describe the blindfolds that were used on the detainees?

A: They were 6" Ace wrap bandages used for knees and stuff.

Q: Did you discuss the killings of the detainees with 1SG (b)(6), (b)(7)(C) and the other unit members?

A: When we got back to the COP, 1SG had the whole patrol get together, and he told the other guys that we took care of them. He told the other guys that if anyone them about it, to tell them we released the detainees in the middle of Sector. He also said that it was done for SSG (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: Do you remember a conversation about the Blue Force Tracker being turned off.

A: No.

Q: Other than the conversation at the COP with 1SG and the other unit members, did you discuss this incident with anyone else?

A: When I went home on leave in April 2007, I told my wife about it. I told her I killed someone in Iraq.

Q: Were you in the 1SG's vehicle during the entire patrol?

A: Yes.

Q: Who else was in that vehicle with you?

A: SPC (b)(6), (b)(7)(C) was the driver, SPC (b)(6), (b)(7)(C) was the gunner; 1SG and myself.

Q: Were there any other incidents like this that occurred while you were in Iraq?

A: No.

Q: Who took the blindfolds and zip ties off the detainees?

A: I took some of them off. I believe 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) took one off.

Q: Were the detainees blindfolded when you shot them?

A: Yes.

Q: Who took off the zip ties from the detainees?

A: I don't know that the zip ties were taken off. I don't remember taking them off, but if they were, all three of us did.

Q: What happened to the blindfolds and zip ties that were taken off of the detainees?

A: They were put in the back of the Bradley, and then when we got back to the COP, they were either burned or thrown in the trash; I don't remember which one.

Q: Who was tasked out to burn or throw away the blindfolds and zip ties?

A: The Bradley crew of that Bradley. I don't know who they were for that specific mission.

Q: Did anyone bring one of those Glocks or other weapons used to kill the detainees back with you?

A: Me and SSG (b)(6), (b)(7)(C) have ours in the arms room. But not the Glock. I'm pretty sure 1SG gave his Glock away to the Iraqi volunteer security force. They are volunteers that watch their own neighborhoods. You'd have to ask 1SG for

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0010-08-CID847-34862

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 18 January 2008 CONTINUED

sure.

Q: Who decided where to go kill those detainees?

A: 1SG. He gave SSG (b)(6), (b)(7)(C) instructions on where to tell his patrol to go. SSG (b)(6), (b)(7)(C) was the patrol leader, but I don't know exactly what he said SSG (b)(6), (b)(7)(C)

Q: Did you dump any other bodies there?

A: No.

Q: Were there any photographs taken of those detainees?

A: Yes. We put them all in the room where we found the cache. First we took a group photo of them and the cache, and then we took individual pictures. I don't know who took the pictures, and whose camera was used. I didn't take the pictures because I was the one coordinating the movement of the detainees into the picture. It is possible that SPC (b)(6), (b)(7)(C) was the one who took the pictures.

Q: Which hand did you have your weapon in when you shot the detainees?

A: My left hand.

Q: There was another incident involving the Company Commander's PSD wherein 1SG (b)(6), (b)(7)(C) was said to have shot a wounded insurgent. What do you know about that?

A: The PSD incident was maybe one to two months prior to the incident at the canal. I think it occurred between late December 2006 to January 2007. I can't say for sure, but that's about the time frame I place it at. The MAJ (b)(6), (b)(7)(C) PSD was hit by an IED. One of the gunners identified the triggerman and shot at him. The guy that got shot had his left leg almost completely blown off. I think he had one abdominal shot as well. My patrol was called as a Quick Reaction Force (QRF). When we arrived, the injured insurgent was in the back of a Bradley being treated by a medic. When I arrived, we transferred the insurgent to a different Bradley. I then went to work to try to stabilize the insurgent. Five to ten minutes after working on the insurgent in the back of the Bradley, the ramp lowered, and 1SG (b)(6), (b)(7)(C) told me we were taking the guy to the Combat Support Hospital (CSH). I told 1SG the guy wasn't going to make it to the CSH due to the injuries sustained. After riding around for about 10 minutes, the ramp lowered and 1SG asked me how the insurgent was. At that point I said he was almost dead. 1SG pulled him out of the Bradley. The insurgent was on a litter. 1SG pulled him off of the litter and dragged him to the side of the Bradley. At that point, the guy was pretty limp. He looked dead at that point. 1SG took out Glock and shot the insurgent twice in the chest. I then checked his pulse and knew he was dead for sure. We got a body bag and placed him inside. We then loaded him back into the Bradley in a body bag and took him to the Iraqi Police station which handled all local national deaths.

Q: Where did the PSD incident occur?

A: I don't know. I was riding in the back of the Bradley the entire time until we dropped the dead body off at the Iraqi Police station. The Iraqi police station was on the corner of Route Vernon and Route Steelers.

Q: Who else was on the QRF?

A: It was 1SG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) as the gunner, SPC (b)(6), (b)(7)(C) as the driver, and myself. 1SG switches crews often, so I'm about 80% sure the people I mentioned were there, but you'd have to look at the trip ticket. I know (b)(6), (b)(7)(C) was the driver... It's the gunner I'm not certain of.

Q: Who else knows about this incident in which 1SG shot the wounded insurgent?

A: Maybe the Bradley crew, but I don't know who they are. You'd have to look at the trip ticket.

Q: Does SPC (b)(6), (b)(7)(C) know about this incident.

A: I assume he does but I don't know for sure.

Q: Was this incident with the wounded insurgent discussed afterwards?

A: No.

Q: Were you told not to say anything about this incident?

A: No. I just assumed I wasn't supposed to say anything, so I didn't.

Q: Did you know it was wrong to kill those detainees at that canal?

A: Yes.

Q: How were you selected to be one of the individuals that killed the detainees at the canal?

A: I wasn't selected. I just followed 1SG up there.

Q: Did 1SG ask who would help him kill the detainees?

A: I don't remember. I don't want to say yes, and I don't want to say no. But I knew that when I followed him, that I would end up shooting the detainees. I'm not stupid. I knew what was going on.

Q: Did you shoot the detainees to kill them?

A: Yes.

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0010-08-CID847-34862

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 18 January 2008 CONTINUED

Q: Did you know it was wrong for 1SG (b)(6), (b)(7)(C) to shoot a wounded detainee?

A: Yes.

Q: Did you know it was wrong not to report this incident?

A: Yes.

Q: Why didn't you report this incident?

A: Because I justified in my mind the detainee wasn't going to make it with the wounds he sustained. I just knew this guy wasn't going to make it.

Q: Why didn't you report the incident which occurred at the canal?

A: Because I was part of it. To report it would be telling on my friends, and then telling on myself.

Q: Was the killing of the detainees at the canal planned?

A: Before we left the COP, 1SG said something to SFC (b)(6), (b)(7)(C) but I didn't hear the conversation. Obviously it was where to go, and what was going to happen. We left the COP and headed toward the canal. Somebody in 1SG's vehicle asked "where are we taking these guys now". 1SG said something like we're going to go shoot these guys. I don't want to put words into his mouth, but I can't remember specifically what he said.

Q: Were the detainees a threat to you directly before you shot them?

A: No.

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

A: Yes. About the guys at the canal. I'm ashamed of what I've done. I know I've brought shame upon the company and my unit. When I did it, I thought I was doing it for my family. Now I realize that I'm hurting my family more now than if I wouldn't have done it. I don't consider myself a murderer. I made a huge mistake in my life that I know I have to accept the consequences for. I want to remain a part of the Army. I want to fulfill my goal of becoming a PA in the Army, but I do understand that because of the situation and the consequences that will come, I might not be able to do that; and I accept that. I'm not a bad person, and I will take responsibility for my actions.

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

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

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LAW ENFORCEMENT SENSITIVE"

0010-08-CID847-34862

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 18 January 2008 CONTINUED:
STATEMENT (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 5. 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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of January, 2008

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

(Typed Name of Person Administering Oath)

SA (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Schweinfurt CID Office
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Title 10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 5 PAGES

Home

Road

Home

Home

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Law Enforcement Sensitive

Sketch of:

CASE #0010-08-CID847-34682

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

18 Jan 08

Road & Canal
where killing of
Detainees took place

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

Witnessed by:

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

Canal

Road



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

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

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

*FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE*

NOT DRAWN TO
SCALE

For Official Use Only

Law Enforcement Sensitive

Sketch of:

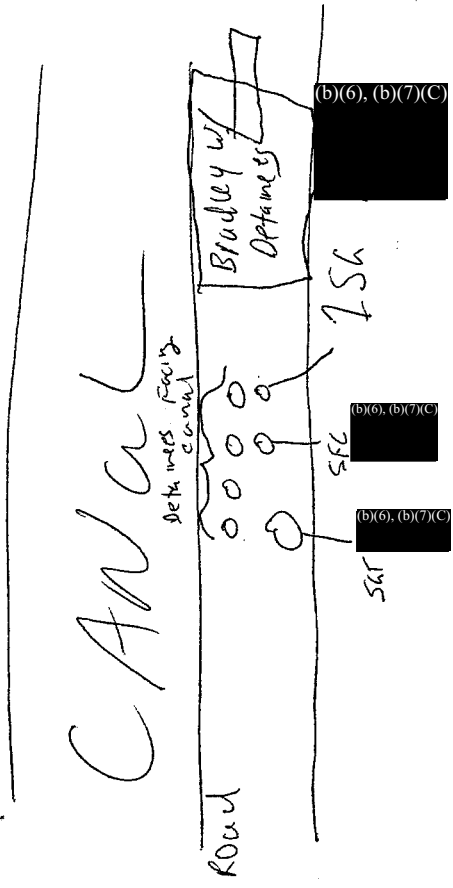
CASE #0010-08-CID847-346

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

18 Jan 08
1348

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

Sketch of where Braun
was, Detainees, and
1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C)
and Sgt (b)(6), (b)(7)(C) were



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

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LAW ENFORCEMENT SENSITIVE"

NOT DRAWN TO

Date: 18 Jan 08 (b)(6), (b)(7)(C)

Consent To Search

(USACIDC Supplement 1 to AR 190-22)

Time: 1616

1. Name of person consenting to the search: (b)(6), (b)(7)(C) Organization and location:
 (b)(6), (b)(7)(C) A Co, 1-18th Infantry Battalion
 Conn Barracks, APO AE 09226

3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law:
MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE!!!

4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.)

5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: *(Initial and sign applicable blocks)*

a.	My Person	Initials	Signature
	b.	My Quarters	(b)(6), (b)(7)(C)
Located At:		(b)(6), (b)(7)(C)	Conn Barracks, Schweinfurt, Germany, APO AE 09226
	c.	My Vehicle	(b)(6), (b)(7)(C)
Located At:			In parking lot adjacent to Bldg. 168
Described As:			1995 Ford Ranger, Tag #
d.	Other	Initials	Signature
Located At:			
Described As:			

I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: **all Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, movies, journals, notebooks, papers, and computer input and output device(s), cellular telephone(s), prayer beads, IPOD's and MP3 players.**

I further authorize any law enforcement official with CID or assisting them to examine any of these items retained by CID in whatever manner necessary to allow evidence to be located, identified and further processed which supports this investigation. I further will freely provide any passwords or specific instructions necessary to assist in the search of any of these items.

6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:

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

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

Signature of Person Granting Consent

Signature of USACIDC Special Agent

**"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"**

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGE

DETAILS

About 1400, 18 Jan 08, SA (b)(6), (b)(7)(C) obtained consent to search from SFC (b)(6), (b)(7)(C) pertaining to the search of his person and residence. (See Consent to Search for details)

About 1505, 18 Jan 08, SA (b)(6), (b)(7)(C) conducted a search of SFC (b)(6), (b)(7)(C) residence, apartment R-3, Building 532, Askren Manor, Schweinfurt, Germany, which resulted in the collection of one Sony Vaio Laptop as evidence.

About 1515, 18 Jan 08, SA (b)(6), (b)(7)(C) collected, as evidence, one Sony Vaio Laptop from SFC (b)(6), (b)(7)(C) on an EPCD Voucher 0014-08.///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

SCHWEINFURT RESIDENT AGENCY (USACIDC)
APO, AE 09033

SIGNATURE

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

DATE

18 Jan 08

EXHIBIT

Date: 18 Jan 08 (b)(6), (b)(7)(C)		Consent To Search (USACIDC Supplement 1 to AR 190-22)		Time: 1400 (b)(6), (b)(7)(C)	
1. Name of person consenting to the search: SFC (b)(6), (b)(7)(C)			2. Organization and location: A Co, 1-18 th Infantry Battalion Conn Barracks, APO AE 09226		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE///					
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.)					
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(Initial and sign applicable blocks)</i>					
a.	My Person	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)		
b.	My Quarters	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)		
Located At: (b)(6), (b)(7)(C)					
c.	My Vehicle	Initials	Signature		
Located At:					
Described As:					
d.	Other	Initials	Signature		
Located At:					
Described As:					
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: <i>all Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, movies, journals, notebooks, papers, and computer input and output device(s), cellular telephone(s), prayer beads, IPOD's and MP3 players.</i>					
I further authorize any law enforcement official with CID or assisting them to examine any of these items retained by CID in whatever manner necessary to allow evidence to be located, identified and further processed which supports this investigation. I further will freely provide any passwords or specific instructions necessary to assist in the search of any of these items.					
6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:					
			(b)(6), (b)(7)(C) _____ Granting Consent		
(b)(6), (b)(7)(C) _____ Signature of USACIDC Special Agent			_____ Signature of Witness (If Available)		

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1

0010-08-CID847-34662
Page 1 of 1 Pages

About 0900, 19 Jan 08, SA (b)(6), (b)(7)(C) was provided consent to video record his interview from SPC (b)(6), (b)(7)(C), A Co, 1-18th INF Reg, Conn Barracks, Schweinfurt, Germany APO AE 09226 (CBSG). (See Video Recording of SPC (b)(6), (b)(7)(C) for details)

AGENT'S COMMENT: SPC (b)(6), (b)(7)(C) was searched prior to being escorted into the interview room.

About 0915, 19 Jan 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, wherein he admitted to being present when four unidentified Iraqi males were taken prisoner by his patrol in West Rashid, Baghdad, Iraq (WRBI) sometime in the beginning of 2007. SPC (b)(6), (b)(7)(C) stated he did not witness the execution of the Iraqis. SPC (b)(6), (b)(7)(C) stated he was aware of the plan to execute the Iraqis. SPC (b)(6), (b)(7)(C) could not recall if it was either 1SG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C), both of A Co, 1-18th INF Reg, CBSG; who asked him if he was okay with the fact that the Iraqis were going to be killed, but he knew it was one of them because they were in his vehicle. SPC (b)(6), (b)(7)(C) stated he told whoever it was that he was okay with the killing of the Iraqis. SPC (b)(6), (b)(7)(C) stated him and SPC (b)(6), (b)(7)(C), A Co, 1-18th INF Reg, CBSG; discussed the killing of the Iraqis and that they had wished they each could have been able to kill one of the Iraqis. SPC (b)(6), (b)(7)(C) stated he did not report the incidents because the Iraqis were "bad" and that the "red tape that was everywhere was going to get them back out on the street and they would have just kept killing" US Soldiers. Additionally, SPC (b)(6), (b)(7)(C) stated when he was interviewed for his duty position as the 1SG's gunner, 1SG (b)(6), (b)(7)(C) explained to SPC (b)(6), (b)(7)(C) that he did not do things like the rest of the NCOs, and asked if SPC (b)(6), (b)(7)(C) was okay with it. SPC (b)(6), (b)(7)(C) told 1SG (b)(6), (b)(7)(C) he was okay with whatever decisions or situations came up. (See Waiver Certificate and Sworn Statement for details)

AGENT'S COMMENT: SPC (b)(6), (b)(7)(C) provided three separate sketches during the course of his interview depicting the house where the Iraqis were captured, the incident location where the Iraqis were killed and the location of the members of the patrol in there vehicles after leaving there Combat Operating Base. SA (b)(6), (b)(7)(C), Schweinfurt CID Office, witnessed the rights advisement, interview, sworn statement and consent to search of SPC (b)(6), (b)(7)(C) (See Sketches for details)

SPC (b)(6), (b)(7)(C) was fingerprinted and photographed at the conclusion of his interview.

About 1315, 19 Jan 08, SA (b)(6), (b)(7)(C) received consent from SPC (b)(6), (b)(7)(C) for the search of his barracks room located in Room 156, Building 169, CBSG. (See Consent to Search for details)

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

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

Schweinfurt CID Office
202d Military Police Group (CID)
APO AE 09033

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

Date:
19 Jan 08

Exhibit: 42

LAW ENFORCEMENT SENSITIVE

DATA REQUIRED BY THE PRIVACY ACT

0010-2008-CID 847-34682

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 Schweinfurt CID Office, Ledward Barracks, APO AE 09033	2. DATE 19 Jan 08	3. TIME 0915	FILE NO. 0010-08-CID847
5. NAME (Last, First, MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS A CO, 1-18th INF BN Conn Barracks, APO AE 09226 Schweinfurt, GM		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E4/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/accused: Murder, Conspiracy // (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:
 I do not have to answer any question or say anything. (b)(6), (b)(7)(C)

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 (b)(6), (b)(7)(C) offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me. XLS (b)(6), (b)(7)(C)

WITNESSES (If available)		3.
1a. NAME (Type or Print) SA (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE Schweinfurt CID Office APO AE 09033	4. SIGNATURE OF INVESTIGATOR (b)(6), (b)(7)(C)	
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR SA (b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR Ansbach CID Office APO AE 09250	

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

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.)

"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 than 30 days ago), obtain legal advice 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?" *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 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.

- 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.

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.

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.")

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)

SWORN STATEMENT

0010 - 2008 - CID 847 - 34682

LOCATION: Schweinfurt CID Office, APO AE 09033

FILE NUMBER: 0010-08-CID847-34682

DATE: 19 January 2008

TIME: 1313

NAME: (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE/RANK:** E-4/SPC/AD

ORGANIZATION OR ADDRESS: A Co, 1-18th INF Reg, Conn Barracks, APO AE 09226

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

Between Feb. 07 and March 07 we went on a patrol that took fire from a building, we tried to maneuver on to where the fire was coming from. But we couldn't find them when we got there. We then drove around that mohala and we stopped in front of a house, were we searched the house one of the males from that house pointed out some bad gays house, so we went to the house were this guy pointed out, after searching they found a bunch of weapons, ammo and IED making materials. So they put the detainees (3-5) in the back of a brad, we continued to drive around for a little bit longer before heading back to the COP. After it got dark we rolled back out, I cant remember who all was in the other vehicles, but we drove by the canal, my HMMWV was at the front with a brad behind me and the two other vehicles behind them, all the dismounts get out walk behind the hmwv so I couldn't see them any more, no more then 15 mins go by and I heard some shots been fired, after I heard the shots every one got back in to the vehicles and we drove away back to the COP.

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

A:

Q: Did you type the above statement?

A: Yes.

Q: What was your duty position on this patrol?

A: HMMWV gunner.

Q: Who was the Truck Commander for your HMMWV?

A: 1SG (b)(6), (b)(7)(C)

Q: What happened to the detainees?

A: They didn't come back with us, they were dead.

Q: How did the detainees end up dead?

A: They got shot.

Q: Who shot the detainees?

A: I didn't see who.

Q: Who do you believe shot the detainees?

A: The dismounts in my truck, 1SG (b)(6), (b)(7)(C) DOC (b)(6), (b)(7)(C) and the third person in the HMMWV.

Q: Did you know they were going to kill the detainees prior to them doing so?

A: Yes.

Q: How did you know this?

A: I was asked if I was cool with it.

Q: Who asked you?

A: Either DOC (b)(6), (b)(7)(C) or 1SG (b)(6), (b)(7)(C)

Q: What was your response to this?

A: I said yeah I was cool with it.

Q: Did you discuss the killing of the detainees with SPC (b)(6), (b)(7)(C)?

A: I say yes.

Q: Why did you answer the previous question that way?

A: Because we always talked about everything.

Q: How many times during the deployment were you asked if you were okay with something that was not legal?

A: I would have to say no more than twice.

Q: What were the two occasions?

A: The incident and when I first started working for the 1SG.

Q: Describe the second time.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 5 PAGES

DA Form 2823-E

FOR OFFICIAL USE ONLY

EXHIBIT 43

LAW ENFORCEMENT SENSITIVE

ACLU-RDI 5596 p.136

10-L-0126 ACLU CID ROI 9039

000163

CASE NUMBER:**FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE****(b)(6), (b)(7)(C) STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 19 Jan 08, CONTINUED:**

A: When I first came to be his gunner, he told me he didn't do things like the rest of the NCOs, he did things different and that I was okay with it.

Q: What did 1SG (b)(6), (b)(7)(C) mean by he did things different?

A: When the platoon sergeant does things to make him happy, so the first doesn't have to do things so other people like him.

Q: What things during the deployment occurred that fell into this category and were criminal?

A: This one incident we were talking about, we did recon by fire, manhandled people,.

Q: Describe the recon by fire?

A: This was the first night I went out with 1SG, we were sitting in an alleyway, we had three RPGs shot at our truck because we were the lead truck. I engaged the RPG shooters, so we went to maneuver on the RPG Shooters there was street running left to right in front of us. So we went over there and there were some jersey barriers in the middle of the street so we had to go the long way around back into the street. While we were driving after we turned around, there was small arms fire to our front, but our main priority was the guys that shot RPGs at us so we made a right turn into the street, and all we seen there was some people that came out of their houses. So we turned back around because they were not the people we were looking so we went back to the main intersection we had been at. So at that point all the shooting had stopped so they get out of the vehicles and 1SG takes three shots down the street to see if anyone would shoot back to see if we can engage them. That was our RECON by fire that night.

Q: Who got out of the truck that night?

A: 1SG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Q: What did you mean by manhandled people?

A: Grab and shove them wherever we wanted them to go.

Q: Did you realize that you were obligated to report the killing of the detainees and the other actions of the 1SG which were violations of the Rules of Engagement and the UCMJ?

A: Yes.

Q: Why did you not report these instances?

A: Honestly, because they were bad and the red tape that was everywhere was going to get them back out on the street and they would have just kept killing us.

Q: When you agreed to go along with killing of the detainees do you realize you were conspiring to commit murder?

A: Yes.

Q: Did you know it was illegal for 1SG (b)(6), (b)(7)(C) and the others to kill the detainees?

A: Yes.

Q: Morally, did you think it was wrong?

A: No.

Q: Who do you remember being on patrol with you the night the detainees were killed?

A: It was (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) myself, and I think it was SGT (b)(6), (b)(7)(C)

Q: Do you remember anyone else that was on the patrol that night?

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

Q: Was SFC (b)(6), (b)(7)(C) on the patrol that night?

A: Not sure.

Q: Was SGT (b)(6), (b)(7)(C) on the patrol that night?

A: He could have been, one of the Bradley's.

Q: Was SGT (b)(6), (b)(7)(C) on the patrol that night?

A: Not sure.

Q: Was PFC (b)(6), (b)(7)(C) on the patrol at all?

A: He could have been.

Q: Was SPC (b)(6), (b)(7)(C) on the patrol at all?

A: Could have been.

Q: Was SPC (b)(6), (b)(7)(C) on the patrol?

A: He was probably one of the Bradley drivers.

Q: Was SPC (b)(6), (b)(7)(C) on the patrol?

A: Probably in the Bradley.

Q: Was PFC (b)(6), (b)(7)(C) on the patrol? (b)(6), (b)(7)(C)

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

PAGE 2 OF 5 PAGES

CASE NUMBER:**FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE****(b)(6), (b)(7)(C) STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 19 Jan 08, CONTINUED:**

A: Again probably in the Bradley.

Q: Was there an interpreter on the patrol?

A: No.

Q: Describe the detainees.

A: There was a fat short guy. All of them were dark skinned Iraqis.

Q: Were they all male?

A: Yes, and they were all dirty which goes without saying.

Q: What were they wearing?

A: They were not wearing the man dresses, probably those nasty ass sweat suits they wear.

Q: How old did they appear?

A: Late 20s mid 30s.

Q: Prior to being placed into the Bradley Fighting Vehicle, what was done to secure the detainees?

A: Zip tied their hands, blindfolded.

Q: How were they blind folded?

A: Cravats or ace bandages.

Q: Did you discuss the killing of the detainees with anyone after the incident?

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

Q: What do you mean by probably?

A: Because I haven't talked to anyone about that, but we talked about everything so I probably talked to him.

Q: Do you remember having a specific conversation with SPC (b)(6), (b)(7)(C) after the incident?

A: Not a specific.

Q: What do you remember being said if not in a specific conversation?

A: I remember we said that we both would have liked to have killed one of the detainees.

Q: What else did SPC (b)(6), (b)(7)(C) say?

A: He told me about his aunt, who died in Iraq after she was hit by an IED and that was why he hated them.

Q: What was your vehicle bumper number?

A: A7.

Q: Do you remember if the Blue Force Tracker in the vehicle was turned on during the entire course of the patrol?

A: I don't know. I can't see down there.

Q: Did (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) or SFC (b)(6), (b)(7)(C) say anything in the vehicle after they killed the detainees?

A: I can't remember.

Q: What did they do with the bodies?

A: Left them there.

Q: Are you saying they left them on the side of the road?

A: I am pretty sure.

Q: How do you know this?

A: because we didn't take any bodies with us.

Q: Describe what happened when you returned to the COP prior to going out to kill the detainees.

A: I went back to my room and waited for it to get dark.

Q: How did you know you needed to wait until dark?

A: Because, I was told by either (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) that we were not going to roll out for a couple of hours.

Q: What was done with the detainees while the patrol was on the COP until it got dark?

A: They stayed in the Bradley, I am guessing with guards.

Q: Was this a normal procedure for handling detainees?

A: No.

Q: Does that mean the decision to kill the detainees had been made prior to the return to the COP?

A: It was either prior or right as we got there.

Q: Who made that decision?

A: I would have to say 1SG.

Q: After the detainees were murdered, did 1SG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) or SFC (b)(6), (b)(7)(C) say anything in regard to not talking about this incident to anyone?

A: Probably SGT (b)(6), (b)(7)(C) said something about this staying between us. (b)(6), (b)(7)(C)

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 SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 19 Jan 08, CONTINUED:

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

A: He was my acting Squad Leader.

Q: Did 1SG (b)(6), (b)(7)(C) say anything to you regarding this incident?

A: Nothing that I can remember.

Q: What type of gunfire did you hear when the detainees were murdered?

A: 9mm.

Q: Who in the patrol were carrying 9mms?

A: 1SG (b)(6), (b)(7)(C) DOC (b)(6), (b)(7)(C) and our passenger had one too.

Q: Were the 9mms they used their army issued weapons or the recovered Glocks?

A: That I have no idea.

Q: What do you know about the black Glock pistols carried by members of the unit?

A: They came from when we would confiscate the weapons.

Q: What were you supposed to do with confiscated weapons?

A: Turn them into one of the S shops.

Q: Did that occur all of the time?

A: We turned in weapons all time but there were a few weapons on hand at any given time.

Q: How close were you to the location of the actual shooting?

A: 25 to 35 meters.

Q: When you heard the gunshots, did SPC (b)(6), (b)(7)(C) say or do anything?

A: He probably got out of the truck to see what was going on.

Q: Did he get out?

A: He was probably already out having a cigarette.

Q: From the distance you were from the shooting and the position of the vehicle, would SPC (b)(6), (b)(7)(C) have been watching the shooting?

A: He probably could have, but I am not 100% sure.

Q: Did anyone take photos of the detainees?

A: No, I don't think so.

Q: Did you take any photographs?

A: No.

Q: Who decided where to go kill the detainees?

A: 1SG (b)(6), (b)(7)(C)

Q: Did you or anyone else from your unit dump any other bodies at or in the canal?

A: No.

Q: What did you do when you got back to the COP?

A: I went to my room, took my gear off, and probably watched a movie on the laptop.

Q: Have you told anyone or discussed this incident with anyone besides SPC (b)(6), (b)(7)(C)

A: No.

Q: What about DOC (b)(6), (b)(7)(C)

A: No.

Q: Did anyone from the unit bring any of the confiscated weapons back to Germany with them?

A: No.

Q: Was there a plan with what to say if anyone came asking about this?

A: No.

Q: There was another incident involving the Company Commander's PSD wherein 1SG (b)(6), (b)(7)(C) was said to have shot a wounded insurgent. What do you know about that?

A: I don't know anything about this incident. I do recall one time when we got flagged down by the Iraqis, because one Iraqi had shot another in the chest. DOC (b)(6), (b)(7)(C) tried to do his thing but the Iraqi didn't make it.

Q: Describe where the vehicles were during this incident?

A: We were running a Logpac so we had two LMTVs with us and four bradleys and at least five HMMWVs. We were cutting through the Mohala's and we were just North of an Army Safe house. There was a Bongo truck sort of in a ditch with two wheels in the dirt. We pulled our HMMWV just in front of the Bongo truck facing south then we had a (b)(6), (b)(7)(C)

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

PAGE 4 OF 5 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

(b)(6), (b)(7)(C) STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 19 Jan 08, CONTINUED:

Bradley still in the street and the two LMTVs were behind me and to the right with another truck and the rest of the vehicles were behind that.

Q: Who dismounted from your vehicle?

A: 1SG (b)(6), (b)(7)(C) and DOC (b)(6), (b)(7)(C)

Q: What did they do?

A: DOC (b)(6), (b)(7)(C) got his aid bag, because there were two people in the truck, one was already dead and the other was dying. DOC (b)(6), (b)(7)(C) opened his bag and started working on the guy, but it was already a few minutes after the guy had gotten shot, and the guy died right there on the floor.

Q: Did 1SG (b)(6), (b)(7)(C) shoot the wounded Iraqi to keep him from suffering?

A: No.

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

A: No. //END OF STATEMENT//

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

AFFIDAVIT

(b)(6), (b)(7)(C) I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 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. (b)(6), (b)(7)(C)

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

(Signature of Person Making Statement)

Witness #1:

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

Schweinfurt CID Office, APO AF 09052

Subscribed and sworn before me, a person authorized by law to administer oaths, this 19 day of Jan 2008, at Schweinfurt, Germany

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

(Signature of Person Administering Oath)

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

(Typed name of Person Administering Oath)

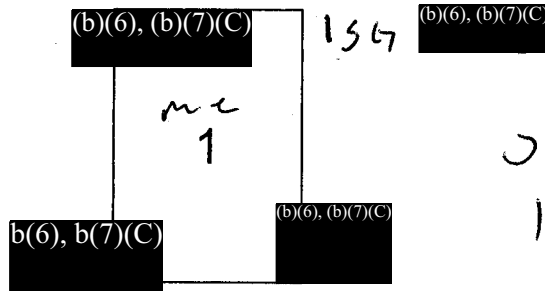
10 USC 936

(Authority to Administer Oath)

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

PAGE 5 OF 5 PAGES

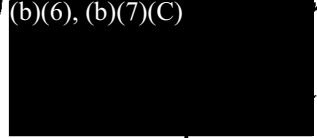
Sketch of Personnel in Vehicle



0956

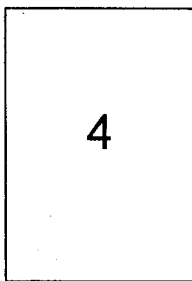
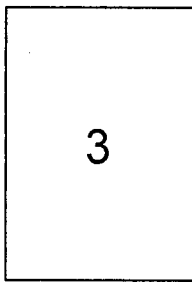
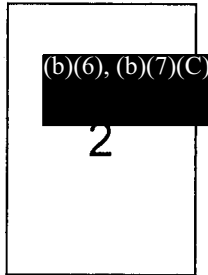
1975-28

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



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

SPL



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Sketch of: *incident location*

CASE #0010-08-CID847-34682

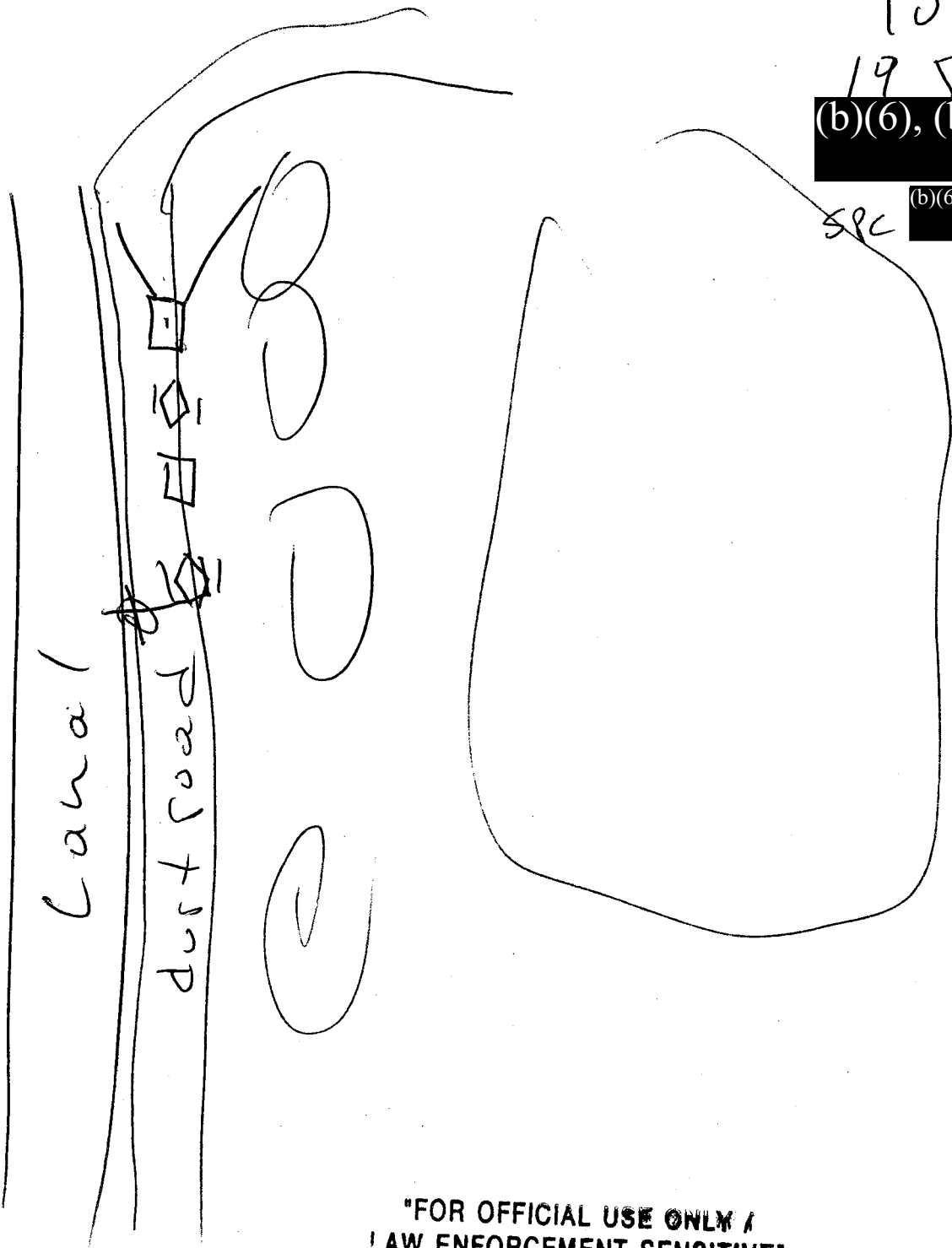
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19 Jan 08

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

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

SPC



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NOT DRAWN TO SCALE

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Law Enforcement Sensitive

Sketch of: *detainee pickup*

CASE #0010-08-CID847-34682

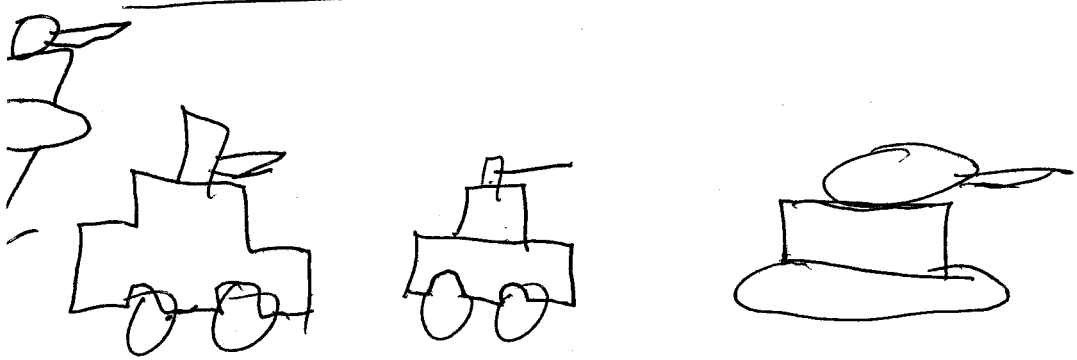
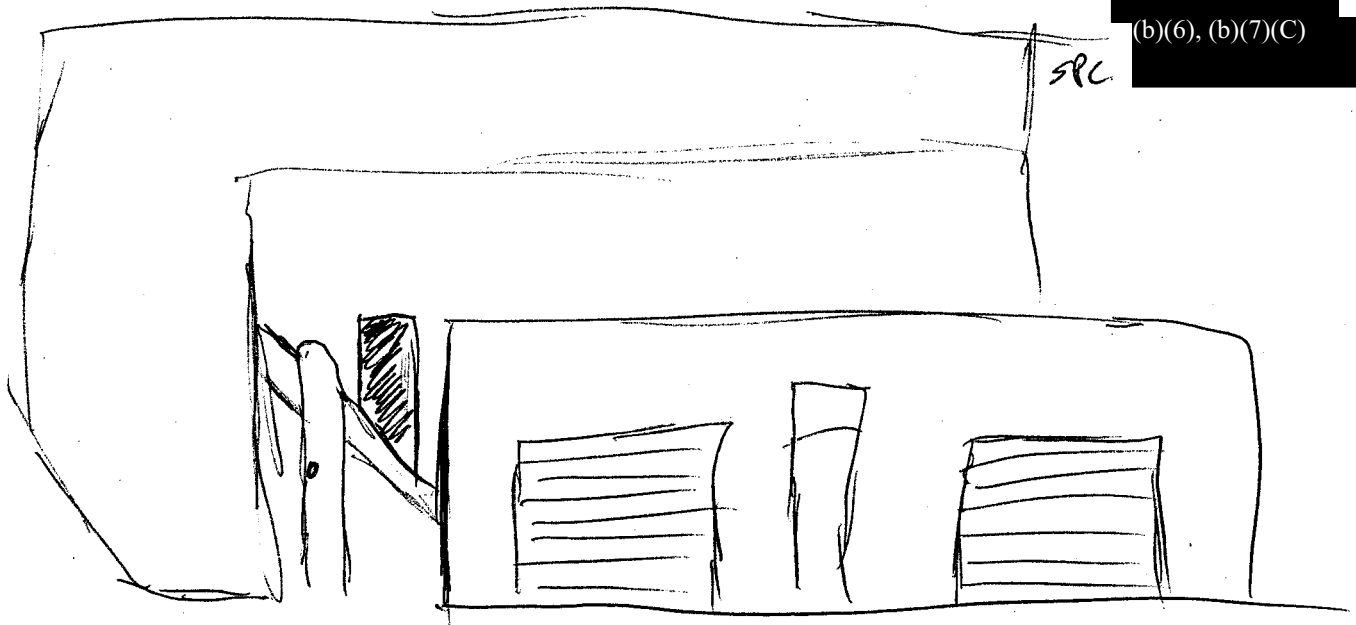
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(b)(6), (b)(7)(C)

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

SPL



**'FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE'**

NOT DRAWN TO
SCALE

Date: 19 Jan 08 (b)(6), (b)(7)(C)		Consent To Search (USACIDC Supplement 1 to AR 190-22)		Time: 1315 (b)(6), (b)(7)(C)	
1. Name of person consenting to the search: SPC (b)(6), (b)(7)(C)			2. Organization and location: A Co, 1-18 th Infantry Battalion Conn Barracks, APO AE 09226		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER, CONSPIRACY, MISPRISON OF A SERIOUS OFFENSE!!!					
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)					
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(Initial and sign applicable blocks)</i>					
a.	My Person	Initials	Signature	(b)(6), (b)(7)(C)	
b.	My Quarters	Initials (b)(6), (b)(7)(C)	Signature	(b)(6), (b)(7)(C)	
Located At: (b)(6), (b)(7)(C)		Conn Barracks, Schweinfurt, Germany APO AE 09226			
c.	My Vehicle	Initials	Signature		
Located At:					
Described As:					
d.	Other	Initials	Signature		
Located At:					
Described As:					
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: all Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, magazines, journals, notebooks, papers, and computer input and output device(s), cellular telephone(s), prayer beads, IPOD's and MP3 players. (b)(6), (b)(7)(C)					
I further authorize any law enforcement official with CID or assisting them to examine any of these items retained by CID in whatever manner necessary to allow evidence to be located, identified and further processed which supports this investigation. I further will freely provide any passwords or specific instructions necessary to assist (b)(6), (b)(7)(C) in.					
6. This written permission is given to the undersigned (b)(6), (b)(7)(C) voluntarily and without threats or promises of any kind:					
(b)(6), (b)(7)(C)		Consent			
Signature of USACIDC Special Agent		(b)(6), (b)(7)(C) Signature of Witness (If Available)			
		SA (b)(6), (b)(7)(C)			

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LAW ENFORCEMENT SENSITIVE'**

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-87-CID847-34682
PAGE 1 OF 1 PAGE	

DETAILS

About 0915, 19 Jan 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) A CO, 1-18th INF BN, Conn Barracks, Schweinfurt, Germany, APO AE 09226, of his legal rights, which he invoked and requested legal representation. **(See Rights Advisal Certificate for details)**

About 1038, 19 Jan 08, SA (b)(6), (b)(7)(C) obtained the consent to search from SPC (b)(6), (b)(7)(C) pertaining to the search of his person and barracks room. **(See Consent to Search for details)**

About 1105, 19 Jan 08, SA (b)(6), (b)(7)(C) conducted a search of SPC (b)(6), (b)(7)(C) barracks (b)(6), (b)(7)(C) building 169, Conn Barracks, Schweinfurt, Germany, APO AE 09226, for prayer beads or any images pertaining to this investigation. The search met with negative results.

About 1355, 19 Jan 08, SA (b)(6), (b)(7)(C) conducted a search of SPC (b)(6), (b)(7)(C) barracks (b)(6), (b)(7)(C) building 169, Conn Barracks, Schweinfurt, Germany, APO AE 09226, for prayer beads or any images pertaining to this investigation. One Laptop belonging to SPC (b)(6), (b)(7)(C) was collected as evidence. SPC (b)(6), (b)(7)(C) related the laptop's screen was non-operational and only displayed colored lines due to the laptop being previously crushed while traveling to Iraq.

About 1424, 19 Jan 08, SA (b)(6), (b)(7)(C) collected one laptop computer and one hard drive from SPC (b)(6), (b)(7)(C) as evidence, on an EPCD Voucher 0015-08.

About 1105, 19 Jan 08, SA (b)(6), (b)(7)(C) conducted a search of SGT (b)(6), (b)(7)(C) barracks (b)(6), (b)(7)(C) building 169, Conn Barracks, Schweinfurt, Germany, APO AE 09226, for prayer beads or any images pertaining to this investigation. The search met with negative results.///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION SCHWEINFURT RESIDENT AGENCY (USACIDC) APO, AE 09033	
SIGNATURE (b)(6), (b)(7)(C)	DATE 19 Jan 08	EXHIBIT 46

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RIGHTS WAIVER/LAW ENFORCEMENT SENSITIVE STATE

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: Schweinfurt CID Office
2. DATE: 19 Jan 08
3. TIME
4. FILE NO.: 0010-03-10547
5. NAME (Last, First MI): (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: SPC
8. ORGANIZATION OR ADDRESS: ACO, 1-18th INF BN, APO AE 09226

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 (CID) as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Murder and 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 question 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.

WITNESSES (If available)
1a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWEE
4. SIGNATURE OF INVESTIGATOR
5. TYPED NAME OF INVESTIGATOR: SA (b)(6), (b)(7)(C)
6. ORGANIZATION OF INVESTIGATOR: Schweinfurt CID Office, Criminal Investigation Command (CID), APO, AE 09033

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

SEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

Date: <u>19 Jan 08</u> (b)(6), (b)(7)(C)		Consent To Search (USACIDC Supplement 1 to AR 190-22)		Time: <u>1038</u> (b)(6), (b)(7)(C)	
1. Name of person consenting to the search: <u>Spc</u> (b)(6), (b)(7)(C)			2. Organization and location: A Co, 1-18 th Infantry Battalion Conn Barracks, APO AE 09226		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE//					
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)					
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(Initial and sign applicable blocks)</i>					
a.	My Person	Initials (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)		
b.	My Quarters	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)		
Located At: (b)(6), (b)(7)(C)					
c.	My Vehicle	Initials	Signature		
Located At:					
Described As:					
d.	Other	Initials	Signature		
Located At:					
Described As:					
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: all Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, movies, journals, notebooks, papers, and computer input and output device(s), cellular telephone(s), prayer beads, IPOD's and MP3 players.					
I further authorize any law enforcement official with CID or assisting them to examine any of these items retained by CID in whatever manner necessary to allow evidence to be located, identified and further processed which supports this investigation. I further will freely provide any passwords or specific instructions necessary to assist in the search of any of these items.					
6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind: (b)(6), (b)(7)(C)					
(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	
				Signature of Witness (If Available)	

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 0933, 19 Jan 08, SA (b)(6), (b)(7)(C) advised SGT (b)(6), (b)(7)(C), A Company (Co), 1-18th Infantry Battalion (INF BN), Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG), of his rights, which he waived, and provided a sworn statement, wherein he stated he knew the incident took place while he was on leave from Iraq between the end of Mar 07 and the middle of Apr 07. SGT (b)(6), (b)(7)(C) stated he was told about the incident two days after he returned from leave and that 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) killed some prisoners. The interview was videotaped. (See Rights Waiver Certificate, Sworn Statement, and Video Tape Recording)

About 1254, 19 Jan 08, SGT (b)(6), (b)(7)(C) provided consent to search for his barracks room. (See Consent to Search)
///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

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

DATE

19 Jan 08

EXHIBIT

So

CID FORM 94

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LAW ENFORCEMENT SENSITIVE

ACLU-RED 75596 p.148

10-L-0126 ACLU CID ROI 9057

000179

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~~LAW ENFORCEMENT SENSITIVE~~
RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

LOCATION: Schweinfurt, GE **DATE:** 19 Jan 08 **TIME:** 0933
FILE NUMBER: 0010-08-CID847-34682
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE / STATUS:** E-5/AD
ORGANIZATION OR ADDRESS: A Co. 1-18th INF BN, Conn Barracks, Schweinfurt, GE, APO AE 09226

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

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

~~suspected/accused:~~ Murder, 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 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:

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.

Witness # 1

Signature of Witness

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

Signature of Interviewee

Witness # 2

Signature of Witness

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

Signature of Investigator/Special Agent

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

Schweinfurt CID Office

APO AE 09033

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

FOR OFFICIAL USE ONLY

EXHIBIT

ACLU-RDI 5596 p.149

10-L-0126 ACLU CID ROI 9058

0180

LAW ENFORCEMENT SENSITIVE

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

LOCATION Schweinfurt CID Office	DATE (b)(6), (b)(7)(C) TIME 19 Jan 2008 1248 (b)(6), (b)(7)(C)	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SGT/AD
ORGANIZATION OR ADDRESS A Company, 1-18 th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226		

(b)(6), (b)(7)(C) I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 SGT (b)(6), (b)(7)(C) am in Aco 1-18 and hold the position of weapons squad ldr for 2nd platoon. I took leave around March 24th and came back around April 10th. When I came back I had heard from Spc. (b)(6), (b)(7)(C) that 3 guys in my company had taken out some terrorists in a way that probable should not have happened. He told me that 1st Sgt (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) had taken care of some guys that where responsible for the deaths of our fallen brothers. When asked how he felt about what had happened from the 1st SGT, he just kind of went along with it. Then maybe a day or two later Cpl (b)(6), (b)(7)(C) had told me the same thing. These are the only people who I have ever talked to about this, nor did I try to talk to anyone because it was frowned upon. I also did not want any part of this situation. I was on leave in Illinois at the time of these events in question, and was not on this patrol. I am also willing to take a polygraph test at any time for this event.

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

Q. Who typed the above narrative?
 A. I did.

Q. Who is SPC (b)(6), (b)(7)(C)?
 A. He was a Bradley driver.

Q. Is he in your company?
 A. Yes.

Q. What did SPC (b)(6), (b)(7)(C) mean by "taken care of"?
 A. They killed em. He didn't say that exactly but that's how I understood it.

Q. When did SPC (b)(6), (b)(7)(C) tell you this?
 A. Within two days of me being back from leave.

Q. Did he say whether or not everyone knew about it?
 A. No.

Q. Did he say whether or not he knew about it beforehand?
 A. No, but I talked with him and he said 1SG came up to him after the patrol and asked him if he knew what had happened. He said Yes, and 1SG asked him if he was ok with it. He replied to me in the manner of yea its alright, and then he said to me "Well hell they could have used my 9mil if they wanted to."

Q. Where did this conversation take place?
 A. (b)(6), (b)(7)(C) was sitting in the drivers seat of the Bradley, I was standing next to the drivers hatch when this conversation took place, on the COP.

Q. Did SPC (b)(6), (b)(7)(C) tell you which fallen brothers they were referring too?
 A. No, I am assuming that it was for (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) which SGT (b)(6), (b)(7)(C) was killed right before I went on leave.

Q. Did SPC (b)(6), (b)(7)(C) tell you he had witnessed the incident?
 A. No, but he told me he was present when it happened.

Q. What was SPC (b)(6), (b)(7)(C) demeanor when he talked about it with you?
 A. He was kind of distraught or uneasy about it.

Q. What exactly did CPL (b)(6), (b)(7)(C) tell you?

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

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 19 January 2008 CONTINUED

- A. He told me that we (the company) had taken care of some guys that were responsible about emplacing IEDs, and killing some of our guys.
- Q. When he told you that what did you believe he meant?
- A. That they had killed some guys responsible for killing some of our brothers.
- Q. Has anyone else discussed this incident with you at all?
- A. No.
- Q. Has anyone instructed to be dishonest about this investigation?
- A. No.
- Q. Do you know who was on the patrol?
- A. The only I know is the people listed above, 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and CPL (b)(6), (b)(7)(C)
- Q. Were you told where this incident occurred?
- A. At a later date yes, about 2-3 weeks, while on a patrol. We stopped on a dyke, with a canal under it, I believe we were meeting a Sheik, and that's when I was told this is the spot, but I can not remember who told me that.
- Q. Did they say anything about not talking?
- A. Not to me, and since no one was talking about it, I thought it was not to be discussed.
- Q. Why do you think they didn't want to discuss it?
- A. My opinion would be so no one would get into trouble, I don't know.
- Q. Do you know anything about another incident, concerning the Commander's PSD?
- A. No.
- Q. Did you ever hear anything about the 1SG shooting a wounded Iraqi?
- A. No.
- Q. Describe the canal.
- A. The only thing I remember is it was a long canal, and narrow, in the South -West of our AO. The canal at its widest part was about 4 feet, I don't remember a lot of vegetation, it was about 8-10 foot bank prior to the water.
- Q. Were you told which guns were used, when they killed the detainees?
- A. No.
- Q. What was your vehicles radio call sign?
- A. We were (b)(6), (b)(7)(C) and that was SGT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C)
- Q. What was the bumper number?
- A. A-27, and A-28.
- Q. Were there any other incidents like this during the deployment?
- A. No.
- Q. Do you have anything else to add to this statement?
- A. Nope.
- ///END OF STATEMENT/// (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 19 January 2008

CONTINUED:
STATEMENT (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 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:
by law

Subscribed and sworn to before me, a person authorized

to administer oaths, this 19th day of January, 2008
at Schweinfurt CID Office

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

ORGANIZATION OR ADDRESS

Inv (b)(6), (b)(7)(C)
CID Schweinfurt, Germany
LEONARD BARRACKS APO AE 09033
ORGANIZATION OR ADDRESS

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

~~Art 136, UCMJ~~ 18 USC 303
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

Date: 19 Jan 08	b(6), b(7)(C)	Consent To Search (USACIDC Supplement 1 to AR 190-22)	Time: 1254	b(6), b(7)(C)
-----------------	---------------	---	------------	---------------

1. Name of person consenting to the search: b(6), b(7)(C)	2. Organization and location: A Co, 1-18 th Infantry Battalion Conn Barracks, APO AE 09226
--	---

3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law:
MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE//

4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.)

5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: *(Initial and sign applicable blocks)*

a.	My Person	Initials	Signature
	b.	My Quarters	Initials: b(6), b(7)(C) Signature: b(6), b(7)(C)

Located At: b(6), b(7)(C) *Conn Barracks, Schweinfurt, Germany, APO AE 09226*

c.	My Vehicle	Initials	Signature

Located At:
Described As:

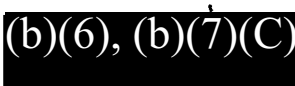
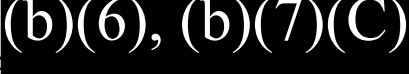
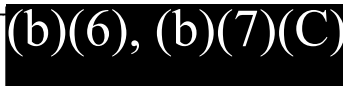
d.	Other	Initials	Signature

Located At:
Described As:

I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: *all Computers, hard disk drives, removable data storage media, portable data storage devices, cameras, photographs, movies, journals, notebooks, papers, and computer input and output device(s), cellular telephone(s), prayer beads, IPOD's and MP3 players.*

I further authorize any law enforcement official with CID or assisting them to examine any of these items retained by CID in whatever manner necessary to allow evidence to be located, identified and further processed which supports this investigation. I further will freely provide any passwords or specific instructions necessary to assist in the search of any of these items.

6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:

 Signature of USACIDC Special Agent	 Signature of Person Granting Consent	 Signature of Witness (if Available)
---	--	--

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1230, 19 Jan 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) wherein he provided details regarding the location in which the detainees were killed. SGT (b)(6), (b)(7)(C) provided vicinity grid (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) as two possible sites where the killings took place. SGT (b)(6), (b)(7)(C) further provided vicinity grid (b)(6), (b)(7)(C) as the initial pickup site of the detainees, primarily focusing on the northeastern sector of the grid square. SGT (b)(6), (b)(7)(C) also provided a sketch which detailed the scene where the detainees were killed. (See **Sketch and Map for details**)

Agent's Comment: The aforementioned grid coordinates were taken from the Iraq Urban Atlas Series Volume 1 – BAGHDAD, page C59.

About 1528, 19 Jan 08, SA (b)(6), (b)(7)(C) this office, advised SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1-18th IN BN, CBSG, of his legal rights, which he waived and provided a sworn statement which detailed his knowledge of the detainees which were killed. SPC (b)(6), (b)(7)(C) provided grid coordinates to the housing area in which he believed his unit detained the Iraqi males. SPC (b)(6), (b)(7)(C) related he stayed at the COP while the remaining members of the patrol left with the detainees. SPC (b)(6), (b)(7)(C) also related his knowledge regarding the Company Commander's PSD; however, he denied he witnessed members of the PSD intentionally kill non-combatants. SPC (b)(6), (b)(7)(C) further denied he witnessed incidents of detainee abuse. (See **Waiver Certificate and Sworn Statement for details**)

Agent's Comment: SA (b)(6), (b)(7)(C), Ansbach CID Office, Ansbach, Germany, APO AE 09250, and SA (b)(6), (b)(7)(C), Bamberg CID Office, Bamberg, Germany, APO AE 09139, assisted with the interview of SPC (b)(6), (b)(7)(C). In addition, possible detainee abuse and murder allegations regarding the Commander's Gunner on PSD are being investigated in ROI 0013-08-CID847-34864. **///LAST ENTRY///**

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033
SIGNATURE POL (b)(6), (b)(7)(C)	DATE 19 Jan 08	EXHIBIT 54

CID FORM 94

1 FEB 77

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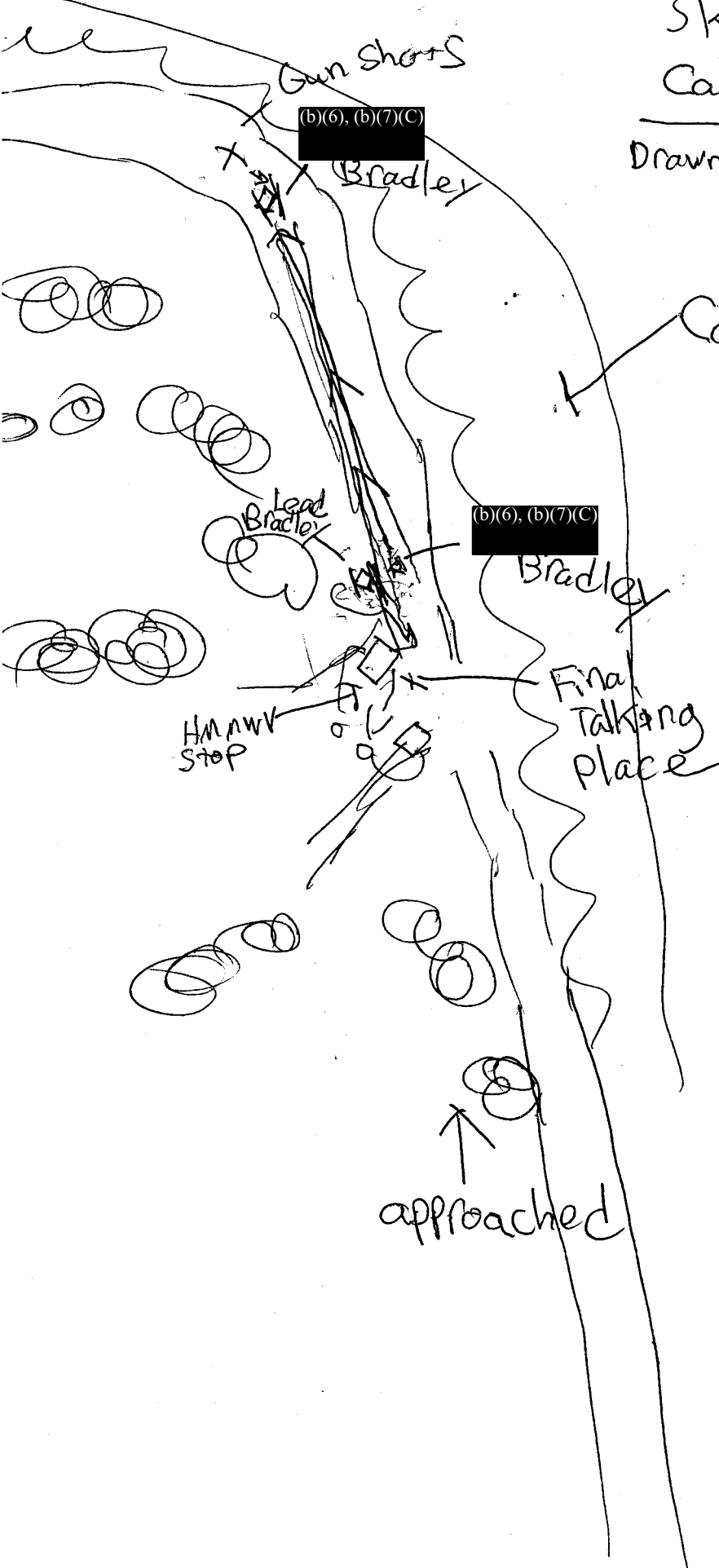
ACLU-RDI 5596 p.154

10-L-0126 ACLU CID ROI 9068

000189

Sketch of Canal incident

Drawn by SGT [REDACTED]
[REDACTED]



Witnessed by: SA [REDACTED]



BPV

1

~~BC~~

??

MILH

2

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

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

Myself

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

← Me??

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

MILH

3

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

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

1SG

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

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

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

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

BPV

4

(b)(6), (b)(7)(C) - Detainees

C59
36°00'00"E
436°00'00"E

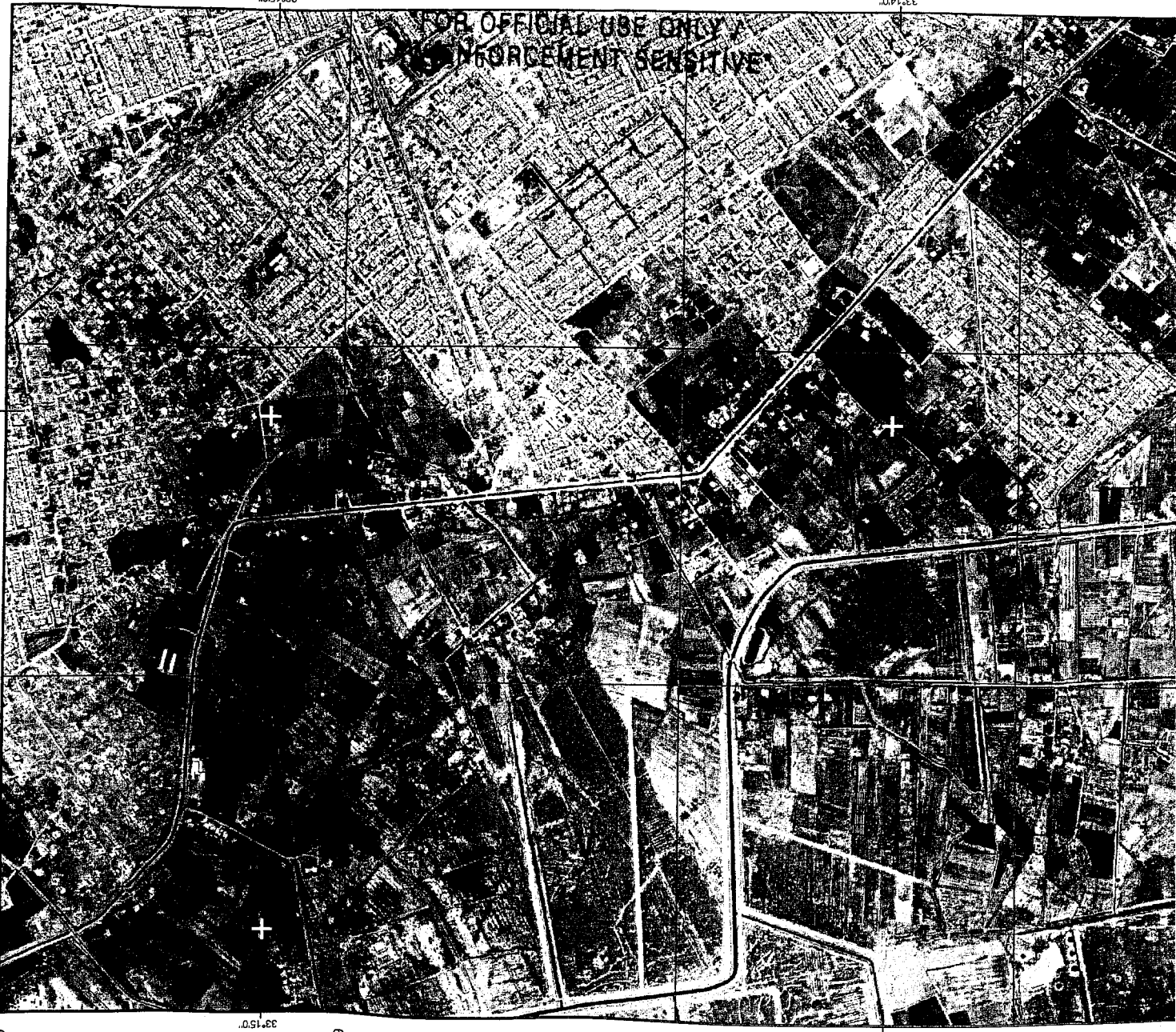
Image Joins C60

One second of latitude equals 30.81m.

UNCLASSIFIED//LIMITED DISTRIBUTION
اطلس العراق المحدث المجلد الأول، بغداد، 1:110,000

Image Joins C48

IRAQ URBAN ATLAS VOLUME 1, BAGHDAD, 1:112,500
One second of longitude equals 25.88m.
44°18'00"



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RIGHTS WARNING / LAW ENFORCEMENT SENSITIVE CERTIFICATE**

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

LOCATION: Schweinfurt, Germany **DATE:** 19 January 2008 **TIME:** 1528
FILE NUMBER: 0010-08-CID847-34682- **SSN:** (b)(6), (b)(7)(C) **STATUS:** SPC
NAME (Last, First MI): (b)(6), (b)(7)(C) **ORGANIZATION OR ADDRESS:** A Co., 1/18th INF BN, Conn Barracks, Schweinfurt, GM APO AE 09026

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Murder and 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 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:** Have you ever been advised of your legal rights and requested legal counsel?

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)

Signature of witness
(b)(6), (b)(7)(C)

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

Sig

Witness# 2

Signature of Witness

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

Sig
SA
Schweinfurt CID Office
APO AE 09033

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	19 Jan 08	1915	0010-08-CID847-34682
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-4/RA	
ORGANIZATION/ADDRESS:			

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: Regarding the day the HMMWV got stuck in the water, broke down, and had to be towed back to the COP; can you bracket in what day that was?

A: It was after (b)(6), (b)(7)(C) Died, also after 1SG (b)(6), (b)(7)(C) returned from R&R, but before Operation Dragon Fire – so I'd have to say it was around mid-May 2007.

Q: You said you towed the HMMWV out with a Bradley, then hitched it up to your vehicle, and as the driver towed it back to the COP. Was this before or after picking up the detainees?

A: We had been trying to maneuver on this one house for a while. That's why we drove through that shit-water in the first place. It was HMMWV Bumper #207, SSG (b)(6), (b)(7)(C) Vehicle. The driver was (b)(6), (b)(7)(C), the Gunner was (b)(6), (b)(7)(C). For some reason I'm pretty sure Dennis the Interpreter was in that truck that day. I remember him bitching about getting wet. The truck ended up all off on one side, almost rolling over in the mud. It was probably about 100 meters from the target house. Given our 50-meter interval, he was right where he should have been anyway. 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) trucks drove on up to the house and they jumped out to clear the house. While they were doing that, the gunners covered the house anyway. While all that was going on, some of us recovered the truck. From there, we towed it back to the COP.

Q: Were you aware that your element picked up 4 detainees and found a cache of weapons at that house?

A: I knew we picked up some detainees, but I didn't know we hung on to them. Often times we would snatch up detainees, then drop them back off. We also had an informant with us at the time. I think the informant was riding in the back of the 1SG's HMMWV. The Bradleys were behind us, so I don't know what they would be doing. The front Bradley, which is kept empty due to IED concerns, is the one that initially came back to pull out the stuck HMMWV. Most of us were working on getting that HMMWV out. To my knowledge, the only people who went in that house were the 1SG, SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C). SGT (b)(6), (b)(7)(C) probably went in too, as he went everywhere with the 1SG.

Q: I am showing you sheet C59 of the Iraq/Baghdad Map we have. Where was the house that the detainees were snatched from?

A: In that loose grouping of houses just east of the canal, about (38S) (b)(6), (b)(7)(C). On the map it also shows it around (b)(6), (b)(7)(C) North.

Q: Where was the COP?

A: Map sheet 49, at (38S) (b)(6), (b)(7)(C)

Q: What did you do after getting the broken down HMMWV back to the COP?

A: I stayed there to try to figure out what was wrong with it. SSG (b)(6), (b)(7)(C) didn't really like me much as a driver anyway. So, they left me back on the COP. I don't know why, it's just the way it worked out.

Q: Did you know there were 4 detainees in the back of one of the Bradleys while you were at the COP?

A: I probably did at the time, but I don't remember. It would not have been abnormal for us to have to go to the CSH after picking up detainees. Usually we'd swing through the COP on the way. Some guys like to go to the CSH to get a PX run in. I preferred not to go.

Q: When the rest of the platoon came back to the COP that evening, did any of the guys say anything about what happened while they were out?

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

Page 1 of 2 Pages

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 19 Jan 08 Continued

A: I don't remember. If they'd have said anything about killing detainees I'm sure I would remember that. I would have probably been watching movies on my laptop, so I don't remember anything about them coming back.

Q: New topic. What do you know about (b)(6), (b)(7)(C) bragging that he killed a lot of non-combatants intentionally or routinely?

A: I know he had a lot of kills because he was gunner on the Commander's truck, and was always in the shit. Word was he killed more people than cancer – but I don't know anything about him killing women and children or non-combatants on purpose. I wouldn't put it past him because he's young and really immature, but I don't know anything about him doing it or bragging about it. I know he brags about killing a lot of guys, but that's not women and children. I know he said once that when they were down near Bayaa, driving North on Jackson, they came under RPG fire and small arms fire. He killed 2 RPG guys. There were other guys running up and down the streets with RPGs. One of the Bradleys also shot 2 RPG-men (b)(6), (b)(7)(C) called out to the C.O. that he saw 2 guys, and the C.O. told him to shoot them (b)(6), (b)(7)(C) said afterwards that they were smoking a hookah. I don't know if he knew that at the time, or realized it after he shot them. I was in the vehicle at the time. The forward Bradley was shooting at some RPG guys.

(b)(6), (b)(7)(C) was engaging them as well. The RPG guys were popping up & ducking down all around. The CO kept calling out on the net asking what was going on. (b)(6), (b)(7)(C) said he sees 2 guys. The CO said kill them. Afterwards, the CO told (b)(6), (b)(7)(C) if you see someone with a weapon, just shoot.

Q: What was the CO's PSD Referred to as?

A: The Black Squad. My Platoon was WHITE Platoon. Then we had the RED and the BLUE Platoons. I guess Black was the next logical color to use.

Q: Do you have any knowledge of the PSD intentionally killing non-combatants?

A: No I don't. I rode with them for a month and it was boring.

Q: Do you have any knowledge of guys abusing detainees at the COP?

A: I don't think that could have happened. There were rules and everyone knew them. We also knew we'd be reported if we abused them. We also had a CSM and a Lieutenant Colonel (1-28 BN CDR) on our COP, so there was no way that would have been possible or allowed.

Q: Do you know anything about 1SG (b)(6), (b)(7)(C) killing off a wounded detainee on a trip to the CSH?

A: No I don't.

Q: Before coming here, had you ever heard rumors to that effect?

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

DA Form 2823 (Automated)

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EXHIBIT 56

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 19 Jan 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of Jan 08 at Schweinfurt Germany.

(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 Administering Oath)

Initials of Person Making Statement _____

Page 3 of 3 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 56

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

Page 1 of 1 Pages

About 1455, 19 Jan 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Co., 1/18th INF BN, Conn Barracks, Schweinfurt, GM APO AE 09026 of his legal rights, which he waived and admitted he witnessed SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) kick numerous detainee's in the face and stomach, and also witnessed a detainee's injuries that were sustained when (b)(6), (b)(7)(C) shot him with a Bee Bee gun. Furthermore, (b)(6), (b)(7)(C) reported (b)(6), (b)(7)(C) told him he killed numerous innocent Iraqi civilians. (See Rights Waiver, Sworn Statement, and video 1 and 2 for details)

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

5th MP BN (CID)
202nd Military Police Group (CID)
Kaiserslautern, APO AE 09227

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

Date:
19 Jan 08

Exhibit: 58

RIGHTS WARNING/PROCEDURES/SENSE/CERTIFICATE

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

LOCATION: Schweinfurt, Germany **DATE:** 19 January 2008 **TIME:** 1455 (b)(6), (b)(7)(C)
FILE NUMBER: 0010-08-CID847-34682-
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSN:** (b)(6), (b)(7)(C) **STATUS:** SPC
ORGANIZATION OR ADDRESS: A Co., 1/18th INF BN, Conn Barracks, Schweinfurt, GM APO AE 09026

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Murder and 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 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:** Have you ever been advised of your legal rights and requested legal counsel?

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.

Witness# 1
(b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C)
Signature of Interviewee

Schweinfurt CID 09026, APO AE 09026

Witness# 2
Signature of Witness

(b)(6), (b)(7)(C)
Signature of Investigator/Special Agent
SA (b)(6), (b)(7)(C)
5th MP BN (CID)
KAISERSLAUTERN, APO AE 09067

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

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LAW ENFORCEMENT SENSITIVE"

0010 - 2008 - CID 847 - 34682

SWORN STATEMENT

File Number : 0010-08-CID847-
Location : Schweinfurt, Germany
Date : 19 Jan 08
Time : 1716 (b)(6), (b)(7)(C)
Statement of : (b)(6), (b)(7)(C)
Grade/Status : E-4/AD
SSN : (b)(6), (b)(7)(C)
Org/Address : A Co., 1/18th INF BN, Schweinfurt, Germany APO AE 09226

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

This event involved (b)(6), (b)(7)(C) we were at the cop known as Angry Dragon when I was in my bunk and I decided to ask him out of curiosity how many people exactly has he killed he informed me the number was 40 or more and he bragged about how a lot of them were women and children and also he laughed about to other members of his squad and 2nd platoon. He said there were some instances where he was told by Captain (b)(6), (b)(7)(C) to randomly fire on innocent people when there was firing going on. (b)(6), (b)(7)(C)

This event took place at the cop (Combat Out Post) Angry Dragon when we had to watch detainees this involvement included the following personal (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) kicked the detainees in the stomach and deprived them of food and water and the toilette. (b)(6), (b)(7)(C) shot one of the detainees numerous times in the stomach leaving numerous welts on the detainee. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) punched and kicked them also in the stomach and also deprived them of the food and water and toilette. (b)(6), (b)(7)(C)

I (b)(6), (b)(7)(C) deprived them of using the toilette forcing to urinate themselves. (b)(6), (b)(7)(C)

There was also hear say of some detainees being shot. I do not know where. I didn't come forward cause. I didn't believe it. I do not know who was involved nor was I there to take part or have anything to do with the conflict that took place. (b)(6), (b)(7)(C)

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

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

Q. Did you type the above statement?

A. Yes.

Q. Did you see (b)(6), (b)(7)(C) shoot any innocent civilians?

A. No.

Q. Did you tell you he's shot innocent civilians?

A. Yes.

Q. When did he tell you this?

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

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

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

ACLU-RDI 5596 p.164

10-L-0126 ACLU CID ROI 9084

EXHIBIT 59

STATEMENT OF: (b)(6), (b)(7)(C)
2008 CONTINUED:

TAKEN AT: Schweinfurt, Germany; DATED: January 19,

A. He was constantly bragging about it. But, he started bragging about it around Feb 07.

Q. What did he specifically say?

A. He bragged about how he killed a whole group of innocent civilians because he hated the bastards and they deserved to die.

Q. Did he say what happened?

A. No, he said they were driving down the road and he would make false accusation that he saw a weapon and the CO told him to fire and he would kill the civilian.

Q. What did he say about kids?

A. He said if they were in the line of fire he didn't care he would open fire.

Q. Did he ever say anything about aiming at the kids on purpose?

A. He said if they were in the line of fire he would aim at them and still fire.

Q. What did he say about women?

A. He said he didn't care, that he loved to kill so he would aim at anyone and anything.

Q. Did you ever hear any official reports of innocent people being killed?

A. No, the 1SG and CO said they had our backs so nothing would be brought to the surface.

Q. Did you ever hear the 1SG or CO say they didn't care if innocent people were killed?

A. 1SG made the comment quite a bit, but I never heard the CO say it.

Q. Did (b)(6), (b)(7)(C) tell you he purposefully killed an innocent person?

A. Yes.

Q. He told you he purposefully aimed at an innocent person and killed or shot them?

A. Yes.

Q. Did he tell you specifically who it was or when it happen?

A. He just said that he would tell the CO that he saw someone with a weapon when he didn't and then the CO would tell him to fire so he did. He would laugh about it. He will tell you he has the highest kill ratio in the company and that a majority of them were innocent civilians that happened to be in the area and he'd shoot them.

Q. Did you ever see anyone shoot an innocent civilian?

A. No.

Q. Do you have any more knowledge or information regarding persons shooting innocent civilians?

A. No.

Q. What do you know about the assaults of the detainees?

A. Every time we brought back detainees they were beaten and they were beaten to bad and asking questions, so we released them.

Q. Did you see anyone assault a detainee?

A. I saw (b)(6), (b)(7)(C) hit three or four detainees.

Q. Were these detainee's secured at the time?

A. Roger.

Q. How?

EXHIBIT _____

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

PAGE 2 OF 5 PAGES

(b)(6), (b)(7)(C) "LAW ENFORCEMENT SENSITIVE"

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: Schweinfurt, Germany; DATED: January 19, 2008 CONTINUED:

- A. They had flex-cuffs behind there back and blindfolded.
- Q. Where did (b)(6), (b)(7)(C) strike them or how?
- A. He kicked them in the stomach.
- Q. Earlier you said some were also kicked in the face, what was that about?
- A. (b)(6), (b)(7)(C) kicked one in the face.
- Q. Who is (b)(6), (b)(7)(C)?
- A. He is or was the CO's driver?
- A. What is his first name?
- A. I am not certain, I think it is (b)(6), (b)(7)(C)
- Q. What did the detainees do when they were kicked?
- A. Crying and if they didn't shut up they were struck again.
- Q. You said some urinated themselves earlier?
- A. Roger.
- Q. Who else did you see assault a detainee?
- A. I didn't see (b)(6), (b)(7)(C), but (b)(6), (b)(7)(C) bragged about how he shot a detainee with an Air Soft gun and I saw the welts on his stomach.
- Q. Any other abuse information?
- A. Our interpreter cracked a detainee's head on the Bradley.
- Q. Who was the interpreter?
- A. (b)(6), (b)(7)(C)
- Q. Why did he do that?
- A. The guy that was arrested was accused of killing a bunch of kids and they said he tripped and hit his head on the Bradley, but (b)(6), (b)(7)(C) said he caused the injury.
- Q. You said earlier the 1SG and CO deprived the detainees of food?
- A. Roger.
- Q. What was that about?
- A. They told the guys to deprive the detainees of food and water and if they are hungry and thirsty they would talk. There was times we just picked random people off the street and would bring them back to the COP and then beat them to get information and then release them.
- Q. How do you know this?
- A. I've seen it and have been told, the PSD element would tell us.
- Q. What were you involved in?
- A. None of it.
- Q. When did the detainee abuses occur?
- A. Somewhere around Sep 07.
- Q. How long did it last?
- A. Up until the point we left.
- Q. Where did they occur?
- A. Beside our TOC, there was a cage area by the TOC.
- Q. What do you know about the 1SG, SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) killing detainees?
- A. I heard nothing about that.
- Q. What is this black squad you refer to?

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

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

STATEMENT OF: (b)(6), (b)(7)(C) ; TAKEN AT: Schweinfurt, Germany; DATED: January 19, 2008 CONTINUED:

A. The CO's personal security, they go wherever he does. They did there own thing.

Q. What's this about the IED's the black squad was creating?

A. (b)(6), (b)(7)(C) said they were getting a whole bunch of devices they were rigging up so that if the insurgents came back to the place they put the EID at, it would blow up on them. I remember saying something about it once and he got extremely pissed about it.

Q. Did (b)(6), (b)(7)(C) ever tell you that anyone specifically told him to kill or shoot innocent people.

A. Yes.

Q. Explain.

A. (b)(6), (b)(7)(C) told me he was told to engage on anything he found suspicious. He reported once there was a time there was just some guy sitting on the sidewalk smoking and he fired on him and shot him, and was mad he didn't hit the second guy that was next to him.

Q. Who did (b)(6), (b)(7)(C) say told him he could fire at anything or one he found suspicious.

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

Q. Do you have anything further to add to this statement concerning the matters under investigation?

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

EXHIBIT _____

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

PAGE 4 OF 5 PAGES

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

STATEMENT OF: (b)(6), (b)(7)(C); TAKEN AT: Schweinfurt, Germany; DATED: January 19, 2008 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.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this January 19, 2008, at Schweinfurt, Germany

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

(Signature of Person Administering Oath)

WITNESSED By:

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

Schweinfurt CID OFFICE

SPECIAL AGENT (b)(6), (b)(7)(C), (b)(7)(F)
5th MILITARY POLICE BATTALION (CID)
202ND MILITARY POLICE GROUP (CID),
USACIDC, Kaiserslautern, APO AE 09227

(Typed Name of Person Administering Oath)

ARTICLE 136 UCMJ / 18 USC 303

(Authority to Administer Oath)

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

EXHIBIT _____

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 5 PAGES

AGENT'S INVESTIGATION REPORT
CID Regulation 195-1

0010-08-CID847-34682
Page 1 of 1 Pages

About 0940, 20 Jan 08, SA (b)(6), (b)(7)(C) coordinated with SGT (b)(6), (b)(7)(C) A Co, 1-18th INF BN, Conn Barracks, Schweinfurt, Germany APO AE 09226 (CBSG), who related he was currently in Wurzburg, Germany. SGT (b)(6), (b)(7)(C) was advised of the search authorization for his barracks room. SA (b)(6), (b)(7)(C) informed SGT (b)(6), (b)(7)(C) that the search would be conducted and upon his return to CBSG he could contact this office to answer any questions. SGT (b)(6), (b)(7)(C) stated his door was secured, but a key could be obtained from the unit Charge of Quarters located in his building.

About 0945, 20 Jan 08, SA (b)(6), (b)(7)(C) coordinated with the Charge of Quarters, Fourth Floor, Building 168, CBSG, who stated he did not have access to any of the rooms, however, there was an adjoining bathroom into each of the barracks rooms, which might be unsecured.

AGENT'S COMMENT: Attempts to contact the unit Chain of Command to gain access to the room were unsuccessful. The CQ did not have a recall or alert roster for any of the soldiers from 1-18th INF Reg. The CQ also did not have any numbers for the Key Control Custodian or the unit supply.

About 0950, 20 Jan 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) Schweinfurt CID Office, executed a search authorization on the barracks room of SGT (b)(6), (b)(7)(C) located at (b)(6), (b)(7)(C) Building 168, CBSG. SA (b)(6), (b)(7)(C) collected as evidence a Sony Vaio Laptop computer with an AC adapter; a Fuji Finepix F470 Digital Camera with a USB cable; a Zune MP3 player with USB cable; a 512MB thumb drive; and a Compaq Presario Laptop computer with an AC Adapter.

AGENT'S COMMENT: Access to (b)(6), (b)(7)(C) was gained through the adjoining bathroom from Room 445.

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

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

Schweinfurt CID Office
202d Military Police Group (CID)
APO AE 09033

Signature:
for (b)(6), (b)(7)(C)

Date:
20 Jan 08

Exhibit:
61

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34662

PAGE 1 OF 1 PAGES

DETAILS
About 1000, 22 Jan 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, coordinated with MAJ (b)(6), (b)(7)(C) Executive Officer (XO), 1/18th Infantry (IN) Battalion (BN), Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG) who provided a list detailing the names and dates of Soldiers assigned to 1/18th IN BN who died while in Iraq. (See **Operation Iraqi Freedom 06-08 list for details**)

About 1100, 22 Jan 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Commander, and 1SG (b)(6), (b)(7)(C) both of A Company (CO), 1/18th IN BN, CBSG, who provided an Alpha Roster to utilize in the identification of Soldiers assigned to A CO, 1/18th IN BN. 1SG (b)(6), (b)(7)(C) further provided a Master Authorization List (MAL) pertaining to the sensitive items of A CO, 1/18th IN BN. (See **MAL for details**)

/// Last Entry ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office, CMR 457
APO AE 09033

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

DATE

22 JAN 08

EXHIBIT

62

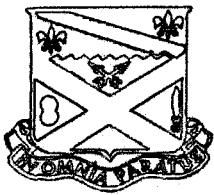
CID FORM 94

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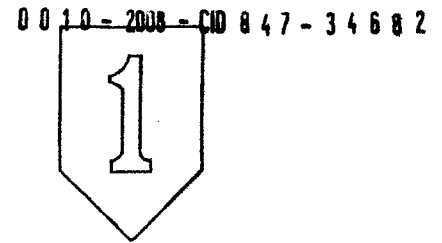
1 FEB 77
ACLU-RDI 5596 p.170

10-L-0126 ACLU CID ROI 9093

000212



In Honor Of Our Fallen Vanguard Brothers



Operation Desert Storm

SSG Raymond E. Hatcher
D Co 1-18INF
Basra 2 March 1991

CPL Kevin E. Wright
D Co 1-18INF
Basra 2 March 1991

Operation Iraqi Freedom II

CPT John F. Kurth
B Co 1-18INF
Tikrit 13 March 2004

SPC Jason C. Ford
B Co 1-18INF
Tikrit 13 March 2004

SPC Tracey L. Laramore
B Co 1-18INF
Bayji 17 March 2004

SPC Clint R. Matthews
B Co 1-18INF
Bayji 19 March 2004

SGT Brian M. Wood
2/A 9E
Tikrit 16 April 2004

SPC Edgar P. "Doc" Daclan
C Co 1-18INF
Balad 10 September 2004

SPC Morgan N. Jacobs
B Co 1-18INF
Bayji 7 October 2004



Operation Iraqi Freedom 06-08

CPL Eric G. Palacios-Rivera
B Co 1-18INF
Ar Ramadi 14 November 2006

SGT Lawrence J. Carter
HHC 1-18INF
Baghdad 29 December 2006

SSG Karl O. Sotopinedo
A Co 1-18INF
Baghdad 27 February 2007

SPC Mario Guerrero
A Co 1-18INF
Baghdad 17 March 2007

CPT Anthony Palermo
HHC 1-18INF
Baghdad 6 April 2007

SPC Ryan S. Dallam
HHC 1-18INF
Baghdad 6 April 2007

PFC Damian Lopez-Rodriguez
HHC 1-18INF
Baghdad 6 April 2007

SGT Mario K. De Leon
A Co 1-18INF
Baghdad 16 April 2007

SPC Lucas V. Starceovich
C Co 1-18INF
Baghdad 16 April 2007

SGT Felix Gonzalez-Iraheta
HHC 1-18INF
Baghdad 3 May 2007

SPC John Flores
HHC 1-18INF
Baghdad 3 May 2007

SPC Clinton C. Blodgett
A Co 1-18INF
Baghdad 26 May 2007

SGT Bacilio E. Cuellar
C Co 1-18INF
Baghdad 30 May 2007

CPL James E. Lundin
C Co 1-18INF
Baghdad 30 May 2007

SPC Joshua M. Moore
C Co 1-18INF
Baghdad 30 May 2007

SGT Shawn E. Dressler
A Co 1-18INF
Baghdad 2 June 2007

SPC Joshua D. Brown
A Co 1-18INF
Baghdad 3 June 2007

SSG Michael A. Bechert
C Co 1-18INF
Baghdad 14 June 2007

SPC David Wilkey
C Co 1-18INF
Baghdad 18 June 2007

SFC Raymond Buchan
B Co 1-18INF
Ar Ramadi 1 July 2007

PFC Daniel A. Leckel
C Co 1-18INF
Baghdad 25 July 2007

SPC Christopher Nieberger
C Co 1-18INF
Baghdad 6 August 2007

**"Greater Love Hath No Man Than This,
That A Man Lay Down His Life For His Friends"**

Designed by
Sgt. Michael E. Galt

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LAW ENFORCEMENT USE ONLY"

Alpha 1/18 IN Company MAL

Type+A575	Rack #	Serial #	Assigned (b)(6)	On Weapon	Status	Plt.	NSN #	Admin # (b)(6)	Job #	Date
M9	71	1094792				3	1005011277510			
M9	7	1144892				2	1005011277510			
M9	72	1151933				3	1005011277510			
M9	102	1165701				HQ	1005011277510			
M9	2	1165804				1	1005011277510			
M9	1	1166109				1	1005011277510			
M9	107	1342018				2	1005011277510			
M9	6	1342290				2	1005011277510			
M9	103	1342293				2	1005011277510			
M9	75	1342962				HQ	1005011277510			
M9	8	1345012				3	1005011277510			
M9	105	1346305				2	1005011277510			
M9	4	1346307				HQ	1005011277510			
M9	9	1346311				1	1005011277510			
M9	74	1349310				2	1005011277510			
M9	73	1349320				3	1005011277510			
M9	106	1349324				3	1005011277510			
M9	3	1359952				1	1005011277510			

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847-34682

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EXHIBIT

10-F-0128 AGES OIG ROI 9096

000214 64

#	#	PLT	RANK	LAST NAME	FIRST NAME	SSN
1	1	1			(b)(6)	
2	2	1				
3	3	1				
4	4	1				
5	6	1				
6	7	1				
7	8	1				
8	9	1				
9	10	1				
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45	48	1				

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(b)(6)

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72	27	2
73	28	2
74	29	2
75	30	2
76	31	2
77	32	2
78	33	2
79	34	2
80	35	2

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LAW ENFORCEMENT SENSITIVE"

EXHIBIT

64

000216

Alpha roster
 (scrubbed w/UMR)

0010-2008-CID 847-34682

#	#	PLT	RANK	LAST NAME	FIRST NAME	ISSN
92	7	3			(b)(6)	
49	2	2				
50	3	2				
1	1	1				
93	8	3				
2	2	1				
94	9	3				
3	3	1				
4	4	1				
5	5	1				
51	4	2				
52	5	2				
53	6	2				
6	6	1				
143	1	HQ				
95	10	3				
7	7	1				
96	11	3				
8	8	1				
97	12	3				
54	7	2				
9	9	1				
55	8	2				
10	10	1				
11	11	1				
12	12	1				
144	2	HQ				
98	13	3				
99	14	3				
100	15	3				
56	9	2				
101	16	3				
13	13	1				
14	14	1				
57	10	2				
58	11	2				
102	17	3				
145	3	HQ				
15	15	1				
16	16	1				
17	17	1				
		1				
103	18	3				
104	19	3				
		2				
105	20	3				
106	21	3				
59	12	2				
146	4	HQ				

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(b)(6)

107	22	3
60	13	2
61	14	2
108	23	3
147	5	HQ
109	24	3
18	18	1
19	19	1
148	6	HQ
62	15	2
149	7	HQ
150	8	HQ
20	20	1
21	21	1
63	16	2
64	17	2
65	18	2
110	25	3
22	22	1
23	23	1
24	24	1
25	25	1
111	26	3
26	26	1
112	27	3
66	19	2
67	20	2
68	21	2
113	28	3
114	29	3
27	27	1
151	9	HQ
115	30	3
116	31	3
117	32	3
28	28	1
69	22	2
70	23	2

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"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"
(b)(6)

0 0 1 0 - 2008 - CID 8 4 7 - 3 4 6 8 2

29	29	1
71	24	2
30	30	1
118	33	3
119	34	3
152	10	HQ
120	35	3
121	36	3
72	25	2
31	31	1
122	37	3
73	26	2
123	38	3
124	39	3
32	32	1
125	40	3
74	27	2
33	33	1
126	41	3
34	34	1
75	28	2
35	35	1
76	29	2
36	36	1
77	30	2
127	42	3
78	31	2
37	37	1
79	32	2
80	33	2
81	34	2
82	35	2
128	43	3
38	38	1
83	36	2
129	44	3
130	45	3
131	46	3
84	37	2
85	38	2
86	1	2
87	2	2
39	39	1
88	3	2
89	4	2
132	47	3
133	48	3
134	49	3
135	50	3
40	40	1
41	41	1
42	42	1
43	43	1
136	51	3
137	52	3
44	44	1
138	53	3

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EXHIBIT 64

153	11	HQ
45	45	1
46	46	1
139	54	3
47	47	1
90	5	2
140	55	3
91	6	2
141	56	3
142	57	3
48	1	1

(b)(6)

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

Between 1306-1310, 22 Jan 08, SA (b)(6), (b)(7)(C) collected three Pistols from 1SG (b)(6), (b)(7)(C) as evidence, on an Evidence/Property Custody Document (EPCD), Voucher numbers 0017-08 and 0018-08. (See EPCD for details)

About 1306, 22 JAN 08, SA (b)(6), (b)(7)(C) coordinated with 1SG (b)(6), (b)(7)(C) who provided two original hand receipts, 9 Jul 07, pertaining to the issue of SGT (b)(6), (b)(7)(C) Army Issue Beretta 9mm. 1SG (b)(6), (b)(7)(C) further provided one HHC MP Weapon Roster. (See Hand Receipts and Weapon Roster for details)

AGENTS COMMENT: 1SG (b)(6), (b)(7)(C) was not able to provide hand receipts pertaining to the issue of SFC (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) weapon.

About 1755, 22 Jan 08, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) who provided authorization for the forensic exam of the evidence collected from SGT (b)(6), (b)(7)(C) barracks room from CPT (b)(6), (b)(7)(C) (See Affidavit and Search Authorization for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office
CMR 457, APO AE 09033

SIGNATURE

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

DATE

22 Jan 08

EXHIBIT

65

CID FORM 94

1 FEB 17
ACLU-RDI 5596 p.179

FOR OFFICIAL USE ONLY

10-L-0126 ACLU CID

(b)(6), (b)(7)(C) 000221

03

FOR OFFICIAL USE ONLY

1D847-3466Z

HAND RECEIPT/ANNEX NUMBER

For use of this form, see DA PAM 710-2-1.
The proponent agency is ODCSLOG.

FROM: HHC 1-18 IN ARMS ROOM

TO: [REDACTED]

HAND RECEIPT NUMBER [REDACTED]

FOR ANNEX/CR ONLY

END ITEM STOCK NUMBER

END ITEM DESCRIPTION

PUBLICATION NUMBER

PUBLICATION DATE

QUANTITY

STOCK NUMBER

a.

ITEM DESCRIPTION

b.

* c.

d. SEC

e. UI

f. QTY AUTH

g. QUANTITY

A B C D E F

M4 RIFLE - W242288

M9 - 1273931

EA

1

1

M9 - 1273931

EA

1

1

FIG - 4 @ 904288

EA

1

1

(b)(6)

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* WHEN USED AS A:

FOR OFFICIAL USE ONLY

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).

PAGE _____ OF _____ PAGES

DA FORM 2062, JAN 1982

EDITION OF JAN 58 IS OBSOLETE

EXHIBIT

APD PE v2.10

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0010-08-CID 847-37662

ISSUE OF WEAPONS AND AMMUNITION (AE Reg 190-13)					1. Unit or station : HHC 1-18 IN (A-MED)		PG CPL LEAHY					
2. Rack Number	3. Type of weapon	4. Serial number	5. Number rounds	6.		7. Printed name Signature (b)(6)	8. Out by (initial)	9.		10. Number rounds	11. Turned in to (signature)	12. Turned in by (initial)
				Date out	Time out			Date in	Time in			
67	M9 PISTOL	1273931										
61	M4	W242288										
TURN INN	M68	161642										
	PAQ-4	090428B										
TURN INN	PVS-7B	048761A										

AE FORM 190-131, OCT 03

This edition replaces AE Form 190-131, dtd May 03, which is obsolete.

FOR OFFICIAL USE ONLY

EXHIBIT

M68	419	897733	(b)(6)	M4 #419	HQ	1265010776079	M68-138
M68	128	897734	Armstrong	M4 #128	HQ	1265010776079	M68-139
M68	331	897735	(b)(6)	M4 #331	3	1265010776079	M68-4
M68		897737			HQ	1265010776079	M68-140
M68	223	897738	Armstrong		HQ	1265010776079	M68-141
M68	203	897743	(b)(6)	M4 #203	HQ	1265010776079	M68-142
M68		942270			1	1265010776079	M68-154
M68		942278			3	1265010776079	M68-156
M68	418	942281		M4 #418	HQ	1265010776079	M68-157
M68	413	942286			HQ	1265010776079	M68-92
M68		942288			HQ	1265010776079	M68-158
M68		942291			3	1265010776079	M68-159
M68		1008686			1	1265010776079	M68-8
M68		1033215	Armstrong		HQ	1265010776079	M68-161
M68		1033219	Armstrong		HQ	1265010776079	M68-162
M68		1033225	Armstrong		HQ	1265010776079	M68-163
M68		1033243	(b)(6)		HQ	1265010776079	M68-164
M68		1053427			2	1265010776079	M68-165
M68	108	001A		M4 #108	3	1265010776079	M68-1
M68	314	004A		M4 #413	HQ	1265010776079	M68-9
M68	42	005A	Armstrong		T/I	1265010776079	M68-89
M68		006A	Armstrong		HQ	1265010776079	M68-2
M68		018A	Armstrong		T/I	1265010776079	M68-21
M68		019A	Armstrong		T/I	1265010776079	M68-19
M68	218	020A	(b)(6)	M4 #218	2	1265010776079	M68-20
M68	325	021A	Armstrong		HQ		M68-3
M68		022A	Armstrong		HQ	1265010776079	M68-5
M68		030A	Armstrong		HQ	1265010776079	M68-6
M68		036A	Armstrong		HQ	1265010776079	
M68		043A	Armstrong		T/I	1265010776079	M68-43
M68		046A	(b)(6)		HQ	1265010776079	M68-46
M68	406	048A			HQ	1265010776079	M68-48
M68	330	053A		M4 #330	3	1265010776079	M68-38
M68	215	062A		M4 #215	2	1265010776079	M68-62
M68	321	064A	Armstrong		3	1265010776079	M68-64
M68	204	065A	Armstrong		HQ	1265010776079	M68-66
M68		068A	Armstrong		HQ	1265010776079	M68-68
M68	209	073A	(b)(6)		HQ	1265010776079	M68-73
M68	233	087A		M4 #233	2	1265010776079	M68-87
M68	208	091A		M4 #208	2	1265010776079	M68-91
M68	307	095A		M4 #313	3	1265010776079	M68-95
M68	415	096A	Armstrong		HQ	1265010776079	M68-96
M9	71	1094792	Armstrong		HQ	1005011277510	9MM-9
M9	7	114892	(b)(6)		2	1005011277510	9MM-6
M9	72	1151933	Armstrong		HQ	1005011277510	9MM-10
M9	102	1165701	Armstrong		HQ	1005011277510	9MM-13
M9	2	1165804	Armstrong		HQ	1005011277510	9MM-2

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EXHIBIT 67

M9	1	1166109	Armsroom				1	1005011277510	9MM-1
M9	107	1342018	Armsroom				2	1005011277510	9MM-18
M9	6	1342290	Armsroom				2	1005011277510	9MM-5
M9	103	1342293	Armsroom				HQ	1005011277510	9MM-14
M9	75	1342962	Armsroom				3	1005011277510	9MM-15
M9	8	1345012	Armsroom				2	1005011277510	9MM-7
M9	105	1346305	Armsroom				HQ	1005011277510	9MM-16
M9	4	1346307	Armsroom				HQ	1005011277510	9MM-4
M9	9	1346311	Armsroom				2	1005011277510	9MM-8
M9	74	1349310	Armsroom				HQ	1005011277510	9MM-12
M9	73	1349320	Armsroom				3	1005011277510	9MM-11
M9	106	1349324	Armsroom				1	1005011277510	9MM-17
M9	3	1359952	Armsroom				1	1005011277510	9MM-3
MK19		217920695	Armsroom				HQ		
PAS-13	3	33387	Armsroom				HQ		
PAS-13		36228	Armsroom				HQ		
PAS-13	1	36235	Armsroom				HQ		
PAS-13	2	36239	Armsroom				HQ		
PAS-13	71	36244	Armsroom				HQ		
PAS-13	73	64014	Armsroom				HQ		
PAS-13	72	64335	Armsroom				HQ		
PAS-13		64621	Armsroom				HQ		
PSQ-18A		002585	Armsroom				HQ		
PSQ-18A		016233	Armsroom				HQ		
PSQ-18A		016249	Armsroom				HQ		
PSQ-18A		016251	Armsroom				HQ		
PSQ-18A	304	016253	Armsroom				HQ		
PSQ-18A	320	016254	Armsroom				HQ		
PSQ-18A		016255	Armsroom				HQ		
PSQ-18A	319	016256	Armsroom				HQ		
PSQ-18A		016258	Armsroom				HQ		
PSQ-18A		016259	Armsroom				HQ		
PSQ-18A	306	016261	Armsroom				HQ		
PSQ-18A		016267	Armsroom				HQ		
PSQ-18A		016268	Armsroom				HQ		
PSQ-18A		016271	Armsroom				HQ		
RAPTOR	1	4N40545	Armsroom				HQ		
RAPTOR	74	4N40563	Armsroom				HQ		Deadline
RAPTOR	35	4N40582	Armsroom				HQ		Deadline
RAPTOR	36	6N60845	Armsroom				HQ		
RAPTOR	37	6N60846	Armsroom				HQ		
RAPTOR		6N60847	Armsroom				HQ		
RAPTOR		6N60848	Armsroom				HQ		
RAPTOR		6N60849	Armsroom				HQ		
RAPTOR	71	6N60850	Armsroom				HQ		
RAPTOR	72	6N60851	Armsroom				HQ		Deadline
RAPTOR	73	6N60852	Armsroom				HQ		Deadline

(b)(6)

EXHIBIT 67

RAPTOR	6N60853	Armstrong							
RT1523DCU	A18	1st Platoon			HQ	1	5820014108981		
RT1523DCU	049800A	1st Platoon				1	5820014108981		
RT1523DCU	78	1st Platoon				1	5820014108981		
RT1523DCU	056269A	Assigned to PLT				1	5820014108981		
RT1523DCU	055361A	Assigned to PLT				2	5820014108981		
RT1523DCU	058469A	PSD			HQ	2	5820014108981		
RT1523DCU	058472A	2nd Platoon				2	5820014108981		
RT1523DCU	058473A	2nd Platoon				2	5820014108981		
RT1523DCU	058474A	2nd Platoon				2	5820014108981		
RT1523DCU	058486A	Assigned to PLT			HQ	2	5820014108981		
RT1523DCU	058487A	2nd Platoon				2	5820014108981		
RT1523DCU	058497A	Assigned to PLT			HQ	2	5820014108981		
RT1523DCU	058500A	1st Platoon				1	5820014108981		
RT1523DCU	058502A	2nd Platoon				2	5820014108981		
RT1523DCU	A16a	Assigned to PLT				1	5820014108981		
RT1523DCU	A17a	Assigned to PLT				1	5820014108981		
RT1523DCU	A26	2nd Platoon				2	5820014108981		
RT1523DCU	A26	Assigned to PLT				2	5820014108981		
RT1523DCU	71	1st Platoon				1	5820014108981		
RT1523DCU	72	Assigned to PLT				3	5820014108981		
RT1523DCU	A18	1st Platoon				1	5820014108981		
RT1523DCU	A15a	1st Platoon				1	5820014108981		
RT1523DCU	058531A	Assigned to PLT				2	5820014108981		
RT1523DCU	058552A	Assigned to PLT				1	5820014108981		
RT1523DCU	058563A	2nd Platoon				2	5820014108981		
RT1523DCU	A27	1st Platoon				1	5820014108981		
RT1523DCU	A27	1st Platoon				1	5820014108981		
RT1523DCU	058587A	2nd Platoon				2	5820014108981		
RT1523DCU	73	1st Platoon				1	5820014108981		
RT1523DCU	74	Assigned to PLT				2	5820014108981		
RT1523DCU	058788A	PSD			HQ	2	5820014108981		
RT1523DCU	76	PSD			HQ	2	5820014108981		
RT1523DCU	058823A	2nd Platoon				2	5820014108981		
RT1523DCU	058829A	Assigned to PLT				3	5820014108981		
RT1523DCU	A28	Assigned to PLT				2	5820014108981		
RT1523DCU	A25	2nd Platoon				2	5820014108981		
RT1523DCU	A17b	Assigned to PLT				1	5820014108981		
SUREFIRE	105	(b)(6)				1	5820014108981		
SUREFIRE	A033415					1	5820014108981		
SUREFIRE	109					1	5820014108981		
SUREFIRE	328					3	5820014108981		
SUREFIRE	A034675					1	5820014108981		
SUREFIRE	A034797					1	5820014108981		
SUREFIRE	312					3	5820014108981		
SUREFIRE	A037481					1	5820014108981		
SUREFIRE	A037580					1	5820014108981		



LAW ENFORCEMENT SENSITIVE

EXHIBIT

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M68	875572	Unassigned	1265010776079	M68-86
M68	875574	Unassigned	1265010776079	M68-88
M68	875576	Unassigned	1265010776079	M68-89
M68	875577	Unassigned	1265010776079	M68-90
M68	875579	Unassigned	1265010776079	M68-93
M68	875580	Unassigned	1265010776079	M68-94
M68	941987	Unassigned	1265010776079	M68-143
M68	941989	Unassigned	1265010776079	M68-144
M68	941990	Unassigned	1265010776079	M68-145
M68	941993	Unassigned	1265010776079	M68-146
M68	941994	Unassigned	1265010776079	M68-147
M68	941996	Unassigned	1265010776079	M68-148
M68	941999	Unassigned	1265010776079	M68-149
M68	942001	Unassigned	1265010776079	M68-150
M68	942003	Unassigned	1265010776079	M68-151
M68	942005	Unassigned	1265010776079	M68-152
M68	942007	Unassigned	1265010776079	M68-153
M68	942272	Unassigned	1265010776079	M68-155
M68	942292	Unassigned	1265010776079	M68-160

EXHIBIT 67

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), Ansbach CID Office, APO AE 09250
(Name) (Organization or Address)

having been duly sworn, on oath depose and state that:

I am a Special Agent of the United States Army Criminal Investigation Command (USACIDC), and have been employed as such since Jun 03. Prior to becoming a Special Agent, I was assigned with USACIDC as Military Police Investigator in Sep 01. I am currently assigned to an Investigative Task Force in the Schweinfurt Military Community. As a member of the Investigative Task Force I have utilized my training and experience in the review and analysis of the criminal intelligence information obtained thus far.

2. The affiant further states that:

On 10 Jan 08, Schweinfurt CID was notified by CPT (b)(6), (b)(7)(C) Trial Defense Services (TDS), Conn Barracks, Schweinfurt, Germany, APO AE 09226, that a client witnessed the murder of Iraqi prisoners by soldiers of A-1/18 IN BN during their recent OIF deployment.

CPT (b)(6), (b)(7)(C) client related in late April-May 07, his platoon came under fire while on patrol near West Rashad in the Jihad and Shurtah neighborhoods, West Baghdad. They pursued and detained 4 to 6 Iraqi males whom they found in the company of family members in a nearby residence. They recovered ammunition, flak vests, and an RPK machinegun from a nearby building. 1SG (b)(6), (b)(7)(C), SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) solicited the remaining soldiers to kill the prisoners. They transported the prisoners to Combat Outpost (COP) Angry Dragon (Site-14), where they reported they intended to release the prisoners to the Iraqi Police at CP 578, due to lack of evidence.

CPT (b)(6), (b)(7)(C) stated his client believed photographs were taken of the prisoners and weapons utilizing SGT (b)(6), (b)(7)(C) camera.

SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were left at the COP while the rest of the patrol drove to an area described as "a canal about 5 minutes west of COP Angry Dragon, off of Route Steeler, VIC M877/M875." Once there, 1SG (b)(6), (b)(7)(C), SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) shot the prisoners and dumped their bodies in the canal. Upon their return, SSG (b)(6), (b)(7)(C) submitted a false AAR, reporting they released the prisoners to the Iraqi Police.

On 11 Jan 08, SGT (b)(6), (b)(7)(C) was advised of his rights and rendered a sworn statement corroborating the information provided by the TDS Client (subsequently determined to be SSG (b)(6), (b)(7)(C)).

SGT (b)(6), (b)(7)(C) also stated SFC (b)(6), (b)(7)(C) had directed all of the soldiers to delete any of the pictures of the detainees.

On 18 Jan 08, SGT (b)(6), (b)(7)(C) was advised of his rights and rendered a sworn statement wherein he admitted to shooting two of the four detainees in the head, killing one and wounding another. SGT (b)(6), (b)(7)(C) further stated SFC (b)(6), (b)(7)(C) killed one of the detainees and 1SG (b)(6), (b)(7)(C) killed two of the detainees, one of which was the one that SGT (b)(6), (b)(7)(C) had wounded.

On 18 Jan 08, SFC (b)(6), (b)(7)(C) was advised of his rights and rendered a sworn statement wherein he admitted to shooting and killing one of the detainees. SFC (b)(6), (b)(7)(C) stated SGT (b)(6), (b)(7)(C) killed one of the detainees and 1SG (b)(6), (b)(7)(C) killed two of the detainees.

Based on my experience and training I believe the photographs of the prisoners and weapons were retained in the possession of SGT (b)(6), (b)(7)(C). Based on technological equipment and media storage, the images captured by SGT (b)(6), (b)(7)(C) could be stored on either hard copy photographs or negatives; and/or retained in some form of digital storage device; i.e. media card, camera/camcorder hard drive, computer, cd/dvd, thumb drive, external hard drive, ipod/mp3 player, or game system hard drive. Additionally, if the images were deleted from any type of digital media storage device, a forensic examination of the digital equipment could possibly recover the deleted images.

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of SGT (b)(6), (b)(7)(C)
(the person) (and)

and (b)(6), (b)(7)(C) Building 1168, Conn Barracks, Schweinfurt, Germany APO AE 09226
(the quarters or billets) (and)

(the automobile) and (seizure) (apprehension) of photographs/negatives, videotapes, CD/DVD
(items/persons searched for)

digital media cards, cameras, camcorders, thumbdrives, computers, game systems, IPOD/MP3 players, external hard drives

TYPED NAME AND ORGANIZATION OF AFFIANT (b)(6), (b)(7)(C) Special Agent Ansbach CID Office, APO AE 09250	SIGNATURE OF AFFIANT (b)(6), (b)(7)(C)
---	--

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18 DAY OF January 2008 AT 2120

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY ADMINISTERING THE OATH (b)(6), (b)(7)(C) Military Magistrate Katterbach Law Center, APO AE 09250	SIGNATURE OF AUTHORITY ADMINISTERING THE OATH (b)(6), (b)(7)(C)
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INSTRUCTIONS FOR

AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND

- 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.
- 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.
- In paragraph 3, the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended should be described with particularity and in detail. Authorization for a search may issue with respect to a search for fruits or products of an offense, the instrumentality or means of committing the offense, contraband or other property the possession of which is an offense, the person who committed the offense, and under certain circumstances for evidentiary matters.

"FOR OFFICIAL USE ONLY /

LAW ENFORCEMENT SENSITIVE
SEARCH AND SEIZURE AUTHORIZATION

For use of this form, see AR 27-10; the proponent agency is OTJA 0 0 1 0 - 2008 - CID 8 4 7 - 3 4 6 8 2

TO: (Name and Organization of the person to whom authorization is given)

SA (b)(6), (b)(7)(C) Ansbach CID Office, Unit 28609, APO AE 09250

(An affidavit) (A sworn or (unsworn) oral statement) having been made before me by SA (b)(6), (b)(7)(C)
(Name of Affiant)

Ansbach CID Office, Unit 28609, APO AE 09250
(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

Barracks Room of SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Building 168, Conn Barracks, Schweinfurt, Germany APO AE 09226

for the property described as photographs/negatives, videotapes, CD/DVDs, digital media cards, cameras, camcorders, thumbdrives, computers, game systems, IPOD/MP3 players, and external hard drives

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:

SA (b)(6), (b)(7)(C) Evidence Custodian, Schweinfurt CID Office, APO AE 09033
(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 January, 2008 (b)(6), (b)(7)(C)

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL (b)(6), (b)(7)(C) CPT	DUTY POSITION OF AUTHORIZING OFFICIAL Military Magistrate
ORGANIZATION OF AUTHORIZING OFFICIAL Katterbach Law Center APO AE 09250	SIGNATURE OF AUTHORIZING OFFICIAL (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C)

LAW ENFORCEMENT SENSITIVE

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. 1. Special Agent (b)(6), (b)(7)(C), Ansbach CID Office, APO AE 09250
(Name) (Organization or Address)

having been duly sworn, on oath depose and state that:

I am a Special Agent of the United States Army Criminal Investigation Command (USACIDC), and have been employed as such since Jun 03. Prior to becoming a Special Agent, I was assigned with USACIDC as Military Police Investigator in Sep 01. I am currently assigned to an Investigative Task Force in the Schweinfurt Military Community. As a member of the Investigative Task Force I have utilized my training and experience in the review and analysis of the criminal intelligence information obtained thus far.

2. The affiant further states that:

On 10 Jan 08, Schweinfurt CID was notified by CPT (b)(6), (b)(7)(C) Trial Defense Services (TDS), Conn Barracks, Schweinfurt, Germany, APO AE 09226, that a client witnessed the murder of Iraqi prisoners by soldiers of A-1/18 IN BN during their recent OIF deployment.

CPT (b)(6), (b)(7)(C) client related in late April-May 07, his platoon came under fire while on patrol near West Rashad in the Jihad and Shurtah neighborhoods, West Baghdad. They pursued and detained 4 to 6 Iraqi males whom they found in the company of family members in a nearby residence. They recovered ammunition, flak vests, and an RPK machinegun from a nearby building. ISG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) solicited the remaining soldiers to kill the prisoners. They transported the prisoners to Combat Outpost (COP) Angry Dragon (Site-14), where they reported they intended to release the prisoners to the Iraqi Police at CP 578, due to lack of evidence.

CPT (b)(6), (b)(7)(C) stated his client believed photographs were taken of the prisoners and weapons utilizing SGT (b)(6), (b)(7)(C) camera.

SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were left at the COP while the rest of the patrol drove to an area described as "a canal about 5 minutes west of COP Angry Dragon, off of Route Steeler, VIC M877/M875." Once there, ISG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) shot the prisoners and dumped their bodies in the canal. Upon their return, SSG (b)(6), (b)(7)(C) submitted a false AAR, reporting they released the prisoners to the Iraqi Police.

On 11 Jan 08, SGT (b)(6), (b)(7)(C) was advised of his rights and rendered a sworn statement corroborating the information provided by the TDS Client (subsequently determined to be SSG (b)(6), (b)(7)(C)).

SGT (b)(6), (b)(7)(C) also stated SFC (b)(6), (b)(7)(C) had directed all of the soldiers to delete any of the pictures of the detainees.

On 18 Jan 08, SGT (b)(6), (b)(7)(C) was advised of his rights and rendered a sworn statement wherein he admitted to shooting two of the four detainees in the head, killing one and wounding another. SGT (b)(6), (b)(7)(C) further stated SFC (b)(6), (b)(7)(C) killed one of the detainees and ISG (b)(6), (b)(7)(C) killed two of the detainees, one of which was the one that SGT (b)(6), (b)(7)(C) had wounded.

On 18 Jan 08, SFC (b)(6), (b)(7)(C) was advised of his rights and rendered a sworn statement wherein he admitted to shooting and killing one of the detainees. SFC (b)(6), (b)(7)(C) stated SGT (b)(6), (b)(7)(C) killed one of the detainees and ISG (b)(6), (b)(7)(C) killed two of the detainees.

On 20 Jan 08, a search authorization was executed on the Barracks Room of SGT (b)(6), (b)(7)(C) two laptop computers, a digital camera a thumb drive and a "Zune" MP3 player were collected as evidence.

Based on my experience and training I believe the photographs of the prisoners and weapons were retained in the possession of SGT (b)(6), (b)(7)(C) Based on technological equipment and media storage, the images captured by SGT (b)(6), (b)(7)(C) could be retained in some form of digital storage device; i.e. media card, camera/camcorder hard drive, computer, cd/dvd, thumb drive, external hard drive, ipod/mp3 player, or game system hard drive. Additionally, if the images were deleted from any type of digital media storage device, a forensic examination of the digital equipment could possibly recover the deleted images.

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3. In view of the foregoing, the affiant requests that an authorization be issued for a search of Sony laptop SN: 28209732 3002381; Memory
(the person) (and)
Card and Digital camera, SN: 6SA02984; Zune player, SN: 010826463710; Thumbdrive; Compaq Laptop SN: 2CA4380SA
(the quarters or billets) (and)
(the automobile) () and (seizure) (apprehension) of videos; digital images; notes or
(items persons searched for)
information pertaining to detainees

TYPED NAME AND ORGANIZATION OF AFFIANT
(b)(6), (b)(7)(C)
Special Agent
Ansbach CID Office, APO AE 09250

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22 DAY OF January 2008 AT 1050

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY
ADMINISTERING THE OATH
(b)(6), (b)(7)(C) CPT
Military Magistrate
Katterbach Law Center, APO AE 09250

SIGNATURE OF AUTHORITY ADMINISTERING THE OATH
(b)(6), (b)(7)(C)

INSTRUCTIONS FOR

AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND

1. In paragraph 1, set forth a concise, factual statement of the offense that has been committed or the probable cause to believe that it has been committed. Use additional page if necessary.
2. In paragraph 2, set forth facts establishing probable cause for believing that the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended are connected with the offense mentioned in paragraph 1, plus facts establishing probable cause to believe that the property to be seized or the person(s) to be apprehended are presently located on the person, premises, or place to be searched. Before a person may conclude that probable cause to search exists, he or she must first have a reasonable belief that the person, property or evidence sought is located in the place or on the person to be searched. The facts stated in paragraphs 1 and 2 must be based on either the personal knowledge of the person signing the affidavit or on hearsay information which he/she has plus the underlying circumstances from which he/she has concluded that the hearsay information is trustworthy. If the information is based on personal knowledge, the affidavit should so indicate. If the information is based on hearsay information, paragraph 2 must set forth some of the underlying circumstances from which the person signing the affidavit has concluded that the informant (whose identity need not be disclosed) or his/her information was trustworthy. Use additional pages if necessary.
3. In paragraph 3, the person, premises, or place to be searched and the property to be seized or the person(s) to be apprehended should be described with particularity and in detail. Authorization for a search may issue with respect to a search for fruits or products of an offense, the instrumentality or means of committing the offense, contraband or other property the possession of which is an offense, the person who committed the offense, and under certain circumstances for evidentiary matters.

**"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"**

EXHIBIT 68

"FOR OFFICIAL USE ONLY /

**LAW ENFORCEMENT SENSITIVE
SEARCH AND SEIZURE AUTHORIZATION**

For use of this form, see AR 27-10; the proponent agency is OTJAG 0010 - 2008 - CID 847 - 34682

TO: (Name and Organization of the person to whom authorization is given)
SA (b)(6), (b)(7)(C) Ansbach CID Office, Unit 28609, APO AE 09250

(An affidavit) (A (sworn) or (unsworn) oral statement) having been made before me by SA (b)(6), (b)(7)(C)
(Name of Affiant)

Ansbach CID Office, Unit 28609, APO AE 09250
(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

laptop SN: 28209732 3002381; Laptop SN: 2CA4380SA; Memory card in camera SN: 6SA02984; Zune SN: 010826463710

for the property described as videos; digital images; notes or information pertaining to detainees

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:

SA (b)(6), (b)(7)(C) Evidence Custodian, Schweinfurt CID Office, APO AE 09033
(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 22 day of January, 2008, (b)(6), (b)(7)(C)

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL
(b)(6), (b)(7)(C) CPT

DUTY POSITION OF AUTHORIZING OFFICIAL
Military Magistrate

ORGANIZATION OF AUTHORIZING OFFICIAL
Katterbach Law Center
APO AE 09250

SIGNATURE OF AUTHORIZING OFFICIAL
(b)(6), (b)(7)(C)

DA FORM 3745, SEP 2002

DA FORM 3745-R, MAR 2006

APD PE v1.01

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LAW ENFORCEMENT SENSITIVE"

EXHIBIT 68

**FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE**

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1300, 22 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company (CO), 1/18th Infantry (IN) Battalion (BN), Conn Barracks, Schweinfurt, Germany APO AE 09226 (CBSG), who provided a sworn statement wherein he described an incident which occurred while he was driving a Bradley as part of the Commanders Protective Service Detail (PSD). SPC (b)(6), (b)(7)(C) related they were driving North on Route Steeler around the Muhalla area when his vehicle was struck by an Improvised Explosive Device (IED). Immediately following the explosion SPC (b)(6), (b)(7)(C) detailed that a SPC (b)(6), (b)(7)(C) who was the Commander's gunner returned fire and wounded one Iraqi. SPC (b)(6), (b)(7)(C) stated after the small arms fire had stopped the Commander's team cleared several houses and discovered the wounded Iraqi. SPC (b)(6), (b)(7)(C) stated he appeared to have been shot in the leg and SPC (b)(6), (b)(7)(C) provided first aid to the Iraqi. SPC (b)(6), (b)(7)(C) stated he later saw pictures of the Iraqi on SPC (b)(6), (b)(7)(C) digital camera while he was at Forward Operating Base (FOB) FALCON. SPC (b)(6), (b)(7)(C) stated they initially loaded the wounded Iraqi into the back of his Bradley, but it was later determined that the Bradley would be unable to transport the Iraqi to the Combat Support Hospital (CSH). SPC (b)(6), (b)(7)(C) further stated 1SG (b)(6), (b)(7)(C) arrived with a Quick Reaction Force (QRF) and his senior medic SGT (b)(6), (b)(7)(C) took over treatment of the Iraqi. SPC (b)(6), (b)(7)(C) related they loaded the Iraqi in the back of one of the QRF Bradley's and transported him to the CSH. SPC (b)(6), (b)(7)(C) stated after the QRF departed the area that the rest of the unit returned to FOB FALCON. SPC (b)(6), (b)(7)(C) was unsure when this incident occurred; however was adamant that it was the 2nd IED that he was hit by and that it was during the beginning of their deployment. SPC (b)(6), (b)(7)(C) further stated the IED went off about 2200 and the QRF departed the area with the Iraqi at approximately 2245. SPC (b)(6), (b)(7)(C) stated after about 15 minutes had passed the QRF had radioed to the Commander that one of their Vehicles was having mechanical problems and had to stop, at which time the Commander asked if they needed any assistance. SPC (b)(6), (b)(7)(C) related that 1SG (b)(6), (b)(7)(C) replied that they did not require assistance. SPC (b)(6), (b)(7)(C) further stated he witnessed SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) poke detainees with there fingers in the detainees ribs and stomach, while they were at the COP sometime around July or August 2007. SPC (b)(6), (b)(7)(C) further related he witnessed SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) spin the detainees around in circles until they fell down while the detainees were zip tied and blind folded. SPC (b)(6), (b)(7)(C) stated these incidents all happened during the same day while they were at the COP. SPC (b)(6), (b)(7)(C) stated he saw SPC (b)(6), (b)(7)(C) put the detainees in a squatting position and would leave them there until they were unable to stand up anymore. (See Sworn Statement of SPC (b)(6), (b)(7)(C) for details)

/// Last Entry ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Schweinfurt CID Office, CMR 457 APO AE 09033	
SIG (b)(6), (b)(7)(C)	DATE	EXHIBIT	
	22 JAN 08	69	

CID FORM 94

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1 FEB 77

SWORN STATEMENT

0010 - 2008 - CID 847 - 34682

LOCATION: Schweinfurt CID Office, APO AE 09033**FILE NUMBER:** (b)(6), (b)(7)(C)**DATE:** 22 January 2008 (b)(6), (b)(7)(C)**TIME:** 1631 (b)(6), (b)(7)(C)**NAME:** (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE/RANK:** E4/SPC**ORGANIZATION OR ADDRESS:** A Co, 1/18th IN BN, Conn Barracks, APO AE 09033

(b)(6), (b)(7)(C) I (b)(6), (b)(7)(C) want to make the following statement under oath: I can't remember the mission but we were traveling in the Mahala's going north to get on a Canal Road. We ended up getting lost in the mahalas and had to get on RTE STEELERS going North to cut back into town when I got struck with a EFP. We stopped and Received small arms fire from the west, SPC (b)(6), (b)(7)(C) returned fire wounding 1 enemy personal (known to be the trigger man) after the small arms stopped the CO (CPT (b)(6), (b)(7)(C)) and his Team cleared the house where the wounded enemy was and then had (b)(6), (b)(7)(C) provided First Aid for him. The plan then was to evac him to the CASH for AID. My brad was damaged to bad to do so.. I was ordered to lower my Ramp to let the wounded guy in and had a medic provide aid while in the brad... after a while QRF showed up (Red PLT) with the 1SGT (b)(6), (b)(7)(C) and his (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C). The 1Sgt started talking with the Co about what happened and I had to lower the ramp again for Sgt (b)(6), (b)(7)(C) which came to help provide aid and take pictures to document the wounded enemys condition/state he was in.. after like I'd say 30 minutes of so the Co and 1Sgt decided to have PSD take this guy to the cash but my Track Commander (SSGT (b)(6), (b)(7)(C)) told the Co that the brad was in no condition to go to the cash due to the road wheel lug studs that had been damaged.. so the Co and 1Sgt then decided to have QRF take this guy to the cash. So after like another 5 minutes or so QRF left towards the cash and PSD started their movement back to FOB FALCON for Repairs to the brad not long after moveing (say 15minutes of driving) QRF reported that their brad just died... they said it had something to do with their Fuel Pump. So the Co asked if they needed us to help out and the 1Sgt said no. so we kept moving to the FOB. After getting there my number 3 road wheel came off just after getting in the gate. The next day later I heard that the wounded person that hit me died of blood loss.

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

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

Q: Who typed the above narrative?

A: Me.

Q: What is an EFP?

A: Energy Force Projectile, it's made for anti-armor vehicles, it's stronger than a regular IED.

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

A: I don't know his first name, he was the gunner for the CO, he's also in A Co, 1/18th IN BN.

Q: Who was the driver for the CO at this time?

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

Q: Who was your track commander?

A: SSG (b)(6), (b)(7)(C) and my gunner was SPC (b)(6), (b)(7)(C)

Q: When did this incident happen?

A: I cannot recall the exact date, it was early in the deployment, while we were still doing operations out of FOB FALCON. So it was before we moved out to the COP. SSG (b)(6), (b)(7)(C) will know the date, he kept track of all of that. You could also check my medical records because I had

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

PAGE 1 OF 5 PAGES

DA Form 2823-E

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EXHIBIT 70

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 22 Jan 08, CONTINUED:
to get treated that day by our unit medics. LT (b)(6), (b)(7)(C) was the Physician Assistant that evaluated me at the unit aid station that day.

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

A: I don't know his first name he is a medic in HHC, which was assigned to us at the time. He is a SPC, short, glasses, brown hair.

Q: SPC (b)(6), (b)(7)(C) was the medic who first treated the enemy personal?

A: Yes, he's the guy who took the pictures of the guy, I saw the pictures on camera. After we had returned to FOB FALCON and the repairs on my Bradley were complete I had a little bit of down time and SPC (b)(6), (b)(7)(C) showed me the pictures of the wounded enemy personal.

Q: What do you mean when you say CASH?

A: The hospital in the Green Zone. FOB PROSPERITY

Q: Describe 1SG (b)(6), (b)(7)(C)

A: I think his name was (b)(6), (b)(7)(C) I'm not too sure. About 6'2", really stocky.

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

A: He was the senior medic for the 1SG, average height. Short brown hair, no glasses.

Q: Who else was in the 1SG's QRF that day?

A: SPC (b)(6), (b)(7)(C) was his driver, SPC (b)(6), (b)(7)(C) was his gunner and SGT (b)(6), (b)(7)(C) was the senior medic in his vehicle. I don't know who was in the rest of the Bradley's, it was Red Platoon (1st Platoon).

Q: Describe the enemy personal.

A: Kind of fat, 5'11", brown hair, I didn't see his wound, but he did have a nose hose in and an IV in his arm. He was moaning in pain. I didn't see his wound until later. I think he was wearing a blue and orange stripped shirt with cut off sleeves, I can't remember his pants.

Q: Who treated the enemy personal when he was in the back of your Bradley?

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

Q: What vehicle did the enemy personal get transported to?

A: I don't know, They transported him out of my Bradley (A66) and put him into a Bradley from Red Platoon, but I don't know which one. I was inside my Bradley so I couldn't really see what was going on behind me.

Q: After the enemy personal was loaded in the second Bradley what happened next?

A: They moved out first, headed to the CASH, they radioed in that they were heading to the CASH. About 5 minutes later we started to leave the area and headed back to FOB FALCON. While in route to FOB FALCON, approximately 15 minutes later they radioed back and said that one of there Bradley's had broke down. The CO asked them if they required assistance and the 1SG responded saying no that they would manage. That was the last that we had heard from them and we returned to the FOB.

Q: Who told you that the enemy personal had died of blood loss on the way to the CASH?

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

Q: Who was in the commander's vehicle?

A: SPC (b)(6), (b)(7)(C) was his gunner, SPC (b)(6), (b)(7)(C) was his driver and SPC (b)(6), (b)(7)(C) was his RTO, who went with him everywhere.

Q: What time of day did this incident occur?

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 Schweinfurt CID, DATED 22 Jan 08, CONTINUED:

A: The IED that blew up my Bradley went off about 2200. I would say the QRF arrived about 2215. I would say about 2245 the QRF departed with the detainee headed to the CASH.

Q: How many vehicles were in the QRF?

A: 1 Bradley and 3 Humvees.

Q: Do you know any of the names of the soldiers who were in the Bradley of the QRF?

A: No I do not.

Q: Besides the soldiers you previously described as being in the 1SG's Humvee who was in the other two Humvees?

A: I don't know. I don't deal with Red Platoon much, the only reason they responded was because they were already out in sector. They were the closets to us.

Q: How many vehicles were in your convoy/PSD at the time of the IED?

A: 1 Bradley and three Humvees.

Q: Your Bradley had you, SSG (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) was there anyone else in your Bradley?

A: No, that was everyone.

Q: Who was in the other three humvees?

A: The CO's crew which was SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C)

The other humvee crew was SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

The third humvee crew was SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

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

A: I don't know his first name, I think he cleared recently and ETS'd out of the Army. Hispanic, tall, black hair, pretty built.

Q: Do you know SPC (b)(6), (b)(7)(C)

A: Yes, but I don't talk to him much, he was close to SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)

Q: Has SPC (b)(6), (b)(7)(C) ever mentioned anything about killing non-combatants to you?

A: No.

Q: Was SPC (b)(6), (b)(7)(C) on the PSD?

A: Yes, he was in SGT (b)(6), (b)(7)(C) vehicle and SPC (b)(6), (b)(7)(C) was the driver.

Q: While at the COP did you ever see any detainees kicked by a Soldier?

A: No.

Q: While at the COP did you ever see any detainees shot with a BB gun?

A: No, but 2nd platoon was the only platoon that had BB guns at our COP.

Q: While at the COP did you ever see anyone not allow a detainee to utilize a toilet, causing them to urinate themselves?

A: No. I've heard about it, but I haven't seen it.

Q: What did you hear?

A: I don't remember who told me a story about it, but I remember hearing about a detainee who was so scared of being interrogated that he shit himself.

Q: Has anyone ever told you not to allow a detainee to use the bathroom?

A: Yes, sometime at the beginning of January 2007, probably around the 8th I was on guard duty one night and there was about 10 detainees who were being processed, some of them were getting there medical screening and others were getting fingerprinted. One of the interpreters came up to

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

PAGE 3 OF 5 PAGES

DA Form 2823-E

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 22 Jan 08, CONTINUED:

me and said that one of the detainees needed to use the bathroom. I said hold on a minute and I went to the Major who was in charge out there and told him one of the detainees needed to use the bathroom. The Major told me that none of these guys were going to use the bathroom until they were done being interrogated. I said roger and moved out, I went back to the detainees and told the interpreter what the Major had told me.

Q: Describe the Major.

A: He was bald, about 6', white, kind of stalky I don't remember his name, he was assigned to 1/28th IN BN which is out of Ft. Riley, KS. I don't know what his job was in 1/28 IN BN.

Q: Other than that one time has anyone ever told you not to allow a detainee to use the bathroom?

A: No.

Q: Have you witnessed anything which you would consider abuse towards a detainee while you were at the COP?

A: Yes, I saw detainees being poked on a regular basis. I've also seen detainees who were waiting in line to be interrogated being messed with by the guards, the detainees were blind folded and zip tied. The guards would spin them around in circles until they couldn't stand any more and would fall down. I've also seen the guards make them squat down about halfway until they were in a very uncomfortable position and force them to stay there until they couldn't stand anymore.

Q: Name the guards, who you witnessed do this.

A: SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) who is in 1/7 FA.

Q: Describe what you mean by poked.

A: They would take a finger and repeatedly poke the detainee numerous times in the stomach and in the ribs.

Q: Would they say anything while they did this?

A: Not that I can recall, they never cursed them.

Q: Describe where the detainees were held.

A: It was a small concrete slab, which was enclosed by a fence which was about 8' high and enclosed the entire slab. The holding area was located between the TOC and the barracks area.

Q: What did you see SPC (b)(6), (b)(7)(C) do to the detainees?

A: I've seen him spin them around and I've seen him poke them, this happened close to the end of our deployment, maybe around July or August. I've only seen him do it once. Each time it occurred while the detainees were in the holding area which I previously described. It happened in the day time.

Q: Do you know why SPC (b)(6), (b)(7)(C) poked or spun the detainees?

A: They were Iraqi and he didn't like them.

Q: What did you see SPC (b)(6), (b)(7)(C) do to the detainees?

A: I've seen him spin them around and I've seen him poke them. I witnessed (b)(6), (b)(7)(C) do the same things as (b)(6), (b)(7)(C) and it was on the same day and it happened in the holding area.

Q: What did you see SPC (b)(6), (b)(7)(C) do to the detainees?

A: I saw SPC (b)(6), (b)(7)(C) make the detainees squat down until they couldn't stand anymore. Again, this all happened on the same day in the same place. I've also seen SPC (b)(6), (b)(7)(C) poke and spin the detainees around until they fall down.

Q: So you witnessed SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) do the above mentioned things to the detainees all on the same day?

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

PAGE 4 OF 5 PAGES

DA Form 2823-E

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EXHIBIT 70

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 22 Jan 08, CONTINUED:

A: Yes, and that was the only time I've witnessed anything like that.

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

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

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have had read to me this statement which begins on page 1 and ends on page 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)

(Making Statement)

Subscribed and sworn before me, a person authorized by law to administer oaths, this 22 day of Jan 2008, at Schweinfurt, Germany

Witness #2:

(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 5 OF 5 PAGES

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1330, 22 Jan 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) A Company (Co), 1-18th Infantry Battalion (INF BN), Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG), who provided a sworn statement, wherein he stated SPC (b)(6), (b)(7)(C) told him of an incident in which Soldiers shot bound and blindfolded detainees and then threw them in a canal. SSG (b)(6), (b)(7)(C) also stated he remembered when an Iraqi received a gunshot wound to the lower leg during a firefight, but the Iraqi detainee died on the way to the hospital with the Quick Reaction Force (QRF). (See Sworn Statement)

About 1506, 22 Jan 08, SSG (b)(6), (b)(7)(C) was provided with a map of the operation area and marked the map to depict pertinent routes and the location of where the Iraqi was wounded and taken by the QRF. (See Map)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)		Schweinfurt CID Office, APO AE 09033
(b)(6), (b)(7)(C)	DATE	EXHIBIT
	22 Jan 08	71

CID FORM 94

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0010-08-CID847-34682

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 22 January 2008 CONTINUED
SWORN STATEMENT

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

LOCATION Schweinfurt CID Office	DATE 22 JAN 08	TIME 1605	FILE NUMBER 0010-08-CID847-34682
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SSG/AD	
ORGANIZATION OR ADDRESS A Co. 1-18 th INF BN, Conn Barracks, Schweinfurt, Germany, APO AE 09226			

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

On 11 DEC 07 I assumed duty as the A-1/18 IN Cdr's PSD Bradley Commander. I remained in this position until the end of the deployment (b)(6), (b)(7)(C)

On 03 JAN 07 I was commanding the PSD's Bradley when we were struck by an EFP on RTE Steelers. We moved the Bradley out of the "kill zone" after the blast and as we moved north the trigger man broke cover and was engaged by the Cdr's gun truck. At first it was assumed that he had been killed, but after searching the area we returned to find that he had disappeared, leaving a large blood trail behind him. Our dismounted element searched several houses in the area while I and my crew pulled security. At one point a wounded Iraqi was brought out of one of the houses, strapped to a litter. He had a very severe wound on one of his legs with exposed bone and muscle tissue protruding from the wound. I was told that we would take him to the CSH as soon as the search was concluded. However, as we assessed the damage to my Bradley it was decided to transfer the detainee to one from 1st PLT due to six of ten lugs having been sheared off of the left side #1 road wheel. At this point the detainee left my sight. While the detainee was in the back of my vehicle aid was rendered to him by PFC (b)(6), (b)(7)(C) the PSD's medic (b)(6), (b)(7)(C)

The only incident I can recall in which there was talk of executing detainees during the tour was when SPC (b)(6), (b)(7)(C) the 1SG's driver told me of an incident in which five Iraqis had been rounded up in an area after their patrol had taken small arms fire. The detainees were bound, blindfolded and lined up against a wall where they were shot with Glock 9mm pistols and the bodies dumped in a canal. This conversation occurred in either JUN or JUL of 2007. SPC (b)(6), (b)(7)(C) did not specify who had shot, and I did not press him for any details (b)(6), (b)(7)(C)

- Q. SA (b)(6), (b)(7)(C)
- A. SSG (b)(6), (b)(7)(C)
- Q. Who typed the above narrative?
- A. I did.
- Q. What is an EFP?
- A. Explosively Formed Penetrator, a type of anti-armor IED.
- Q. Who was in your vehicle during the EFP incident?
- A. SPC (b)(6), (b)(7)(C) my driver, SPC (b)(6), (b)(7)(C) my gunner.
- Q. How did the Iraqi become wounded?
- A. The Commanders truck engaged him with a 7.62 M-240 machine gun.
- Q. How many rounds did they shoot at the Iraqi?
- A. I would estimate about 40.
- Q. How many times was the Iraqi hit?
- A. Once that I saw, in the back of his calf. I can't remember if it was the left or right leg.
- Q. Who shot the Iraqi?
- A. It would have been SPC (b)(6), (b)(7)(C) the Commanders gunner.
- Q. How long did it take to find the Iraqi after he was shot?
- A. Probably more than 10 but less than 15 minutes.
- Q. Did you see the QRF arrive after this incident?

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

PAGE 1 OF 4 PAGES
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0010-08-CID847-34682

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 22 January 2008 CONTINUED

- A. Yes.
- Q. Who was on the QRF?
- A. I think B section from 1st Platoon, and I am certain the 1SG and his crew were there.
- Q. Who took control of the detainee?
- A. I don't know.
- Q. Did you ever see SGT (b)(6), (b)(7)(C) or 1SG (b)(6), (b)(7)(C) with the detainee?
- A. No, I didn't.
- Q. When was the last time you saw the detainee?
- A. As they were taking him out of the back of my Bradley.
- Q. Do you know who took him out?
- A. I don't remember.
- Q. Did you see anyone else performing aid on the detainee?
- A. No.
- Q. Do you know the approximate location of this incident?
- A. Yes. I can show you on a map, it's about MB (b)(6), (b)(7)(C)
- Q. Concerning your conversation with SPC (b)(6), (b)(7)(C) did he tell you where this incident occurred?
- A. No, he did not.
- Q. Where did this conversation take place?
- A. The JSS Black Lion, on our HMMVV vehicle line.
- Q. Was anyone else present during this conversation?
- A. No.
- Q. Did he tell you who was there?
- A. The 1SG's crew obviously, but I don't know what platoon they were on patrol with.
- Q. Did he tell you who ordered the executions?
- A. No, but just the fact that he was out there meant he was obviously in charge. He used to take over our patrols even when the Commander was there.
- Q. What was your Commander's name?
- A. CPT (b)(6), (b)(7)(C)
- Q. Do you know if anyone took pictures of the wounded detainee?
- A. Yes, Doc (b)(6), (b)(7)(C)
- Q. Do you know what he did with the pictures?
- A. No.
- Q. Did you ever see the pictures?
- A. Yes.
- Q. Can you describe the pictures?
- A. It was a picture of his wound. He took a lot of pictures of different injuries he worked on.
- Q. Did Doc (b)(6), (b)(7)(C) accompany the detainee to the CSH?
- A. No, he was our patrols medic.
- Q. Did you ever witness the abuse of any detainees?
- A. No, but they were a little too liberal with the ROE. We were encouraged by 1SG (b)(6), (b)(7)(C) to engage military aged males if they ran from a patrol after dark, even before curfew.
- Q. Was this if they were armed or if they had engaged your patrol?
- A. No, running itself was seen as proof of wrongdoing. I was reprimanded on at least two occasions by 1SG (b)(6), (b)(7)(C) for not engaging running military aged males.
- Q. Were you or anyone else you know of ever encouraged to abuse detainees?
- A. No, but I had little to do with detainees.
- Q. Were you or anyone else you know of ever encouraged to deprive detainees of food, water or the ability to relieve themselves?
- A. No.
- Q. Do you know of any incident where something like this occurred?
- A. No.
- Q. Have you discussed this investigation with anyone?
- A. No.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 4 PAGES
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LAW ENFORCEMENT SENSITIVE"

0010-08-CID847-34682

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 22 January 2008 CONTINUED

- Q. Do you know of any incident where SPC (b)(6), (b)(7)(C) shot unarmed Iraqis?
A. He bragged to me about pulling a drive by shooting on a local market, somewhere near Route Vernon. West of the Vernon and Raiders intersection.
Q. Did he say which weapon he used and how many shots he fired?
A. He used a shotgun, but didn't specify how many rounds.
Q. Did he say if he hit anyone?
A. No.
Q. Did he say why he did this?
A. He said something about how they all ran and he caused chaos. He seemed to find that real amusing.
Q. Did 1SG (b)(6), (b)(7)(C) carry a Glock 9mm pistol?
A. Yes, he did until the arrival of 1-28 INF. When we were attached to them, they told him to stop carrying it.
Q. Did he have a Glock pistol the day the detainee was shot in the leg?
A. I don't remember seeing it on him, but I know he owned one at that point.
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 3 OF 4 PAGES
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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office, DATED 22 January 2008 CONTINUED:

STATEMENT (Co (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.

WITNESSES:

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

(Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of January, 2008 at Ledward Barracks, Schweinfurt, Germany

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 PAGES

Drawn by:

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

A Co. 1-18th AV (b)(6), (b)(7)(C)

5506 22 5AN 0

1) Blast Site. Trigger man was on right side of road when engaged.

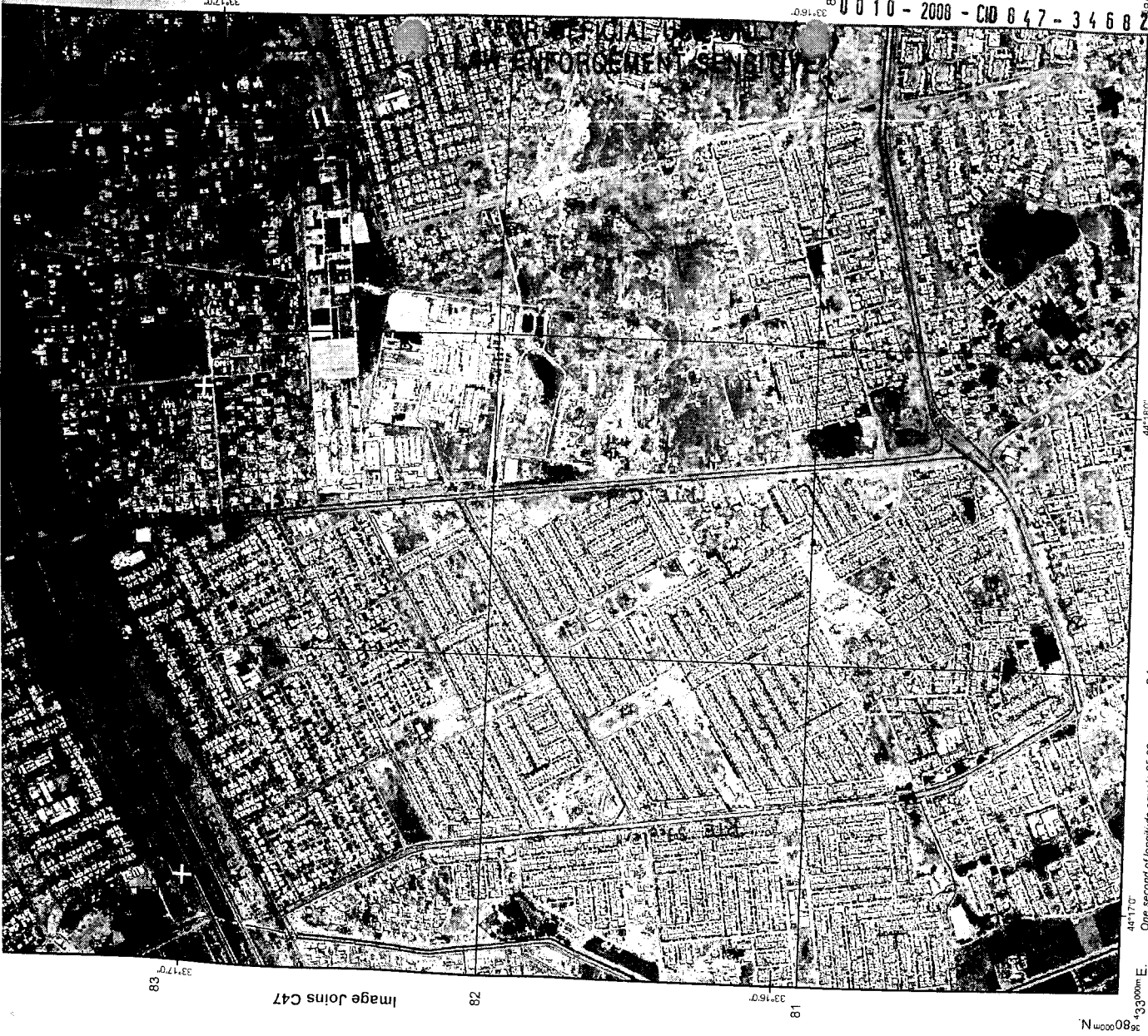
2) Site where detainee was loaded into then unloaded from my Bradley.

Witnessed by:

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

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EXHIBIT 72



33°17'00" N
44°17'00" E
Image Joins C59
Scale 1:12,500
LOCATION - Baghdad Urban Atlas

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGES

DETAILS

About 1350, 22 Jan 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 1-18th Infantry Battalion, Conn Barracks, APO AE 09226, of his legal rights, which he waived and provided a sworn statement which detailed his knowledge of the detainees which were killed. SPC (b)(6), (b)(7)(C) related this incident occurred in late March 2007, and he was one of the individuals that found the weapons cache secured inside of a store front. SPC (b)(6), (b)(7)(C) related he knew there were three detainees which were loaded onto the back of a Bradley and brought to the Combat Outpost (COP). SPC (b)(6), (b)(7)(C) stated he rode in SFC (b)(6), (b)(7)(C) vehicle, and witnessed him get upset when someone from their patrol notified Battalion about the detainees. SPC (b)(6), (b)(7)(C) stated he along with several other unit members were dropped off at the COP, and the rest of the patrol departed 10 minutes later. SPC (b)(6), (b)(7)(C) stated the patrol returned about an hour and a half later without the detainees. SPC (b)(6), (b)(7)(C) related he SGT (b)(6), (b)(7)(C) told him they "took care" of the detainees and instructed him not to say anything about what happened. SPC (b)(6), (b)(7)(C) also provided a sketch of the area in which the detainees were picked up. (See Waiver Certificate, Sworn Statement, and Sketch for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office
CMR 457, APO AE 09033

DATE

22 Jan 08

EXHIBIT

73

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RIGHTS WAIVER / NON-WAIVER CERTIFICATE
LAW ENFORCEMENT SENSITIVE
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 Schweinfurt CID Office APO AE 09033	2. DATE (b)(6), (b)(7)(C) 22 Jan 08	3. TIME (b)(6), (b)(7)(C) 1350	4. FILE NUMBER 0010-08-CID847-34682
5. Name (Last, First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS Headquarters and Headquarters Company, 1-18th Infantry Battalion	
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS SPC / Active Duty	Conn Barracks Schweinfurt, Germany, APO AE 09226	

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/accused: (b)(6), (b)(7)(C) Murder; Conspiracy/// (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 (b)(6), (b)(7)(C)
2. Anything I say or do can be used as evidence against me in a criminal trial. (b)(6), (b)(7)(C)
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. (b)(6), (b)(7)(C)

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

5. COMMENTS (Continue on reverse side) (b)(6), (b)(7)(C)
Have you been advised of your legal rights within the past 30 days and requested a lawyer? Yes / 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. (b)(6), (b)(7)(C)

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE (b)(6), (b)(7)(C)
1a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR Schweinfurt CID Office Schweinfurt, GE, APO AE 09033
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

**"FOR OFFICIAL USE ONLY /
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SWORN STATEMENT**

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

LOCATION Schweinfurt CID Office	DATE (b)(6), (b)(7)(C) 22 Jan 2008	TIME (b)(6), (b)(7)(C) 15.25	FILE NUMBER 0010-08-CID847-34682
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)		SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SPC / ACTIVE DUTY

ORGANIZATION OR ADDRESS
Headquarters and Headquarters Company, 1-18th Infantry Battalion, Conn Barracks, APO AE 09226

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

We were out on patrol when we started receiving some small arms fire from approximately 300 meters away. We went to investigate a possible shooter position. When we approached the site two individuals ran back inside. We immediately stop the patrol and got out of the trucks to go investigate the situation. Upon investigation we had found a mass amount of spent ammunition inside the house along with belt fed ammunition. On the front of this building were 4, store front doors that were padlocked. Ssg. (b)(6), (b)(7)(C) and myself retrieved the bolt cutters from inside the truck and began opening the doors. Upon opening the second door we found a few weapons. Among those weapons were PKC's, AK-47's, and 2 other rifle weapons. We confiscated the weapons and detained the 3 individuals. After everything had been loaded back into the trucks we headed back towards the COP. Someone had gotten on the radio to Battalion and informed them that we had picked up a few detainees. Right after saying this First Sergeant and Ssg. (b)(6), (b)(7)(C) got on the radio and were both really upset that this person and reported it to Battalion which was odd because that is standard procedure. Once we arrived at the COP, I would say approximately half the patrol was dropped off and told to relax. Approximately one hour and a half later the rest of the patrol returned with no detainees. Which I thought was odd because taking detainees to the Diha normally takes longer than that especially with multiple detainees. The next day Sg (b)(6), (b)(7)(C) brought me and a few other medics inside the aid station and told us about how, the rest of the patrol went and "took care" of the detainees and told us that the conversation had never happened and to not tell anybody about it. I didn't know whether he was making it up or not because at times Sgt. (b)(6), (b)(7)(C) has a tendency to stretch the truth but I had assumed that, the detainees and been killed somewhere and the bodies dumped. Although I knew that what had probably happened was wrong, I couldn't report it up because I had no solid evidence nor did I personally feel safe to bring these things up to any higher ranking person, for fear of not only ruining my career but for my own personal safety.

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 the incident you mentioned above occur? (b)(6), (b)(7)(C)

A: It was probably late March. I know it was still ²⁰⁰⁷ what outside. But I can't be certain.

Q: Which vehicle were you in when your patrol received small arms fire?

A: It almost certainly has to be SFC (b)(6), (b)(7)(C) always rode with SFC (b)(6), (b)(7)(C) until the end of the deployment.

Q: Who else was in that vehicle with you?

A: To the best of my knowledge it would be me, SFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: Do you know who was in the other vehicles?

A: Nah...except for 1SG's truck. In 1SG's truck it was always, 1SG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) maybe SPC (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)

Q: Were there any pictures taken of the detainees and weapons which were confiscated?

A: I don't know. I wasn't in the area. I was pulling security on the family members with SPC (b)(6), (b)(7)(C)

Q: Were you one of the individuals that were dropped off at the COP after the detainees were picked up?

A: Yes. I probably went and played Xbox afterwards. I may have slept or ate. There's not a whole lot to do, so I probably engaged in one of those three things.

Q: What did SGT (b)(6), (b)(7)(C) mean when he told you and the other medics that the patrol went and "took care" of the detainees?

A: He never openly said that they went and killed them. He just said they got handled or something like that. I think he meant they killed the detainees. The other medics were SPC (b)(6), (b)(7)(C) and maybe SPC (b)(6), (b)(7)(C) or

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

DA FORM 2823
1 JUL 72

**"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"**

EXHIBIT 74

*FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE*

0010-08-CID847-34682

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 22 January 2008 CONTINUED
SPC (b)(6), (b)(7)(C)

Q: What was your vehicle's radio call sign and bumper number?

A: Bumper number was (b)(6), (b)(7)(C) and the call sign was (b)(6), (b)(7)(C)

Q: Describe the detainees which were loaded into the Bradley.

A: Dark skin, dark hair, dark eyes. One was heavy set. One was medium build, and the other was skinny. All of them were about 5'10, 5'11. I'm pretty sure none of them had traditional Arabic clothes on. I think all of them had on track suits.

Q: How long did the patrol stay at the COP prior to heading back out?

A: Maybe 10 minutes.

Q: There was another incident involving the Company Commander's PSD wherein 1SG (b)(6), (b)(7)(C) was said to have shot a wounded insurgent. What do you know about that?

A: Nothing. That's my first time hearing anything about it.

Q: Other than SGT (b)(6), (b)(7)(C) did anyone tell you not to talk about this incident?

A: I'm sure SFC (b)(6), (b)(7)(C) did at one point. I don't remember him saying it, but I'm sure he probably did.

Q: What do you know about the Black Squad?

A: I know the people on Black Squad. I went out with them maybe three times. One time it was just a normal patrol where nothing happened. The second time the Bradley we were with broke down. The third time they got into a firefight, but nothing suspicious happened.

Q: Do you have anything further 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
*FOR OFFICIAL USE ONLY /
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EXHIBIT 74

"FOR OFFICIAL USE ONLY /
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0010-08-CID847-34682

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 22 January 2008 CONTINUED:
STATEMENT (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)

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

Person Making Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of January, 2008 at (b)(6), (b)(7)(C)

Oath

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

Title 10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

"FOR OFFICIAL USE ONLY /
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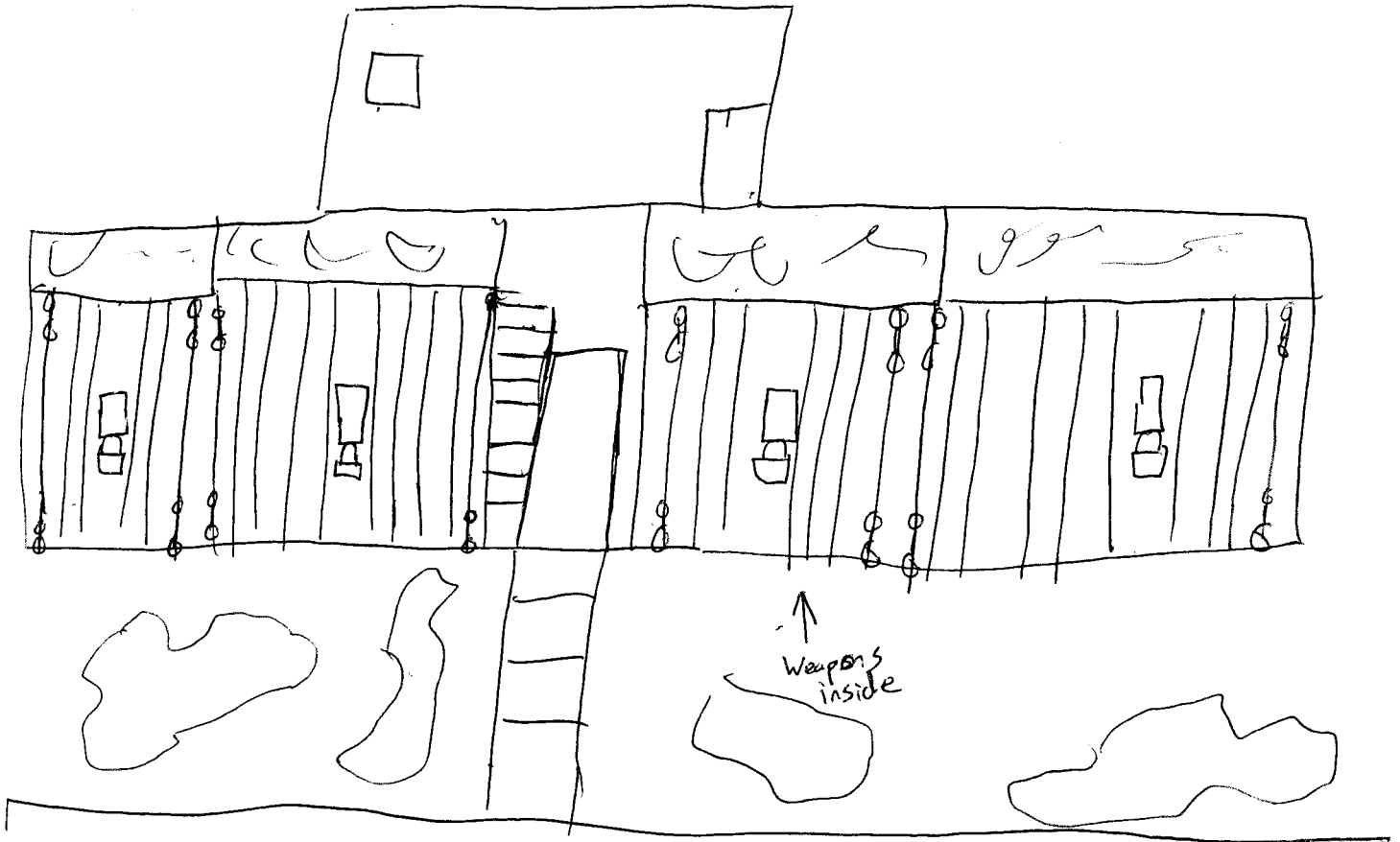
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Law Enforcement Sensitive

Sketch of: Storefront where detainees were
picked up.

CASE #0010-08-CID847-34682

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



Time/Date : 15:52 / 22-01-08

Sketched by (b)(6), (b)(7)(C)

Verified by:

NOT DRAWN TO
SCALE
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EXHIBIT 74

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1000, 23 Jan 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who was provided a Sworn Affidavit requesting search authorization for the forensic examination of the digital media seized that was seized on Evidence Vouchers 0011-08, 0012-08, 0014-08 and 0015-08. CPT (b)(6), (b)(7)(C) granted authorization for the forensic examination of all of the digital media that was listed as evidence. (See Search Authorization)

About 1140, 23 Jan 08, SA (b)(6), (b)(7)(C) coordinated with 1SG (b)(6), (b)(7)(C) A Co. 1-18th INF BN, CBSG, who provided a copy of the unit's Master Authorization List (MAL), which he related was dated from 29 Jun 07. The MAL listed stated 1SG (b)(6), (b)(7)(C) was assigned M9 pistol, Rack # 102, Serial # 1165701, and SFC (b)(6), (b)(7)(C) was assigned M9 pistol, Rack # 9, Serial # 1346311. (See MAL Excerpt)

About 1145, 23 Jan 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Executive Officer (XO), A Co. 1-18th INF BN, CBSG, who stated he verified the MAL around 29 Jun 07 when he took over as the XO. CPT (b)(6), (b)(7)(C) stated he was absolutely sure 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) were issued only the aforementioned M9's during their deployment to Iraq.

About 1615, 23 Jan 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Customer Support Team Chief, Finance, CBSG, who provided Leave Printout's pertaining to 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) (See Leave Printout's)

A review of the Leave Printout's revealed 1SG (b)(6), (b)(7)(C) was on leave from 6 Apr – 20 Apr 07; SFC (b)(6), (b)(7)(C) was on leave from 22 Feb – 8 Mar 07; SGT (b)(6), (b)(7)(C) was on leave from 30 Apr – 14 May 07; and SGT (b)(6), (b)(7)(C) was on leave from 15 Apr – 29 Apr 07.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

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

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

DATE

23 Jan 08

EXHIBIT

75

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1 FEB 77

AFFIDAVIT SUPPORTING REQUEST FOR AUTHORIZATION TO SEARCH AND SEIZE OR APPREHEND

For use of this form, see AR 27-10; the proponent agency is OTJAG.

0010 - 2008 - CID 847 - 34682

BEFORE COMPLETING THIS FORM, SEE INSTRUCTIONS ON PAGE 2

I, Special Agent (b)(6), (b)(7)(C), Ansbach CID Office, APO AE 09250
(Name) (Organization or Address)

having been duly sworn, on oath depose and state that:

I am a Special Agent of the United States Army Criminal Investigation Command (USACIDC), and have been employed as such since Jun 03. Prior to becoming a Special Agent, I was assigned with USACIDC as Military Police Investigator in Sep 01. I am currently assigned to an Investigative Task Force in the Schweinfurt Military Community. As a member of the Investigative Task Force I have utilized my training and experience in the review and analysis of the criminal intelligence information obtained thus far.

2. The affiant further states that:

On 10 Jan 08, Schweinfurt CID was notified by CPT (b)(6), (b)(7)(C) Trial Defense Services (TDS), Conn Barracks, Schweinfurt, Germany, APO AE 09226, that a client witnessed the murder of Iraqi prisoners by soldiers of A-1/18 IN BN during their recent OIF deployment.

CPT (b)(6), (b)(7)(C) client related in late April-May 07, his platoon came under fire while on patrol near West Rashad in the Jihad and Shurtah neighborhoods, West Baghdad. They pursued and detained 4 to 6 Iraqi males whom they found in the company of family members in a nearby residence. They recovered ammunition, flak vests, and an RPK machinegun from a nearby building. ISG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) solicited the remaining soldiers to kill the prisoners. They transported the prisoners to Combat Outpost (COP) Angry Dragon (Site-14), where they reported they intended to release the prisoners to the Iraqi Police at CP 578, due to lack of evidence. CPT (b)(6), (b)(7)(C) stated his client believed photographs were taken of the prisoners and weapons utilizing SGT (b)(6), (b)(7)(C) camera. SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were left at the COP while the rest of the patrol drove to an area described as "a canal about 5 minutes west of COP Angry Dragon, off of Route Steeler, VIC M877/M875." Once there, ISG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) shot the prisoners and dumped their bodies in the canal. Upon their return, SSG (b)(6), (b)(7)(C) submitted a false AAR, reporting they released the prisoners to the Iraqi Police.

On 11 Jan 08, SGT (b)(6), (b)(7)(C) was interviewed and provided a statement corroborating the information provided by the TDS Client (subsequently determined to be SSG (b)(6), (b)(7)(C)).

SGT (b)(6), (b)(7)(C) also stated SFC (b)(6), (b)(7)(C) had directed all of the soldiers to delete any of the pictures of the detainees.

On 17 Jan 08, SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were interviewed and admitted to having prior knowledge of the planned execution of the Iraqi detainees. Additionally, both SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were present at the location where the execution took place. Several items of digital media were obtained from searches of their rooms.

On 18 Jan 08, SGT (b)(6), (b)(7)(C) was interviewed and admitted to shooting two of the four detainees in the head, killing one and wounding another. SGT (b)(6), (b)(7)(C) further stated SFC (b)(6), (b)(7)(C) killed one of the detainees and ISG (b)(6), (b)(7)(C) killed two of the detainees, one of which was the one that SGT (b)(6), (b)(7)(C) had wounded.

On 18 Jan 08, SFC (b)(6), (b)(7)(C) was interviewed and admitted to shooting and killing one of the detainees. SFC (b)(6), (b)(7)(C) stated SGT (b)(6), (b)(7)(C) killed one of the detainees and ISG (b)(6), (b)(7)(C) killed two of the detainees. Several items of digital media were obtained from search of his residence.

On 19 Jan 08, SPC (b)(6), (b)(7)(C) was interviewed and admitted to having prior knowledge of the planned execution of the Iraqi detainees. SPC (b)(6), (b)(7)(C) was also present at the location where the execution took place. Several items of digital media were obtained from search of his rooms.

Upon completion of the interviews of ISG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) there was still not a determination as to who took digital images of the detainees.

Based on my experience and training I believe photographs of the prisoners and weapons were retained in the possession of SPC (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C). Based on technological equipment and media storage, the images captured by SGT (b)(6), (b)(7)(C) could be retained in some form of digital storage device; i.e. media card, camera/camcorder hard drive, computer, cd/dvd, thumb drive, external hard drive, ipod/mp3 player, or game system hard drive. Additionally, if the images were deleted from any type of digital media storage device, a forensic examination of the digital equipment could possibly recover the deleted images.

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of _____ items listed on attached
(the person) (and)
evidence vouchers 0011-08, 0012-08, 0014-08 and 0015-08
(b)(6), (b)(7)(C)
(the quarters or billets) (and)
_____ and (seizure) (apprehension) of _____ videos; digital images; notes or
(the automobile) (_____) (items/persons searched for)
information pertaining to detainees

TYPED NAME AND ORGANIZATION OF AFFIANT

(b)(6), (b)(7)(C)
Special Agent
Ansbach CID Office, APO AE 09250

SIGNATURE OF AFFIANT

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 23 DAY OF January 2008 AT 1007

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY
ADMINISTERING THE OATH

(b)(6), (b)(7)(C) CPT
Military Magistrate
Katterbach Law Center, APO AE 09250

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.

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SEARCH AND SEIZURE AUTHORITY
LAW ENFORCEMENT SENSITIVE

For use of this form, see AR 27-10; the proponent agency is OTJAG 0010 - 2008 - CID 847 - 3468

TO: (Name and Organization of the person to whom authorization is given)
SA (b)(6), (b)(7)(C) Ansbach CID Office, Unit 28609, APO AE 09250

(An affidavit) (A sworn or (unsworn) oral statement) having been made before me by SA (b)(6), (b)(7)(C)
(Name of Affiant)

Ansbach CID Office, Unit 28609, APO AE 09250
(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

items listed on attached evidence vouchers 0011-08,0012-08, 0014-08 and 0015-08 (b)(6), (b)(7)(C)

for the property described as videos; digital images; notes or information pertaining to detainees

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:

SA (b)(6), (b)(7)(C) Evidence Custodian, Schweinfurt CID Office, APO AE 09033
(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 23 day of January, 2008

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL (b)(6), (b)(7)(C) CPT	DUTY POSITION OF AUTHORIZING OFFICIAL Military Magistrate
ORGANIZATION OF AUTHORIZING OFFICIAL Katterbach Law Center APO AE 09250	SIGNATURE OF AUTHORIZING OFFICIAL (b)(6), (b)(7)(C)

DA FORM 3745, SEP 2002 DA FORM 3745-R, M APD PE v1.01

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LAW ENFORCEMENT SENSITIVE

M9

FOR OFFICIAL USE ONLY

M9									
Stock	Serial	RANK	Name	Section	Status	Date	Additional info	Admin #	PACKED
84	(b)(6)		(b)(6)	A-MED	FMC	07 JAN 08		HM9-64	IN ARMS RM
67				A-MED	FMC	07 JAN 08		HM9-67	IN ARMS RM
85				A-MED	FMC	07 JAN 08		HM9-65	IN ARMS RM
66				A-MED	FMC	07 JAN 08		HM9-66	IN ARMS RM
59				B-MED	FMC	07 JAN 08		HM9-59	IN ARMS RM
62				B-MED	FMC	07 JAN 08		HM9-62	IN ARMS RM
61				B-MED	FMC	07 JAN 08		HM9-61	IN ARMS RM
60				B-MED	FMC	07 JAN 08		HM9-60	IN ARMS RM
58				B-MNT	FMC	07 JAN 08		HM9-58	IN ARMS RM
69				C-MED	FMC	07 JAN 08		HM9-69	IN ARMS RM
70				C-MED	FMC	07 JAN 08		HM9-70	IN ARMS RM
63				C-MED	FMC	07 JAN 08		HM9-63	IN ARMS RM
25				C-MNT	FMC	07 JAN 08		HM9-25	IN ARMS RM
55				C-MNT	FMC	07 JAN 08		HM9-55	IN ARMS RM
10							(b)(6)		IN ARMS RM
29				H-MED	FMC	07 JAN 08		HM9-29	IN ARMS RM
31				H-MED	FMC	07 JAN 08		HM9-31	IN ARMS RM
68				H-MED	FMC	07 JAN 08		HM9-68	IN ARMS RM
46				H-MED	FMC	07 JAN 08		HM9-46	IN ARMS RM
51				H-MED	FMC	07 JAN 08		HM9-51	IN ARMS RM
52				H-MED	FMC	07 JAN 08		HM9-52	IN ARMS RM
53				H-MED	FMC	07 JAN 08		HM9-53	IN ARMS RM
20				H-MED	FMC	07 JAN 08		HM9-20	IN ARMS RM
24				H-MNT	FMC	07 JAN 08		HM9-24	IN ARMS RM
27				I-MNT / RCV	FMC	07 JAN 08		HM9-27	IN ARMS RM
57				I-MNT / RCV	FMC	07 JAN 08		HM9-57	IN ARMS RM
44				HQ	FMC	07 JAN 08		HM9-44	IN ARMS RM
6				HQ	FMC	07 JAN 08	buff new 10/4/06	HM9-06	IN ARMS RM
71				HQ	FMC	07 JAN 08			IN ARMS RM
33				HQ	FMC	07 JAN 08		HM9-33	IN ARMS RM
43				HQ	FMC	07 JAN 08		HM9-43	IN ARMS RM
8				HQ	FMC	07 JAN 08	buff new 10/4/06	HM9-08	IN ARMS RM
18				HQ	FMC	07 JAN 08		HM9-18	IN ARMS RM
34				MTR	FMC	07 JAN 08		HM9-34	IN ARMS RM
41				MTR	FMC	07 JAN 08		HM9-41	IN ARMS RM
35				MTR	FMC	07 JAN 08		HM9-35	IN ARMS RM
47				MTR	FMC	07 JAN 08		HM9-47	IN ARMS RM
7				S2	FMC	07 JAN 08	buff new 10/4/06	HM9-07	IN ARMS RM
17				S2	FMC	07 JAN 08		HM9-17	IN ARMS RM
11				S3	FMC	07 JAN 08	buff new 10/4/06	HM9-11	IN ARMS RM
12				S3	FMC	07 JAN 08	buff new 10/4/06	HM9-12	IN ARMS RM
13				S3	FMC	07 JAN 08	buff new 10/4/06	HM9-13	IN ARMS RM
14				S3	FMC	07 JAN 08	buff new 10/4/06	HM9-14	IN ARMS RM
15				S3	FMC	10 SEP 07	buff new 10/4/06	HM9-15	Transfer
9				S4	FMC	07 JAN 08	buff new 10/4/06	HM9-09	IN ARMS RM
42				S4	FMC	07 JAN 08		HM9-42	IN ARMS RM
2				SCT	FMC	07 JAN 08	buff new 10/4/06	HM9-02	IN ARMS RM
3				SCT	FMC	07 JAN 08	buff new 10/4/06	HM9-03	IN ARMS RM
1				SCT	FMC	07 JAN 08	buff new 10/4/06	HM9-01	IN ARMS RM
5				SCT	FMC	07 JAN 08	buff new 10/4/06	HM9-05	IN ARMS RM
50				SCT	FMC	07 JAN 08		HM9-50	IN ARMS RM
4				SCT	FMC	07 JAN 08	buff new 10/4/06	HM9-04	IN ARMS RM
45				SCT	FMC	07 JAN 08		HM9-45	IN ARMS RM
37				SNIPER	FMC	07 JAN 08		HM9-37	IN ARMS RM
16				SNIPER	FMC	07 JAN 08	buff new 10/4/06	HM9-16	IN ARMS RM
30				SNIPER	FMC	07 JAN 08		HM9-30	IN ARMS RM
36				SNIPER	FMC	07 JAN 08		HM9-36	IN ARMS RM
72				SPT	FMC	07 JAN 08	NEW		IN ARMS RM
38				SPT	FMC	07 JAN 08		HM9-38	IN ARMS RM
39				SPT	FMC	07 JAN 08		HM9-39	IN ARMS RM
49				SPT	FMC	07 JAN 08		HM9-49	IN ARMS RM
23				U	FMC	07 JAN 08		HM9-23	IN ARMS RM
26				U	FMC	07 JAN 08		HM9-26	IN ARMS RM
21				U	FMC	07 JAN 08		HM9-21	IN ARMS RM
22				U	FMC	07 JAN 08		HM9-22	IN ARMS RM
28				U	FMC	07 JAN 08		HM9-28	IN ARMS RM
19				U	FMC	07 JAN 08		HM9-19	IN ARMS RM
32				U	FMC	07 JAN 08		HM9-32	IN ARMS RM
54				U	FMC	07 JAN 08		HM9-54	IN ARMS RM
56				U	FMC	07 JAN 08		HM9-56	IN ARMS RM

OR OFFICIAL USE ONLY

M9

EXHIBIT 77

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0010-2608-CMD 847-34682

SSAN (OR CMD) ----- NEW REQ ? --- PRINT - NAME -----
(`X` TO EXIT, PF##, PB##) PF8 OR ENTER - PAGE FORWARD PF7 - PAGE BACK
-- PERSONAL DATA -- PRIVACY ACT OF 1974 --- CURRENT MMPA AS OF 08/01/23 --
5790 (b)(6) 38 MC SB 01 OF 01
01 MJ: LB:3800 LC:6387 SA:A SX:1 TK:891027 TU:151031 TH:151031
FIXED/OPEN/HISTORY (b)(6)
MC_PERS NA* ENTRY-OPEN-DT 070411 11 04 2 NAME
MC_PERS NA* ENTRY-OPEN-DT 070411 11 04 2 PROCS-DATE 070411 FORMER-NAME
(b)(6)
SB-LV* ENTRY-OPEN-DT 071126 02 12 1 ENTRY-CLSD-DT 071126 02 12 1 ACTN 03
DEPART 070406 RTRN 070420 AUTH-NR RR07607 TYPE A ACCT-TYPE 1
DAYS-COUNT 015 AREA 2 ENTRY-OPEN-CLOSD A DEPART-PDS 070406
DEPART-FD/HFP-AREA 070406 ARV-CONUS 070406 DEPART-CONUS 070420
RETRN-FD/HFP-AREA 070420 RETRN-PDS 070420
** END OF INQUIRY.

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EXHIBIT 78

10-L-0126 ACLU CID ROI 9143 000258

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LAW ENFORCEMENT SENSITIVE"

0010-2008-CID 847-34682

SSAN (OR CMD) ----- NEW REQ ? --- PRINT NAME -----
(^X^ TO EXIT, PF##, PB##) PF8 OR ENTER - PAGE FORWARD PF7 - PAGE BACK
-- PERSONAL DATA PRIVACY ACT OF 1974 --- CURRENT MMPA AS OF 08/01/23 --
82 (b) (6) 57 MC SB 01 OF 01

01 MJ: LB:3800 LC:6387 SA:A SX:1 TK:990727 TU:130315 TH:130315

FIXED/OPEN/HISTORY (b)(6)

MC PERS NA* ENTRY-OPEN-DT 070411 11 04 2 NAME

MC PERS NA* ENTRY-OPEN-DT 070411 11 04 2 PROCS-DATE 070411 FORMER-NAME
(b)(6)

SB-LV* ENTRY-OPEN-DT 071119 16 11 2 ENTRY-CLSD-DT 071119 16 11 2 ACTN 03

DEPART 070222 RTRN 070308 AUTH-NR SE07003 TYPE A ACCT-TYPE 1

DAYS-COUNT 015 AREA 2 ENTRY-OPEN-CLOSD A DEPART-PDS 070222

DEPART-FD/HFP-AREA 070222 ARV-CONUS 070222 DEPART-CONUS 070308

RETRN-FD/HFP-AREA 070308 RETRN-PDS 070308

** END OF INQUIRY.

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EXHIBIT

78

10-L-0126 ACLU CID ROI 9144

000259

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0010-2008-CID 847-34682

SSAN (OR CMD) ----- NEW REQ ? --- PRINT - NAME -----
(`X` TO EXIT, PF##, PB##) PF8 OR ENTER - PAGE FORWARD PF7 - PAGE BACK
-- PERSONAL DATA PRIVACY ACT OF 1974 --- CURRENT MMPA AS OF 08/01/23 --
146] (b)(6) 35 MC SB 01 OF 01
01 MJ: LB:3800 LC:6387 SA:A SX:1 TK:050706 TU:101115 TH:101115
FIXED/OPEN/HISTORY (b)(6)
MC PERS NA* ENTRY-OPEN-DT 050720 17 07 2 NAME
SB-LV* ENTRY-OPEN-DT 071209 11 12 2 ENTRY-CLSD-DT 071209 11 12 2 ACTN 03
DEPART 070430 RTRN 070514 AUTH-NR SE08709 TYPE A ACCT-TYPE 1
DAYS-COUNT 015 AREA 1 ENTRY-OPEN-CLOSD A
** END OF INQUIRY.

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EXHIBIT

78

10-L-0126 ACLU CID ROI 9145

000260

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0010-2008-CID 847-34682

SSAN (OR CMD) ----- NEW REQ ? --- PRINT - NAME -----
(`X` TO EXIT, PF##, PB##) PF8 OR ENTER - PAGE FORWARD PF7 - PAGE BACK
-- PERSONAL DATA PRIVACY ACT OF 1974 --- CURRENT MMPA AS OF 08/01/23 --
09018 (b)(6) 35 MC SB 01 OF 01

01 MJ: LB:3800 LC:6387 SA:A SX:1 TK:030522 TU:100222 TH:100222

FIXED/OPEN/HISTORY

MC PERS NA* ENTRY-OPEN-DT 030611 11 06 2 NAME (b)(6)

SB-LV* ENTRY-OPEN-DT 070504 08 05 1 ENTRY-CLSD-DT 070504 08 05 1 ACTN 03

DEPART 070415 RTRN 070429 AUTH-NR RR07122 TYPE A ACCT-TYPE 1

DAYS-COUNT 015 AREA 1 ENTRY-OPEN-CLOSD A

** END OF INQUIRY.

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EXHIBIT 78

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AGENT'S INVESTIGATION REPORT <small>CID Regulation 195-1</small>	<small>ROI NUMBER</small> 0010-08-CID847-34682
	PAGE 1 OF 2 PAGES

DETAILS

About 1000, 23 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 1/18th Infantry (IN) Battalion (BN), Conn Barracks, Schweinfurt, Germany APO AE 09226 (CBSG) who provided a sworn statement wherein he described an incident which occurred around the month of January 2007 while he was on patrol with the Commander's Protective Service Detail (PSD). SPC (b)(6), (b)(7)(C) related while they traveled down Route Steelers they were hit by an Improvised Explosive Device (IED) and immediately heard small arms fire. SPC (b)(6), (b)(7)(C) further related SPC (b)(6), (b)(7)(C) returned fire. SPC (b)(6), (b)(7)(C) stated they dismounted their vehicles and went to investigate. SPC (b)(6), (b)(7)(C) further stated they discovered an injured Iraqi male in a nearby house. The Iraqi male had sustained a severe wound to his lower right leg and appeared to be bleeding out. SPC (b)(6), (b)(7)(C) related he rendered aid to the Iraqi and subsequently transported him from the house into the back of a Bradley Fight Vehicle where he continued to render medical aid. SPC (b)(6), (b)(7)(C) related he rendered aid until the arrival of the Quick Reaction Force (QRF) at which time he passed the Iraqi's medical treatment to the senior company medic SGT (b)(6), (b)(7)(C) A Co, 1/18th IN BN, CBSG, who had arrived with the QRF. SPC (b)(6), (b)(7)(C) stated they loaded the Iraqi into a QRF Bradley who subsequently transported the Iraqi to the Combat Support Hospital (CSH). SPC (b)(6), (b)(7)(C) further stated that his personal digital camera was utilized to photograph the Iraqi male and his wounds. SPC (b)(6), (b)(7)(C) stated he saved the digital images onto his personal laptop. SPC (b)(6), (b)(7)(C) further stated he had heard rumors that the Iraqi male was shot in the head and killed by 1SG (b)(6), (b)(7)(C) A Co, 1/18th IN BN, CBSG, or SGT (b)(6), (b)(7)(C) (See **Sworn Statement for Details**)

About 1215, 23 Jan 08, SPC (b)(6), (b)(7)(C) declined consent to search pertaining to his personal laptop computer. SPC (b)(6), (b)(7)(C) related he did not want to lose his laptop computer for an unspecified amount of time, as it was his only laptop computer. SPC (b)(6), (b)(7)(C) stated he would not object to the copying of the images off of his personal laptop computer.

About 1557, 23 Jan 08, SPC (b)(6), (b)(7)(C) provided consent to the creation of a forensic mirror image of the hard drive located within his personal laptop computer, under the provision that he was present for the creation of the mirror image. (See **Consent to Search for details**)

About 1600, 23 Jan 08; SA (b)(6), (b)(7)(C) collected as evidence and for safe keeping, SPC (b)(6), (b)(7)(C) personal laptop computer and one power cord.

Agent's Comment: The forensic mirror image of the hard drive located within SPC (b)(6), (b)(7)(C) personal laptop computer was unable to be created on 23 Jan 08. SPC (b)(6), (b)(7)(C) agreed to leave the laptop at the Schweinfurt CID Office for safe keeping until the forensic mirror image could be created on 24 Jan 08, at

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) S (b)(6), (b)(7)(C)	ORGANIZATION Schweinfurt CID Office, CMR 457 APO AE 09033
	DATE 24 JAN 08
	EXHIBIT 79

CID FORM 94

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1 FEB 77

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 2 OF 2 PAGES

DETAILS

which time the laptop would be returned to SPC (b)(6), (b)(7)(C)

About 1010, 24 Jan 08, SA (b)(6), (b)(7)(C) this office, obtained consent from SPC (b)(6), (b)(7)(C) pertaining to the creation of a forensic mirror image of the hard drive located within his personal laptop computer, under the provision that he was present for the creation of the mirror image. (See Consent to Search for details)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

Schweinfurt CID Office, CMR 457
APO AE 09033

DATE

24 JAN 08

EXHIBIT

79

CID FORM 94

1 FEB 77

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SWORN STATEMENT

LOCATION: Schweinfurt CID Office, APO AE 09033

0010 - 2003 - CID 847 - 34682

FILE NUMBER: [REDACTED]

DATE: 23 January 2008 [REDACTED]

TIME: 1146 [REDACTED]

NAME: (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE/RANK:** E4/SPC

ORGANIZATION OR ADDRESS: HHC, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany APO AE 09226

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

want to make the following statement under oath: While on patrol in Iraq, around the month of January, I was on patrol with PSD from A-co 1-18INF. We were hit with an IED on Steelers and heard small arms fire. Parker fired back. A few minutes later we dismounted to go investigate. I was looking at a pool of blood on the ground when I heard someone call for a medic. I ran into a near by house and saw a local national badly wounded in the leg. I gave treatment with included a tourniquet, NPA, Morphine, elevation of legs, pressure dressing, ext. I worked on him in the house for 25 or so minutes then moved him into the Bradley to transport. I was in the Bradley still working on him for several minutes. The ramp dropped after awhile and 1st Sgt. And Sgt [REDACTED] were standing there. I gave them an update on the Pt. and was told to stay with 1st Platoon while they took the PT. He was then moved to one of there Bradley's.

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

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

Q: Who typed the above narrative?

A: I did.

Q: How many vehicles were part of the PSD that day that got hit by the IED?

A: 3 total.

Q: Who was in the lead vehicle?

A: SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) it was a Bradley.

Q: Who was in the second vehicle?

A: CPT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) was the gunner and SPC (b)(6), (b)(7)(C) was the driver.

Q: Who was in the third vehicle?

A: Myself, SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) was the gunner and SPC (b)(6), (b)(7)(C) was the driver.

Q: Was there any other vehicles part of the original PSD that day?

A: No.

Q: Describe the local national.

A: Tall, black hair, full head of hair, he was wearing either blue or green sweat pants, I don't remember what his shirt looked like, he had a pretty bad injury on the lower part of his right leg. He was bleeding out pretty severely.

Q: How did you transport the Iraqi to the Bradley from the house?

A: On a liter, I don't know who helped carry the liter, but I helped carry the Iraqi.

Q: Was anyone else in the back of the Bradley with you, while you were treating the Iraqi?

A: No.

Q: Did the Iraqi say anything to you?

A: I couldn't understand him, he was mumbling and stuff. He was conscious and he was listening, I told him to breath and take bigger breathes.

Q: Did SGT (b)(6), (b)(7)(C) say anything to you when he took over treatment of the Iraqi?

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 1 OF 4 PAGES

CASE NUMBER:

0010 - 2008 - CID 847 - 34682

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 23 Jan 08, CONTINUED:

A: No, he just said I did a good job.

Q: Who was in the QRF that responded to you?

A: 1st Platoon, the only names I can recall are 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) I was fairly new to the company then and I wasn't familiar with everyone yet.

Q: What time of day did this occur?

A: I best guess was the initial blast was 1800. I would say that the QRF left with the Iraqi about an hour later. I'm not too sure with the times, I think it was day and then it was turning night time. It was a long time ago.

Q: Did you document the Iraqi on a Medical Card or any other type of documentation?

A: No, I never did.

Q: Did you photograph the Iraqi?

A: I believe photographs were taken with my camera.

Q: Who took the pictures?

A: I honestly couldn't tell you, I remember telling someone to grab my camera and take pictures. It was a newer camera and I remember seeing the pictures later, there was some good photographs of the injury and the Iraqi.

Q: What did you do with the pictures?

A: They were transferred to my personal laptop that I had at the time. Other people would ask to see my pictures and would download them onto their computer as well.

Q: Do you have the laptop?

A: Yes.

Q: Where is the laptop?

A: It is at my girlfriend's house here in Schweinfurt.

Q: After the QRF left the area with the Iraqi what did you do?

A: The PSD stayed in the area and cleared houses and searched the area, probably for about 2 or 3 hours. After that we departed the area and headed back to FOB Falcon.

Q: Did you hear anything about the Iraqi?

A: Just rumors that he didn't make it to the CSH. There was rumors going around, I'm not exactly sure who I heard it from, but it seemed common knowledge that 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) took care of the Iraqi.

Q: What do you mean by took care of?

A: I mean shot or killed. I remember people saying he was shot in the head.

Q: Do you know who told you these things?

A: I really don't.

Q: When you moved from FOB FALCON to the JSS (COP Angry Dragon) did you ever witness anyone kick detainees?

A: No.

Q: Did you ever witness anyone shoot detainees with bb guns?

A: No.

Q: Did you ever witness anyone do anything to a detainee that you would consider abuse?

A: No.

Q: Did you ever hear anything about detainee abuse?

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 4 PAGES

DA Form 2823-E

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EXHIBIT

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CASE NUMBER:

0010 - 2008 - CID 847 - 34682

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 23 Jan 08, CONTINUED:

A: Just rumors, again I'm not sure from who. I heard that people would spin them around in circles or shoot them with bb guns. But that's all I heard.

Q: When did you hear the rumors?

A: It was when I was still out at the JSS, maybe around July or August. I don't know for sure.

Q: Who told you?

A: I don't know, again it was just rumor and everyone kind of had knowledge. I didn't really pay any attention to it.

Q: Did SPC (b)(6), (b)(7)(C) ever brag about shooting non-combatants?

A: No.

Q: Did you ever witness SPC (b)(6), (b)(7)(C) shoot non-combatants intentionally?

A: No.

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

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 4 PAGES

DA Form 2823-E

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LAW ENFORCEMENT SENSITIVE

EXHIBIT

80

CASE NUMBER:

0010-2008-CID 847-34682

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE
STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID, DATED 23 Jan 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:

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

Subscribed and sworn before me, a person authorized by law to administer oaths, this 23 day of Jan 2008, at Schweinfurt, Germany

Witness #2:

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

Oath)

(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

DA Form 2823-E

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EXHIBIT 80

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0010 - 2008 - CID 647 - 34682

USACIDC Supplement 1 to AR 190-22

Date: 23 Jan 08 (b)(6), (b)(7)(C)		Consent To Search (USACIDC Supplement 1 to AR 190-22)		Time: 1557 (b)(6), (b)(7)(C)
1. Name of person consenting to the search: SPC (b)(6), (b)(7)(C)		2. Organization and location: HHC, 1/18 th Infantry Battalion Conn Barracks, APO AE 09226 Schweinfurt, Germany		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: Murder, Conspiracy // (b)(6), (b)(7)(C)				
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.)				
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(Initial and sign applicable blocks)</i>				
a.	My Person	Initials	Signature	
b.	My Quarters	Initials	Signature	
Located At:				
c.	My Vehicle	Initials	Signature	
Located At:				
Described As:				
d.	Other	Initials (b)(6), (b)(7)(C)	Signature (b)(6), (b)(7)(C)	
Located At:				
Described As: HP Pavilion Entertainment PC (Laptop) - Serial Number 2CE72109TL				
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel (b)(6), (b)(7)(C) as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations:				
I consent to the creation of a forensic mirror image of my hard drive, contained within the aforementioned laptop computer, under the provision that I am present for the creation of this mirror image, and I get my computer back upon completion. After that, I understand that the data on the mirror image becomes property of the U.S. Government. I authorize this search to facilitate the recovery of any digital images depicting a wounded insurgent on or about 2 Jan 07 who suffered a severe leg wound. (b)(6), (b)(7)(C)				
6. This written permission is given to the undersigned (b)(6), (b)(7)(C) voluntarily and without threats or promises of any kind:				
(b)(6), (b)(7)(C)		Signature of Person Granting Consent		
(b)(6), (b)(7)(C)		Signature of Witness (If Available)		

CID Form 87-R-E
1 Jan 00

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

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EXHIBIT 81

USACIDC Supplement 1 to AR 190-22

Date: ~~29 Jan 08~~ **24 Jan 08** (b)(6), (b)(7)(C)

Consent To Search
(USACIDC Supplement 1 to AR 190-22)

Time: **10:10** (b)(6), (b)(7)(C)

1. Name of person consenting to the search: (b)(6), (b)(7)(C)	2. Organization and location: HHC, 1/18 th Infantry Battalion Conn Barracks, APO AE 09226 Schweinfurt, Germany
---	--

3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law:
Murder, Conspiracy !!!

4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you **do not** give your consent, do not sign this form.)

5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: *(Initial and sign applicable blocks)*

a.	My Person	Initials	Signature
b.	My Quarters	Initials	Signature

Located At:

c.	My Vehicle	Initials	Signature
----	------------	----------	-----------

Located At:

Described As:

d.	Other <input checked="" type="checkbox"/>	Initials	Signature
----	---	----------	-----------

Located At: **Bldg 296 (CID), Schweinfurt, 6E (Temp Safe)**

Described As: **HP Pavilion Entertainment PC (Laptop) - Serial Number 2CE72109TL**

I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations:

I consent to the creation of a forensic mirror image of my hard drive, contained within the aforementioned laptop computer, under the provision that I am present for the creation of this mirror image, and I get my computer back upon completion. After that, I understand that the data on the mirror image becomes property of the U.S. Government. I authorize this search to facilitate the recovery of any digital images or videos depicting any local national Iraqi and or individuals of middle eastern decent.

6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind:

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

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

Signature of USACIDC Special Agent

Signature of Witness (If Available)

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGES

DETAILS

About 1158, 25 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who provided a sworn statement in which he described a series of photographs which were shown to him by the undersigned. The photographs depicted four Iraqi males kneeling behind a weapons cache; a wounded Iraqi receiving medical treatment; and a U.S. soldier standing over an Iraqi detainee. (See Sworn Statement and Photographs for details)
///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033	
(b)(6), (b)(7)(C)	DATE 25 Jan 08	EXHIBIT 83

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

LOCATION Schweinfurt CID Office	DATE 25 Jan 2008	TIME 1158	FILE NUMBER 0010-08-CID847-34682
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS SPC / ACTIVE DUTY
ORGANIZATION OR ADDRESS Headquarters and Headquarters Company, 1-18 th Infantry Battalion, Conn Barracks, APO AE 09226			

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

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

Q: I am showing you a series of pictures depicting Iraqi males and weapons. Did you take these pictures?
A: Yes. I was a medic and I accompanied the Commanding Officer on the ground. Often he would want pictures to take back to the TOC for evidence which I would take for him.

Q: I am showing you a picture which depicts 4 Iraqi males kneeling behind a small weapons cache. Do you recognize these individuals?
A: I recognize the picture. Around March, the PSD element was searching a neighborhood going door to door. There were other American forces with us that day, but I don't remember who. When we came to the house of these individuals, the first thing we found was a sniper rifle on the roof which made us search more thoroughly. By the time we were finished, we found everything which is currently shown in the picture.

Q: Do you recall what happened to these four individuals?
A: We ended up bringing them back to the COP and shortly afterwards, turned them over to the Iraqi Police.

Q: Did you witness the turnover of these detainees to the Iraqi Police?
A: Yes I did. The Iraqi police were co-located on our COP. Myself, the Commanding Officer, and an interpreter walked them over to the building where the Iraqi police were stationed. I think I gave the Iraqi police the memory card from my camera so they could get these pictures for evidence. We left these individuals at the Iraqi police station.

Q: How certain are you that the four detainees depicted in this photograph were the actual individuals you dropped off at the Iraqi Police station?
A: A strong 98%.

Q: I am showing you a photograph which depicts an Iraqi male lying on back on the floor with a severe leg wound. Do you recognize this individual?
A: Yes. This was the first casualty I treated down range. Around January 2007, I was with the PSD element when we got hit with an IED off of route STEELERS. There was some small arms fire exchanged and SPC (b)(6), (b)(7)(C) ended up shooting this individual in the leg. When we went over to investigate, I was called into a house and saw him lying on the floor with a severe leg wound. I provided treatment to the best of my ability until relieved by my senior line medic, SGT (b)(6), (b)(7)(C)

Q: Did the 1SG and the Quick Reaction Force respond to the aforementioned incident?
A: Yes. As I said before, one of our vehicles was disabled by an IED and I transferred care of this Iraqi to SGT (b)(6), (b)(7)(C). The Iraqi was loaded into one of the QRF Bradleys and taken away by 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C). I later heard that this individual was "taken care of" before arriving at the CSH. I didn't ask for details nor did I want to hear the details.

Q: I am showing you a photograph which depicts a U.S. Soldier standing over an Iraqi male. Do you recognize the soldier in this photograph?
A: Yes. It is SPC (b)(6), (b)(7)(C). He was pulling guard on the Iraqi detainees.

Q: Describe the standard vehicle set which goes on a patrol.
A: With platoons, the standard is two Bradley's and two HV's. On occasion, another vehicle such as 1SG's truck would come along as well which would make five vehicles in total. //END OF STATEMENT// (b)(6), (b)(7)(C)

EXHIBIT	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 _____ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONSIDERED UNOFFICIAL. FOR MORE INFORMATION, SEE THE BACK OF THIS FORM.

DA FORM 2823
1 JUL 72

LAW ENFORCEMENT SENSITIVE

EXHIBIT 84

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0010-08-CID847-34682

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Schweinfurt CID Office DATED 25 January 2008 CONTINUED:
STATEMENT (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 (b)(6), (b)(7)(C). 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]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25th day of January, 2008

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

[Redacted Name]

(Typed Name of Person Administering Oath)

Title 10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

FOR OFFICIAL USE ONLY PAGE 2 OF 2 PAGES

LAW ENFORCEMENT SENSITIVE

EXHIBIT 84

AGENT'S INVESTIGATION REPORT

ROI NUMBER: 0010-08-CID847-34682
0009-08-CID081 (RFA)

CID Regulation 195-1

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PAGE 1 OF 1 PAGES

DETAILS

About 1820, 22 Jan 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) who indicated he had no knowledge of this incident, nor did he have any knowledge of photographs depicting Iraqi prisoners on the computer that SGT (b)(6), (b)(7)(C) gave him. Mr. (b)(6), (b)(7)(C) further refused to release his laptop to CID for examination without a search authorization.

About 1530, 25 Jan 08, SA (b)(6), (b)(7)(C) and Miss (b)(6), (b)(7)(C) U.S. Attorney's Office, Providence, RI, coordinated with Judge (b)(6), (b)(7)(C) U.S. Magistrate Judge, Providence, RI, and obtained a search authorization to obtain and examine Mr. (b)(6), (b)(7)(C) computer.

About 1130, 26 Jan 08, SA (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) Detectives Division, State Police, Providence, RI, served Mr. (b)(6), (b)(7)(C) the search authorization, seized Mr. (b)(6), (b)(7)(C) computer, and documented the seizure on Evidence/Property Custody Document (DA Form 4137). (See Search Warrant, Application and Affidavit for Search Warrant and DA Form 4137 for further details)

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

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

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

ORGANIZATION:

West Point CID Office, Building 616,
West Point Military Reservation, NY 10996

DATE:

28 Jan 08

EXHIBIT:

86

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Encl 2

United States District Court

FOR THE

In the Matter of the Search of
(Name, address or brief description of the person or property to be searched)

SEARCH WARRANT

Premises of (b)(6), (b)(7)(C) and any Dell XTS laptop computer 15 or 17 inch, gray and black in color, and computer media found there

CASE NUMBER: 1:08MJ12A

TO: Any Authorized Special Agent, West Point CID (ACIC) and any Authorized Officer of the United States Affidavit(s) having been made before me by Special Agent (b)(6), (b)(7)(C) who has reason to Affiant

believe that on the person of or on the premises know as (name, description and/or location) Premises of (b)(6), (b)(7)(C) and any Dell XTS laptop computer 15 or 17 inch, gray and black in color, and computer media found there

in the _____ District of Rhode Island there is now concealed a certain person or property, namely (describe the person or property) See Attachment A.

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before February 4, 2008 Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime--6:00 A.M. to 10:00 P.M.) (at any time in the day or night as I find reasonable cause has been established), and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to (b)(6), (b)(7)(C) as required by law. U.S. Judge or Magistrate

1/25/08 3:15 pm at Providence, RI Date and Time Issued City and State (b)(6), (b)(7)(C) U.S. MAGISTRATE JUDGE (b)(6), (b)(7)(C) Name and Title of Judicial Officer

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

87

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United States District Court

FOR THE

In the Matter of the Search of
(Name, address or brief description of the person or property to be searched))

SEARCH WARRANT

Premises of (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) and any Dell XTS laptop computer 15
or 17 inch, gray and black in color, and
computer media found there

CASE NUMBER: 1:08MJ12A

TO: Any Authorized Special Agent, West Point CID (ACIC) and any Authorized Officer of the United States

Affidavit(s) having been made before me by Special Agent (b)(6), (b)(7)(C) who has reason to
Affiant

believe that on the person of or on the premises know as (name, description and/or location)

Premises of (b)(6), (b)(7)(C) and any Dell
XTS laptop computer 15 or 17 inch, gray and black in color, and computer media found there

in the District of Rhode Island there is now
concealed a certain person or property, namely (describe the person or property)
See Attachment A.

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or
property so described is now concealed on the person or premises above-described and establish grounds for the
issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before February 4, 2008
Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this
(b)(6), (b)(7)(C) warrant and making the search (in the daytime--6:00 A.M. to 10:00 P.M.) (at any time in the day or night as I find
reasonable cause has been established), and if the person or property be found there to seize same, leaving a
copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or
property seized and promptly return this warrant to (b)(6), (b)(7)(C)
as required by law. U.S. Judge or Magistrate

1/25/08 3:15 p.m. at Providence, RI
Date and Time Issued City and State

(b)(6), (b)(7)(C) U.S. MAGISTRATE JUDGE (b)(6), (b)(7)(C)
Name and Title of Judicial Officer

EXHIBIT 87

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Encl 3

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AO106 (Rev. 12/03) Affidavit for Search Warrant

~~LAW ENFORCEMENT SENSITIVE~~

0009-08-CID 081-

UNITED STATES DISTRICT COURT

0010-2008-CID 847-34682

DISTRICT OF RHODE ISLAND

In the Matter of the Search of

(Name, address or brief description of person, property or premises to be searched)

Premises of (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) and any Dell XTS laptop computer 15 or 17 inch, gray and black in color, and computer media found there

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

Case Number: 1:08MJ12A

I, (b)(6), (b)(7)(C) being duly sworn depose and say:

I am a(n) Special Agent, West Point CID Office, Army Criminal Investigation Command and have reason to believe Official Title

that [] on the person of or [X] on the property or premises known as (name, description and/or location) Premises of (b)(6), (b)(7)(C) and any Dell XTS laptop computer 15 or 17 inch, gray and black in color, and computer media found there

in the District of RHODE ISLAND

there is now concealed a certain person or property, namely (describe the person or property to be seized) See Attachment A.

which is (state one or more bases for search and seizure set forth under Rule 41(b) of the Federal Rules of Criminal Procedure)

Property that constitutes evidence of a criminal offense.

concerning a violation of Title 10 United States code, Section(s) 881, 918 and 934

The facts to support a finding of probable cause are as follows:

See attached affidavit of Special Agent Christopher Fisher, West Point CID Office, Army Criminal Investigation Command, West Point, New York 10996.

Continued on the attached sheet and made a part hereof:

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

Signature of Affiant

Sworn to before me and subscribed in my presence,

1/25/08 Date

at Providence Rhode Island City State

(b)(6), (b)(7)(C) U.S. MAGISTRATE JUDGE Name of Judge Title of Judge

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

EXHIBIT 87

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Encl 4

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LAW ENFORCEMENT SENSITIVE

AFFIDAVIT

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0 0 0 9 - 0 8 - C I D 0 8 1 -

I, Special Agent (b)(6), (b)(7)(C) a resident agent of the United States Army Criminal Investigation Command (CID), West Point, New York Field Office, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I, Special Agent (b)(6), (b)(7)(C) make this affidavit in support of an application for a warrant to search the premises of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and any Dell XTS laptop computer 15 or 17 inch, gray and black in color, and computer media found there, there being probable cause to believe that the items described in Attachment A, being evidence, fruits, and instrumentalities of violations of Title 10, United States Code, Sections 881, 918 and 934, are located there. The property located at (b)(6), (b)(7)(C) is a single-family, two-story, white house with black shutters and a brick foundation. Additionally, there is a detached garage on the property. Since this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence, fruits, and instrumentalities of violations of Title 10, United States Code, Sections 881, 918 and 934, are present in the locations described above.

2. I am a Special Agent (SA) assigned to the United States Army Criminal Investigation Command, and as such am authorized to seek search warrants from a Federal or Military Judge under the authority of AR 195-2, Rule 41, Federal Rules of Criminal Procedure, and 28 CFR 60, and execute same warrants. I am responsible for investigations involving criminal offenses committed by military personnel under Title 10 of the United States Code as incorporated in the Uniform Code of Military Justice (UCMJ). I am further responsible for enforcing federal criminal statutes involving murder, conspiracy, and misprision of a serious offense, pursuant to Title 10, United States Code, Sections 881, 918, and 934. Under authority of AR 195-2, I have assumed investigative responsibility for the foregoing offense.

3. During my tenure as a Special Agent, I have conducted and participated in numerous investigations of criminal activity, including, but not limited to, the investigation of narcotics, theft, fraud, rape, child pornography, and murder. During the investigation of these cases, I have executed, or participated in the execution of, search warrants, and seized evidence of these violations. In addition, I have received formal training from the United States Army Criminal Investigative Division (CID), and other federal law enforcement agencies in the area of criminal investigations.

4. I am familiar with the information contained within the affidavit because I participated in the investigation, consulted with other law enforcement agents and individuals, have reviewed the relevant documents, and the information is based on my training and experience, as well as information related to me by other law enforcement officers.

EXHIBIT 87

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0009-08-CID 081-

APPLICABLE STATUTES

0010-2008-CID 847-34682

5. Title 10, United States Code, Section 881 makes it a federal crime for any member of the armed forces to conspire to commit an offense punishable under the UCMJ;
6. Title 10, United States Code, Section 918 makes it a federal crime for any member of the armed forces to commit the act of murder;
7. Title 10, United States Code, Section 934 makes it a federal crime for any member of the armed forces to misprision, or conceal a serious offense committed by another member of the armed forces; and
8. Rule 41 of the Federal Rules of Civil Procedure permits the government to search and seize computer hardware, software, documentation, passwords, and data storage devices which are (1) instruments, fruits, or evidence of crime, or (2) storage devices for information about a crime.

**THE INVESTIGATION AND PROBABLE CAUSE TO SEARCH THE LAPTOP
COMPUTER**

9. On 10 January 2008, agents of the Schweinfurt, Germany CID office received information which indicated that members of A Company, 1-18th Infantry Battalion, Schweinfurt, Germany, committed law of war crimes while forwardly deployed to Iraq in support of Operation Iraqi Freedom. A preliminary investigation revealed that at least thirteen soldiers had knowledge and or were directly involved in the murder of at least four prisoners captured by unit members on a mission while on their deployment to Iraq.
10. On or about late April – May 2007, while on patrol in Iraq, members of A Company captured four Iraqi males suspected of firing on the patrol and civilians following a skirmish in West Baghdad. Along with the Iraqis, members of A Company secured a cache of weapons. After the Iraqis were captured, the senior noncommissioned officers conspired to kill the prisoners, and solicited the remaining soldiers to participate.
11. The patrol returned to their base, where they reported that they intended to release the prisoners to the Iraqi police force as they did not have probable cause to detain the Iraqis.
12. Some members of the patrol remained at the base, while others drove to a canal about 5 minutes west of the base. Once at the canal, three members of the patrol shot the Iraqis, and dumped their bodies into the canal.

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EXHIBIT 87

Encl 4

13. On January 18, 2008, CID agents conducted an interview of SGT (b)(6), (b)(7)(C). When questioned by agents of CID, SGT (b)(6), (b)(7)(C) stated that photographs were taken of the detained Iraqis, and the weapons cache discovered by the patrol. Specifically, in response to the question about photos, SGT (b)(6), (b)(7)(C) stated: "Yes. We put them all in the room where we found the weapons cache. First we took a group photo of them and the cache, and then we took individual pictures." SGT (b)(6), (b)(7)(C) further stated that after taking the photographs, he believed that SGT (b)(6), (b)(7)(C) downloaded the photographs to his laptop computer while in Iraq.

14. Subsequent to SGT (b)(6), (b)(7)(C) interview, agents of CID questioned SGT (b)(6), (b)(7)(C) about photographs taken during the capture of the Iraqis, and additionally about the location of his laptop computer. (b)(6), (b)(7)(C) admitted that he took digital photographs of the Iraqi detainees in question. He further acknowledged that he had downloaded digital photographs taken during his deployment in Iraq to his Dell XTS laptop computer, but he denied downloading the digital photographs of this specific incident. (b)(6), (b)(7)(C) stated that he was no longer in possession of his laptop computer, and that he had given that computer to his father, who he identified as (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) did, however, give the CID agents his permission to seize the computer and examine its contents.

15. On January 22, 2008, I contacted (b)(6), (b)(7)(C) by telephone at his residence in (b)(6), (b)(7)(C). Mr. (b)(6), (b)(7)(C) acknowledged that he did, in fact, have possession of his son's computer and that the computer did contain photographs taken during his son's deployment in Iraq, but he refused to turn the laptop computer over to the authorities unless and until they obtained a "subpoena".

**BACKGROUND REGARDING COMPUTERS AND METHODS TO BE USED
TO SEARCH COMPUTERS AND COMPUTER RELATED EQUIPMENT**

16. The term "computer" as used herein is defined in 18 U.S.C. § 1030(e)(1), and includes an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device.

17. I have had both training and experience in the investigation of computer-related crimes. Based on my training, experience and knowledge, as well as information relayed to me by other law enforcement personnel, I know the following:

18. Based on my knowledge, training, and experience, I know that computer files or remnants of such files can be recovered months or even years after they have been downloaded onto a hard drive, deleted or viewed via the Internet. Electronic files downloaded to a hard drive can be stored for years at little or no cost. Even when such files have been deleted, they can be recovered months or years later using readily-available forensics tools. When a person "deletes" a file on a home computer, the data

contained in the file does not actually disappear; rather, that data remains on the hard drive until it is overwritten by new data. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space - that is, in space on the hard drive that is not allocated to an active file or that is unused after a file has been allocated to a set block of storage space - for long periods of time before they are overwritten. In addition, a computer's operating system may also keep a record of deleted data in a "swap" or "recovery" file. Thus, the ability to retrieve residue of an electronic file from a hard drive depends less on when the file was downloaded or viewed than on a particular user's operating system, storage capacity, and computer habits.

19. I know that computer hardware, software, and electronic files may be important to a criminal investigation in two distinct ways: (1) the objects themselves may be contraband, evidence, instrumentalities, or fruits of crime, and/or (2) the objects may be used as storage devices that contain contraband, evidence, instrumentalities, or fruits of crime in the form of electronic data. Rule 41 of the Federal Rules of Criminal Procedure permits the government to search for and seize computer hardware, software, and electronic files that are evidence of crime, contraband, instrumentalities of crime, and/or fruits of crime. In this case, the warrant application requests permission to search and seize images of suspected violations of Title 10, United States Code, Sections 881, 918, and 934, including those that may be stored on a computer. These images constitute both evidence of crime and contraband. This affidavit also requests permission to seize the computer hardware that may contain the images of violations of Title 10, United States Code, Sections 881, 918, and 934 if it becomes necessary for reasons of practicality to remove the hardware and conduct a search off-site. I believe that, in this case, the computer hardware is a container for evidence and a container for contraband.

20. Based upon my knowledge, training and experience, I know that searching and seizing information from computers often requires agents to seize most or all electronic storage devices (along with related peripherals) to be searched later by a qualified computer expert in a laboratory or other controlled environment. This is true because of the following:

(1) The volume of evidence. Computer storage devices (like hard disks, diskettes, tapes, laser disks) can store the equivalent of millions of information. Additionally, a suspect may try to conceal criminal evidence; he or she might store it in random order with deceptive file names. This may require searching authorities to examine all the stored data to determine which particular files are evidence or instrumentalities of crime. This sorting process can take weeks or months, depending on the volume of data stored, and it would be impractical and invasive to attempt this kind of data search on-site.

(2) Technical Requirements. Searching computer systems for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications, so it is difficult to know before a search which expert is qualified to analyze the

system and its data. In any event, however, data search protocols are exacting scientific procedures designed to protect the integrity of the evidence and to recover even "hidden," erased, compressed, password-protected, or encrypted files. Because computer evidence is vulnerable to inadvertent or intentional modification or destruction (both from external sources or from destructive code imbedded in the system as a "booby trap"), a controlled environment may be necessary to complete an accurate analysis. Further, such searches often require the seizure of most or all of a computer system's input/output peripheral devices, related software, documentation, and data security devices (including passwords) so that a qualified computer expert can accurately retrieve the system's data in a laboratory or other controlled environment.

21. In light of these concerns, I hereby request the Court's permission to seize the computer hardware that is believed to contain some or all of the evidence described in the warrant, and to conduct an off-site search of the hardware for the evidence described, if, upon arriving at the scene, the agents executing the search conclude that it would be impractical to search the computer hardware on-site for this evidence.

22. Searching SGT (b)(6), (b)(7)(C) computer system, in the possession of (b)(6), (b)(7)(C) for the evidence described in Attachment A may require a range of data analysis techniques. In some cases, it is possible for agents to conduct carefully targeted searches that can locate evidence without requiring a time-consuming manual search through unrelated materials that may be commingled with criminal evidence. For example, agents may be able to execute a "keyword" search that searches through the files stored in a computer for special words that are likely to appear only in the materials covered by a warrant. Similarly, agents may be able to locate the materials covered in the warrant by looking for particular directory or file names. In other cases, however, such techniques may not yield the evidence described in the warrant. Criminals can mislabel or hide files and directories; encode communications to avoid using key words; attempt to delete files to evade detection; or take other steps designed to frustrate law enforcement searches for information. These steps may require agents to conduct more extensive searches, such as scanning areas of the disk not allocated to listed files, or opening every file and scanning its contents briefly to determine whether it falls within the scope of the warrant. In light of these difficulties, I request permission to use whatever data analysis techniques appear necessary to locate and retrieve the evidence described in [Attachment A].

23. In searching for evidence responsive to this Affidavit and the accompanying warrant, law enforcement personnel executing this warrant at (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) to the extent applicable, will employ the following procedure:

(1) Upon securing the residence, law enforcement personnel will seize and transport the laptop computer to an appropriate law enforcement laboratory for review.

(2) The computer equipment will be reviewed by appropriately trained personnel in order to extract and seize any data which falls within the list of items to be seized set forth herein.

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(3) The analysis of electronically stored data, whether performed on-site or in a separate, controlled environment may entail any or all of several different techniques. Such techniques may include, but shall not be limited to, surveying various file "directories" and the individual files they contain (analogous to looking at the outside of a file cabinet for the markings it contains and opening a drawer believed to contain pertinent files); "opening" or reading the first few "pages" of such files in order to determine their precise contents; "scanning" storage areas to discover and possibly recover recently deleted data; scanning storage areas for deliberately hidden files; and performing electronic "key-word" searches through all electronic storage areas to determine whether occurrences of language contained in such storage areas exist that are related to the subject matter of the investigation.

(4) Any data that is encrypted and unreadable will not be returned unless law enforcement personnel have determined that the data is not: (a) an instrumentality of the offense; (b) a fruit of the criminal activity; (c) contraband; (d) otherwise unlawfully possessed; or (e) evidence of the offense specified above.

(5) In searching the data, the computer personnel may examine all of the data contained in the computer equipment and storage devices to view their precise contents and determine whether the data falls within the items to be seized as set forth herein. In addition, the computer personnel may search for and attempt to recover "deleted," "hidden" or encrypted data to determine whether the data falls within the list of items to be seized as set forth herein.

(6) If the computer personnel determine that the computer equipment and storage devices are no longer necessary to retrieve and preserve the data, and the items are not subject to seizure pursuant to Federal Rule of Criminal Procedure 41 (b), the government will return these items, upon request, within a reasonable period of time.

CONCLUSION

24. Based upon the information above, I have probable cause to believe that violations of Title 10, United States Code, Sections 881, 918 and 934, have been committed by members of A Company 1-18 Infantry Battalion including SGT (b)(6), (b)(7)(C) and that the items described in Attachment A are evidence, fruits, and instrumentalities of those violations and are located in the possession of (b)(6), (b)(7)(C) on the premises located at (b)(6), (b)(7)(C) (including the detached garage), or within control of (b)(6), (b)(7)(C)

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Encl 4

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25. By this affidavit, I respectfully request that the Court issue a warrant authorizing a search of the premises of the entities and the locations within the control of the entities in Attachment A, and the seizure of the items described in Attachment A.

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

Special Agent
West Point CID Office
Army Criminal Investigation Command
West Point, New York 10996

SWORN AND SUBSCRIBED TO BEFORE ME
THIS 25 DAY OF JANUARY, 2008.

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

United States Magistrate Judge

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Encl 4

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0 0 0 9 - 0 8 - C I D 0 8 1 -

ATTACHMENT A

ITEMS TO BE SEIZED AND SEARCHED

The following materials which constitute evidence of the commission of a criminal offense, contraband, the fruits of crime, or property designed or intended for use or which is or has been used as the means of committing a criminal offense, namely violations of Title 10, United States Code, Sections 881, 918 and 934.

Any Dell XTS laptop computer 15 or 17 inch, gray and black in color, located at 74 Lennon Street, Providence, Rhode Island 02908, and any digital images or other related data stored thereon constituting evidence of violations of Title 10, United States Code, Sections 881, 918 and 934.

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EXHIBIT 87

Encl 4

AGENT'S INVESTIGATION REPORT

0010-08-CID847-34684

CID Regulation 195-1

Page 1 of 1 Pages

About 1330, 28 Jan 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1/18th IN BN, Schweinfurt, GM, who provided a sworn statement wherein he detailed that he was assigned to COP Angry Dragon for approximately three (3) weeks before going on R&R leave and then being transferred to COP ELLIS. PFC (b)(6), (b)(7)(C) stated that he was on the patrol on 3 Jan 07 when the suspected insurgent was shot. (See Sworn Statement)

About 1730, 28 Jan 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1/18th IN BN, Schweinfurt, GM, who provided a sworn statement in which he stated that he did not witness any detainee abuse or indiscriminate killing during his deployment to Iraq. (See Sworn Statement)

///-----LAST ENTRY-----///

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

Stuttgart CID Office
202nd Military Police Group (CID),
APO AE 09107

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

Date: 28 Jan 08

CID Form 94

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EXHIBIT: 88

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	28 Jan 08	17:40	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-3/PFC/AD

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: I was there from the beginning of Feb to the 20th of February. After that I went on R&R and then went to another COP.

Q: What COP did you go to next?

A: COP ELLIS

Q: When did you take R&R?

A: From 20 Feb to approximately 10 Mar 07.

Q: What platoon were you in and/or what was your job?

A: 1st Platoon. I was a gunner in a HMMWV.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: HMMWV, A-107, Wolf Red 7 (the platoon sergeants truck).

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SPC (b)(6), (b)(7)(C) before he was killed)- driver, SFC (b)(6), (b)(7)(C) (spelling?)-Platoon Sergeant and Truck Commander, and SPC (b)(6), (b)(7)(C) dismount. We would also take a medic and an interpreter with us. They changed all the time.

Q: Who was normally in charge of your element when you went out?

A: My Platoon Sergeant - SFC (b)(6), (b)(7)(C)

Q: What was the make up of a typical element when you left the COP?

A: There would be a lead Bradley, I was the lead HMMWV, there would be one or two HMMWV's behind me, and then a trail Bradley.

Q: Who was in those vehicles?

A: We were Bravo section. My truck was the only consistent crew. The other vehicles changed out all the time. I can't say for sure.

Q: Who was in charge of your element when you were at the COP?

A: It was kind of a shared duty between the Platoon Sergeant, SFC (b)(6), (b)(7)(C) and the LT, 1LT (b)(6), (b)(7)(C)

Q: Where did you live on the COP and with whom?

A: I lived in a hard building in a walled off area of an Iraqi Police Station. I lived in a hard building next to the Entry Control Point (ECP). It was the western most building on the COP. It was an open bay. I lived with 10 other guys. SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (deceased), PFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) I know that there were a couple of other guys, I just can't remember who.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...? (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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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 28 Jan 08 Continued

(b)(6), (b)(7)(C) A: No, when I was there, I didn't see any detainees on the COP. We were busy getting the COP set up and running.

Q: What was the command guidance on the COP concerning the detainees?

A: None was put out, since we weren't doing operations yet. But the standing procedure was that if we got any detainees, to get them up to the detainee holding area as soon as possible. We didn't have any facilities for holding detainees.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No. Never even seen him with a detainee.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Always. Before every mission there was a briefing, unless it was a QRF mission.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: Never.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: No.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: No. I would see them in Sector at various times, but I was never attached to their operations.

Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: No.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: Yes. Black got hit. We rolled out with the 1SG as QRF and saw an individual running away. I know that he was hurt when we got there.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: I was aware that they had somebody and that he was wounded. I didn't know where he was hit.

Q: Do you know what happened to him after he was hit?

A: One of our medics started treating him. 1SG threw the guy in the back of the Bradley. The Bradley, the 1SG's truck and one other truck left to take him to the CSH.

Q: Who was the medic treating the wounded individual?

A: It was Black's medic. I believe it was Doc (b)(6), (b)(7)(C) at the time. 1SG had SGT (b)(6), (b)(7)(C) with him when he showed up. I don't know what roll SGT (b)(6), (b)(7)(C) played and I don't know if (b)(6), (b)(7)(C) went with the wounded up to the CSH.

Q: Did you hear what happened to him afterwards, and from whom?

A: I heard that he died enroute to the CSH. I heard it from radio chatter.

Q: Did you discuss the incident with anybody at all?

A: We talked amongst ourselves that SPC (b)(6), (b)(7)(C) got another kill. Other than that, no.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: No.

Q: Were you part of that patrol? (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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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 28 Jan 08 Continued

(b)(6), (b)(7)(C) A: No.
 Q: Did anyone discuss the incident afterwards?
 A: No.
 Q: What has been discussed about this incident and investigation recently?
 A: It has been discussed that 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were under investigation for executing some detainees. It has also been discussed that there are some investigations into detainee abuse. I've overheard conversations, but nothing specific. The LT got the platoon together about a week ago and said that there was an investigation going on but gave no details. He said not to talk to anybody unless questioned by CID. He told us to cooperate with CID if we were questioned. He just told us not to spread any rumors.
 Q: Who is your LT?
 A: 1LT (b)(6), (b)(7)(C)
 Q: Has anyone told you to with-hold information regarding this case?
 A: No.
 Q: Do you have anything else to add to this statement?
 A: No ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C) I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends (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)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this (b)(6), (b)(7)(C) th day of Jan 08 at Schweinfurt Germany.

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

(b)(6), (b)(7)(C) ing Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering 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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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	28 Jan 08	1822	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-5/SGT/AD

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226 (2nd Platoon)

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes, from October to November 2007, at the tail end of the deployment.

Q: What other installations or COP's did work from during the deployment and when?

A: Until June, I was on FOB FALCON, from June to September, I was at COP CARTER.

Q: What platoon were you assigned to during the deployment?

A: I started the deployment assigned to Headquarters Platoon, then I moved to BN S-3 in March, in September, I went back to the HQ Platoon, in October, I went to 2nd platoon when I was COP Angry Dragon.

Q: What was your duty assignment in 2nd platoon?

A: I was a team leader on a HMMWV and I did re-deployment planning.

Q: When did you take R&R?

A: I think it was either March or April.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I was in a HMMWV, call sign White 2 Bravo. I don't remember the truck. We changed trucks a lot.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: That changed frequently. Each task organization changed with every patrol.

Q: Who was normally in charge of your element when you went out?

A: Either SFC (b)(6), (b)(7)(C) or ILT (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: The same people.

Q: What was your usual patrol configuration going outside of the wire?

A: Two Bradleys and two HMMWV. If we were doing a logistical run, like for chow, we would throw in a LMTV.

Q: Who was in those vehicles?

A: The crews and vehicles changed every mission. I went out a couple times with 1SG (b)(6), (b)(7)(C) and a couple of times the HQ PSD came out with us.

Q: Where did you live on the COP and with whom?

A: I lived in the HQ's sections room, and then moved to the 2nd platoon area. I roomed with CPL (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No. It was one of my duties to make sure that the detainee guards treated the detainee's right. I always made sure that they had food and water and used the toilet as necessary. I always saw them taken care of. (b)(6), (b)(7)(C)

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

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 28 Jan 08 Continued

(b)(6), (b)(7)(C) Q: What was the command guidance on the COP concerning the detainees?
A: They had to be guarded at all time and make sure that they get food and water. We would offer them 3 MRE's a day and a bottle of water in the cell. Also, make sure that they were taken to the bathroom so that they wouldn't go inside the cell.
Q: Was anyone ever reprimanded about their handling of the detainees?
A: I don't think so.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: He wouldn't do something like that. I never saw him do anything like that. He is incapable of doing the wrong thing.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Absolutely. There was a patrol brief prior to every patrol. It was a requirement for all personnel going on the mission.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No. I really don't think that either of them would do that.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: Yes.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: It's a tricky call. Even if it's a combatant and they've dropped their weapon, you have to let them go. If the combatant is shooting at you and starts to run, even running away, he's bounding and is still in the fight. (b)(6), (b)(7)(C) with his weapon in hand
Q: Were you ever told to engage non-combatants?
A: Never.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No I did not.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: He would ask for a SITREP, he wanted to know what was going on.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: Working in the TOC, I've been through so many EFP/IED strikes where people got hit. I really can't remember one specific incident. (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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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 28 Jan 08 Continued

(b)(6), (b)(7)(C) Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
 A: No, I never heard of that.
 Q: Were you part of that patrol?
 A: No.
 Q: Did anyone discuss the incident afterwards?
 A: No.
 Q: What has been discussed about this incident and investigation recently?
 A: I've heard rumors from Soldiers that 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) are under investigation for shooting some people that weren't supposed to get shot while they were in Iraq. I didn't ask any details and I didn't let anyone get specific with me, because I just don't want to know.
 Q: Has anyone told you to with-hold information regarding this case?
 A: No.
 Q: Do you have anything else to add to this statement?
 A: No ///END OF STATEMENT///(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of Jan 08 at Schweinfurt Germany.

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

ng Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGE

DETAILS

About 1340, 27 Jan 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) Headquarters Platoon, A Company, 1/18th Infantry Battalion, Schweinfurt, Germany, APO AE 09226 (CBSG), who provided a Sworn Statement detailing wherein having no knowledge of four detainee's being murdered by any A Company personnel. SSG (b)(6), (b)(7)(C) further detailed having no knowledge of any detainee abuse and any indiscriminant shooting of non-combatants. (See Sworn Statement and Sketch for details)

About 1800, 27 Jan 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, CBSG, who provided a sworn statement, wherein he stated he had no knowledge of any detainee abuse or any indiscriminant shooting of non-combatants. SSG (b)(6), (b)(7)(C) provided a sketch which depicted COP Angry Dragon. (See Sworn Statement and Sketch for details)
 ///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Grafenwoehr Resident Agency 1002d Military Police Bn (CID) Grafenwoehr, Germany APO AE 09112	
SIGNATURE (b)(6), (b)(7)(C)	DATE 28 Jan 2008	EXHIBIT 91

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	28 Jan 08 (b)(6), (b)(7)(C)	1476 (b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-6/AD

ORGANIZATION/ADDRESS:

(b)(6), (b)(7)(C) 1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes. I arrived there around March 18

Q: When did you take R&R?

A: Somewhere around Feb 18 to March 18

Q: What platoon were you in and/or what was your job?

A: I was in Headquarters Platoon and I was Tactical Operations Center Non-Commissioned Officer In Charge (NCOIC)

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I was the driver for A7 (HMMWV) for two weeks because SPC (b)(6), (b)(7)(C) went on block leave. Our call sign was Wolf 7D.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: 1SG (b)(6), (b)(7)(C) was the TC (Sat in the front passenger seat), SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (Medic; He sat right behind the driver).

Q: Who was normally in charge of your element when you went out?

A: Whoever was designated as the patrol, 1SG (b)(6), (b)(7)(C) was never in charge, he just went along.

Q: Who was in charge of your element when you were at the COP?

A: SSG (b)(6), (b)(7)(C) was in charge of the Headquarters Platoon

Q: What was your usual patrol configuration going outside of the wire?

A: Line Platoons always had two HMMWV's and two Bradleys. The 1SG sometimes would go out with patrols which would add a third HMMWV.

Q: Who was in those vehicles?

A: We never had a set scheme going out on patrols; it was whoever designated to be on patrols. The occupants of 1SG (b)(6), (b)(7)(C) HMMWV never changed except for me taking over the driver duties.

Q: Where did you live on the COP and with whom?

A: I lived in the supply room with SSG (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No. The commander always told us to treat the detainees as we would want to be treated. He also directed us to keep detail list of every time the guards fed them and to log it on the DA Form 5988.

Q: What was the command guidance on the COP concerning the detainees?

A: The Commander wanted the detainees to be kept fed, have plenty of nourishment, to log it in on the DA Form 5988 every time we fed them, gave them something to drink. We gave them bathroom breaks every time they wanted to take a break.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: I do not know (b)(6), (b)(7)(C)

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

Page 1 of 2 Pages (b)(6), (b)(7)(C)

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(b)(6), (b)(7)(C) Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated XX Jan 08 Continued

(b)(6), (b)(7)(C): Do you know SPC (b)(6), (b)(7)(C)?
A: Yes, I think he was one of the gunners in the Commanders squad.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: I never saw him with the detainee's when I was on shift, I worked night shift and I do not know what happened during the day.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No. I believe he was a driver for the Commander's Black Squad.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No. He always took the pictures of the detainees.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: no.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: I went on a patrol one time with them.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No. When I went out with Black Squad I did not see them fire any weapons.
Q: What were you told about engaging Iraqis who ran from you?
A: If they did not see them with a weapons and were in running distant then we could detain them. If they did not have a weapon we could not shoot on them. We could only shoot on individuals who had weapons and were firing at us.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: The commander would get highly upset.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Did you hear what happened to him afterwards, and from whom?
A: No.
Q: Have you heard any rumors about detainee abuse within your company?
A: No.
Q: Have you heard any rumors about detainee's being "Taken Care Of"?
A: No (b)(6), (b)(7)(C)

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

Page 2 of (b)(6), (b)(7)(C)

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated XX Jan 08 Continued

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

as anyone told you to with-hold information regarding this case?

A: No.

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

A. No ///END OF STATEMENT///

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

AFFIDAVIT

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

, have read or have 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)

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

(Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of Jan 08 at Schweinfurt Germany.

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

(Administering Oath)

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering 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

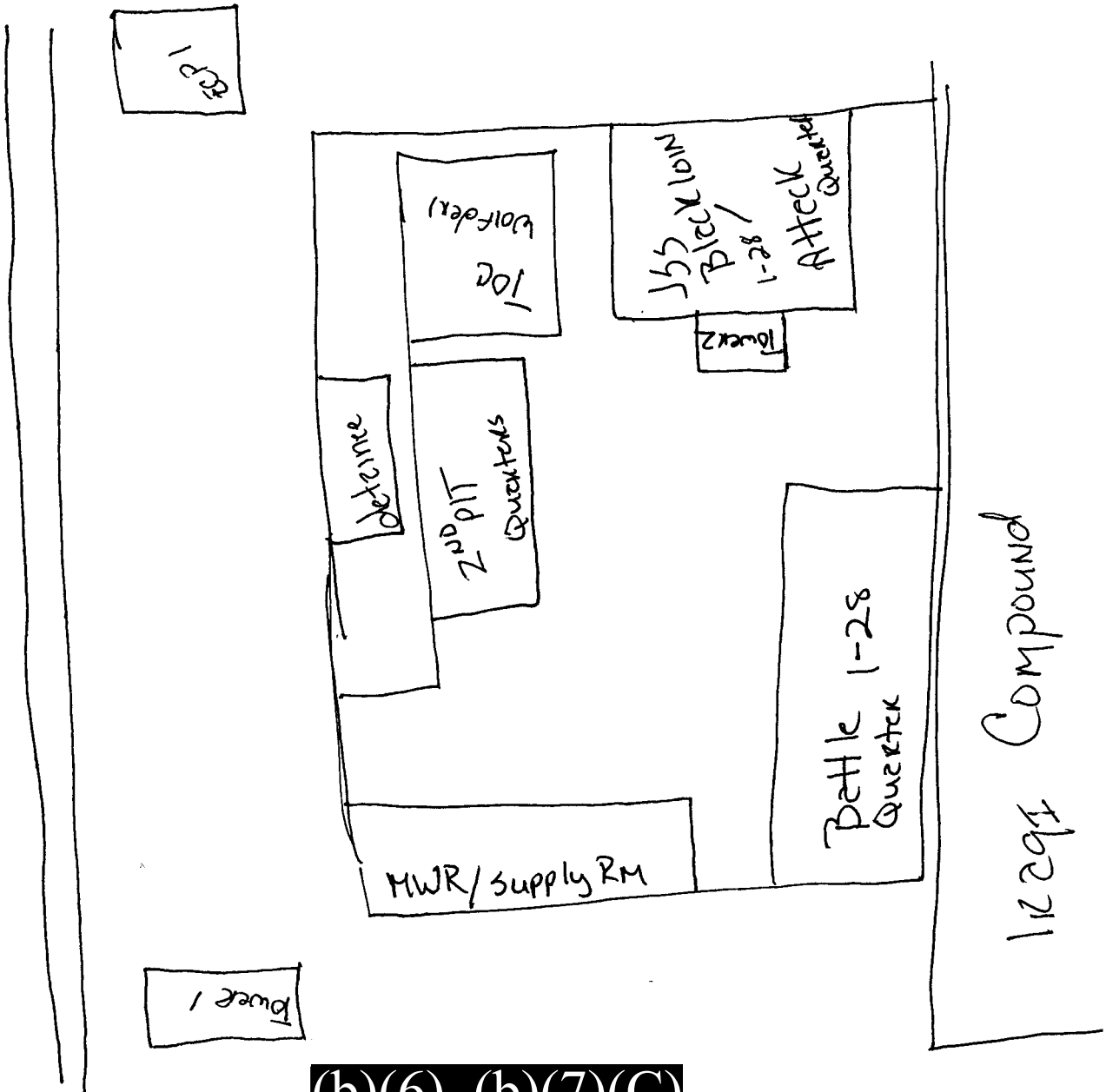
92

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Sketch of: (b)(6), (b)(7)(C)

CASE #0010-08-CID847-34682



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

NOT DRAWN TO SCALE

EXHIBIT 92

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	(b)(6), (b)(7)(C) 28 Jan 08	1700	(b)(6), (b)(7)(C)-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SSG/AD

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes. I was there from late Feb. until late March.

Q: When did you take R&R?

A: 5 April and came back around May 2.

Q: What platoon were you in and/or what was your job?

A: I was in Headquarters Platoon and I was Tactical Operations Center NCO while I was at COP Angry Dragon. When I got back from R & R I was sent to FOB Falcon and I was the unit Armorer.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: Most of the time I was in the LMTV, I do not know the bumper number.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: Either SGT (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C)

Q: Who was normally in charge of your element when you went out?

A: One of the guys from Headquarters and Headquarters Company. I only went on two patrols and that was when we first arrived in Iraq.

Q: Who was in charge of your element when you were at the COP Angry Dragon?

A: The platoon Sergeant who was SSG (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Two Bradley's and 3 or 4 HWMMVs.

Q: Who was in those vehicles?

A: On my first patrol was under SSG (b)(6), (b)(7)(C) and I was in the 1SG's vehicle, which included SPC (b)(6), (b)(7)(C)

SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) I know SGT (b)(6), (b)(7)(C) was the Bradley Commander of one of the Bradleys and that's all I remember.

Q: Where did you live on the COP and with whom?

A: It was the building across from the TOC and I shared a room with two guys from another unit, one was SPC (b)(6), (b)(7)(C) (NFI) and the other one I don't remember. SPC (b)(6), (b)(7)(C) was the other soldier. (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: I never witnessed anything like that.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: The Commander's guidance was to keep them separated and under guard.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees? (b)(6), (b)(7)(C)

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

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EXHIBIT 93

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

0010-08-CID847-34682

0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated ~~XX~~ Jan 08 Continued

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

No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: Yes. I went out on one patrol and I don't remember the date.
Q: While on patrol did your element receive any combat?
A: No. We arrived right after it happened, we picked up a American Soldier who was KIA by an IED, placed the Soldier in one of the Bradley's and took him to the CASH.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: If they ran, to yell at the to halt and if they did not stop then to make a judgment call and to shoot to wound, not to kill.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: I was never around the Commander whenever something like that happened. I know for a fact whenever I was in the TOC our Company never engaged an enemy first, they always engaged us.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: I don't remember when it was. I do recall a insurgent being shot in the leg but he was brought back to COP Dragon. I don't remember what night it was.
Q: Do you know what happened to him after he was hit?
A: No. I know some of our Medics got awards for saving the lives of Iraqi Insurgents who got shot.
Q: Did you hear what happened to him afterwards, and from whom?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Do you know of an incident when 2nd Platoon detained four detainees after finding a weapons cache?
A: I do recall detainees being detained after finding a weapons cache (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C)
Page 2 of 3 Pages

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EXHIBIT

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0010-08-CID847-34682
0013-08-CID847-34684

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

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated ~~XX~~ 28 Jan 08 Continued

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

Q: How do you know of this incident?
 A: Most of the things I've heard was from CPT (b)(6), (b)(7)(C) because I was at Camp Falcon at the time of that event.
 Q: Do you know where at they were detained?
 A: No.
 Q: Do you know what types of ammunition and/or weapons were found at the cache?
 A: It was IED making materials, some RPG's, and that's all I can remember.
 Q: Do you remember of a HWMMV getting stuck in muddy water sometime in March and April?
 A: No.
 Q: Have you heard anything about detainees being executed by Soldiers within A Company?
 A: No.
 Q: Do you know the consequence if found that you are lying on this Sworn Statement?
 A: Yes.
 Q: Has anyone told you to with-hold information regarding this case?
 A: No.
 Q: Do you have anything else to add to this statement?
 A: No ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

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

, have read or have 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)

(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 28th day of Jan 08 at Schweinfurt, Germany.

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

(Administering Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement

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

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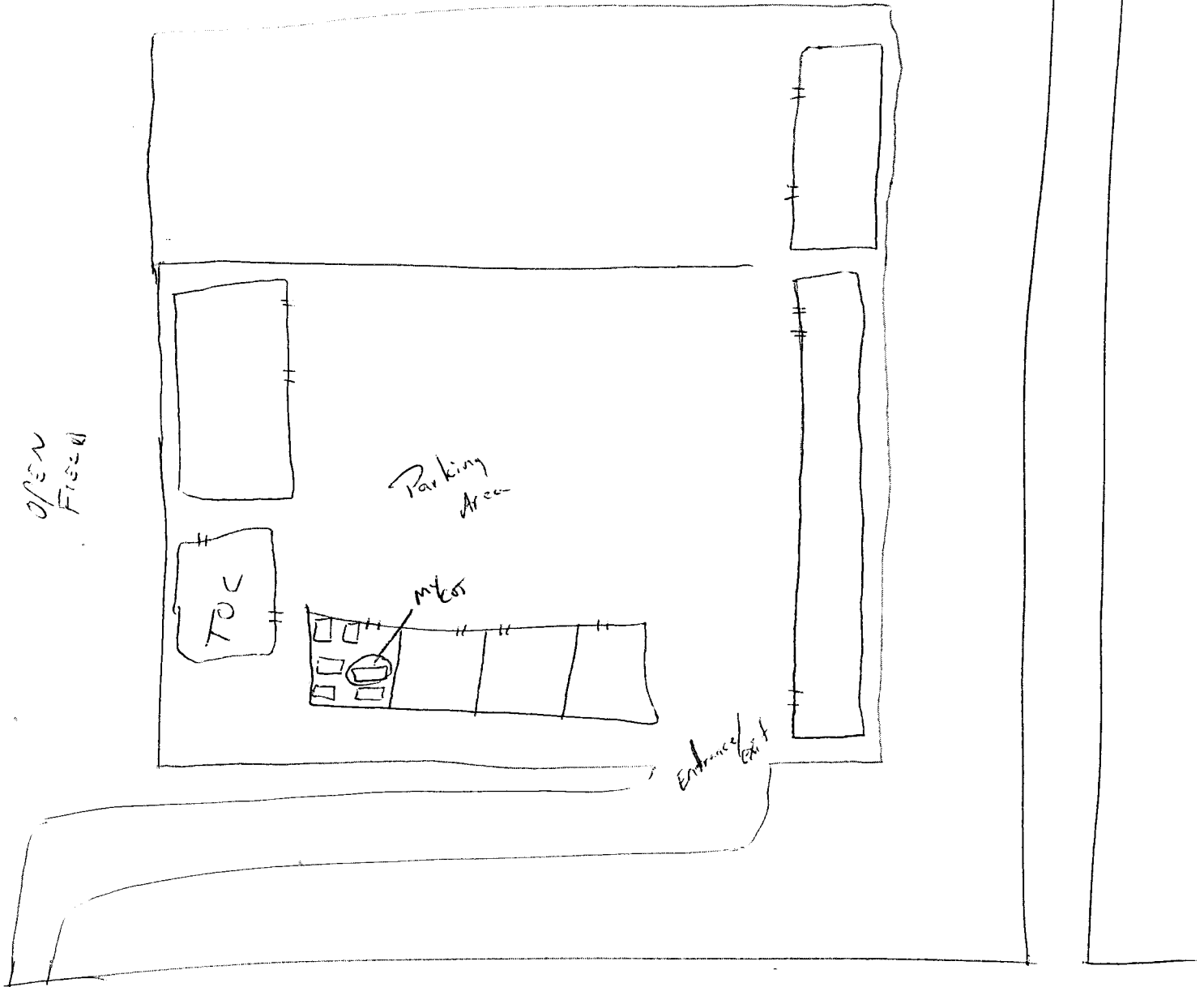
(b)(6), (b)(7)(C)

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EXHIBIT 93

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Sketch of: (b)(6), (b)(7)(C) CASE #0010-08-CID847-34682



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

28 Jan 08

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1434, 28 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Co. 1-18th IN BN, CBSG, who provided a sworn statement, wherein he detailed his knowledge regarding this investigation. SPC (b)(6), (b)(7)(C) stated he was assigned to 3rd Platoon, A Co. and was not present and did not have knowledge of the incidents in question. (See Sworn Statement)

About 1439, 28 Jan 08, SPC (b)(6), (b)(7)(C) provided a sketch which depicted COP Angry Dragon. (See Sketch)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

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

DATE

28 Jan 08

EXHIBIT

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	28 Jan 07	13 4	10-08-CID847-34682 0013-08-CID847-34684

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

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion?

A: For about a month, somewhere around Feb 07.

Q: When did you take R&R?

A: End of Mar, beginning of Apr 07.

Q: What platoon were you in and/or what was your job?

A: 3rd Platoon, I was a Bradley Driver (A-36), and then an M-240B gunner on a HMMWV (A-308).

Q: What was the call sign for A-36?

A: Blue 5.

Q: What was the call sign for A-308?

A: Blue 1.

Q: When did you switch to being a HMMWV gunner?

A: Right after I got back from R&R, should be in the middle of April.

Q: Who was the crew of A-36 and what were their jobs?

A: I was the driver, SPC (b)(6), (b)(7)(C) was the gunner and SGT (b)(6), (b)(7)(C) was the BC.

Q: Who was the crew of A-308 and what were their jobs?

A: SPC (b)(6), (b)(7)(C) was the driver and SSG (b)(6), (b)(7)(C) was the TC.

Q: Who was normally in charge of your element when you went out?

A: 1LT (b)(6), (b)(7)(C) and then 2LT (b)(6), (b)(7)(C) the last couple of months we were there.

Q: Who was in charge of your element when you were at the COP?

A: 1LT (b)(6), (b)(7)(C) or 2LT (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley in the front, two HMMWV's then a Bradley in the rear.

Q: What were the bumper #'s of the other vehicles that went on patrol with you?

A: Lead Bradley was A-35, HMMWV, I think A-310, A-308, the Bradley A-36.

Q: Who was the crew of A-35 and what were their jobs?

A: At the beginning of the deployment it was PFC (b)(6), (b)(7)(C) was the driver, SPC (b)(6), (b)(7)(C) was the gunner, and SSG (b)(6), (b)(7)(C) was the BC. After SSG (b)(6), (b)(7)(C) died it was SGT (b)(6), (b)(7)(C)

Q: Who was the crew of A-310 and what were their jobs?

A: SPC (b)(6), (b)(7)(C) was the driver, 1LT (b)(6), (b)(7)(C) was the TC, and SPC (b)(6), (b)(7)(C) was the gunner.

Q: Where did you live on the COP and with whom?

A: I lived in the 3rd platoon building, with the rest of my platoon.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: No.

Q: Did you ever guard detainees at the COP?

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 28 Jan 08 Continued

A: Not at COP Angry Dragon, at COP Attack I did. That's where I spent the second half of my deployment.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: There really wasn't any. It was pretty self explanatory. You had to be in some form of uniform and you had to have a weapon.

Q: Was there a person in charge of the detainee guards?

A: The SOG, and that duty rotated.

Q: Was a log kept pertaining to the activities of the detainee guards?

A: Yes, the detainee guard kept it.

Q: What types of activities would be documented?

A: Feeding, watering, bathroom breaks of the detainees, and guard change over.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes, before we deployed, in Kuwait, and a couple of times while we were in Iraq.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: We heard stories that they did that kind of stuff.

Q: Who told you?

A: I don't remember.

Q: What exactly did you hear?

A: I heard stories that they had shot detained insurgents that they knew did something.

Q: Were you on patrols with the PSD?

A: No, but we would be in sector at the same time and might run in to them.

Q: Did you ever SEE SPC (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: No.

Q: What were you told about engaging Iraqis who ran from you?

A: If they had a weapon and it was after curfew you could shoot them. It was kind of like if you felt threatened you could shoot them.

Q: Were you ever told to engage non-combatants?

A: No.

Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: No.

Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?

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

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 28 Jan 08 Continued

A: No.
Q: Did you ever hear him brag about doing so?
A: Nope.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: I don't know, I never worked with the Commander.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No, I was never around the PSD when they got hit.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Do you know what happened to him after he was hit?
A: No.
Q: Did you hear what happened to him afterwards, and from whom?
A: Nope.
Q: What has been discussed about this incident and investigation recently?
A: This was actually the first that I knew what was going on. I knew that something big was going on, but I didn't know what it was.
Q: Has anyone told you to with-hold information regarding this case?
A: No.
Q: Do you have anything else to add to this statement?
A: No ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 th day of Jan 08 at Schweinfurt, Germany.

(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 Administering Oath)

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

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EXHIBIT

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Sketched by:

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



1439. 28 Jan 08

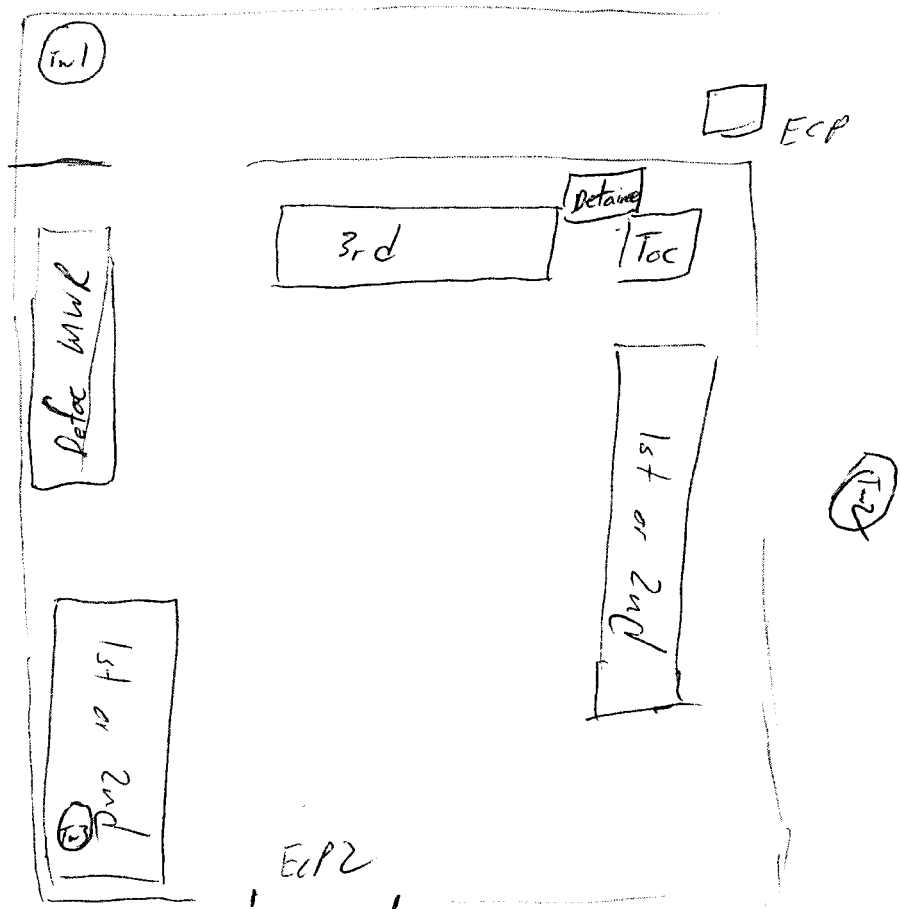
(b)(6), (b)(7)(C)



0010-2008-CID 847-34682

Verified by:

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



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EXHIBIT

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>		ROI NUMBER 0010-08-CID847-34682
		PAGE 1 OF 1 PAGES
DETAILS		
<p>About 1607, 28 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killings during his recent deployment to Iraq. (See Sworn Statement for details)</p>		
<p>About 1815, 28 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killings during his recent deployment to Iraq. (See Sworn Statement for details) ///LAST ENTRY///</p>		
TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033
(b)(6), (b)(7)(C)	DATE 28 Jan 08	EXHIBIT 96

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0010-2008-CID 847-34682

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	28 Jan 08	11:07	(b)(6), (b)(7)(C) 0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: We were only at COP Angry Dragon from the beginning of February until mid March, and then we went COP ELLIS for mainly the rest of the deployment.

Q: When did you take R&R?

A: March 19th 2007 – April 6th 2007.

Q: What platoon were you in and/or what was your job?

A: 1st Platoon. I was the platoon leader's gunner from October 2006 until I went on R&R in March. The first Platoon leader was 1LT (b)(6), (b)(7)(C) The second platoon leader was CPT (b)(6), (b)(7)(C) I don't know their first names.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: The platoon leaders HMMWV. I don't remember the bumper number. My call sign was Red 6 G

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: The platoon leader. We pretty much had different drivers. There really wasn't a set crew back then. I can't recall their names.

Q: Who was normally in charge of your element when you went out?

A: We had two sections. 1LT (b)(6), (b)(7)(C) was in charge in the beginning. Near the end of May / beginning of June, the Platoon SGT was in charge of my section. The Platoon SGT was SFC (b)(6), (b)(7)(C) I don't know his first name.

Q: Who was in charge of your element when you were at the COP?

A: The platoon leader.

Q: What was your usual patrol configuration going outside of the wire?

A: Two Bradleys and two or three HMMWV. One Bradley in the front and one in the rear.

Q: Who was in those vehicles?

A: I don't know. It would have been a mounted crew.

Q: Where did you live on the COP and with whom?

A: We were in the building across from the chow hall.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: Nope. I was never anywhere near the detainees.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: I was never part of that group. I didn't really see any of the detainees when I was at COP Angry Dragon, so I wouldn't know.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

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

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EXHIBIT 97

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 28 Jan 08 Continued

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about ISG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: Depends on if they had a weapon. If they had a weapon, we were told we could engage them. If they were unarmed, we could not engage.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Has anyone told you to with-hold information regarding this case?
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)

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EXHIBIT 97

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 28 Jan 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

(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 28th day of Jan 08 at Schweinfurt Germany.

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

(Typed Name of Person Administering Oath)

Title 10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 97

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	(b)(6), (b)(7)(C) 23 Jan 08 1	1815 (b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: My platoon built it up pretty much and we were there for about one month and a half. We moved to COP Angry Dragon in late February 2007 – early March 2007. We stayed there until mid March / early April 2007.

Q: When did you take R&R?

A: Yes. From December 13th 2006 – January 1st 2007.

Q: What platoon were you in and/or what was your job?

A: 3rd Platoon. I kind of bounced around. I started off as a dismounted saw Gunner. Sometimes I was the gunner on the HMMWV, and a few times I was the Gunner for the Bradley.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: HMMWV. I think my bumper number was 309. The call sign was Blue 2.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) was the TC, (b)(6), (b)(7)(C) was the driver, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were both dismounts.

That was at the beginning of the deployment, and it kept changing throughout the deployment.

Q: Who was normally in charge of your element when you went out?

A: I was in B section, so it was SSG (b)(6), (b)(7)(C) I don't know his first name.

Q: Who was in charge of your element when you were at the COP?

A: 2LT (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Two HMMWV's and two Bradleys. Bradley in the front and back.

Q: Who was in those vehicles?

A: Lead Bradley was always, PV2 (b)(6), (b)(7)(C) (driver), PFC (b)(6), (b)(7)(C) (gunner), SSG (b)(6), (b)(7)(C) (BC).

2nd HMMWV was SSG (b)(6), (b)(7)(C) (TC), PFC (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (medic), and an interpreter (I don't know his name). I was in the third HMMWV.

(b)(6), (b)(7)(C) was SSG (b)(6), (b)(7)(C) (BC), PFC (b)(6), (b)(7)(C) (Driver), PV2 (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (dismount), and usually another, but I can't remember his name.

Q: Where did you live on the COP and with whom?

A: I lived in the first building on the left once entering the main gate.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No. I believe we only had detainees there twice while I lived there. I never dealt with them or saw them.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: I never guarded them while I was at Angry Dragon.

Q: Was anyone ever reprimanded about their handling of the detainees?

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

Page 1 of 3 Pages

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 28 Jan 08 Continued

A: No; only that a lot of us didn't really enforce the no talking rule. Command put out not to let the detainees talk to each other, and to keep them blindfolded.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes. Every time we rolled outside of the wire, we had a Rules of Engagement brief.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: No.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: No. I was only on patrols with 3rd platoon, and we hardly ever saw any of the other elements.

Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: I never witnessed him in sector ever.

Q: What were you told about engaging Iraqis who ran from you?

A: If they don't have a weapon, we can't touch them.

Q: Were you ever told to engage non-combatants?

A: No.

Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: No.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: No.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: No.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

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

A: Yeah. Honestly I never really got to work with any of the other Wolf elements other than 3rd Platoon. And if I ever did see or was around any of the other guys, it wasn't out in sector. It was mainly at the COP or the FOB. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

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

Page 2 of 3 Pages

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EXHIBIT 98

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 28 Jan 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of Jan 08 at Schweinfurt Germany.

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

(Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

Title 10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

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EXHIBIT 98

Sketch of COP Angry Dragon

Date/Time: 28 Jan 08

Sketched by:

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

Verified by:

DD 10 - 2008 - CID 847 - 34682

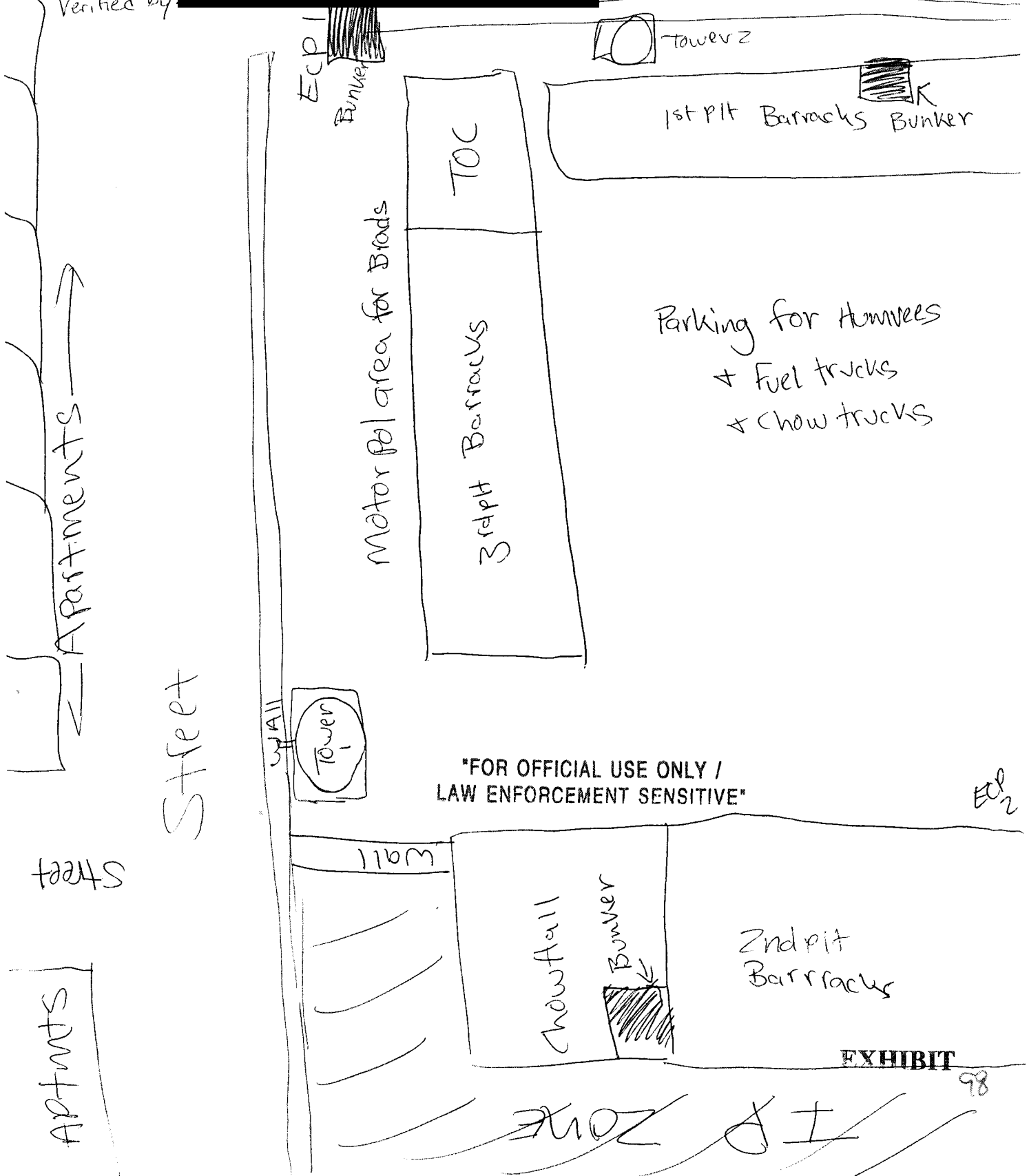


EXHIBIT 98

About 0830, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1/18th Infantry BN, who provided a Sworn Statement wherein he stated that he was not present on the patrol in question and never saw any detainee abuse or indiscriminate killing of non-combatants while deployed to Iraq. SPC (b)(6), (b)(7)(C) completed an Interview Sketch of the usual patrol configurations while he was deployed. (See Sworn Statement and Sketch)

About 0940, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) A Company, 1/18th Infantry BN, who provided a Sworn Statement in which he stated that he never saw any detainee abuse or indiscriminate killing of non-combatants while deployed to Iraq. (See Sworn Statement)

About 1600, 29 Jan 07, SA (b)(6), (b)(7)(C) interviewed CPL (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1/18th Infantry BN, who provided a Sworn Statement in which he stated that he never saw any detainee abuse or indiscriminate killing of non-combatants while deployed to Iraq. (See Sworn Statement)

About 1730, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1/18th Infantry BN, who provided a Sworn Statement in which he stated that he never saw any detainee abuse or indiscriminate killing of non-combatants while deployed to Iraq. (See Sworn Statement)

///-----LAST ENTRY-----///

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

Stuttgart CID Office
202nd Military Police Group (CID),
APO AE 09107

Signature

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

Date: 29 Jan 08

CID Form 94

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	29 Jan 08	(b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684

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

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226 (2nd Platoon)

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes, from the beginning of the year, March or April until we re-deployed, late October sometime.

Q: When did you take R&R?

A: Beginning of the deployment, October 2006

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon, I was a dismount and I was a driver for SFC (b)(6), (b)(7)(C)

Q: What vehicle did you normally ride in and what was its call sign?

A: HMMWV, A-207, White 7.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: I was the driver, SFC (b)(6), (b)(7)(C) was the TC, SPC (b)(6), (b)(7)(C) was the gunner. Then we would take different medics or dismounts to ride in the other seats.

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

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

Q: What was your usual patrol configuration going outside of the wire?

A: Two Bradleys and two HMMWVS. We would stay out for six to eight hours at a time to complete a mission or task. There was a Bradley in the front, the two HMMWV's and then a Bradley in the rear.

Q: Who was in those vehicles?

A: In the front Bradley was SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (gunner), SPC (b)(6), (b)(7)(C) (driver), 1st HMMWV was SGT (b)(6), (b)(7)(C) (White 1). His driver and gunner switched out every mission. I can't say who was there. Then it was my truck. The back Bradley was CPL (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (driver), SGT (b)(6), (b)(7)(C) (gunner, then CPL).

Q: Where did you live on the COP and with whom?

A: I lived on the 2nd floor of a hard building with Bravo Section 1st Squad. It was an open bay. I lived there with SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) black squad, SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: We had them locked up. We were supposed to pull guard and watch them. We had to make sure that they didn't talk to each other. We pulled guard for 30 minutes to an hour at a time. (b)(6), (b)(7)(C)

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

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) Q: Was anyone ever reprimanded about their handling of the detainees?
A: Not that I know of.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: I wouldn't doubt it, but I never saw him do it.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes. There was a ROE briefing for every mission. The briefings got shorter as the deployment went on, because we all knew what the rules were.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: We went on a couple of missions with Black Squad, but I don't really remember what we did.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: You're not supposed to shoot them unless they had a weapon. We would usually chase them and they would usually get away.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: He would be against it.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: I don't know, maybe, but I don't think so.
Q: Do you know what happened to him after he was hit?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No. Not until recently (within the past week with people talking)
Q: Do you remember when that happened?
A: No - I had the day off. I have heard from the rumors in the unit that it was the day that one of the trucks went into a ditch. I was pissed because that was my truck and I had to clean it out when it got back (b)(6), (b)(7)(C)

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

Page 2 of 4 Pages
(b)(6), (b)(7)(C)

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) Q: What vehicle did you ride in on that day?
A: I was off duty that day.
Q: What was the patrol configuration and who was in what vehicle?
A: (b)(6), (b)(7)(C) was driving SFC (b)(6), (b)(7)(C) on the first patrol, but didn't go back out, because he was helping me clean my truck. I don't know anything else.
Q: What were their call-signs on the Company net?
A: It was a White 7 patrol
Q: Were you part of that patrol?
A: No.
Q: Were you aware of the plan to shoot those 4 guys?
A: No.
Q: What happened regarding the HMMWV that got stuck in the water?
A: I don't know any details, I just know it was stuck, almost sunk, in a pond or something.
Q: Who jumped in which vehicle when it came time to go back out the gate?
A: I don't know - I had just woken up when they brought the truck back, and I was busy cleaning my truck.
Q: Did you go back out with the patrol to get rid of these 4 guys?
A: No.
Q: Do you have any pictures of that incident or the 4 guys?
A: No.
Q: Do you know of any pictures of the 4 guys?
A: No.
Q: What do you know about the translator (b)(6), (b)(7)(C)?
A: He was an Iraqi, I didn't talk to him all that much.
Q: Did anyone discuss the incident afterwards?
A: Not that I know of.
Q: What has been discussed about this incident and investigation recently?
A: Just that SFC (b)(6), (b)(7)(C) 1SG, and SGT (b)(6), (b)(7)(C) were in a lot of trouble for shooting some detainees, and that a lot of the guys that have already been to CID have told all the details.
Q: Has anyone told you to with-hold information regarding this case?
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)

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

AFFIDAVIT

(b)(6), (b)(7)(C) have read or have 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)

Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of Jan 08 at Schweinfurt Germany.

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

ing Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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

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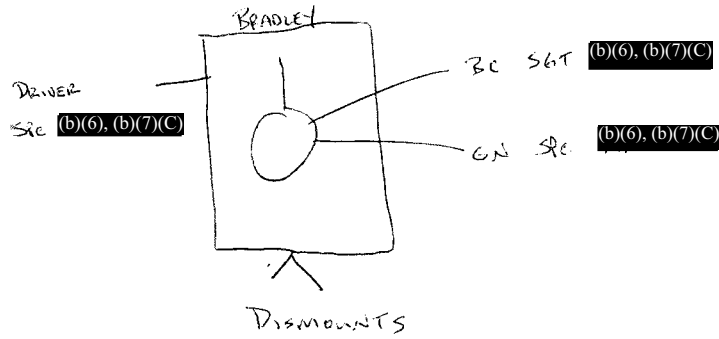
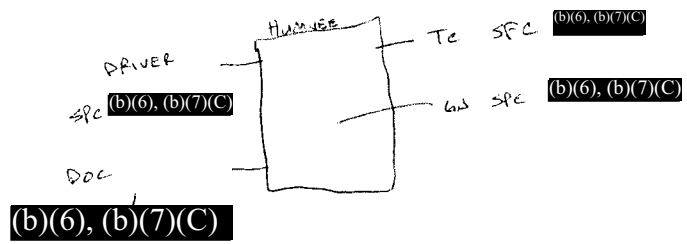
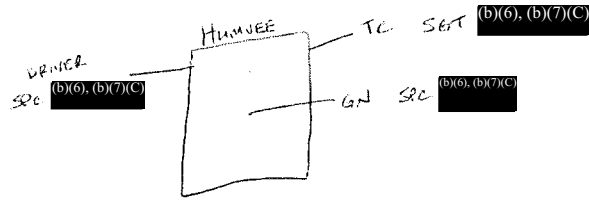
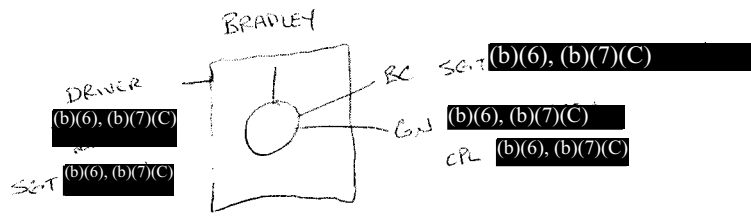
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EXHIBIT 100

SKETCH OF BRADLEY CONFIGURATION

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LAW ENFORCEMENT SENSITIVE"

DD FORM 10 - 2008 - CID 847 - 34682



SKETCHED BY:

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

29/1/08

WITNESSED BY:

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

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EXHIBIT 100

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SWORN STATEMENT

LOCATION DATE TIME FILE NUMBER
Schweinfurt CID 29 Jan 08 1038 (b)(6), (b)(7)(C) 0010-08-CID847-34682
0013-08-CID847-34684

NAME: SSN: GRADE/STATUS:
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) E-6/SSG/AD

ORGANIZATION/ADDRESS:
(b)(6), (b)(7)(C) A-1/18th IN BN, Schweinfurt Germany 09226

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: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?
A: For about a month, from about the end of January to the end of March, 2007. After that, we (3rd Platoon) went to COP ATTACK. We stayed there the rest of the deployment.
Q: When did you take R&R?
A: May 2007
Q: What platoon were you in and/or what was your job?
A: 3rd Platoon, I was a Squad Leader
Q: What vehicle did you normally ride in and what was its call sign?
A: I was in a Bradley until March (A-37, call-sign Blue 2), after that, I was in a HMMWV (A-305, call-sign Blue 2).
Q: Who normally rode in that vehicle with you, and what were their jobs?
A: Bradley - SPC (b)(6), (b)(7)(C) (driver), SPC (b)(6), (b)(7)(C) (gunner)
HMMWV - different personnel every time depending on who had guard duty or other assignments.
Q: Who was normally in charge of your element when you went out?
A: SFC (b)(6), (b)(7)(C)
Q: Who was in charge of your element when you were at the COP?
A: SFC (b)(6), (b)(7)(C) he was the Platoon Sergeant.
Q: What was your usual patrol configuration going outside of the wire?
A: A Bradley in the lead, two HMMWV's and a Bradley in the trail.
Q: Who was in those vehicles?
A: It varied from mission to mission.
Q: Where did you live on the COP and with whom?
A: I was in a room with SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and one other person, I don't remember.
Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?
A: I never even saw any detainees on the COP.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees? (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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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

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

A: No
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Before every patrol, we had a patrol brief and the Rules of Engagement were put out in every brief.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1 SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: We never did any patrols with PSD.
Q: What were you told about engaging Iraqis who ran from you?
A: Just go through an escalation of force. If they didn't pose a threat, there was nothing we could do but let them go.
Q: Were you ever told to engage non-combatants?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: I never had that happen, so I couldn't tell you.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Were you part of that patrol?
A: No I was not.
Q: Did anyone discuss the incident afterwards?
A: No.
Q: What has been discussed about this incident and investigation recently?
A: I haven't heard anything.
Q: Has anyone told you to with-hold information regarding this case?
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
(b)(6), (b)(7)(C)

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

AFFIDAVIT

(b)(6), (b)(7)(C) have read or have read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of Jan 08 at Schweinfurt Germany.

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

(Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	29 Jan 08	1718	0010-08-CID847-34682 0013-08-CID847-34684

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

ORGANIZATION/ADDRESS:
A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: SA (b)(6), (b)(7)(C)
A: CPL (b)(6), (b)(7)(C)
Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?
A: Yes, from about December 06 until about November 07. We were there for all but about 4 months of the deployment.
Q: When did you take R&R?
A: In February 07. I don't know the exact dates. I got married on the 24th of Feb, so I know I was home then.
Q: What platoon were you in and/or what was your job?
A: I was in 2nd Platoon, I started off as a Bradley driver, then went to a Bradley gunner, and at the end I was a Bradley commander. I took over the lieutenant's track after I went to the board.
Q: What vehicle did you normally ride in and what was its call sign?
A: I was in a Bradley, A-25 and A-26, my call sign (as a BC, A-26) was White 4, on A-25 it was White 5.
Q: Who normally rode in that vehicle with you, and what were their jobs?
A: A-25 - Myself, SSG (b)(6), (b)(7)(C) (BC), and SPC (b)(6), (b)(7)(C) (driver)
A-26 - Myself, SPC (b)(6), (b)(7)(C) (gunner/driver), and the driver was whatever dismount we could get to drive that day. It changed a lot.
Q: Who was normally in charge of your element when you went out?
A: The Lieutenant. At first it was 1LT (b)(6), (b)(7)(C) then it was 1LT (b)(6), (b)(7)(C)
Q: Who was in charge of your element when you were at the COP?
A: SFC (b)(6), (b)(7)(C) was our Platoon sergeant.
Q: What was your usual patrol configuration going outside of the wire?
A: A Bradley was in the lead, followed by two or three HMMWV's, and a Bradley was in the rear.
Q: Who was in those vehicles?
A: Front Bradley - SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C)
HMMWV's - 1LT (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) I can't remember the rest.
Rear Bradley - Myself, SPC (b)(6), (b)(7)(C) then any of the dismounts we could grab.
Q: Where did you live on the COP and with whom?
A: I lived in a hard building with SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)
Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?
A: No.
Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?
A: No.
Q: What was the command guidance on the COP concerning the detainees? (b)(6), (b)(7)(C)

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Statement of (b)(6), (b)(7)(C), Taken at Schweinfurt CID, Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) A: We rotated out on 1-hour shifts guarding them. We would give them water or food if they needed it. I was only on that detail a couple of times.
Q: Was anyone ever reprimanded about their handling of the detainees?
A: No, not that I'm aware of.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No, I can't stand that guy, I stayed away from him.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: I never even saw SSG (b)(6), (b)(7)(C) with any detainees.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes, we had a briefing before every mission.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: I was on one patrol with them.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: We didn't engage the ones who ran.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No. I heard him brag about getting into a lot of fire fights, but not with non-combatants.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: That never came up. Every time we opened fire, we were fired on first.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: We took so many IED's I can't remember. I know we went out on a QRF one time they were hit, but I don't know if it was on 3 Jan 07.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No. I think I was on the COP during that.
Q: Do you know what happened to him after he was hit?
A: I have no idea. I know that they were out for a while. I ended up going to sleep.
Q: Did you hear what happened to him afterwards, and from whom?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot? (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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Statement of (b)(6), (b)(7)(C), Taken at Schweinfurt CID, Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) A: I've never heard of that. I know that all the detainees were taken out by a canal near Hamdani village to drop off any detainees we had. I never heard of any of them getting shot. The Commander or the ISG would take the detainees out to get dropped off.

Q: Were you part of that patrol?

A: No.

Q: Did anyone discuss the incident afterwards?

A: That is some of the rumor that is going around the company now, but up to now, I'd never heard that.

Q: What has been discussed about this incident and investigation recently?

A: The only thing I've been hearing is that 4 detainees got shot. The talk is that ISG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and Doc (b)(6), (b)(7)(C) were involved in something.

Q: Has anyone told you to with-hold information regarding this case?

A: No. I wouldn't have anyway.

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

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

AFFIDAVIT

(b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of Jan 08 at Schweinfurt Germany.

(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 Administering Oath)

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

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

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EXHIBIT 102

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	29 Jan 08 (b)(6), (b)(7)(C)	1822 (b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-6/SSG/AD

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: I was there until the end of March, then our platoon (1st Platoon), went to COP ELLIS, which is south of Baghdad International Airport (BIAP)

Q: When did you take R&R?

A: 16 Dec 06 - 1 Jan 07

Q: What platoon were you in and/or what was your job?

A: 1st Platoon, Squad leader, Bradley Section Sergeant, and led all patrols as the lead vehicle during the deployment.

Q: What vehicle did you normally ride in and what was its call sign?

A: Bradley, A-16, call-sign Red 5

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SGT (b)(6), (b)(7)(C) (gunner) and PFC (b)(6), (b)(7)(C) (driver)

Q: Who was normally in charge of your element when you went out?

A: It was the LT, 1LT (now CPT) (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: It was the Platoon SGT, SFC (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, Truck, Truck, Bradley. If the probability of bombs was high, we would put the two Bradley's up front.

Q: Who was in those vehicles?

A: Lead Bradley - Myself, SGT (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C)

HMMWV's - LT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), Doc (b)(6), (b)(7)(C)

HMMWV - SSG (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C)

Rear Bradley - SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C)

Q: Where did you live on the COP and with whom?

A: The entire platoon all lived together.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: Bring them in blindfolded, handcuffed, and sat in a room right outside the command post. There was always 1 person guarding them. I never dealt with the detainees, I was a Bradley commander and I dealt with security. (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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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

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

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Of course. There would be a briefing before and after every patrol.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: Never.

Q: Did you ever hear about ISG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: No.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: Never.

Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: No.

Q: Did you ever hear (b)(6), (b)(7)(C) brag about doing shooting into a market place?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: We would get our asses handed to us and there would be major re-training.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: No, I would have been in Kuwait coming back from leave.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: I heard about that.

Q: Do you know what happened to him after he was hit?

A: I have no idea.

Q: Did you hear what happened to him afterwards, and from whom?

A: I never heard what happened. I don't necessarily know about the triggerman getting hit, but I remember about the Bradley getting hit. I was a Bradley commander, and that was the part that I was most concerned about.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: I have never heard of that before.

Q: Were you part of that patrol?

A: No.

Q: Did anyone discuss the incident afterwards?

A: Not that I've heard.

Q: What has been discussed about this incident and investigation recently?

A: People are talking that certain people are being investigation, but no names. I hadn't heard any of what was going on until the last week.

Q: Has anyone told you to with-hold information regarding this case?

A: No. (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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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) Q. Do you have anything else to add to this statement?
A. No ///END OF STATEMENT///(b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C) , have read or have 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)

(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of Jan 08 at Schweinfurt Germany.

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

(Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering 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 103

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

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DETAILS

About 0900, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, CBSG, who provided a sworn statement, wherein he stated he had no knowledge of any detainee abuse or any indiscriminant shooting of non-combatants. SPC (b)(6), (b)(7)(C) provided a sketch which depicted COP Angry Dragon. (See Sworn Statement and Sketch for details)

About 1000, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, CBSG, who provided a sworn statement, wherein he stated he had no knowledge of any detainee abuse or any indiscriminant shooting of non-combatants. SGT (b)(6), (b)(7)(C) further stated he had heard rumors about 1SG (b)(6), (b)(7)(C) executing detainees but did not know any facts. SGT (b)(6), (b)(7)(C) provided a sketch which depicted COP Angry Dragon. (See Sworn Statement and Sketch for details)

About 1645, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C), who provided a Sworn Statement detailing how he was directed by the Commander to fire on the insurgent who was suspected as being the trigger man for the IED on 3 Jan. SPC (b)(6), (b)(7)(C) stated he did not know what happened to the wounded insurgent due to the fact he was the gunner and was pulling patrol while individuals from the squad were assessing him. SPC (b)(6), (b)(7)(C) went on to state he never observed and/or heard about any detainees being abused by A Company personnel and of any detainees being executed. SPC (b)(6), (b)(7)(C) compiled a sketch of the COB and one of the Commander's PSD patrol configuration. (See Sworn Statement and Sketches for details)

About 1800, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) who provided a sworn statement wherein he details having no first hand information in regards to the detainees being executed by A Company personnel. SFC (b)(6), (b)(7)(C) did state he had heard rumors about 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) being investigated in regards to the execution of detainees. SFC (b)(6), (b)(7)(C) went on to state that on 3 Jan, he provided one of his Bradley's, bumper number A18 to escort the wounded insurgent to the CASH. However, he did not have any information in regards to if the insurgent rode in the vehicle or not and could not say what happened to the insurgent. SFC (b)(6), (b)(7)(C) compiled a sketch of COB Angry Dragon which detailed where he stayed within the COB. (See Sworn Statement and Sketch for details) ///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Grafenwoehr Resident Agency
1002d Military Police Bn (CID)
Grafenwoehr, Germany APO AE 09112

SIGNATURE

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

DATE

29 Jan 2008

EXHIBIT

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	29 Jan 08	1000	0010-08-CID847-34682 0013-08-CID847-34684
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-4 / AD	

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes. I stayed there for a couple of weeks, maybe a month somewhere towards the end of March.

Q: When did you take R&R?

A: Somewhere around 26 Dec to sometime in the beginning of January.

Q: What platoon were you in and/or what was your job?

A: I was in 1st Platoon and I was a M240 Gunner on a HMMWV.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I was the gunner for a HMMWV, I don't remember the bumper because we switched vehicles a lot. I usually rode with SSG (b)(6), (b)(7)(C) and his call sign was red 1.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SSG (b)(6), (b)(7)(C) who was the TC, I was the gunner, and I don't remember who else was in the vehicle because the other occupants changed everyday.

Q: Who was normally in charge of your element when you went out?

A: Usually it was either SFC (b)(6), (b)(7)(C) 1st Platoon platoon Sergeant, or CPT (b)(6), (b)(7)(C) 1st Platoon Platoon Leader.

Q: Who was in charge of your element when you were at the COP?

A: Usually my Squad Leader, SSG (b)(6), (b)(7)(C) was in charge of our Squad.

Q: What was your usual patrol configuration going outside of the wire?

A: Two Bradley Fighting Vehicles and three HMMWVs.

Q: Who was in those vehicles?

A: I don't remember who were in the other vehicles because it would change everyday with individuals throughout the Platoon.

Q: Where did you live on the COP and with whom?

A: 1st Platoon building was further away from the main gate, I don't remember exactly.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: We were told to keep guard on them, if they wanted to use the restroom then we would escort them to the portal toilets and allow them to use the restroom. We always gave them food and water whenever it was chow time, they ate after all the guards had eaten.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: Not that I know of.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No (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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EXHIBIT 105

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C): Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: no.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes, sir.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No, sir.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: No.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: I would yell them to stop, if they didn't stop then we could not fire on them
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: If something like that happened then we would be counseling statement about firing our weapons.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No, I think I was on R & R during that time.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Did you ever go on patrol with 2nd Platoon?
A: not that I recall. Mostly the Platoons did their own patrols.
Q: Did you hear about 2nd Platoon finding a weapons cache within stores located on the first floor of a building?
A: No.
Q: Did you hear about a HMMWV within 2nd Platoon getting stuck and had to be towed by a Bradley after receiving fire, sometime in late March, early April?
A: I'm not sure, I think I heard something about it but not sure about the specifics.
Q: Has anyone told you to with-hold information regarding this case?
A: No.
Q: Are you aware of the consequence if found that you lied on this statement (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C)
Page 2 of 3 Pages

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

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

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

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

AFFIDAVIT

(b)(6), (b)(7)(C), have read or have 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)

(b)(6), (b)(7)(C) _____
(Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of Jan 08 at Schweinfurt Germany.

(b)(6), (b)(7)(C) _____
(Administering Oath)
USACIDC

(Typed Name of Person Administering Oath)
10 USC 936

(Authority To Administering 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 105

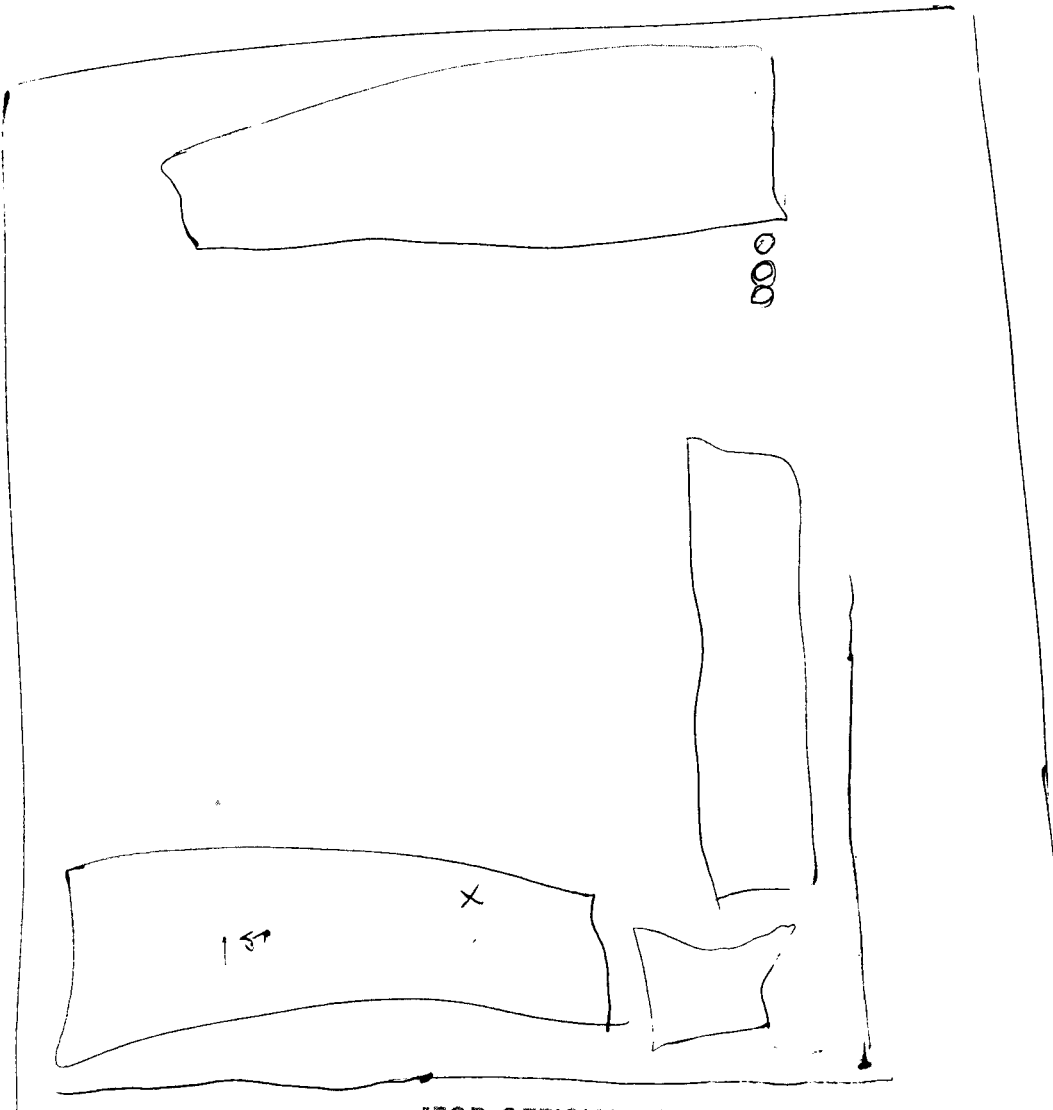
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Sketch of: (b)(6), (b)(7)(C)

CASE #0010-08-CID847-34682

29 Jan 08



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NOT DRAWN TO
SCALE

EXHIBIT

105

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	(b)(6), (b)(7)(C) 29 Jan 08	(b)(6), (b)(7)(C) 1104	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)		E-5/AD

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

(b)(6), (b)(7)(C) Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes. I was there from December to early March

Q: When did you take R&R?

A: 10 Nov to 26 Nov

Q: What platoon were you in and/or what was your job?

A: I was in 1st Platoon, I was a Team Leader

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: Mainly I was in a HMMWV, but sometimes I would go out in a Bradley. I rode in bumper numbers 104 through 109. My call sign was Red 2.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: It always changed, but most of the time SPC (b)(6), (b)(7)(C) who sat in the back, PVT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Gunner, PV2 (b)(6), (b)(7)(C) Automatic rifleman who sat in the back or sometime drive. On the driver, it always changed throughout the squad.

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

A: Commander and First Sergeant.

Q: What was your usual patrol configuration going outside of the wire?

A: 1st Platoon, either two Bradleys and two HMMWVs, or one Bradley and three HMMWVs, or two Bradleys and three HMMWVs.

Q: Who was in those vehicles?

A: The only truck that was set was 109, which was a HMMWV which included SFC (b)(6), (b)(7)(C) SPC Eric (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (Deceased), who was the driver, PFC (b)(6), (b)(7)(C) and an interrupter.

Q: Where did you live on the COP and with whom?

A: All of 1st Platoon lived in a building together, it was a bay that included all NCO's on the first floor and Soldiers on the second floor. It was located on the West of the base.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No

Q: What was the command guidance on the COP concerning the detainees?

A: They detainees had to have two soldiers guarding them at a time. I do not know how the feeding process went because I was never assigned to watch over them.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: Not that I'm aware of. (b)(6), (b)(7)(C)

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

Page 1 of 3 Pages

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No. I did hear about him shooting detainees with a pellet gun.
Q: How did you hear about this?
A: I think it was a hearsay thing.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: We were giving guidance when the curfew was in affect and we were told to escalate the show of force with individuals running around the streets. There was one incident I fired on a guy who had a AK-47 during this time. We were told if they didn't have weapons to fire warning shots. This order came down from higher than the Company.
Q: Did you ever hear about ISG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: There was rumors going around about ISG (b)(6), (b)(7)(C) executing detainees but I never heard anything about Doc (b)(6), (b)(7)(C). The rumor consisted with that ISG (b)(6), (b)(7)(C) found some individuals who were shooting at the patrol and something about executing them, I don't know anymore details.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: No.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No. I've heard he engaged combatants but now unarmed.
Q: What were you told about engaging Iraqis who ran from you?
A: If they had a weapon then we were told to engage, however you had to have positive identification that they were insurgents. If they did not have weapons then you were not allowed to engage.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: I don't know but I'm sure he would get counseled and recommended for UCMJ.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No, just the rumors about ISG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
Q: Did you ever go out on patrols with 2nd Platoon? (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C)
Page 2 of 3 Pages

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EXHIBIT 106

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) A: Yes, I went on one patrol, it was when I got back from leave they took me to COB Falcon and one time I went out with Black Squad and it was because we took a vehicle to get new armor. On both patrols we didn't receive any contact.
Q: What has been discussed about this incident and investigation recently?
A: There are rumors about ISG (b)(6), (b)(7)(C) Doc (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) got called into CID.
Q: Has anyone told you to with-hold information regarding this case?
A: No.
Q: Do you know the consequence if found that you lied on this Sworn Statement?
A: Yes.
Q: Do you have anything else to add to this statement?
A. No ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C), have read or have 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)

(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 29th day of Jan 08 at Schweinfurt Germany.

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

Administering Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

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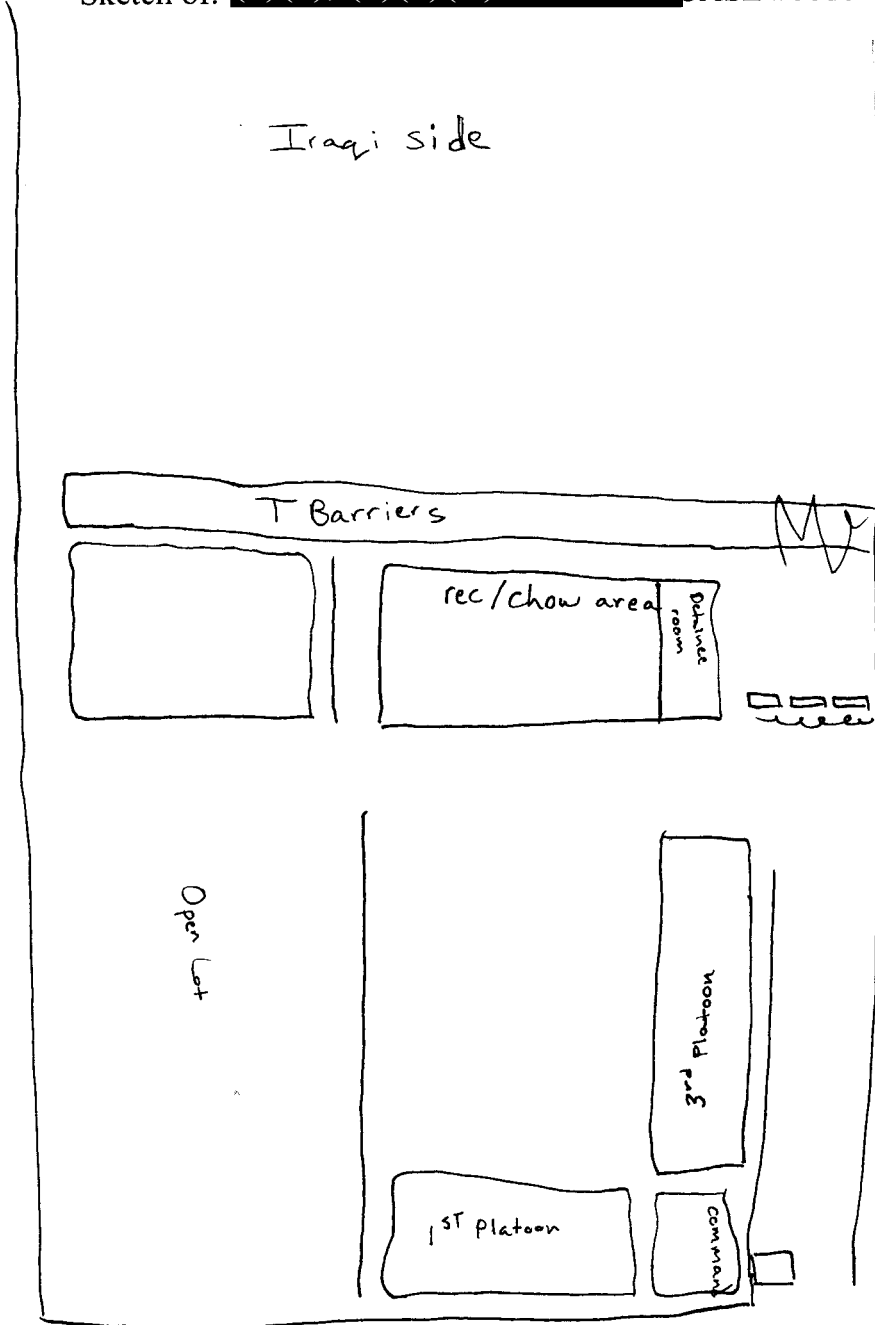
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Sketch of: (b)(6), (b)(7)(C) CASE #0010-08-CID847-34682



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

From December - late
29 Jan 08
Early March

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SCALE



EXHIBIT 106

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	(b)(6), (b)(7)(C) 29 Jan 08	175 (b)(6), (b)(7)(C)	10-08-CID847-34682 0013-08-CID847-34684

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

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

(b)(6), (b)(7)(C), (b)(6), (b)(7)(C), want to make the following statement under oath (b)(6), (b)(7)(C)
Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes. I arrived there after my leave which was 28 March and I stayed there until I left Iraq.

Q: When did you take R&R?

A: Beginning of March to 28 March

Q: What platoon were you in and/or what was your job?

A: I was in PSD and Headquarters. My job was the commanders Gunner.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I was the gunner for A6 and our call sign was (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: While I was the gunner, SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) were the drivers, they would switch periodically, MAJ (b)(6), (b)(7)(C) was the TC, and a interrupter. When I was the RTO, SPC (b)(6), (b)(7)(C) was the gunner.

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

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

Q: What was your usual patrol configuration going outside of the wire?

A: Two Bradley's and two HMMWV's.

Q: Who was in those vehicles?

A: In the lead Bradley it was SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (Driver), then Wolf 6 (Commanders vehicle), SGT (b)(6), (b)(7)(C) (TC), SPC (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (Gunner), and PFC (b)(6), (b)(7)(C) (9Medic). The trail Bradley included, SGT (b)(6), (b)(7)(C) (TC), SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (Driver)

Q: Where did you live on the COP and with whom?

A: I stayed in the building right near the entrance and I shared a room with SPC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Did you ever hear about anyone abusing detainees?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: Treat them like they were one of us, which means provide them their basic needs, water, food, have blankets. Provide them bathroom breaks whenever they asked for them.

Q: Was anyone ever reprimanded about their handling of the detainees? (b)(6), (b)(7)(C)

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 4 Pages (b)(6), (b)(7)(C)

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) A: Not to my knowledge.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: Yes.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No. Every time I was out with them we only engaged enemies after being shot at or hit by an IED.
Q: What were you told about engaging Iraqis who ran from you?
A: If they didn't have weapons then not to shoot on them.
Q: What were you told about if a suspected insurgent had a weapon and threw it down and ran from you?
A: We were told by the Commander to engage on them in order to wound them.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: The Commander would be upset about it.
Q: Did the Commander ever have to reprimand a soldier for discharging of his weapon when there was no incoming fire?
A: Yes. I don't remember who it was though. One time while we were on patrol the Commander heard a shot fire and when we got back from patrol he had a sit down with the patrol and told us not to fire our weapons when there was no reason for it.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: Yes.
Q: What vehicle were you in on this date?
A: The commander's vehicle. I was the gunner.
Q: Did you fire on the insurgent who was the trigger man?
A: Yes.
Q: Were you told to fire on him (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C)
Page 2 of 4 Pages

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EXHIBIT 107

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) Yes, by the Commander.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: Yes.

Q: Do you know what happened to him after he was hit?

A: No. After I shot on him, we went back to check on the status of the Bradley and then followed the trail of blood. Some of our guys were on foot but I stayed in the vehicle.

Q: Where did the trail of blood lead you?

A: To a house, I don't remember exactly where.

Q: Could you show the location if given a map?

A: I might be able to.

Q: Who found the wounded insurgent that you fired on after being told to?

A: I don't know, I was facing away from the building.

Q: How long did it take the patrol to locate the wounded insurgent?

A: It took about 20 minutes to find him.

Q: Did you go into the house to check on the wounded insurgent?

A: No, I stayed in the vehicle pulling security.

Q: Did you see 1SG (b)(6), (b)(7)(C) put the wounded insurgent into a Bradley?

A: No.

Q: Did you see the vehicle that the wounded insurgent was placed into?

A: No, where I was facing I could not see any vehicles.

Q: Did anyone tell you what they did with the wounded insurgent?

A: The last thing I was told he was taken to a hospital.

Q: Who informed you on this?

A: SPC (b)(6), (b)(7)(C) informed me this.

Q: Did you hear what happened to him afterwards, and from whom?

A: No.

Q: Did you ever go on patrols with 2nd Platoon?

A: Only on cordon searches. Which is when we have Intel on bad people in the area and cordon the area and search the entire area.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: No, this is the first time I ever heard about that.

Q: Did you go out on patrol with 2nd Platoon when they captured four suspected insurgents after locating a weapons cache?

A: No.

Q: Do you know of a HMMWV which got stuck in a hole and had to be towed by a Bradley after 2nd Platoon received action?

A: No.

Q: Do you know the full identification of a translator who goes by "Dennis"?

A: No.

Q: What do you know about him?

A: He seemed like a very good guy, he helped out a lot on electrical issues.

Q: Have you heard any rumors about this investigation?

A: No.

Q: Do you know the consequence if found that you lied on this sworn statement?

A: Yes.

Q: Did you answer all questions truthfully?

A: Yes.

Q: What has been discussed about this incident and investigation recently?

A: I haven't really heard anything, until now.

Q: Has anyone told you to with-hold information regarding this case?

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

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

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

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) Q. Do you have anything else to add to this statement?
A. No ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C), have read or have 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)

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

(Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of Jan 08 at Schweinfurt Germany.

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

(Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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

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Vernon

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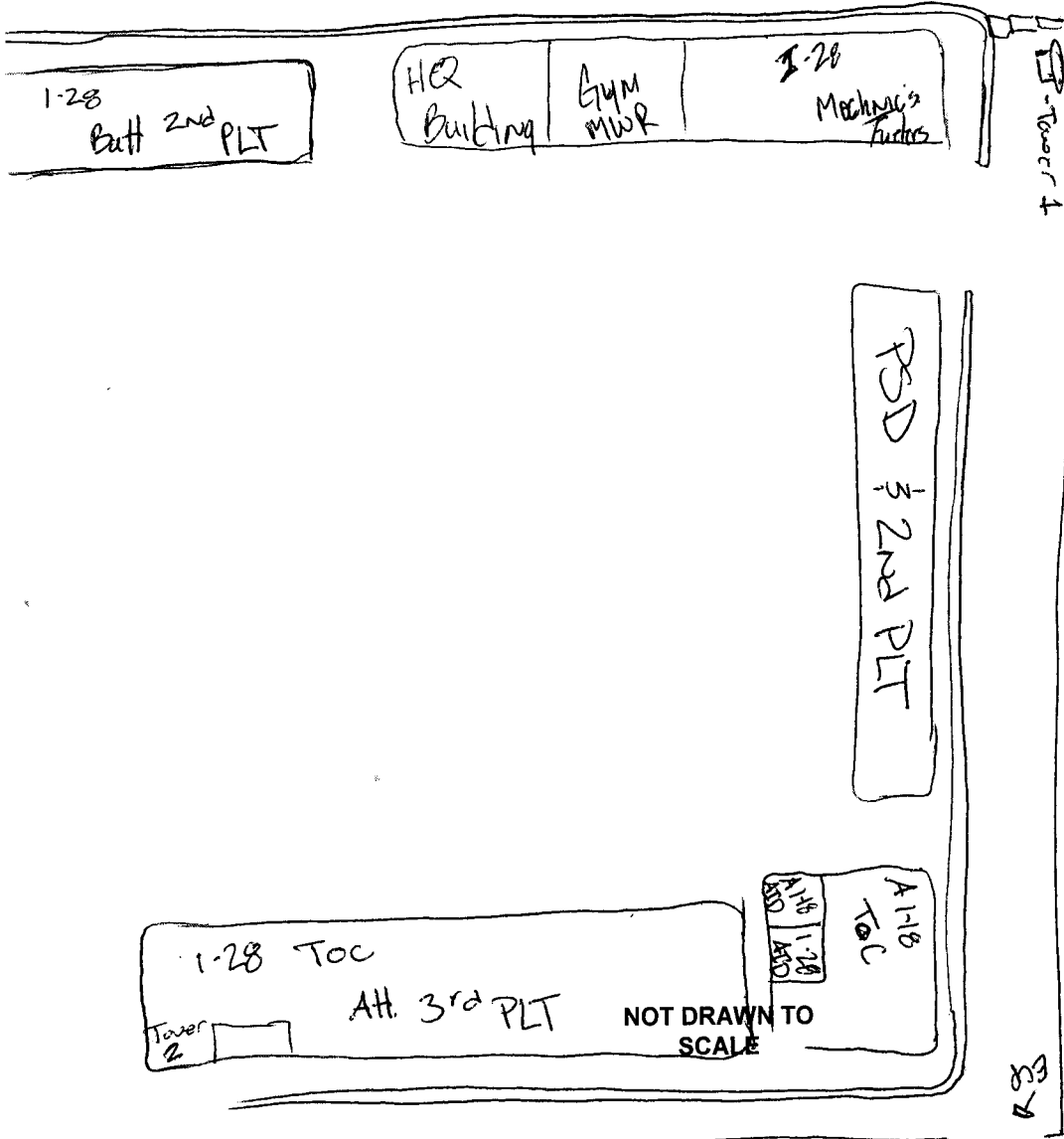
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Sketch of: SPC Jimmy D. PARKER

CASE # 0010-08-CID847-34682

0013-08-CID847-34684

1st Army



Police St.

Apartments.

School

Apartments

Prof Knows About Stealers

1-28 Tower 4

Gate

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EXHIBIT

107

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

Brad

1

SSG (b)(6), (b)(7)(C) PCL
 SPC (b)(6), (b)(7)(C) Gunner
 SPL (b)(6), (b)(7)(C) Driver

A6 Humvee

2

May (b)(6), (b)(7)(C) TE
 SPC (b)(6), (b)(7)(C) Dr. (Beq. of Deployment till April)
 SPL (b)(6), (b)(7)(C) A. Dr (April till end of deployment)
 SPC (b)(6), (b)(7)(C) Gunner (Beq. till April)
 RTO (April till end)
 SPC (b)(6), (b)(7)(C) Gunner (April till end)

Humvee

3

SGT (b)(6), (b)(7)(C)
 SPC (b)(6), (b)(7)(C) Driver
 SPC (b)(6), (b)(7)(C) Gunner (Beq. till April)
 SPL (b)(6), (b)(7)(C) RTO (Beq. till April)
 Gunner (April till end)
 PPL (b)(6), (b)(7)(C)

Brad

4

SGT (b)(6), (b)(7)(C)
 SPC (b)(6), (b)(7)(C)
 SPL (b)(6), (b)(7)(C)

EXHIBIT 0107

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

Jan 08

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	(b)(6), (b)(7)(C) 9 Jan 08	(b)(6), (b)(7)(C) 19:00	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-7/AD

ORGANIZATION/ADDRESS:

(b)(6), (b)(7)(C) A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes. I arrived there around the first week of February and left around the last week of February

Q: When did you take R&R?

A: I went on leave around mid January and the second time was around beginning of April.

Q: What platoon were you in and/or what was your job?

A: I was in 1st Platoon. I was the Platoon Sergeant.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I was normally in the trail HMMWV, Number 3. My call sign was (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: Myself (TC), SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (Driver) then SPC (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (Passenger), and a medic which changed periodically.

Q: Who was normally in charge of your element when you went out?

A: I was always in charge of our element unless it was a Platoon mission then the Platoon Leader, 1LT (b)(6), (b)(7)(C) was in charge.

Q: Who was in charge of your element when you were at the COP?

A: The Platoon Leader and myself were in charge.

Q: What was your usual patrol configuration going outside of the wire?

A: Two Bradleys and two HMMWVs.

Q: Who was in those vehicles?

A: Lead Bradley was SSC (b)(6), (b)(7)(C) (TC), PFC (b)(6), (b)(7)(C) (Gunner), I think PFC (b)(6), (b)(7)(C) was the driver, the second vehicle was a HMMWV which included SGT (b)(6), (b)(7)(C) (TC), SPC (b)(6), (b)(7)(C) (Passenger), SPC (b)(6), (b)(7)(C) (Driver), PFC (b)(6), (b)(7)(C) (Gunner), then my vehicle, and the trail Bradley consisted of SGT (b)(6), (b)(7)(C) (BC), SPC (b)(6), (b)(7)(C) (Gunner), PFC (b)(6), (b)(7)(C) (Driver).

Q: Where did you live on the COP and with whom?

A: We lived in the hard building next to the company TOC. NCO's were on the first floor and soldiers were on the second floor.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: Commander told us to treat them how we would like to be treated as POW, had a guard on them, held right outside the TOC area until the paperwork was finished. We escorted them to the bathroom whenever they wanted to go to the bathroom. I don't remember if we gave them any food or not.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: Not to my knowledge (b)(6), (b)(7)(C)

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

Page 1 of 4 Pages
(b)(6), (b)(7)(C)

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C)
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about ISG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: Not specific patrols but we did run into one another while in sector
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: We were told not to engage unarmed citizens even if they ran.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: The Commander would have made a formal investigation into the allegations.
Q: Did this ever occur?
A: Not that I know of.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: Yes, we went out to assist.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: Yes.
Q: Did you see the insurgent get shot at?
A: No I did not, we arrived afterwards.
Q: Do you know what happened to him after he was hit?
A: I gave up SGT (b)(6), (b)(7)(C) Bradley to escort the insurgent to the hospital.
Q: Did you witness/observe the wounded insurgent?
A: No.
Q: Were you inside the building when they found him?
A: No I was not.
Q: Did you ever go into the building (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C)
Page 2 of 4 Pages

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

(b)(6), (b)(7)(C) A: No I did not.
Q: Did you hear what happened to him afterwards, and from whom?
A: No.
Q: What was the Bradley's bumper number which escorted the insurgent to the CASH?
A: A18.
Q: Who all was in this vehicle?
A: SGT (b)(6), (b)(7)(C) and either PFC (b)(6), (b)(7)(C) or PFC (b)(6), (b)(7)(C)
Q: Did the wounded insurgent ride in this vehicle?
A: I do not know which vehicle the insurgent rode in.
Q: Did this vehicle have a history with mechanical issues?
A: Yes, it had electrical transmission issues.
Q: Did the fuel pump ever go out in this vehicle?
A: I don't know.
Q: Do you remember if Doc (b)(6), (b)(7)(C) rode in this vehicle on that day?
A: I do not remember.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: What has been discussed about this incident and investigation recently?
A: There are rumors about 1SG (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) are under investigation for shooting prisoners.
Q: Has anyone told you to with-hold information regarding this case?
A: No.
Q: Do you know the consequence of if found that you lied on this sworn statement?
A: Yes.
Q: Did you answer all questions truthful?
A: Yes.
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)

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

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

Nothing Else Follows

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

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

AFFIDAVIT

(b)(6), (b)(7)(C), have read or have 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)

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of Jan 08 at Schweinfurt Germany.

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

(Administering Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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

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Building 6
↓
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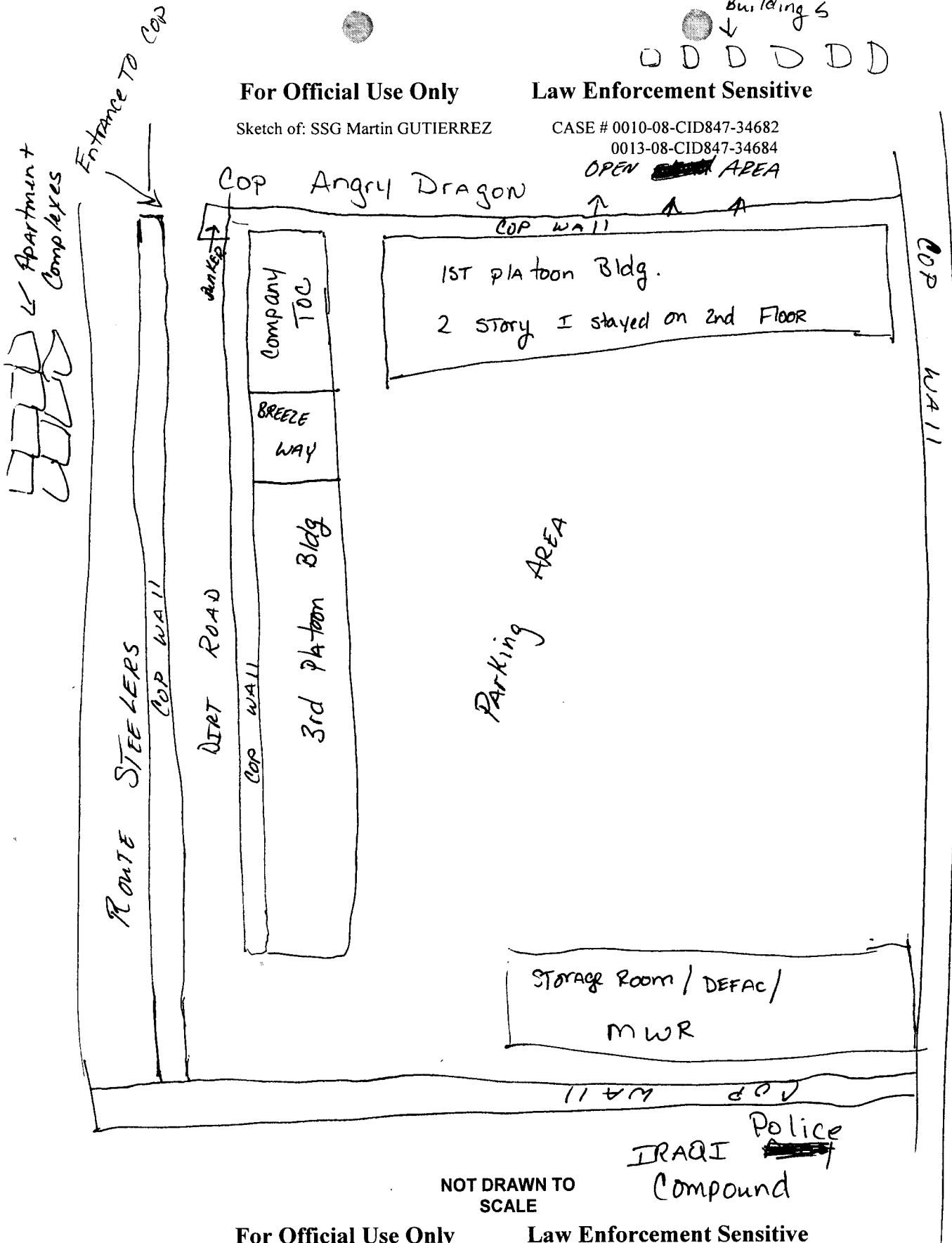
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Sketch of: SSG Martin GUTIERREZ

CASE # 0010-08-CID847-34682

0013-08-CID847-34684

OPEN ~~AREA~~ AREA



NOT DRAWN TO SCALE

IRAQI ~~Police~~ Police Compound

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

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGES

DETAILS

About 1001, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killings of Iraqi non-combatants during his recent deployment to Iraq. (See Sworn Statement for details)

About 1112, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killings of Iraqi non-combatants during his recent deployment to Iraq. (See Sworn Statement and Sketch for details)

About 1721, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killings of Iraqi non-combatants during his recent deployment to Iraq. (See Sworn Statement and Sketch for details)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) (b)(6), (b)(7)(C)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033
DATE 29 Jan 08	EXHIBIT 109

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	29 Jan 08 (b)(6), (b)(7)(C)	10 01 (b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	PFC / Active Duty

ORGANIZATION/ADDRESS:
A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: My platoon was the first at Angry Dragon and we helped build the COP. But we only stayed there for about 1 month, and then we moved to COP ELLIS. We built that one up too. We were at COP Angry Dragon in early Spring / late Winter. I can't really remember.

Q: When did you take R&R?

A: I believe I went on R&R from the 11th of April 2007 - 25th of April 2007.

Q: What platoon were you in and/or what was your job?

A: 1st Platoon. The entire deployment I was with 1st Platoon. I was a Bradley Driver.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: Bradley; Bumper number A16. My call sign was (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SPC (b)(6), (b)(7)(C) (Gunner), SSG (b)(6), (b)(7)(C) (BC). It was just the 3 of us.

Q: Who was normally in charge of your element when you went out?

A: Usually we went out with the Platoon leader which varied throughout the deployment. The first platoon leader was 1LT (b)(6), (b)(7)(C) The second was 1LT (b)(6), (b)(7)(C) and more recently 1LT (b)(6), (b)(7)(C) don't know their first names.

Q: Who was in charge of your element when you were at the COP?

A: Usually the highest ranking person on the COP; 1SG (b)(6), (b)(7)(C) and the CO was CPT (b)(6), (b)(7)(C) over at COP (b)(6), (b)(7)(C) At COP (b)(6), (b)(7)(C) Dragon, it was 1SG (b)(6), (b)(7)(C) and the CO was CPT (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Most of the time it was a Bradley in the front and rear, and two to four HMMWV's in the middle. At other times it was two Bradley's in the front.

Q: Who was in those vehicles?

A: I was usually the lead vehicle. But the crews in the other vehicles varied.

Q: Where did you live on the COP and with whom?

A: We stayed in one of the buildings that was there. When you come through the gate into the main compound, it was the farthest building on the left right beside the TOC.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: Negative.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: Negative.

Q: What was the command guidance on the COP concerning the detainees?

A: Just to keep an eye on them, make sure they stay separated; make sure they don't talk amongst one another; and make sure they don't go anywhere.

Q: Was anyone ever reprimanded about their handling of the detainees?

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 3 Pages

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Statement of (b)(6), (b)(7)(C) taken at Schweinfurt CID , Dated 29 Jan 08 Continued

A: Nope.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: Negative.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: Nope.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No, I haven't.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: Nope.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Quite often, yes.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: No, I haven't.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: Negative. There were times when 1SG (b)(6), (b)(7)(C) and his crew or MAJ (b)(6), (b)(7)(C) and his crew would join in our patrol, but it was very rare.

Q: What were you told about engaging Iraqis who ran from you?

A: We were told if we seen an Iraqi run away after an IED went off, they were probably up to no good, and we were told to engage them. I was a Bradley driver, so I never engaged them.

Q: Did anyone from your crew engage Iraqis who ran away from you?

A: There were a few times we were in a couple of fire fights, but not that often. Before we ever engaged, we made sure we had Positive ID (PID) on a weapon. If he was firing on you or acting in a hostile manner, then we were instructed to engage.

Q: Did you have to ask permission to engage?

A: Most of the time if my gunner saw something, he would let the BC know who would call it up to the Patrol leader and get confirmation to fire.

Q: Were you ever told to engage non-combatants?

A: Negative.

Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: I never heard him bragging about anything.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: I really don't know. He would ask why and make sure there was a damn good reason.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: I can't remember. I really don't know.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: I never heard anything about that until just now.

Q: Has anyone told you to with-hold information regarding this case?

A: Negative.

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

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

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

Page 2 of 3 Pages

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

(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 29th day of Jan 08 at Schweinfurt Germany.

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

(Signature of Person Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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EXHIBIT

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	29 Jan 08	1112	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: No. I spent a night at Angry Dragon but I was at FOB Falcon at that time.

Q: When did you take R&R?

A: Dec 2006 thru Jan 2007.

Q: What platoon were you in and/or what was your job?

A: I was with the BN Commander's PSD (LTC (b)(6), (b)(7)(C)) during Feb 2007 and Mar 2007. In April I went back to Alpha Company, 1st Platoon, and we were based at COP ELLIS. I was a gunner primarily for the Bradley.

Q: What vehicle did you normally ride in (type & bumper number) and what was its call sign?

A: Bradley. HQ 66 was the bumper number. The call sign was (b)(6), (b)(7)(C) also rode in Bradley HQ 33 a lot. (b)(6), (b)(7)(C) I rode in another Bradley, but I don't remember the bumper number on that one. I want to say HQ 69. I don't remember what the call sign was. The third Bradley was a floater.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: LTC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (Driver), sometimes PFC (b)(6), (b)(7)(C) (driver), SPC (b)(6), (b)(7)(C) (driver). Sometimes I was a gunner for SSG (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) also SFC (b)(6), (b)(7)(C) They were all BC in the Bradley. I also gunned for MAJ (b)(6), (b)(7)(C) and I believe that was in PSD.

Q: Who was normally in charge of your element when you went out?

A: In PSD, it would be LTC (b)(6), (b)(7)(C) or MAJ (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: At the FOB it was SSG (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley in front and rear and two or three HMMWV's in the middle.

Q: Who was in those vehicles?

A: In the other Bradley was SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) as driver. In the HMMWV's it was SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and CPL (b)(6), (b)(7)(C) That's about all I can think of right now.

Q: Where did you live on the FOB and with whom?

A: I lived at 1-18th Battalion on the second floor. I don't remember the building number. My roommate was SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) I think that's it.

Q: While you were at the FOB or the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: Nope.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: Nope.

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

Page 1 of 3 Pages

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EXHIBIT 111

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

Q: What was the command guidance on the COP concerning the detainees?
A: We had detainees at COP ELLIS, but we would take to the Detainee holding area after they were processed at the COP. The detainees were guarded, but I was never on the guard shifts.
Q: Was anyone ever reprimanded about their handling of the detainees?
A: No. Not to my knowledge.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes, everyone was.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: Nope. Not until recently. I just heard rumors about it when I got back to Germany recently.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: I'm unsure. I don't remember. My PSD with LTC (b)(6), (b)(7)(C) was called Shadow.
Q: What were you told about engaging Iraqis who ran from you?
A: If they're shooting at you and running, then we could engage them.
Q: Were you ever told to engage non-combatants?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: I was never there for something like that. The one time I actually engaged, it was evident they were trying to kill us. There was RPG's firing and guys running around with AK 47's, PKC's. We did not engage non-combatants. Some people actually walked into the middle of our fire fight so we stopped engaging.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: Nope. I believe I was still in Kuwait or enroute to Iraq during that time.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No. There were rumors recently about detainees in a canal, but I didn't hear anything while I was deployed.
Q: Has anyone told you to with-hold information regarding this case?
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

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 29 Jan 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of Jan 08 at Schweinfurt Germany.

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

(Typed Name of Person Administering Oath)

JSACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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EXHIBIT III

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



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



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



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



This is a sample
of a vehicle set from 1-18
PSD "shadow" element
actual crews and configurations
may vary.

Date/Time: 7:57 AM 10/24
Sketched by: (b)(6), (b)(7)(C)

Verified by: SA (b)(6), (b)(7)(C)

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EXHIBIT 111

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	29 Jan 08 (b)(6), (b)(7)(C)	1721 (b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

I, (b)(6), (b)(7)(C), want to make the following statement under oath:
Q: SA (b)(6), (b)(7)(C)
A: SPC (b)(6), (b)(7)(C)
Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?
A: Mar 2007 – Nov 2007.
Q: When did you take R&R?
A: April 19th – May. It was two weeks long.
Q: What platoon were you in and/or what was your job?
A: 2nd Platoon. I started off as a Rifleman, and towards the latter part of the deployment I became the driver for CPT (b)(6), (b)(7)(C) and later was the gunner for LT (b)(6), (b)(7)(C)
Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?
A: It was a HMMWV, but sometimes I rode in a Bradley. 206 was the bumper number for the HMMWV. The call sign for the HMMWV was (b)(6), (b)(7)(C) whenever the LT was riding. I don't remember the bumper number for the Bradley. The call sign for the Bradley's all depended on who was the BC. For example, we had (b)(6), (b)(7)(C)
Q: Who normally rode in that vehicle with you, and what were their jobs?
A: In the HMMWV was SPC (b)(6), (b)(7)(C) (driver), LT (b)(6), (b)(7)(C) or LT (b)(6), (b)(7)(C)
Q: Who was normally in charge of your element when you went out?
A: LT (b)(6), (b)(7)(C) or LT (b)(6), (b)(7)(C)
Q: Who was in charge of your element when you were at the COP?
A: 1SG (b)(6), (b)(7)(C) or MAJ (b)(6), (b)(7)(C)
Q: What was your usual patrol configuration going outside of the wire?
A: Bradley, HMMWV, Bradley, HMMWV, Bradley.
Q: Who was in those vehicles?
A: In the lead Bradley was SSG (b)(6), (b)(7)(C)(BC), SPC (b)(6), (b)(7)(C) was his gunner, and SPC (b)(6), (b)(7)(C) I was in the first HMMWV. There was no set crew for the middle Bradley. The second HMMWV had SGT (b)(6), (b)(7)(C)(TC), SPC (b)(6), (b)(7)(C) (driver), and SPC (b)(6), (b)(7)(C) (gunner). In the rear Bradley I believe was SGT (b)(6), (b)(7)(C)(BC), SPC (b)(6), (b)(7)(C) (gunner), SPC (b)(6), (b)(7)(C) (driver).
Q: Where did you live on the COP and with whom?
A: I lived in the building that was adjacent to the Wolf Den TOC. I lived with my section. All of the junior enlisted stayed together.
Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?
A: No.
Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?
A: Actually it was the opposite. I was told to make sure they always had food and water.
Q: What was the command guidance on the COP concerning the detainees?

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

Page 1 of 3 Pages

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 29 Jan 08 Continued

A: We were told to keep an eye on them. If they wanted water or food, we were told to give it to them.
Q: Was anyone ever reprimanded about their handling of the detainees?
A: I heard 1-28th Infantry Battalion had a problem with how the detainees were being housed. Right afterwards, we ended up building a shack for the detainees to chill out in and live in. But this is just a rumor that I heard.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Oh yeah, constantly.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about ISG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: On a patrol, not really. Whenever an official or somebody big was coming in, we would sometimes work with the PSD element to help protect the official.
Q: What were you told about engaging Iraqis who ran from you?
A: We usually tried to apprehend them. We wouldn't engage them unless they were actively engaging us first. This is what we were told.
Q: Were you ever told to engage non-combatants?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: That would be your ass. The Commander would have reprimanded us. But that never happened to us.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Has anyone told you to with-hold information regarding this case?
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

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EXHIBIT

112

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 29 Jan 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of Jan 08 at Schweinfurt Germany.

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

(Oath)

CIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

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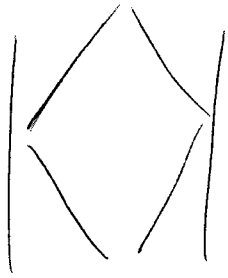
EXHIBIT

112

Sketch of ~~LT/PL~~ patrol configurations

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Date/Time: 1715, 29 Jan
sketched by: (b)(6), (b)(7)(C)
Verified by: [redacted]



BC SSG
D SPC
G SPC

(b)(6), (b)(7)(C)
[redacted]

10 - 2000 - CID 647 - 34682

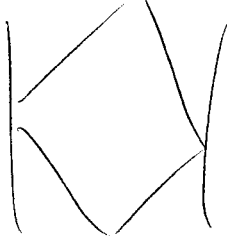


TC Lt.

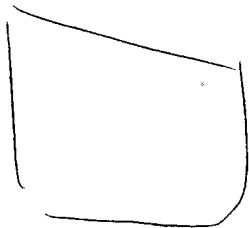
(b)(6), (b)(7)(C)
[redacted]

D SPC
G SPC

(b)(6), (b)(7)(C)
[redacted]

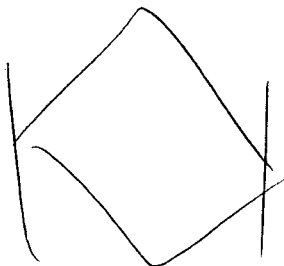


Random Crew Sets



TC Sgt.
D SPC
G SPC

(b)(6), (b)(7)(C)
[redacted]



BC Sgt.
D Cpl.
G ~~SPC~~ Spc.

(b)(6), (b)(7)(C)
[redacted]

(b)(6), (b)(7)(C)
[redacted]

EXHIBIT 112

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1040, 29 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Company (Co), 1-26th Infantry Battalion (IN BN), Ledward Barracks, Schweinfurt, Germany, APO AE 09033 (LBSG), who stated he overheard a 1-18th IN BN Soldier (b)(6), (b)(7)(C) discuss this investigation at about 0900, 29 Jan 08, while at the Central Issue Facility (CIF). SPC (b)(6), (b)(7)(C) stated he was looking at the Stars and Stripes for 29 Jan 08, which had a headline on the front which referenced the death of detainees in Iraq. SPC (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) asked him if the article stated which unit or how many detainees were killed, to which he stated the article was very generic and vague. SPC (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) told him he heard it was 1-18th IN BN Soldiers involved and they had killed six detainees. SPC (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) had no personal knowledge and appeared to repeat rumors he had heard.

About 1225, 29 Jan 08, MAJ (b)(6), (b)(7)(C) provided this office with a COP Roster, which listed all A Co. personnel who were at COP Angry Dragon as of Feb 07, and a Vehicle Roster, which listed all A Co. vehicles at COP Angry Dragon as of Feb 07. (See Rosters)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION Schweinfurt CID Office, APO AE 09033
(b)(6), (b)(7)(C)	DATE 29 Jan 08	EXHIBIT 113

CID FORM 94

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1 FEB 77

	PLT	RANK	LAST NAME	FIRST NAME	SSN	STATUS
1	PSD		(b)(6)			
2	PSD					
3	FSE					
4	2					
5	HQ] (b)(6)
6	2					
7	2					
8	HQ					
9	2					
10	2					
11	HQ					(b)(6)
12	2					
13	2					
14	2] (b)(6)
15	PSD					
16	HQ					
17	2] (b)(6)
18	PSD					
19	HQ					
20	PSD					
21	2					
22	MED					
23	2					
24	2					
25	HQ					
26	2					
27	2					
28	MEL					
29	PSD					
30	2					
31	2					
32	PSD					
33	2					
34	2					
35	2					
36	2					
37	2					
38	PSE					
39	2					
40	2					

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EXHIBIT 114

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0010-2000-CID 647-34682

TM Wolf Vehicles				
Unit	Bumper #	Vehicle Nomenclature	Serial #	Registration #
PSD	A6	M1114	235667	NZ0MVU
1SG	A7	M1114	235755	NZ0MX1
PSD	A601	M1114	237029	NZ0N9T
PSD	A602	M1114	209076	NG65R7
PSD	A603	M1114	217149	NG6BTH
PSD	A65	M2A2 ODS	2ADR3669R	MV02HE
PSD	A66	M2A2 ODS	2ADR3693R	MV033U
White	A204	M1114		
White	A205	M1114	203206	NG524G
White	A206	M1114	211056	NG66VS
White	A207	M1114	235843	NZ0MYA
White	A208	M1114	205770	NG54NW
White	A209	M1114	176453	NG4VJJ
White	A25	M2A2 ODS	2ADR3390R	MV02UW
White	A26	M2A2 ODS	2ADR3472R	MV02NO
White	A27	M2A2 ODS	2ADR3685R	MV02H2
White	A28	M2A2 ODS	2ADR3412R	MV02BG

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EXHIBIT 114

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AGENT'S INVESTIGATION REPORT

0011-08-CID065 (RFA)

CID Regulation 195-1

Page 1 of 1

Basis for Investigation: About 1236, 30 Jan 08, this office received a Request for Assistance (RFA) from the Schweinfurt CID Office to conduct a witness interview of Mrs. (b)(6), (b)(7)(C) (NFI). The RFA related she may have information about a Murder committed by her husband, SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226.

About 1438, 30 Jan 08, SA (b)(6), (b)(7)(C) received a return telephone call from Mrs. (b)(6), (b)(7)(C) as SA (b)(6), (b)(7)(C) had left a message earlier for her to contact this office in order to schedule an interview with her in Illinois. SA (b)(6), (b)(7)(C) advised Mrs. (b)(6), (b)(7)(C) that this office received a RFA to conduct a witness interview of her concerning what her husband, SG (b)(6), (b)(7)(C) told her about the incidents in Iraq. Mrs. (b)(6), (b)(7)(C) related SG (b)(6), (b)(7)(C) did not tell her anything about any incidents in Iraq concerning the deaths of Iraqis. Mrs. (b)(6), (b)(7)(C) stated SGT (b)(6), (b)(7)(C) only told her that he was excited to come back home to be with her and then move to Georgia to be stationed. Mrs. (b)(6), (b)(7)(C) felt it was unnecessary for SA (b)(6), (b)(7)(C) to come meet with her for an interview as she did not know anything. SA (b)(6), (b)(7)(C) ensured she had SA (b)(6), (b)(7)(C) telephone number if she needed to re-contact this office.///LAST ENTRY///

SA (b)(6), (b)(7)(C), (b)(7)(F) Fort McCoy CID Office
Fort McCoy, WI 54656

Signature (b)(6), (b)(7)(C) Date: 30 JAN 08

CID Form 94

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EXHIBIT: 115

Encl-1

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682	
	PAGE 1 OF 1 PAGES	
DETAILS About 1714, 30 Jan 08, SA (b)(6), (b)(7)(C) advised SGT (b)(6), (b)(7)(C) of his legal rights, which he waived and provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq, other than the four detainees which were killed at the canal. SGT (b)(6), (b)(7)(C) was shown a series of photographs which depicted Iraqi male detainees, but was unable to recognize them. In addition, SGT (b)(6), (b)(7)(C) was shown a map of Baghdad, and identified the locations in which the four detainees were captured and later killed. (See Sworn Statement for details) ///LAST ENTRY///		
TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) (b)(6), (b)(7)(C)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033	EXHIBIT 116
	DATE 30 Jan 08	

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FEB 77

RIGHTS WAIVER/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: Schweinfurt CID Office
2. DATE: 30 Jan 08
3. TIME: 1714
4. FILE NUMBER: 0010-08-CID847-34682
5. Name (Last First MI): (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: SGT / Active Duty
8. ORGANIZATION OR ADDRESS: A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany APO AE 09226

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent. (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/accused: Misprision of a Serious Offense// (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. (b)(6), (b)(7)(C)
2. Anything I say or do can be used as evidence against me in a criminal trial. (b)(6), (b)(7)(C)
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. (b)(6), (b)(7)(C)

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

5. COMMENTS (Continue on reverse side)
Have you been advised of your legal rights within the past 30 days and requested a lawyer? Yes / 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. (b)(6), (b)(7)(C)

WITNESSES (if available)
1a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
6. ORGANIZATION OF INVESTIGATOR: Schweinfurt CID Office, Schweinfurt, GE, APO AE 09033

SECTION C. Non-waiver

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

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

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	30 Jan 08	1749	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SGT / Active Duty

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: I moved there at the end of February 2007 / beginning of March 2007 and I stayed there until November 2007.

Q: When did you take R&R?

A: December 1st 2006 – December 17th 2006.

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon. From September 06 – April 07, I was mainly a Bradley gunner / BC. From April 07 – November 07, I was a section leader and Bradley Commander.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No. I didn't even work with the detainees because I was a section leader. Most of Joes were the ones guarding the detainees.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: Negative.

Q: What was the command guidance on the COP concerning the detainees?

A: I never had to guard them, so I couldn't really tell you. They Army guidance is the "5 S's", keep them secure, silence, safeguard, speed to the rear, and segregate.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: Negative.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: Negative.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: Negative.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: Negative.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: Negative. I barely saw him out of the TOC.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: Negative.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yeah. Numerous...numerous times.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: Negative.

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 3 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 30 Jan 08 Continued

Q: Were you on patrols with the PSD (AKA Black Squad)?
A: Never with PSD alone.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: Negative.
Q: What were you told about engaging Iraqis who ran from you?
A: If they are not actively engaging you or threatening you in any way, don't shoot, just chase them down.
Q: Were you ever told to engage non-combatants?
A: Negative.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: Accidentally he was furious. He would get pissed and start yelling. That person would get some sort of reprimand. But I've never seen any discharge there weapon deliberately without receiving any incoming fire.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No, I was never on patrol when they got hit.
Q: What has been discussed about this incident and investigation recently?
A: Nothing. No one wants to talk about anything. Plus we were instructed by the Battalion Commander (LTC (b)(6), (b)(7)(C)) not to talk to anyone about anything. I asked if I could tell my parents or family members, and he said no.
Q: Has anyone told you to with-hold information regarding this case?
A: Negative.
Q: I am showing you a photograph which depicts four males kneeling behind a cache of weapons. Do you recognize the individuals in this photograph?
A: No. I don't even know where that's at.
Q: I am showing you a photograph which depicts a man dressed in blue with his hands behind his back. Do you recognize this individual?
A: No.
Q: I am showing you a photograph which depicts a man kneeling down with his hands behind his back. Do you recognize this individual?
A: No.
Q: I am showing you a photograph which depicts a man dressed in a tan shirt with his hands behind his back. Do you recognize this individual?
A: Nope.
Q: I am showing you a photograph which depicts two males. One of the males is facing the wall, and the other is facing the camera. Do you recognize these individuals?
A: No.
Q: Describe the plan which was made to kill the four detainees at the canal.
A: To my knowledge, there was no plan. When we returned to the COP after picking up the detainees, I stayed with the Bradleys outside while the HMMWV's went inside the COP for approximately 10 minutes.
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

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 30 Jan 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 1. 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)

(statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of Jan 08 at Schweinfurt Germany.

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

(Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

DA Form 2823 (Automated)

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGE

DETAILS

About 1724, 30 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C), A Company, 1/18th Infantry Battalion, CBSG, who provided a sworn statement wherein he detailed having no knowledge of any detainee abuse which occurred on COP Angry Dragon. SPC (b)(6), (b)(7)(C) was shown pictures of four detainees and identified them as not being the four that were executed by 1SG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) (See Rights Waiver Certificate and Sworn Statement for details)

About 1812, 30 Jan 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, CBSG, who provided a sworn statement wherein he detailed hearing SPC (b)(6), (b)(7)(C) bragging about shooting into a crowd but thought nothing of it because his NCO's wouldn't allow such actions. SGT (b)(6), (b)(7)(C) further detailed having no knowledge of any detainee abuse and identified the four detainees in the picture as not being the detainees that were executed. (See Rights Waiver Certificate and Sworn Statement for details)

///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Grafenwoehr Resident Agency 1002d Military Police Bn (CID) Grafenwoehr, Germany APO AE 09112	
SIGNATURE (b)(6), (b)(7)(C)	DATE 30 Jan 2008	EXHIBIT 118

1 FEB 77

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RIGHT WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form see AFM 33-100, the Department of Defense ODCSOPS

00 1 0 - 2008 - CID 6 4 7 - 3 4 6 8 4

"FOR OFFICIAL USE ONLY" "LAW ENFORCEMENT SENSITIVE"

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 (b)(6), (b)(7)(C)
2. DATE 30 Jun 08 3. TIME 17:24 4. FILE NO. 0010-08-CID847
5. NAME (Last, First, MI) (b)(6), (b)(7)(C)
6. SSN (b)(6), (b)(7)(C) 7. GRADE/STATUS E-4/AD
8. ORGANIZATION OR ADDRESS A Company, 1/18th Infantry Battalion Schweinfurt, Germany APO AE 09226

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: Murder, 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 question 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.

COMMENTS (Continue on reverse side)

I have been read my rights within the last 30 days. I waived my rights at that time.

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)
1a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWEE
6. ORGANIZATION OF INVESTIGATOR Grafenwoehr CID Office

Section C. Non-waiver

- 1. I do not want to give up my rights
I want a lawyer
I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

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

"FOR OFFICIAL USE ONLY" "LAW ENFORCEMENT SENSITIVE"

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	(b)(6), (b)(7)(C) 30 Jan 08	17:24 (b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684

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

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) want to make the following statement under oath: (b)(6), (b)(7)(C)
: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon COP Black Lion? If so - from roughly when until when?

A: Yes. Majority of the deployment

Q: When did you take R&R?

A: Somewhere around the beginning of Feb.

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon, Bradley Gunner.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: Bradley, A27 and A28, White 8G

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SGT (b)(6), (b)(7)(C) (BC), SSG (b)(6), (b)(7)(C) (BC), SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) (Driver).

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

A: 1SG (b)(6), (b)(7)(C) and/or the Commander who was CPT (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Two Bradleys and three HMMWVs

Q: Who was in those vehicles?

A: SSG (b)(6), (b)(7)(C) HMMWV usually had SPC (b)(6), (b)(7)(C) as a gunner, SPC (b)(6), (b)(7)(C) as a driver, Doc (b)(6), (b)(7)(C) as a medic/passenger, that's all I can remember right now.

Q: Where did you live on the COP and with whom?

A: The building close to the TOC, on the south side of the COP.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: Did you ever handle detainees on the COP?

A: Yes.

Q: What was your duty for handling the detainees on the COP?

A: To guard them, to give them water and food.

Q: What was the command guidance on the COP concerning the detainees?

A: I don't remember. The detainee's were always blind folded and bound with their hands behind their back.

Q: How often were bathroom breaks provided to the detainees?

A: I don't know; however, if the detainees needed to use the restroom then I escorted them to the restroom.

Q: Were the detainees allowed to have sufficient water?

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

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

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

Page 1 of 4 Pages

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 30 Jan 08 Continued

(b)(6), (b)(7)(C) Q: How often did the guard force provide water to the detainees?
A: I gave them water whenever they asked for it; we did not have a set pattern when to provide water and food.
Q: Was anyone ever reprimanded about their handling of the detainees?
A: I don't know.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever observe SPC (b)(6), (b)(7)(C) handle a detainee?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever observe SPC (b)(6), (b)(7)(C) handle a detainee?
Q: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever observe SPC (b)(6), (b)(7)(C) handle a detainee?
A: Yes, on mission, but not on guard at the COP.
Q: When you observed SPC (b)(6), (b)(7)(C) handling a detainee (s) out on mission, how did he perform this duty?
A: He escorted them to the back of the Bradley. I did not see him use excessive force.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever observe SSG (b)(6), (b)(7)(C) handle a detainee?
A: No. I only saw him question detainee (s), he was always was with a interrupter. I never saw him put his hands on a detainee.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever observe SPC (b)(6), (b)(7)(C) handle a detainee?
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: Yes.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: Not to engage.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear rumors about (b)(6), (b)(7)(C) engaging non-combatants?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: The Commander would punish them. That isn't something you do unless ROE.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Did you hear about the insurgent who was the trigger man for the IED getting shot?
A: No. (b)(6), (b)(7)(C)

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

Page 2 of 4 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 30 Jan 08 Continued

(b)(6), (b)(7)(C) Q: Can you describe the 4 guys?

A: No.

Q: I will show you pictures of four detainees who this office collected from one of the soldiers identified as being on the patrol that day, do you recognize them?

A: No.

Q: Can you describe or draw the house they were captured at?

A: No.

Q: Can you describe the weapons they were found with?

A: No.

Q: Do you remember or can you point out on a map where it was that the patrol took fire from and eventually found the 4 Iraqi males identified as insurgents?

A: No.

Q: What happened regarding the HMMWV that got stuck in the water?

A: I don't know.

Q: DO you know whose HMMWV it was that got stuck in the water?

A: No.

Q: Did anyone take pictures of them at capture or afterwards?

A: I don't know

Q: Do you have any pictures of that incident or the 4 guys?

A: No.

Q: Do you know of any pictures of the 4 guys?

A: No.

Q: Who was in the 2nd Bradley on that patrol?

A: I don't know

Q: What has been discussed about this incident and investigation recently?

A: Nothing, the Command told everyone who was questioned not to talk about this investigation to anyone so nothing has been said.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

Q: Do you know the consequences if found that you lied on this sworn statement?

A: Yes.

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)

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

DA Form 2823 (Automated)

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 30 Jan 08 Continued

(b)(6), (b)(7)(C)
Nothing else follows
(b)(6), (b)(7)(C)

AFFIDAVIT

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

I, (b)(6), (b)(7)(C) have read or have 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)

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of Jan 08 at Schweinfurt Germany.

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

(Administering Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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

Page 4 of 4 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

RIGHT WARNING PROCEDURE/WAIVER CERTIFICATE

For use of the Army and Air Force by the Department of Defense

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.

0010 - 2008 - CID 047 - 34682

1. LOCATION: Schweinfurt CID
2. DATE: 30 Jan 08
TIME: 1812
4. FILE NO.: 0010-08-CID847
5. NAME (Last, First, MI): (b)(6), (b)(7)(C)
8. ORGANIZATION OR ADDRESS: A Company, 1/18th Infantry Battalion
Schweinfurt, Germany
APO AE 09226
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-5/AD

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

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

I was read my rights within 30 days, which I waived

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

Section C. Non-waiver

- 1. I do not want to give up my rights
I want a lawyer
I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

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

DA FORM 3881, NOV 1989

EDITION OF NOV 84 IS OBSOLETE

APD PE v2.01ES

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EXHIBIT 120

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION DATE TIME FILE NUMBER
Schweinfurt CID 30 Jan 08 1812 (b)(6), (b)(7)(C) 0010-08-CID847-34682
0013-08-CID847-34684

NAME: SSN: GRADE/STATUS:
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) E-5/AD

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

A: 1LT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Two Bradleys and two HMMWV.

Q: Who was in those vehicles?

A: I don't know because it changed frequently.

Q: Where did you live on the COP and with whom?

A: The building near the TOC and the gate.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No. My interactions with detainees on the COP were limited due to the fact I was a Squad Leader. I do remember seeing Soldiers going to the DFAC area to retrieve food and water for the detainees.

Q: What was the command guidance on the COP concerning the detainees?

A: The Commander told us to feed them and give them water, and not to abuse them.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: Not to my knowledge.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) handle a detainee?

A: I don't remember.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: I don't know.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority? (b)(6), (b)(7)(C)

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 2 Pages

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0010-08-CID847-34682

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 30 Jan 08 Continued

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

: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?

A: No.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: Once or twice I went on patrols with them.

Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: No.

Q: What were you told about engaging Iraqis who ran from you?

A: If they were just running unarmed, then we could not fire on them, but if a insurgent fired on us and ran then we could engage.

Q: Were you ever told to engage non-combatants?

A: No.

Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: I think I might have heard him brag but I didn't think anything of it because his NCO's wouldn't allow anything like that to happen.

Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?

A: No.

Q: Did you ever hear him brag about doing so?

A: I just do remember him bragging about engaging in the night at no particular target, but I thought he was just making it up because his NCO's wouldn't allow that to happen.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: I don't know.

Q: Was anyone within your company ever caught firing their weapons when there was no reason for it?

A: I don't know.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: No.

Q: Did you hear anything about the insurgent who was the trigger man for that IED?

A: I do remember hearing over the radio that they were hit by an IED and engaged the trigger man.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: Yes.

Q: Do you know what happened to him after he was hit?

A: No.

Q: Did you hear what happened to him afterwards, and from whom?

A: No.

Q: Do you remember or can you point out on a map where it was that the patrol took fire from and eventually found the 4 Iraqi males identified as insurgents?

A: I could try.

Q: What has been discussed about this incident and investigation recently?

A: We were directed not to talk about it by our Commander.

Q: Has anyone told you to with-hold information regarding this case?

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)

(b)(6), (b)(7)(C)
Page 2 of 3 Pages

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 30 Jan 08 Continued

Nothing Else Follows

AFFIDAVIT

(b)(6), (b)(7)(C), (b)(6), (b)(7)(C) have read or have 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)

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of Jan 08 at Schweinfurt Germany.

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

g Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

AGENT'S INVESTIGATION REPORT

0010-08-CID847-34682

CID Regulation 195-1

Page 1 of 1 Pages

About 1800, 30 Jan 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1/18th Infantry BN, who provided a Sworn Statement in which he stated that he never witnessed any detainee abuse or indiscriminate killing of civilians or non-combatants during his deployment to Iraq. (See Sworn Statement)
///-----LAST ENTRY-----///

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

Stuttgart CID Office
202nd Military Police Group (CID),
APO AE 09107

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

Date: 30 Jan 08

CID Form 94

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	30 Jan 08 (b)(6), (b)(7)(C)	1900 (b)(6), (b)(7)(C)	0010-08-CID847-34682 (b)(6), (b)(7)(C) 13-08-CID847-34684
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-5/SGT/AD	

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes, we went there the end of January or the beginning of February 2007 until about November 2007.

Q: When did you take R&R?

A: April 7, 2007 until the end of April

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon, when we first got there, I was a Bradley gunner, then I was a fire team leader for a dismount squad. In June or July, I was made a Squad leader.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I was in both a Bradley and a HMMWV. I moved around from vehicle to vehicle. When I became a Squad leader I got my own truck. I got A-204 (HMMWV), call sign (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: As a fire team leader, I was with SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) (now deceased). As a Squad leader, I was with SPC (b)(6), (b)(7)(C) (driver), Doc (b)(6), (b)(7)(C) or Doc (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) (team leaders), SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (gunners). The guys switched out quite a bit.

Q: Who was normally in charge of your element when you went out?

A: The 1LT (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: I was.

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, HMMWV, HMMWV, Bradley.

Q: Who was in those vehicles?

A: It would vary. It would all depend on the mission and what role we were all doing.

Q: Where did you live on the COP and with whom?

A: I roomed with SGT (b)(6), (b)(7)(C). It was just the two of us. We had the best room on the COP. It was supposed to be for the CO, but he didn't want it.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No. There was a list of rules posted by the detainee holding area that told us how to treat them.

Q: What was the command guidance on the COP concerning the detainees?

A: Treat them with respect, give them food and water, take them to the bathroom if they have to go.

Q: Was anyone ever reprimanded about their handling of the detainees? (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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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C), Taken at Schweinfurt CID, Dated 30 Jan 08 Continued

(b)(6), (b)(7)(C) A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes. We had Rules of Engagement (ROE) cards we carried. We had ROE briefings as part of our patrol briefings unless we were in a hurry (like QRF).
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No. Not until I heard about the CID investigation.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: No.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: As long as they still have the weapons and are shooting at you, I could still engage them. But not if they were just walking around with weapons.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: He would have reported the guy.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No, I was still at Camp Slayer at the time.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Do you know what happened to him after he was hit?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Were you part of that patrol?
A: No.
Q: Did anyone discuss the incident afterwards?
A: No. (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

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 30 Jan 08 Continued

(b)(6), (b)(7)(C) Q: What has been discussed about this incident and investigation recently?

A: I heard that some detainees had something done to them back in Iraq. My squad, A Section, rode out with the LT. B Section rode with the Platoon SGT or the ISG. I haven't really heard much about what has gone on.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

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

A: I just can't believe this. 1SG (b)(6), (b)(7)(C) is a great 1SG, the best I ever worked for. I just can't believe he or any of them would do anything like this.

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

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

AFFIDAVIT

(b)(6), (b)(7)(C) I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of Jan 08 at Schweinfurt Germany.

(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 Administering 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

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGES

DETAILS
LAW ENFORCEMENT RECORDS CHECK:

SPC RIBORDY:

NCIC: On 15 Jan 08, a Computerized Criminal History (CCH) check from the Virginia Criminal Information Network (VCIN) and the National Crime Information Center (NCIC) revealed on 13 Dec 01, SPC (b)(6), (b)(7)(C) was the subject of CTS to Commit Battery. No disposition was listed. On 14 Mar 03, SPC (b)(6), (b)(7)(C) was the subject of Battery and Furnishing Cereal Malt Beverage to a Minor. No disposition was listed. On 16 Jun 03, SPC (b)(6), (b)(7)(C) was the subject of Attempted Giving Worthless Check. No disposition was listed. On 31 Aug 03, SPC (b)(6), (b)(7)(C) was the subject of Giving Worthless Check, and Probation Violation. No disposition was listed. On 23 Dec 03, SPC (b)(6), (b)(7)(C) was arrested for a Probation Violation. (See CCH for details)

SGT ROMAN:

NCIC: On 15 Jan 08, a Computerized Criminal History (CCH) check from the Virginia Criminal Information Network (VCIN) and the National Crime Information Center (NCIC) revealed on 23 Dec 03, SGT (b)(6), (b)(7)(C) was the subject of Criminal Trespass to Land and Criminal Damage to Property. SGT (b)(6), (b)(7)(C) was found guilty of both charges. (See CCH for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt Resident Agency (CID) CMR 457, APO AE 09033	
(b)(6), (b)(7)(C)	DATE 30 Jan 08	EXHIBIT 123



DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
U.S. ARMY CRIME RECORDS CENTER
6010 6TH STREET
FORT BELVOIR, VA 22060-5585

10-10-2008 - CID 847-34682

REPLY TO
ATTENTION OF

CICR-CR

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Enclosed please find your requested Computerized Criminal History (CCH) check from the Virginia Criminal Information Network (VCIN) and the National Crime Information Center (NCIC). The information may be transcribed and included in your report of investigation. The record itself must be destroyed (shredded or burned) when it has served the purpose for which it was requested. It may not be copied or faxed.

The Privacy Act of 1974 requires the FBI to maintain an audit trail of the purpose of each disclosure of a criminal history record and the recipient of that record. Therefore, inquiries and record requests transmitted must include the purpose for which the information is to be used. The VCIN/NCIC CCH files may be used only by authorized governmental agencies and subunits thereof involved in the administration of criminal justice. The administration of criminal justice means performance of any of the following activities: detection, apprehension and detention.

Note: Any person who willfully and intentionally requests, obtains, or seeks to obtain criminal history record information under false pretenses, or who willfully and intentionally disseminated or seeks to disseminate criminal history record information to any agency or person in violation of this article or chapter 23 (19.2-387 et seq.) of Title 19.2, shall be guilty of a Class 2 misdemeanor.

Additional state laws governing VCIN and other computer systems:

18.2-152.4 Computer Trespass

18.2-152.5 Computer Invasion of Privacy

Federal Laws governing NCIC and other computer data banks.

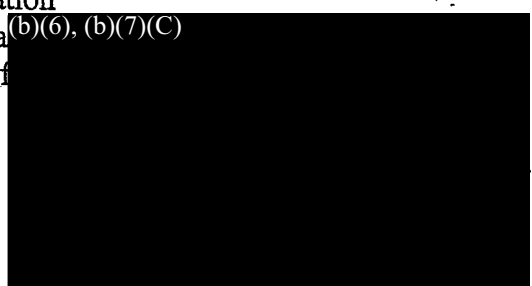
Title 18, United States Code (USC), Section 641 – Theft of Government Property

18 USC 1030 – Fraud and related activity in connection with computers

18 USC 1343 – False pretense or misrepresentation

18 USC 1951 – Misuse of public office duties and authority (b)(6), (b)(7)(C)

18 USC 1952 – Promote or carry on any unlawful lottery



Chief, Crime Records Division



DEPARTMENT OF THE ARMY
 U.S. ARMY CRIMINAL INVESTIGATION COMMAND
 U.S. ARMY CRIME RECORDS CENTER
 6010 6TH STREET
 FORT BELVOIR, VA 22060-5585

REPLY TO
 ATTENTION OF

00 10 - 2008 - CID 847 - 34682

CICR-CR

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Enclosed please find your requested Computerized Criminal History (CCH) check from the Virginia Criminal Information Network (VCIN) and the National Crime Information Center (NCIC). The information may be transcribed and included in your report of investigation. The record itself must be destroyed (shredded or burned) when it has served the purpose for which it was requested. It may not be copied or faxed.

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Additional state laws governing VCIN and other computer systems:

18.2-152.4 Computer Trespass

18.2-152.5 Computer Invasion of Privacy

Federal Laws governing NCIC and other computer data banks.

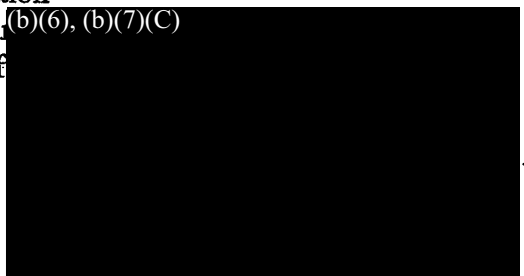
Title 18, United States Code (USC), Section 641 – Theft of Government Property

18 USC 1030 – Fraud and related activity in connection with computers

18 USC 1343 – False pretense or misrepresentation

18 USC 1951 – Misuse of public office duties as (b)(6), (b)(7)(C)

18 USC 1952 – Promote or carry on any unlawf



Chief, Crime Records Division

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EXHIBIT 125
 000393

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

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AGENT'S INVESTIGATION REPORT

0010-08-CID847-34682

CID Regulation 195-1

Page 1 of 1 Pages

About 1400, 31 Jan 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1/18th Infantry BN, CBSG, who provided a Sworn Statement, wherein he stated he never witnessed any detainee abuse during his deployment to Iraq. Further, SPC (b)(6), (b)(7)(C) stated that he never witnessed or heard of any indiscriminate shootings of non-combatants or civilians while deployed. (See Sworn Statement)
///-----LAST ENTRY-----///

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

Stuttgart CID Office
202nd Military Police Group (CID),
APO AE 09107

Signature

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

Date: 31 Jan 08

CID Form 94

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	31 Jan 08 (b)(6), (b)(7)(C)	1507 (b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-4/SPC/AD	
ORGANIZATION/ADDRESS:			

A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes, we were there from sometime in February 2007 until November.

Q: When did you take R&R?

A: End of April, beginning of May.

Q: What platoon were you in and/or what was your job?

A: I wasn't assigned to a platoon, I was assigned directly to CPT (b)(6), (b)(7)(C) I was his driver.

Q: What vehicle did you normally ride in, and what was its call sign?

A: HMMWV, A-6, Wolf 6.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: It was me, the Commander, and SPC (b)(6), (b)(7)(C) (gunner)

Q: Who was normally in charge of your element when you went out?

A: The Commander.

Q: Who was in charge of your element when you were at the COP?

A: The Commander.

Q: What was your usual patrol configuration going outside of the wire?

A: One Bradley up front and two HMMWV's.

Q: Who was in those vehicles?

A: Bradley - SGT (b)(6), (b)(7)(C)(bc), SPC (b)(6), (b)(7)(C) (gunner), SPC (b)(6), (b)(7)(C) (driver)

My vehicle - CPT (b)(6), (b)(7)(C) me, and SPC (b)(6), (b)(7)(C) (gunner), then we would have other VIP's or an interpreter depending on the mission.

Rear HMMWV - SGT (b)(6), (b)(7)(C)(tc), SPC (b)(6), (b)(7)(C) (gunner), SPC (b)(6), (b)(7)(C) (driver) and then a medic and SPC (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C) as an RTO.

Q: Where did you live on the COP and with whom?

A: I lived in a room with SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No. One of the things I was always doing was going to get food for them to eat.

Q: What was the command guidance on the COP concerning the detainees?

A: Make sure that they have food and water, guarded at all times, usually two guards at all times. We would separate the detainees and make sure that they didn't talk. No civilians were allowed to be around any of the detainees.

Q: Was anyone ever reprimanded about their handling of the detainees? (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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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 31 Jan 08 Continued

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

: Not that I know of.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No. I don't think I've even seen him around a detainee.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No. I usually only saw (b)(6), (b)(7)(C) as he was heading to or coming from tower guard duty. I know that some of the guys had some air-soft guns, but either the Commander or ISG collected them up and sent them back to FOB (b)(6), (b)(7)(C). They didn't want them on the COP.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No. I saw him have an interpreter holler at a high value detainee to try to get information out of him, but he never did anything physical.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes. Our Commander was big on the ROE. Everybody got tired of it, but we went over ROE before every mission.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about ISG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: No.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: Yes, I was the Commanders driver.

Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: No.

Q: What were you told about engaging Iraqis who ran from you?

A: If they were unarmed, we just let them go. If they were running and were shooting or had a weapon, we would engage.

Q: Were you ever told to engage non-combatants?

A: No.

Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: No.

Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?

A: No.

Q: Did you ever hear him brag about doing so?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: We were never in that situation. The Commander would start to holler if we didn't start shooting quick enough when we were taking fire.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: Yes.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: Yes, I helped spot him and my gunner (SPC (b)(6), (b)(7)(C)) is the one who shot him.

Q: Do you know what happened to him after he was hit?

A: I was told that he died on scene. We left with the Commander to get the damaged Bradley back to the FOB.

Q: Did you hear what happened to him afterwards, and from whom (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)

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGES

DETAILS

About 1449, 31 Jan 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his legal rights, which he waived and provided a sworn statement in which he denied having any knowledge of detainee abuse and/or indiscriminate killing of non-combatants during his recent deployment to Iraq. SPC (b)(6), (b)(7)(C) further denied he was on the patrol which captured four detainees who were later killed at a canal. SPC (b)(6), (b)(7)(C) stated his patrol responded to the area in which the Commander's PSD was hit by an IED, and he saw a wounded insurgent with a severe leg injury. SPC (b)(6), (b)(7)(C) related he believed the wounded insurgent was taken to the Combat Support Hospital (CSH) or the Iraqi Police station. SPC (b)(6), (b)(7)(C) positively identified the aforementioned wounded insurgent in a photograph which was presented to him. (See Sworn Statement and Photograph for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033	
(b)(6), (b)(7)(C)	DATE 31 Jan 08	EXHIBIT 128

"FOR OFFICIAL USE ONLY /
RIGHTS WARNING PROCEDURE WAIVER CERTIFICATE
 For use of this form, see AR 190-30; the proponent agency is ODCSOPS
LAW ENFORCEMENT SENSITIVE

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 Schweinfurt CID Office	2. DATE 31 Jan 08	3. TIME 1449	4. FILE NUMBER (b)(6), (b)(7)(C) 010-08-CID847-34682
5. Name (Last First MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS A Company, 1-18th Infantry Battalion Conn Barracks Schweinfurt, Germany, APO AE 09226		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS SPC / Active Duty		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent. (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/a (b)(6), (b)(7)(C) 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 (b)(6), (b)(7)(C)
 2. Anything I say or do can be used as evidence against me in a criminal trial (b)(6), (b)(7)(C)
 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 (b)(6), (b)(7)(C)

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

5. COMMENTS (Continue on reverse side)
 Have you been advised of your legal rights within the past 30 days and requested a lawyer? Yes / 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 (b)(6), (b)(7)(C)

WITNESSES (if available)		(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR Schweinfurt CID Office Schweinfurt, GE, APO AE 09033

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION	DATE ^{(b)(6), (b)(7)(C)}	TIME ^{(b)(6), (b)(7)(C)}	FILE NUMBER
Schweinfurt CID	31 Jan 08	1602	0010-08-CID847-34682 0013-08-CID847-34684
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC	

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes. From mid May 07 until we left in Nov 07.

Q: When did you take R&R?

A: I didn't take R&R. I wanted to save leave for terminal leave/emergency leave.

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon. I was a 240 Gunner, and a Saw Gunner.

Q: What vehicle did you normally ride in (type & hummer number), and what was its call sign?

A: HMMWV, Bumper Number 209, call sign (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: I started out driving with SFC (b)(6), (b)(7)(C) (TC), PFC (b)(6), (b)(7)(C) (Driver/Gunner), SPC (b)(6), (b)(7)(C) (Saw Gunner/Driver). Later in the deployment, SGT (b)(6), (b)(7)(C) was the (TC).

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

A: Same.

Q: What was your usual patrol configuration going outside of the wire?

A: It changed up a lot. First it was Bradley, HMMWV, HMMWV, Bradley. After we started getting blown up a lot it started being Bradley, Bradley, HMMWV, HMMWV.

Q: Who was in those vehicles?

A: Lead Bradley: SSG (b)(6), (b)(7)(C) was the BC at first, then it was SGT (b)(6), (b)(7)(C) was the TC; but they switched so much that I don't remember who else was in the Bradley.

3rd HMMWV: SFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (Gunner). I don't know the driver because he had so many drivers working for him.

Rear Bradley: CPL (b)(6), (b)(7)(C) (Gunner/BC). I don't remember who else was in there.

Q: Where did you live on the COP and with whom?

A: I lived with Bravo Section, which is with most of the people that were on my patrol.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: Just watch them and make sure they don't get loose... feed them, give them water; and that's about it.

Q: Was anyone ever reprimanded about their handling of the detainees?

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

Page 1 of 3 Pages

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 31 Jan 08 Continued

A: Yeah. They were mostly people from 1-28th Infantry that were with us at the COP. Think it was "Battle" Company, but I don't know which platoon. They were reprimanded for treating the detainees too roughly when moving them from area to area. They would pick them up by the handcuffs or having to use physical force to sit the detainees down because sometimes the detainees didn't understand or speak the language. I think the soldiers that were reprimanded just got yelled at.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No. I don't even like that guy, so I don't hit him all day. I don't attempt to go see him. Basically, it's out of site, out of mind.

Q: Did you ever abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yeah.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: No.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: Sometimes.

Q: Did you ever see (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: No.

Q: What were you told about engaging Iraqis who ran from you?

A: If they had a weapon and were running away after engaging us, we could engage them back.

Q: Were you ever told to engage non-combatants?

A: No.

Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: No.

Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?

A: No.

Q: Did you ever hear him brag about doing so?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: I don't know. I didn't really hear from the Commander that much. I would imagine he'd be very pissed.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: Yes I believe I was part of the QRF that day with PSD. 1SG (b)(6), (b)(7)(C) was probably rolling with PSD as well. What I think happened was we were rolling on a regular patrol to a town called Ahmel and we took contact. We were there for about 3 maybe 4 hours and we decided to break contact, and I think as we were rolling out PSD called and said they needed assistance, and we just showed up. I was on the ground that day and I remember and RPG came by, and I went in the courtyard and just pulled security there.

After about an hour and a half, they told us to mount up. I think we went back to Camp Slayer after that.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: I heard about that and I saw his leg. That was about it.

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

Page 2 of 3 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 31 Jan 08 Continued

Q: I'm showing you a photograph which depicts a man with a severe leg wound. Is this the individual you remember from the incident you described above?

A: Maybe; I think it is. I think I was present that day. But I'm not 100% sure.

Q: Do you know what happened to him after he was hit?

A: No.

Q: Did you hear what happened to him afterwards, and from whom?

A: No.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: No. I'm hearing about it now though.

Q: Do you remember when that happened?

A: No.

Q: Were you part of that patrol?

A: No. I was at the COP. I had the day off.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

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

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

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

(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 31st day of Jan 08 at Schweinfurt Germany.

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

(Oath)

CIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 129

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGE

DETAILS

About 1415, 1 Feb 08, SA (b)(6), (b)(7)(C) conducted an interview of SPC (b)(6), (b)(7)(C), A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who was advised of his legal rights which he waived and made a statement saying he was present on the night of 3 Jan 07 as a gunner in the trail HMMWV. He had heard gun shots, but was not aware of the situation or who had fired their weapon. (See Sworn Statement for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Kaiserslautern CID Office,
5th MP Bn (CID)

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

DATE

01 Feb 08

EXHIBIT

130

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: Schweinfurt CID Office
2. DATE: 1 Feb 08
3. TIME: 1450
4. FILE NUMBER
5. Name (Last First MI): (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-4/RA
8. ORGANIZATION OR ADDRESS: A Company, 1/18th Infantry Battalion, Schweinfurt, GE APO AE 09226

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command As a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Article #118, Murder, Article #93, Cruelty and Maltreatment ///Last item///.

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

Have you requested a lawyer after being read your rights within the last 30 days? 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)
1a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWEE: (b)(6), (b)(7)(C)
4. SIGNATURE OF INVESTIGATOR: (b)(6), (b)(7)(C)
5. SA (b)(6), (b)(7)(C)
6. ORGANIZATION OF INVESTIGATOR: Schweinfurt CID Office, 1002nd, Military Police BN, APO AE 09226

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

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 Schweinfurt CID Office		2. DATE 1 Feb 08	3. TIME 1726	4. FILE NUMBER
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS A Company, 1/18th Infantry Battalion, Schweinfurt, GE APO AE 09226		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/RA			

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command As a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Article #118, Murder, Article #93, Cruelty and Maltreatment, Misprision of a Serious Offense ///Last item///.

1. 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.

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)

Have you requested a lawyer after being read your rights within the last 30 days? 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 (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)		6. ORGANIZATION OF INVESTIGATOR SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE		Schweinfurt CID Office, 1002nd, Military Police BN, APO AE 09226

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

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION DATE TIME FILE NUMBER
Schweinfurt CID 01 Feb 08 14:47:28 010-08-CID847-34682
0013-08-CID847-34684

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

ORGANIZATION/ADDRESS:
(b)(6), (b)(7)(C) -1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: I stayed at COP Angry Dragon from beginning of March – Nov 07.

Q: When did you take R&R?

A: Oct 20 2006 – Mid November 06.

Q: What platoon were you in and/or what was your job?

A: I was in Black squad (Commander's PSD Squad) My job was a 240B Gunner.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: My first HMMWV was A-601; Cali (b)(6), (b)(7)(C) and then the other HMMWV was A-6, (b)(6), (b)(7)(C) I first worked under SGT (b)(6), (b)(7)(C) and then switched to the Commander's vehicle in May 07.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: A-601 was (SGT (b)(6), (b)(7)(C) (TC), SPC (b)(6), (b)(7)(C) Doc (b)(6), (b)(7)(C) and in A-6 was SPC (b)(6), (b)(7)(C) (Driver) CPT (b)(6), (b)(7)(C) (TC), SPC (b)(6), (b)(7)(C) (RTO).

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

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

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, HMMWV, HMMWV and a Bradley.

Q: Who was in those vehicles?

A: Bradley: SPC (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (Gunner), SGT (b)(6), (b)(7)(C) (BC). HMMWV: SPC (b)(6), (b)(7)(C) (Driver), CPT (b)(6), (b)(7)(C) (TC), SPC (b)(6), (b)(7)(C) (RTO). HMMWV: SPC (b)(6), (b)(7)(C) (Driver), SGT (b)(6), (b)(7)(C) (TC), SPC (b)(6), (b)(7)(C) (Medic), PFC (b)(6), (b)(7)(C) (Medic).

Q: Where did you live on the COP and with whom?

A: It was the first building on the left, I lived with 2nd Platoon: SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and others I can't remember.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: Did you follow the commander's orders on how to treat a detainee? Meaning feeding them not physically abusing them, deprive them of bathroom use, shooting them with non-lethal weapons?

A: Yes, I did follow the commander's orders concerning the treatment of detainees.

Q: What was the command guidance on the COP concerning the detainees?

A: Treat them as you wanted to be treated. They are not there to be mentally or physically abused.

Q: Was anyone ever reprimanded about their handling of the detainees?

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 4 Pages

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 01 Feb 08 Continued

A: Not in our unit, I know in 1/28 IN BN there was reports of detainee abuse.

Q: Did you ever kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes, make sure you properly identify the target, return fire with aimed fire.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: Yes, I didn't physically see anyone shoot the injured insurgent.

Q: Where were you when the insurgent was captured?

A: In the neighborhood of Jihad, is where we captured the insurgent.

Q: Who was with the patrol after your squad captured the wounded insurgent?

A: Bradley (don't know who was in there), HMMWV (Unknown driver) SPC (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C), not sure which, but think it might have been SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) (Medic), and, HMMWV SPC (b)(6), (b)(7)(C) (Driver), SGT (b)(6), (b)(7)(C) (TC) and myself.

Q: Who removed the detainee from the Bradley and why?

A: I don't know, I was the rear gunner and it was out of my line of sight.

Q: Where did the convoy stop and remove the wounded insurgent?

A: Not real sure where we stopped.

Q: Who did you see the detainee removed from the Bradley?

A: No.

Q: What did you see or hear after the convoy stopped?

A: I heard the Bradley's ramp drop and then I heard gunshots, not sure how many. I heard someone call for a body bag and then someone; I can't remember who retrieved a body bag from my HMMWV.

Q: Did you ask why the detainee was shot?

A: No.

Q: Why did you not ask about the shooting of the detainee?

A: Not my place, I didn't want to know what happened.

Q: Did you hear anyone else talk about the shooting of the detainee?

A: No.

Q: Why did you not report the shooting of the wounded insurgent?

A: I did not feel it was my place to report it, I was not sure of the situation and what happened, I couldn't see what happened. I didn't want to judge something I couldn't see.

Q: Did you see anyone carry the body bag back to the convoy?

A: No I couldn't see anything. I was watching my sector and was not focused on what happened behind me.

Q: Did anyone tell you to not talk about this incident?

A: No.

Q: Did you talk to anyone about this incident?

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

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0010-08-CID847-34682

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 01 Feb 08 Continued

A: No, I just never talked about.

Q: Did anyone tell you who shot the wounded insurgent?

A: No, no one talked about it. That's another reason I didn't talk about the shooting, because no one else was.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: Yes.

Q: Did you ever intentionally engage non-combatants?

A: No.

Q: What were you told about engaging Iraqis who ran from you?

A: If they had a weapon, engage. If they were unarmed let them go. If we thought they were involved we would detain them.

Q: Were you ever told to engage non-combatants?

A: No.

Q: Did you brag about intentionally engaging non-combatants?

A: No.

Q: Did you ever shoot into a crowd or a market-place?

A: No.

Q: Did you ever brag about doing so?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: He would ask for SITREP, if he wasn't informed about a situation. If someone fired he would be upset.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: Yes.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: Yes.

Q: Was it day time or night time when this happened?

A: Night time, it was very dark, hardly any illumination.

Q: Do you know what happened to him after he was hit?

A: Yes, I did not see what happened, but I heard gun shots, I did not know the situation, but I believed the wounded Iraqi was shot and killed.

Q: Who do you think shot and killed him?

A: Either 1SG (b)(6), (b)(7)(C) or Doc (b)(6), (b)(7)(C) because my TC SGT (b)(6), (b)(7)(C) never got out of his vehicle, I only heard doors open and shut and the ramp drop. I am not 100% sure who was out of the vehicle. I think the only two people out of the vehicles after we stopped were 1SG (b)(6), (b)(7)(C) or Doc (b)(6), (b)(7)(C)

Q: Why would you think Doc (b)(6), (b)(7)(C) was out of the vehicle?

A: Because he goes where ever the 1SG (b)(6), (b)(7)(C) goes.

Q: Did the COP exist at that time?

A: No.

Q: Where you going with the injured insurgent?

A: I thought we were going to the CSH (Combat Support Hospital)

Q: Where did you go after you heard the gun shots?

A: To an Iraqi police station.

Q: Why did you go to an Iraqi police station?

A: I have no idea.

Q: What happened at the Iraqi police station while you were there?

A: I think 1SG (b)(6), (b)(7)(C) and his crew got out, we were on the road, I am not sure what happened there. Maybe they dropped a body off, I am not sure.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: I heard rumors while in Iraq, but did not believe them.

Q: Who did you hear the rumors from?

A: I can't remember who said it.

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 01 Feb 08 Continued

Q: Were you in the patrol on the night the four insurgents were taken to the canal and shot?

A: No, I don't know anything about that event.

Q: Did any one tell you to lie about any events that happened while in Iraq?

A: No.

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

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

AFFIDAVIT

(b)(6), (b)(7)(C) have read or have read to me this statement which begins on page 1 and ends on page 4. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 st day of Feb 08 at Schweinfurt,

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

(Signature)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

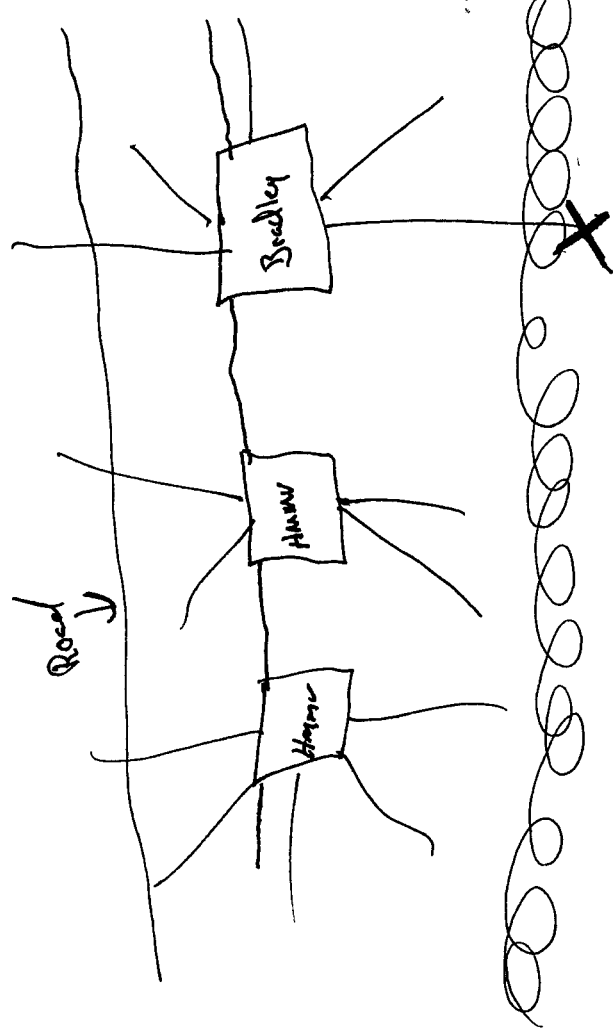
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EXHIBIT 31

wood line



Bradley - Unknown

Hamm - Driver - Unknown

Crunner - Spc (b)(6), (b)(7)(C) Spc (b)(6), (b)(7)(C)

Medic - Sgt (b)(6), (b)(7)(C)

TC - Sgt (b)(6), (b)(7)(C)

Hamm - Driver - Spc (b)(6), (b)(7)(C)

Crunner - Spc (b)(6), (b)(7)(C)

TC - Sgt (b)(6), (b)(7)(C)

3 marks on the side of the sketch depicts: road where the execution took place.

Legend:

X = place where I believe it took place.

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

ON: 1 Feb 08

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

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGE

DETAILS

About 1341, 4 Feb 08, SA (b)(6), (b)(7)(C) conducted an interview of SPC (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who rendered a sworn statement, saying that he did not see any detainee abuse nor did he take part in any detainee abuse while in Iraq. He had no knowledge of 1SG (b)(6), (b)(7)(C) or Doc (b)(6), (b)(7)(C) executing an insurgent. He was aware of the four detained insurgents but was dropped off at COP Angry Dragon, before the patrol left with the four detainees. He had no knowledge regarding what happened to the four detainees. (See Sworn Statement for details) ///Last Item///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

Schweinfurt CID Office,
1002nd MP Bn (CID)

DATE

04 Feb 08

EXHIBIT

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0010-08-CID847-34682
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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 04 Feb 08 Continued

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No, he was not on my rotation as I was.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No, I know he had one that's all I know.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about ISG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: No.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: No.

Q: Do you remember when that happened?

A: I was on the initial patrol; I was left at the COP after there was a mobility kill on one of our trucks. I remember capturing the four insurgents during a house raid, not sure where. We detained the four insurgents and all I know is that they were in the back of a Bradley and when I got dropped off at the COP with the downed vehicle and was left at the COP, I assumed they took the insurgents to the Green Zone. I never asked what happened to them because I didn't care with so much other stuff going on.

Q: What vehicle did you ride in on that day?

A: A-207, with SFC (b)(6), (b)(7)(C)

Q: Were you part of that patrol?

A: Like I said, I was part of the beginning of the patrol but got left at the COP, I was the dismount.

Q: Can you describe the 4 guys?

A: Not really, four Iraqi males.

Q: Can you describe or draw the house they were captured at?

A: No.

Q: Can you describe the weapons they were found with?

A: They were found with some at least one sniper rifle, more than one AK-47's, some other stuff, but I can't remember what.

Q: Do you remember or can you point out on a map where it was that the patrol took fire from and eventually found the 4 Iraqi males identified as insurgents?

A: No.

Q: Explain what happened when the patrol encountered those 4 guys?

A: We raided the house; I was in charge of watching the families. All I know it was over and four insurgents were in the back of the Bradley with PFC (b)(6), (b)(7)(C) and we left.

Q: Were you aware of the plan to shoot those 4 guys?

A: No.

Q: What happened regarding the HMMWV that got stuck in the water?

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 04 Feb 08 Continued

A: The road was flooded; the 1SG's truck went 1st, second truck made it through, last HMMWV drifted sideways to the right and got stuck, almost on its side. The guys had to get out through the turrent. SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Q: Who jumped in which vehicle when it came time to go back out the gate?

A: Not sure, I know there was some personnel shuffling, I was busy with the downed HMMWV.

Q: Did you go back out with the patrol to get rid of these 4 guys?

A: No.

Q: Did anyone take pictures of them at capture or afterwards?

A: No.

Q: Do you have any pictures of that incident or the 4 guys?

A: No.

Q: Do you know of any pictures of the 4 guys?

A: No.

Q: Who all went out, who all got left at the COP?

A: Not sure.

Q: Why did the Translator (b)(6), (b)(7)(C) get left at the COP?

A: Not sure, wasn't my business.

Q: What do you know about him?

A: He could barely speak English.

Q: Where exactly were you when those 4 guys got shot (which vehicle, doing what...)?

A: I was not there, I knew nothing about it.

Q: On a map, where did (b)(6), (b)(7)(C) take place?

A: Don't know, I did know anyone was shot.

Q: Who said what afterwards?

A: No one spoke to me about the four insurgents or what happened to them.

Q: Who was in the 2nd Bradley on that patrol?

A: Not sure.

Q: Did anyone discuss the incident afterwards?

A: No.

Q: What has been discussed about this incident and investigation recently?

A: Just that CID is asking questions about Iraq and the deployment.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

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

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

AFFIDAVIT

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

(b)(6), (b)(7)(C) have read or have 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.

Initials of Person Making Statement _____

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

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 04 Feb 08 Continued

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

Subscribed and sworn to before me, a person authorized by law to
Administer oaths, this 4 th day of Feb 08 at Schweinfurt

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

ng Oath)

SA (b)(6), (b)(7)(C) USA/CIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement

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

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EXHIBIT 133

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGES

DETAILS

About 1400, 4 Feb 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. PFC (b)(6), (b)(7)(C) related he arrived in Iraq in July 2007. (See **Sworn Statement for details**)

About 1505, 4 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C), A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SPC (b)(6), (b)(7)(C) related he was not present on the patrol in which the four detainees were captured, nor was he present during the PSD incident on 3 Jan 07. (See **Sworn Statement for details**) **///LAST ENTRY///**

TYPED AND SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033
(b)(6), (b)(7)(C)	DATE 4 Feb 08
	EXHIBIT 134

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10-L-0126 ACLU CID ROI 9313 000422

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	4 Feb 08	1400	0010-08-CID847-34682 0013-08-CID847-34684
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	PFC / Active Duty	

ORGANIZATION/ADDRESS:

(b)(6), (b)(7)(C) A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: From 1 Jul 07 – Nov 07.

Q: When did you take R&R?

A: I didn't take R&R.

Q: What platoon were you in and/or what was your job?

A: Gunner, 2nd PLT.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: HMMWV, Bumper #204 or #209, Call signs White 1 G or White 2 G. It always changed.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SGT (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C). They were both the TC. If I was with SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) would usually be driving. If I was with SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) was normally his driver.

Then we always had different dismounts.

Q: Who was normally in charge of your element when you went out?

A: SFC (b)(6), (b)(7)(C) or 1LT (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: SPC (b)(6), (b)(7)(C) was my team leader. SSG (b)(6), (b)(7)(C) and SGT were both of my squad leaders. About mid way through the deployment it changed over to SGT (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: We usually did Bradley, HMMWV, Bradley, HMMWV, HMMWV, and then a Bradley at the end. I was usually in the last or next to last HMMWV.

Q: Who was in those vehicles?

A: I don't know who was in the Bradleys. The first HMMWV was always 1LT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (Gunner), I think SPC (b)(6), (b)(7)(C) was his driver. I don't know who we had for dismounts. 2nd HMMWV was either SGT (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C)

Q: Where did you live on the COP and with whom?

A: With 2nd PLT, we lived on the second floor of our building. The building was the southern most building across from the parking lot.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No. We only had detainees once while I was there.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

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

Page 1 of 3 Pages

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 4 Feb 08 Continued

A: They built a metal cage for them, and we had one guard on them every hour which would rotate. Usually a hire-up, typically a SGT would come by with water for them. Usually you would just sit there and watch them. I pulled guard once.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: Nope.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yeah.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: I didn't hear anything about that until we came back here, and this whole investigation started.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: No.

Q: What were you told about engaging Iraqis who ran from you?

A: It depended on if they had a weapon, and if they were engaging us. We only engaged them if they were engaging us, or it looked as if they were about to engage us.

Q: Were you ever told to engage non-combatants?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: I was never around whenever something like that happened. When I got there, it was pretty quiet. There were only about 5 incidents of IED's blowing up or us taking fire when I was there.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: No. I didn't get to Iraq until Jul 07.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: Not until we got back. I heard rumors from some people saying it was true, and some saying it wasn't.

Q: Has anyone told you to with-hold information regarding this case?

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)

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EXHIBIT 135

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 4 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 1. 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)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of Feb 08 at Schweinfurt Germany.

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

(Typed Name of Person Administering Oath)

SACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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EXHIBIT

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SWORN STATEMENT

1505 (b)(6), (b)(7)(C)

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	4 Feb 08	(b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: I think it was maybe Mar 07 until the end of the deployment.

Q: When did you take R&R?

A: 14 Nov 06 – 1 Dec 06.

Q: What platoon were you in and/or what was your job?

A: I was in 2nd PLT until around Mar 07, then I went to Headquarters until June or early July 07, and then I went back to 2nd PLT. Before I went to Headquarters, I was a 240 gunner. After I left Headquarters, I was a Bradley driver. I worked in the TOC when I was at Headquarters.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: Before I left to Headquarters, it was a mix. Usually it was SGT (b)(6), (b)(7)(C) HMMWV along with SGT (b)(6), (b)(7)(C) was usually driving. I don't remember the Bumper # for the HMMWV.

We always switched trucks anyway. SGT (b)(6), (b)(7)(C) was White 1. When I got back from Headquarters, I drove the Bradley for (b)(6), (b)(7)(C) (Gunner) and SGT (b)(6), (b)(7)(C) (BC). My Bradley was A28, (b)(6), (b)(7)(C)

Q: Who was normally in charge of your element when you went out?

A: SFC (b)(6), (b)(7)(C) When we rolled as a section, 1LT (b)(6), (b)(7)(C) and later 1LT (b)(6), (b)(7)(C) was the PLT leader.

Q: Who was in charge of your element when you were at the COP?

A: 1SG (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) and our whole chain of command.

Q: What was your usual patrol configuration going outside of the wire?

A: I don't know. We switched that up all the time. There was nothing regular. We always left with a Bradley though.

Q: Who was in those vehicles?

A: I can tell you who was in my section. It was me, (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) was a dismount. I can't really remember everyone.

Q: Where did you live on the COP and with whom?

A: Alpha Company's building. I lived pretty much with all the guys I just named.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No. They used to tell me to feed them and log it.

Q: What was the command guidance on the COP concerning the detainees?

A: We always had a guard on them. Pretty much just watch them. They had to stay blindfolded so that they couldn't see our COP.

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

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0010-08-CID847-34682

0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 4 Feb 08 Continued

Q: Was anyone ever reprimanded about their handling of the detainees?

A: I heard a rumor about one of the company's that was attached to us. It was 1-28th and I think they were reprimanded for beating up a detainee.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No. He would just yell at them a lot.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: Hell no. Not (b)(6), (b)(7)(C) He's too dumb and too nice of a guy to do anything like that.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yeah. We did mission briefs before every trip.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: No. I've heard rumors since everyone has been getting picked up and questioned, but I didn't know anything about it.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: Sometimes we do conjoining missions. They'd hit one house while we hit the other.

Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: No.

Q: What were you told about engaging Iraqis who ran from you?

A: Unless they were armed and coming at us...don't worry about it. If we had our focus on anything, it was someone shooting us or someone that had a weapon.

Q: Were you ever told to engage non-combatants?

A: Nah.

Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: No.

Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?

A: No.

Q: Did you ever hear him brag about doing so?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: I've never been there for that, but I can imagine him flipping out pretty good.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: I couldn't tell you. It was a long time ago.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: No. I don't know which incident that is.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: No. I heard rumors since people have been picked up. That was my first knowledge.

Q: What was your job at the TOC?

A: I was a RTO. I talked to the patrols.

Q: Do you remember any reports by second PLT regarding four detainees?

A: A number of times.

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

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EXHIBIT 136

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 4 Feb 08 Continued

Q: Do you remember a report from 2nd PLT regarding one of their HMMWV's which was disabled after getting stuck in water?

A: That happened a lot too.

Q: Do you know (b)(6), (b)(7)(C) the interpreter?

A: Yeah, he's a little chubby guy.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

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

A. No. ///END OF STATEMENT///

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

(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 4th day of Feb 08 at Schweinfurt Germany.

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

(Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1412, 4 Feb 08, SA (b)(6), (b)(7)(C) advised SSG (b)(6), (b)(7)(C) A Co. 1-18th IN, CBSG, of his legal rights, which he waived and provided a sworn statement, wherein he stated he had no knowledge of the killing of any detainees. (See Rights Waiver Certificate and Sworn Statement)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Schweinfurt CID Office, APO AE 09033	
(b)(6), (b)(7)(C)		DATE	EXHIBIT
		4 Feb 08	137

CID FORM 94

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RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

0010 - 2008 - CID 847 - 34682

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

LOCATION: Schweinfurt CID **DATE:** 4 Feb 0 [redacted] **TIME:** 1412 [redacted]
FILE NUMBER: [redacted]
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE / STATUS:** E-6/AD
ORGANIZATION OR ADDRESS: A Co. 1-18th IN, CBSG

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

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

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 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:

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)
[redacted signature]

(b)(6), (b)(7)(C)
[redacted signature]

Witness # 2

Signature of Witness
[redacted signature]

(b)(6), (b)(7)(C)
Signature of Investigator/Special Agent
SA (b)(6), (b)(7)(C)
SCHWEINFURT CID Office
APO AE 09033

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	4 Feb (b)(6), (b)(7)(C)	1536 (b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-6/AD	
ORGANIZATION/ADDRESS:			

A-1/18th IN BN, Schweinfurt Germany 09226

(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: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion?

A: Yes, Mar 07 when it got built til end of Oct 07, then we went back to Falcon.

Q: When did you take R&R?

A: 1 Jun 07-25 Jun 07.

Q: What platoon were you in and/or what was your job?

A: HQ PLT, I was the PSG/TOC NCOIC.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I had no assigned vehicle.

Q: Who was in charge of your element when you were at the COP?

A: Senior NCO was 1SG (b)(6), (b)(7)(C) and the Senior Officer was MAJ (b)(6), (b)(7)(C)

Q: Where did you live on the COP and with whom?

A: A small room next to the MWR and I lived with SSG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) also SGT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: The Soldiers were briefed by me, and I gave them 1594's, so they could log when they ate, drank, went to the bathroom, when the medics came to see them and which ones had medical conditions.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: Did you ever abuse detainees?

A: No.

Q: Did you tactical question detainees?

A: Yes.

Q: Explain how you did this?

A: After they were processed, I would sit them at a table across from me, with an interpreter, and I would ask him questions until he started talking or he didn't know anything.

Q: Did you ever place detainees in front of an air conditioner vent in order to gain cooperation?

A: No.

Q: What was your guidance pertaining to tactical questioning and who did it come from?

A: At first I just kind of shot from the hip, then I asked MI for help and they told me I couldn't talk to detainees because they said they were the only ones authorized to do it. I asked them when they could do it and they said I had to set up an appointment.

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

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 4 Feb 08 Continued

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes, we had to carry around a card.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: I only went with them if they were going to pick up chow or refit.
Q: Did you ever SEE SPC (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: To attempt to track them down and try to detain them.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear SPC (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: First he would want to know what they were shooting at and then he would assess the situation. Whenever the patrols made contact they would say Contact over the net and return fire.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Do you know what happened to him after he was hit?
A: No.
Q: Did you hear what happened to him afterwards, and from whom?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: What were their call-signs on the Company net?
A: HQ at Angry Dragon was Wolfden on Falcon it was Wolf Main, PSD was (b)(6), (b)(7)(C) then (b)(6), (b)(7)(C) was the commander, (b)(6), (b)(7)(C) as the 1SG, (b)(6), (b)(7)(C) was SGT (b)(6), (b)(7)(C) I can't remember 1st (b)(6), (b)(7)(C) platoons because they weren't with us. (b)(6), (b)(7)(C) they called themselves on the radio (b)(6), (b)(7)(C) 3rd was the (b)(6), (b)(7)(C)

Q: Were you part of that patrol?
A: No.

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

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EXHIBIT 138

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 4 Feb 08 Continued

Q: Do you remember ISG (b)(6), (b)(7)(C) and/or SFC (b)(6), (b)(7)(C) coming into the TOC and saying they had 4 detainees to release to the Iraqi Police?
A. I remember a statement like that being made on numerous occasions, but I can't remember if they said it or not. We often turned over detainees to the Iraqi's.
Q: What has been discussed about this incident and investigation recently?
A: Nothing.
Q: Has anyone told you to with-hold information regarding this case?
A: No.
Q. Do you have anything else to add to this statement?
A. No. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4 th day of Feb 08 at Schweinfurt, Germa (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 Administering Oath)

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

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGE

DETAILS

About 1546, 04 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement wherein he detailed having no knowledge of any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SPC (b)(6), (b)(7)(C) related he was not present on the patrol in which the four detainees were captured. (See Sworn Statement for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Vicenza CID Vicenza, Italy APO AE 09630	
SIGNATURE (b)(6), (b)(7)(C)	DATE 04 Feb 2008	EXHIBIT 139

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 04 Feb 08 Continued

Q: What was the command guidance on the COP concerning the detainees?
A: What you were told was to guard them when it was your turn, give them water and feed them, take them to the bathroom if need be.
Q: Was anyone ever reprimanded about their handling of the detainees?
A: No not that I know of.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes, pretty much every time we left the wire.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: Not until recently, once the investigation that is when people starting saying things as to why we were here getting investigated.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: Yes, beginning of Oct 06 through Jan 07.
Q: Did you ever see (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: If they didn't have a weapon you wouldn't engage them. If they had a weapon and they showed intent to use it or had shot a you, then you could engage.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: Basically, you would be counseled or reprimanded.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: Yes.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: Yes.
Q: Do you know what happened to him after he was hit?
A: Yes, myself and Doc Boling assisted first aid on the individual.
Q: Can you describe his wounds?
A: He was shot in his right calf with a 7.62mm rounds.

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

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EXHIBIT

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 04 Feb 08 Continued

Q: Was he bleeding profusely?

A: Yes, there was approximately 1 foot by 1 foot circle of blood beneath his leg.

Q: Did the man have any abdominal wounds?

A: Not that I know of, I don't know.

Q: What first aid measures did you and Doc Boling take?

A: We attempted to give him an IV for fluids, but we could not get a vein. From loss of blood it was difficult. We applied a tourniquet. We also stabilized his leg because it was actually ripping apart.

Q: Did you hear what happened to him afterwards, and from whom?

A: The last I knew is that he was moving to the Combat Support Hospital, it was put over the radio. I don't know who put that message out.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: Not until recently, when this investigation started.

Q: What did you hear?

A: I just heard that there were 4 detainees were shot, I didn't hear who did the shooting, I just heard there was an investigation going on.

Q: What has been discussed about this incident and investigation recently?

A: That there is an investigation going on and there is certain people that they are looking at.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

Q: Have you talked with 1SG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) recently?

A: No, I have not talked with any of them, since before the investigation started.

Q: Were you treated fairly today?

A: Yes.

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)

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EXHIBIT

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 04 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have 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)

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

ing Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of Feb 08 at Schweinfurt Germany.

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement

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

Page 4 of 4 Pages

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EXHIBIT

146

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGE

DETAILS

About 1000, 5 Feb 08, SA (b)(6), (b)(7)(C) conducted an interview of SPC (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who rendered a sworn statement, wherein he stated that he did not see any detainee abuse nor did he take part in any detainee abuse while in Iraq. SPC (b)(6), (b)(7)(C) stated he did not witness or participated in the indiscriminate killing of non-combatants while in Iraq. (See Sworn Statement for details)

About 1320, 5 Feb 08, SA (b)(6), (b)(7)(C) conducted an interview of SGT (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who rendered a sworn statement, wherein he stated that he did not see any detainee abuse nor did he take part in any detainee abuse while in Iraq. SGT (b)(6), (b)(7)(C) stated he did not witness or participated in the indiscriminate killing of non-combatants while in Iraq. (See Sworn Statement for details)///Last Entry. ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

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

Kaiserslautern CID Office,
5th MP Bn (CID), Unit 23119, APO AE 09227

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

DATE

05 Feb 08

EXHIBIT

141

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION DATE TIME FILE NUMBER
Schweinfurt CID 05 Feb 08 11:16 0010-08-CID847-34682
0013-08-CID847-34684

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

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226 (2nd Platoon)

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: From February – November 07.

Q: When did you take R&R?

A: 2nd of Dec 06- 22 Dec 06.

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon, I was Gunner/Driver/Dismount.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I was in HMMWV, (b)(6), (b)(7)(C) and Bumper #A-204.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) DOC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: Who was normally in charge of your element when you went out?

A: 1LT (b)(6), (b)(7)(C) 2LT (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: 1LT (b)(6), (b)(7)(C) 2LT (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, HMMWV, HMMWV, Bradley.

Q: Who was in those vehicles?

A: Bradley: SPC (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (Gunner), SSG (b)(6), (b)(7)(C) (BC), HMMWV: 1LT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (Gunner), HMMWV (My HMMWV, see above list), Bradley: CPL (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) Not sure of the third person.

Q: Where did you live on the COP and with whom?

A: SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) Doc (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone from your unit abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: We would keep them in the hut, give them water and food as needed.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No, we are friends; I don't think he would do that.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

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

Page 1 of 3 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682
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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 05 Feb 08 Continued

A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: If they had a weapon shot them, if unarmed let them run.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: I heard him brag about being in fire fights, but never heard him brag about engaging non-combatants.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradley's took a hit from an EFP/IED?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Did anyone discuss the incident of the four detainees with you?
A: No.
Q: What has been discussed about this incident and investigation recently?
A: I heard that CID believes that 1SG, Doc (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C) shot and killed detainees.
Q: Has anyone told you to with-hold information regarding this case?
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

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CONFIDENTIAL 142

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 05 Feb 08 Continued

AFFIDAVIT

(b)(6), (b)(7)(C) have read or have 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)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to Administer oaths, this 5 th day of Feb 08 at Schweinfurt

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

(Typed Name of Person Administering Oath)

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 142

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION DATE FILE NUMBER
Schweinfurt CID 05 Feb 08 1453 0010-08-CID847-34682
0013-08-CID847-34684

NAME: SSN: GRADE/STATUS:
(b)(6), (b)(7)(C) E-5/SGT

ORGANIZATION/ADDRESS:
A 1/18th IN BN Schweinfurt Germany 09226
(b)(6), (b)(7)(C)

, want to make the following statement under oath:

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: February – November 07.

Q: When did you take R&R?

A: I did not take R&R.

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon/Headquarters Platoon (Squad Leader/Team Leader)

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: HMMWV (A-204), White 2.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: PFC (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (Gunner) (b)(6), (b)(7)(C)

Q: Who was normally in charge of your element when you went out?

A: 1LT (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: 1LT (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, HMMWV, HMMWV and Bradley.

Q: Who was in those vehicles?

A: Bradley: SGT (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (Gunner) SGT HMMWV: My truck, see above personnel. HMMWV: 1LT (b)(6), (b)(7)(C) (TC), SPC (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (Gunner), Bradley: SGT (b)(6), (b)(7)(C) (BC), SPC DRESSLER (Driver), SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (Jump Gunner), SGT (b)(6), (b)(7)(C) (Dismount), SGT (b)(6), (b)(7)(C) (Dismount) SPC BROWN (Dismount) (Deceased).

Q: Where did you live on the COP and with whom?

A: The building next to the TAC, SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CP (b)(6), (b)(7)(C) SPC DRESSLER (Deceased), and two guys I can't remember.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: Fill out a log as to what happened during your shift; keep track of what they did during the shift.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

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

Page 1 of 3 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 05 Feb 08 Continued

(b)(6), (b)(7)(C)
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: Yes, if they were unarmed we let them go or tried to capture them.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: What has been discussed about this incident and investigation recently?
A: That people are going to CID to talk about stuff that happened in Iraq.
Q: Has anyone told you to with-hold information regarding this case?
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

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EXHIBIT 143

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 05 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have 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)
_____ (Agent)

Subscribed and sworn to before me, a person authorized by law to Administer oaths, this 5 th day of Feb 08 at Schweinfurt

(b)(6), (b)(7)(C)
_____ (Administering Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement (b)(6), (b)(7)(C) _____

Page 3 of 3 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 143

"FOR OFFICIAL USE ONLY /
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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
PAGE 1 OF 1 PAGES	

DETAILS

About 1041, 5 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C), A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. (See Sworn Statement and Sketch for details)

About 1350, 5 Feb 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his legal rights, which he waived and provided a sworn statement in which he related he was not aware of the plan to shoot the detainees. SPC (b)(6), (b)(7)(C) stated he thought the detainees would be released once they left the COP. SPC (b)(6), (b)(7)(C) further stated he was not on patrol when one of the PSD Bradleys was hit by an IED on 3 Jan 08. SPC (b)(6), (b)(7)(C) provided a sketch of his patrol's vehicle configuration when it departed the COP en-route to the canal. (See Waiver Certificate, Sworn Statement, and Sketch for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033
(b)(6), (b)(7)(C)	DATE 5 Feb 08
	EXHIBIT 144

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	(b)(6), (b)(7)(C) 5 Feb 08	1041 hrs	(b)(6), (b)(7)(C) 0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

(b)(6), (b)(7)(C) A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: End of January until April, tops.

Q: When did you take R&R?

A: 7 Jan 07 - 25 Jan 07.

Q: What platoon were you in and/or what was your job?

A: PLT SGT's driver, 1st PLT.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: HMMWV, A 109, (b)(6), (b)(7)(C) A couple of months prior to the end of the deployment, I became the Bradley driver, A18, don't remember the call sign.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: HMMWV, SFC (b)(6), (b)(7)(C) PLT SGT), a medic, sometimes SPC (b)(6), (b)(7)(C) (medic), SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (dismount).

Q: Who was normally in charge of your element when you went out?

A: SFC (b)(6), (b)(7)(C) was unless the 1LT (b)(6), (b)(7)(C) went out with us. CPT (b)(6), (b)(7)(C) was the PLT Leader prior to (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: Same.

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, HMMWV, HMMWV, BRADLEY.

Q: Who was in those vehicles?

A: Usually I was in the last HMMWV. SGT (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) were the BC's for the first Bradley. SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) were SGT (b)(6), (b)(7)(C) crew. I can't remember SGT (b)(6), (b)(7)(C) crew. SGT (b)(6), (b)(7)(C) was always a TC, as well as SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) That's about all I can think of right now.

Q: Where did you live on the COP and with whom?

A: I lived in the building right next to the TOC. Half the PLT lived in one room.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: We didn't have detainees when I was at COP Angry Dragon. I don't remember detaining anyone while I was there. I went back there later on and saw them with a detainee or two, but I never saw anyone abusing them.

Q: What was the command guidance on the COP concerning the detainees?

A: I think that they would be guarded and that you wouldn't talk to them or try to be their friend. Also, you only leave the detainee when properly relieved. Also, you would give them water if they were thirsty.

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

Page 1 of 3 Pages

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 5 Feb 08 Continued

I believe I heard people gave them bread out of the MRE's just so they could have something. They weren't treated like animals. They were treated fairly.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: I don't know.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: Absolutely not.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: No. PSD was on their own and did their own thing with MAJ (b)(6), (b)(7)(C) I was 1SG (b)(6), (b)(7)(C) driver from September 06 thru maybe Jan 07.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: I don't remember it. I've heard people talk about it, but as far as dates, I have no clue. I was not there at that scene because we didn't travel with Black Squad at all.

Q: Were you part of 1SG (b)(6), (b)(7)(C) Quick Reaction Force?

A: All 1SG (b)(6), (b)(7)(C) did was ride along with Platoons, and if they happened to be on a Quick Reaction Force, then sometimes we would go with them. I remember once we were on a raid, which I don't consider was a quick reaction problem. We had strikers with us and it was just on one house. We found a cache of weapons and arrested a couple of people. It was a night operation which took a few hours and then we came on back. I think we detained about 20 something people. I want to say it took place in December, possibly late November. It was getting cool out and the temperature was changing.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: No.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

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

A. 1SG (b)(6), (b)(7)(C) and Doc (b)(6), (b)(7)(C) are good men. 1SG (b)(6), (b)(7)(C) is a good leader, and I just don't see him doing anything like that. Those men know their jobs well. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

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

Page 2 of 3 Pages

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EXHIBIT

ACLU-RDI 5596 p.400

10-L-0126 ACLU CID ROI 9341

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0010-08-CID847-34682

0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C), Taken at Schweinfurt CID, Dated 5 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 1. 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)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of Feb 08 at Schweinfurt Germany.

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

(Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

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00 10 - 2008 - CID 847 - 34682

Date/Time: 5 Feb. 08 1029 hrs

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

Verified by: SA (b)(6), (b)(7)(C)

Patrol Configuration
for 1st Platoon

SSG (b)(6), (b)(7)(C)
PFC Driver

Sgt (b)(6), (b)(7)(C)
Spc Driver
PFC Gunner
Sgt Dismount
Spc Dismount

SFC (b)(6), (b)(7)(C) VC
SPC (b)(6), (b)(7)(C) Driver
SPC Gunner
SPC Medic - Dismount
SPC Dismount

SSG (b)(6), (b)(7)(C) BC
Pvt Driver
SPC Gunner

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 Schweinfurt CID Office APO AE 09033	2. DATE 5 Feb 08	3. TIME (b)(6), (b)(7)(C) / 350	4. FILE NUMBER (b)(6), (b)(7)(C) 0010-08-CID847-34682
5. Name (Last First MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS A Company, 1-18th Infantry Battalion Conn Barracks Schweinfurt, Germany APO AE 09226		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS SPC / Active Duty		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent. (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/accused. Misprision of a Serious Offense // (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. (b)(6), (b)(7)(C)
2. Anything I say or do can be used as evidence against me in a criminal trial. (b)(6), (b)(7)(C)
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. (b)(6), (b)(7)(C)

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

5. COMMENTS (Continue on reverse side)

Have you been advised of your legal rights within the past 30 days and requested a lawyer? Yes / 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. (b)(6), (b)(7)(C)

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE (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		
6. ORGANIZATION OF INVESTIGATOR Schweinfurt CID Office Schweinfurt, GE, APO AE 09033		

SECTION C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

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

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	5 Feb 08 (b)(6), (b)(7)(C)	1440 (b)(6), (b)(7)(C)	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: I think it was April 07 thru the end of the deployment.

Q: When did you take R&R?

A: Dec 06 for 2 weeks.

Q: What platoon were you in and/or what was your job?

A: At first I was the PLT SGT's driver for 2nd PLT for the HMMWV and the Bradley, and then I became a Bradley Gunner around April 07.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: HMMWV, A207, (b)(6), (b)(7)(C) Bradley, A27, (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: At first it was me, SFC (b)(6), (b)(7)(C) (TC), with (b)(6), (b)(7)(C) as the gunner. Then it changed to (b)(6), (b)(7)(C) as the gunner. I don't remember when we actually changed.

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

A: SSG (b)(6), (b)(7)(C) at first, and then SGT (b)(6), (b)(7)(C) took over my squad.

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, 2 HMMWV's, and then a Bradley.

Q: Who was in those vehicles?

A: I was usually the second HMMWV.

Lead Bradley: SSG (b)(6), (b)(7)(C) at first, and then it changed to SGT (b)(6), (b)(7)(C) and myself as the driver.

1st HMMWV: SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (driver), (b)(6), (b)(7)(C) But that changed a lot.

Rear Bradley: SGT (b)(6), (b)(7)(C) (BC) at first, (b)(6), (b)(7)(C) (Driver), SPC (b)(6), (b)(7)(C) (driver), and then CPL (b)(6), (b)(7)(C) became the BC.

Q: Where did you live on the COP and with whom?

A: We lived in the bldg which was on the south side of the cop. I lived with Bravo section which was the people on my patrol.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No. I never dealt with the detainees.

Q: What was the command guidance on the COP concerning the detainees?

A: They said to take them toward the TOC. Then they were separated and guarded. The guards were told to give them food and water every now and then.

Q: Was anyone ever reprimanded about their handling of the detainees?

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 Schweinfurt CID, Dated 5 Feb 08 Continued

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?

A: Nah, I never heard about that one.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: That I remember, we never made it an actual patrol with them, but if something happened, we would sometimes link up with them.

Q: What were you told about engaging Iraqis who ran from you?

A: They told us we had to make sure they had a weapon before we could engage.

Q: Were you ever told to engage non-combatants?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: They'd make sure they'd come and ask us why we shot.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: No.

Q: What was the patrol configuration when you left the COP and took the 4 detainees to the canal?

A: I think it was Bradley, followed by 2 HMMWV's, and then another Bradley.

Q: Are you sure there were two Bradley's?

A: Well, I'm not positively sure, but that's what we normally rolled out with.

Q: Who was in what vehicle?

A: Lead Bradley: SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) Call sign: White 9.

1st HMMWV: I believe it was 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (driver), (b)(6), (b)(7)(C) (Gunner), and Doc (b)(6), (b)(7)(C) Call sign: Wolf 7.

2nd HMMWV: Me, SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and more than likely SGT (b)(6), (b)(7)(C). Call sign: White 8.

Rear Bradley: That one, I really don't remember at all. I don't know what their call sign was.

Q: Can you describe or draw the house they were captured at?

A: It was a two story house. It had a patio as soon as you walked inside. Right next to the house was a storage type place.

Q: Do you remember or can you point out on a map where it was that the patrol took fire from and eventually found the 4 Iraqi males identified as insurgents?

A: No. I really don't remember that area.

Q: In your previous statement you related four males were seen running away after you all received incoming fire. Did you actually see the four males running away?

A: No.

Q: Are you certain the four detainees were the individuals that fired at your patrol?

A: No. I'm not certain.

Q: Were you told not to call in the location of your patrol once the detainees were captured?

A: Yes. I called up a SITREP at first, and then after that, SFC (b)(6), (b)(7)(C) asked me if I had called up anything, and I told him yes, because SSG (b)(6), (b)(7)(C) told me to call up a SITREP earlier. SFC (b)(6), (b)(7)(C) said not to worry about, and that they would take care of it. He did not "chew" me out or scold me for calling it in.

Q: Were you aware of the plan to shoot those 4 guys? A: Not at first. I became aware of the plan before we left the COP to go to the canal. When we were sitting in the HMMWV at the COP, SSG

(b)(6), (b)(7)(C) came into the HMMWV and just said "Hey, we're going to go get rid of these guys. Just don't say anything".

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 5 Feb 08 Continued

Q: Did SSG (b)(6), (b)(7)(C) ask you if you were okay with the shooting of the detainees?

A: No. All he said was that we were going to get rid of these guys. He didn't say they were going to be killed. He also asked me if I was ok to go, and I told him I was alright. At first, I thought we were going to drop the detainees off at the canal and scare them off. We usually just let the detainees go from the entrance of the COP.

Q: Describe the plan to shoot the detainees.

A: I wasn't aware of the details of the plan.

Q: What happened regarding the HMMWV that got stuck in the water

A: That happened after we detained the four individuals the informant we had said he knew other places where people were shooting at their neighborhood. We were on our way towards that direction and that's when the HMMWV got stuck. That was my HMMWV, bumper #A207.

Q: What was the bumper # of the HMMWV you switched into prior to going to the canal?

A: I think it was either A209 or A208, but I'm not sure.

Q: Did anyone take pictures of them at capture or afterwards?

A: No.

Q: Why did the Translator (b)(6), (b)(7)(C) get left at the COP?

A: I really don't know.

Q: What do you know about him?

A: Dennis was short, chunky, and had a mustache, brown skinned. That's about it.

Q: Where exactly were you when those 4 guys got shot (which vehicle, doing what...)?

A: The Bradley pulled out from behind us, and we pulled off on the side of a rode. We pulled security away from the Canal. I was pulling security as well.

Q: Who said what afterwards?

A: I asked (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) how they felt about it, and they were like, they didn't do anything, they just took the detainees with them. (b)(6), (b)(7)(C) said he didn't really see anything because he was the driver of the Brad. When I talked to (b)(6), (b)(7)(C) about it, he said he peeked over, and then sat back down. He said he saw the detainees get lined up. He realized what was going to happen, so he sat back down.

Q: Did you actually see the shooting of them?

A: No.

Q: Who did?

A: I don't know. No one that I talked to saw it.

Q: Who was in the 2nd Bradley on that patrol?

A: No. I don't know. (b)(6), (b)(7)(C)

Q: What has been discussed about this incident and investigation recently?

A: I don't know.

Q: Has anyone told you to with-hold information regarding this case?

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)

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EXHIBIT

ACLU-RDI 5596 p.406

10-L-0126 ACLU CID ROI 9347

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 5 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 1. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement (b)(6), (b)(7)(C)

(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 5th day of FEB 08 at Schweinfurt Germany.

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

(Typed Name of Person Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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DA Form 2823 (Automated)

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EXHIBIT 146

Sketch of Patrol Configuration at Canal

0010-2008-CID 847-34682

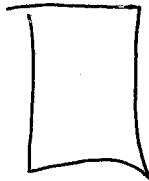
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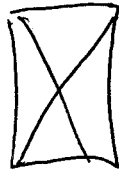
Sgt
SpC
PFC
(b)(6), (b)(7)(C)



1SG
SSG
SGT
PFC
PFC
(b)(6), (b)(7)(C)



me
SSG
SGT
SPC
(b)(6), (b)(7)(C)



I don't know

Date/Time: 5 Feb 08 1430

Sketched By:

Verified By:

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

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EXHIBIT

146

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGE

DETAILS

About 1055, 05 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement wherein he detailed having no knowledge of any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SPC (b)(6), (b)(7)(C) related he was not present on the patrol in which the four detainees were captured. **(See Sworn Statement for details)**

About 1422, 05 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement wherein he detailed having no knowledge of any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SPC (b)(6), (b)(7)(C) related he was not present on the patrol in which the four detainees were captured. **(See Sworn Statement for details) ///LAST ENTRY///**

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Vicenza CID
Vicenza, Italy
APO AE 09630

SIGNATURE

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

DATE

05 Feb 2008

EXHIBIT

147

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SWORN STATEMENT

LOCATION DATE TIME FILE NUMBER
Schweinfurt CID (b)(6), (b)(7)(C) 1055 010-08-CID847-34682
0013-08-CID847-34684

NAME: (b)(6), (b)(7)(C) SSN (b)(6), (b)(7)(C)
GRADE/STATUS: E4/AD

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes, from April 07 to Nov 07.

Q: When did you take R&R?

A: Yes, from Oct 21st through the Nov 7th.

Q: What platoon were you in and/or what was your job?

A: I was in 2nd Platoon "white platoon"

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: Vehicle A26 and the call sign was (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: In the beginning of the deployment it was SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) At COP Angry Dragon it was SGT (b)(6), (b)(7)(C) and CPL (b)(6), (b)(7)(C)

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

A: 1SG (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: a Bradley in the front and Bradley in the back and two HUMVEEs in the middle, but toward the end of the deployment we would roll out with three Bradleys, because we had more IED's toward the end.

Q: Who was in those vehicles?

A: I just remember that LT (b)(6), (b)(7)(C) was always in the 2nd vehicle.

Q: Where did you live on the COP and with whom?

A: I lived with SPC (b)(6), (b)(7)(C) Doc (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) ALSO (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: No, I did not.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No, we treated them with respect, like a human being.

Q: What was the command guidance on the COP concerning the detainees?

A: What you were told was to guard them when it was your turn, give them water and feed them, take them to the bathroom if need be.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: Yes in Spring time frame at COP Angry Dragon, some people had to fill out some sworn statements, but I don't know any of there names, I didn't deal with it, it wasn't any of my business.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 05 Feb 08 Continued

A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No, I didn't see him deal with detainees
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes, each time we went outside the wire.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No, not that I know of, I was in the Bradley most of the time.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No, I didn't hear about it.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: No, I was not.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: It depends on what is was, very rarely did we see them run from us.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: I don't know, I hardly ever work with the Commander, Im sure he would be pissed. He was big with trying to build relations with the Iraqis.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: I don't know. I was at LSS (b)(6), (b)(7)(C) during that time frame.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: Not until recently, when this investigation started.
Q: What did you hear?
A: I just heard rumors that our guys engaged guys by a canal. I didn't hear who it was.
Q: What has been discussed about this incident and investigation recently?
A: Not very much of anything, just that our guys engaged guys by the canal.
Q: Has anyone told you to with-hold information regarding this case?
A: No, not that I know of, the CO told us the other day, he said there was an investigation and just cooperate however you can.
Q: Have you talked with 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) recently?
A: Last time I saw SSG (b)(6), (b)(7)(C) was at a memorial ceremony, but nothing was discussed about anything downrange.

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 05 Feb 08 Continued

Q: Were you treated fairly today?

A: Yes.

Q. Do you have anything else to add to this statement? (b)(6), (b)(7)(C)

A. No. ///END OF STATEMENT///

AFFIDAVIT

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

I (b)(6), (b)(7)(C) read or have 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)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of Feb 08 at Schweinfurt Germany.

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	05 Feb 08	1422	010-08-CID847-34682 0013-08-CID847-34684

NAME: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C)
GRADE/STATUS: E4/AD

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes, we were there for about ¾ of the deployment it was about April 07 to Sept 07.

Q: When did you take R&R?

A: From the day after Christmas 26 Dec 06 to 9 Jan 07.

Q: What platoon were you in and/or what was your job?

A: I was in 2nd Platoon "white platoon", I was a HUMVEE driver, 240 Gunner, Bradley Driver.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: At COP Angry Dragon, I was in (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SPC (b)(6), (b)(7)(C) was the Bradley Gunner and SSG (b)(6), (b)(7)(C) he was the Bradley Commander.

Q: Who was normally in charge of your element when you went out?

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

Q: Who was in charge of your element when you were at the COP?

A: it was LT (b)(6), (b)(7)(C) and toward the end LT (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: 2 Bradley's and 2 HUMVEE's

Q: Who was in those vehicles?

A: SGT (b)(6), (b)(7)(C) and myself were usually in the lead Bradley and LT (b)(6), (b)(7)(C) was in the second truck with (b)(6), (b)(7)(C) as the driver. I don't remember anyone else really.

Q: Where did you live on the COP and with whom?

A: I live in a building with the team leaders and NCO's was in another. I lived with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) and Doc (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: I did not witness any abuse of detainees, but I heard of an incident where someone shot an Iraqi with a BB Gun from the guard tower, I think the Soldier was in 1/28th. The only person who had a BB Gun that I know of was (b)(6), (b)(7)(C) but he had in confiscated after the guard tower incident. We also did target practice with the BB guns, it was me SSG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No, and no one else I know did either.

Q: What was the command guidance on the COP concerning the detainees?

A: If they started talking we got an interpreter, we had to feed them, give them water and do stuff not to offend them.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: Not that I know of.

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

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0010-08-CID847-34682

0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) taken at Schweinfurt CID, Dated 05 Feb 08 Continued

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: I never saw him with any detainees. SGT (b)(6), (b)(7)(C) he was the main person to deal with detainees.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No. Smith is a retard.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes, every time we went outside the wire.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No, I don't think that even happened. 1SG (b)(6), (b)(7)(C) is a real cool guy. He was outstanding leader.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: No.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: Not to engage them.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No, I don't hang out with (b)(6), (b)(7)(C)
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: We were never on patrol together.
Q: Did you ever hear him brag about doing so?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: He would probably flip out. The person would probably get an article 15.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No, I was on leave.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: What did you hear?
A: (b)(6), (b)(7)(C) told me the questions that CID asked him and he said that CID was going to ask me about detainee abuse. But that is all I have heard.
Q: What has been discussed about this incident and investigation recently?
A: I just heard that it was on the internet and in Stars and Stripes, SSG (b)(6), (b)(7)(C) told me that.
Q: Has anyone told you to with-hold information regarding this case?
A: No one told me to withhold information, I figured I wasn't even gonna get caught up in this.
Q: Have you talked with 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) recently?
A: I have seen SSG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) but just to say hello.

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 05 Feb 08 Continued

Q: Were you treated fairly today?

A: Yes, I was treated good.

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

A: I think that detainee abuse is ok, I mean not injuring them, or leaving any marks, but we don't have to be so nice to them. I don't think it should be punishable. But killing detainees is not O.K., and should be punishable.

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

A: No ///END OF STATEMENT///

AFFIDAVIT

I, (b)(6), (b)(7)(C) have read or have read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of Feb 08 at Schweinfurt Germany.

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1125, 5 Feb 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) Headquarters and Headquarters Battery (HHB), 1-7th Field Artillery (FA) Battalion, Ledward Barracks, Schweinfurt, Germany, APO AE 09033 (LBSG), who provided a sworn statement, wherein he stated he had no knowledge pertaining to the incidents in question. SSG (b)(6), (b)(7)(C) provided a sketch of COP Angry Dragon. (See Sworn Statement and Sketch)

About 1355, 5 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Co. 1-18th IN, CBSG, who provided a sworn statement, wherein he stated he had no knowledge pertaining to the incidents in question. SPC (b)(6), (b)(7)(C) provided a sketch of COP Angry Dragon. (See Sworn Statement and Sketch)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

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

DATE

5 Feb 08

EXHIBIT

150

CID FORM 94

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ACLU-RD 17-5596 p.416

10-L-0126 ACLU CID ROI 9357

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	5 Feb 07	1125	(b)(6), (b)(7)(C) 10-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-6/AD

ORGANIZATION/ADDRESS:

HHB, 1-7 FA, Ledward Barracks, Schweinfurt, Germany, APO AE 09033

(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: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion?

A: Yes, from Feb 07 to build it up, until about 10 Nov 07, give or take.

Q: When did you take R&R?

A: 28 Dec 06-13 Jan 07.

Q: What platoon were you in and/or what was your job?

A: I was in HQ PLT, A Co., and my job was the Fire Support NCO, and I helped process detainees.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I normally rode with CPT (b)(6), (b)(7)(C) (Black 6) for the first months, then with SGT (b)(6), (b)(7)(C) (Black 2).

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: Myself, the Commander, the driver was PFC (b)(6), (b)(7)(C) and I can't remember who the gunner was. In SGT (b)(6), (b)(7)(C) vehicle, it was myself, SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and Doc (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) was the gunner.

Q: Who was normally in charge of your element when you went out?

A: CPT (b)(6), (b)(7)(C) was the patrol commander and the NCOIC was SGT (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

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

Q: What was your usual patrol configuration going outside of the wire?

A: At first for about the first two months, we had one Bradley and two HMMWV's with the Bardley as lead. Then when 1-28 IN came in we had to have two Bardleys and two HMMWV's with a Bradley at each end of the convoy.

Q: Who was in those vehicles?

A: SSG (b)(6), (b)(7)(C) (Black 1) was in the lead Bradley, the driver was SPC (b)(6), (b)(7)(C) and the gunner was SPC (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) (Black 6), myself, I think SPC (b)(6), (b)(7)(C) was driving at this time and the Interpreter usually sat in the other seat, I think PFC (b)(6), (b)(7)(C) was the gunner. That was the second vehicle. The third vehicle was SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) as the driver, SPC (b)(6), (b)(7)(C) as the gunner and Doc (b)(6), (b)(7)(C) The last Bradley was SGT (b)(6), (b)(7)(C) (Black 3)(BC), driver was SPC (b)(6), (b)(7)(C) and the gunner was SPC (b)(6), (b)(7)(C)

Q: Where did you live on the COP and with whom?

A: When we first got there I stayed in one of the buildings with me and SGT (b)(6), (b)(7)(C) in one room. When 1-28 came we moved our whole platoon to a building next to the TOC and we all lived in one room on the second floor, except for three guys who lived downstairs.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...? (3881?)

A: Negative.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

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

Page 1 of 2 Pages

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 5 Feb 08 Continued

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: We were told to treat them with dignity and respect and give them what they need until we send them to the DHA. This came from CPT (b)(6), (b)(7)(C) and LTC (b)(6), (b)(7)(C) (1-28 CDR), he really pressed that issue once he got out there.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: Not to my knowledge.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: Negative, I don't even know if he was ever on detainee guard. We were always gone so much we didn't have time for that stuff.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: Negative. That's my soldier, he was mostly with me and the commander. He was always gone. We never did detainee guard that I remember.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: Negative.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: Nope.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: Negative.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?

A: Negative, this is the first I've heard of it.

Q: Were you on patrols with the PSD?

A: Yes.

Q: Did you ever SEE SPC (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: Negative.

Q: What were you told about engaging Iraqis who ran from you?

A: Negative.

Q: Were you ever told to engage non-combatants?

A: Negative, that's crazy.

Q: Did you ever hear SPC (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: Negative.

Q: Did you ever see SPC (b)(6), (b)(7)(C) hoot into a crowd or a market-place?

A: Negative.

Q: Did you ever hear him brag about doing so?

A: Negative, I can personally say that I have never heard or seen him do something like that. When SGT (b)(6), (b)(7)(C) was gone I took over the truck.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: As far as I remember we never shot at anybody unless we got engaged.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: I was on leave, but I heard about it after I came back.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: Nope, that's the first I heard of. I didn't even know they had a trigger man, I just heard they got hit by an EFP.

Q: Do you know what happened to him after he was hit?

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

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DA Form 2823 (Automated)

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ACLU-RDI 5596 p.418

10-L-0126 ACLU CID ROI 9359

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 5 Feb 08 Continued

A: No.
Q: Did you hear what happened to him afterwards, and from whom?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot? (maybe 3881?)
A: No, this is the first time I heard of anything like that.
Q: What has been discussed about this incident and investigation recently?
A: I heard that I-18 was under investigation for something to do with detainees, but I didn't know what.
Q: Has anyone told you to with-hold information regarding this case?
A: Negative.
Q: Do you have anything else to add to this statement?
A: Negative. //END OF STATEMENT// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of Feb 08 at Schweinfurt Germany.

(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 Administering Oath)

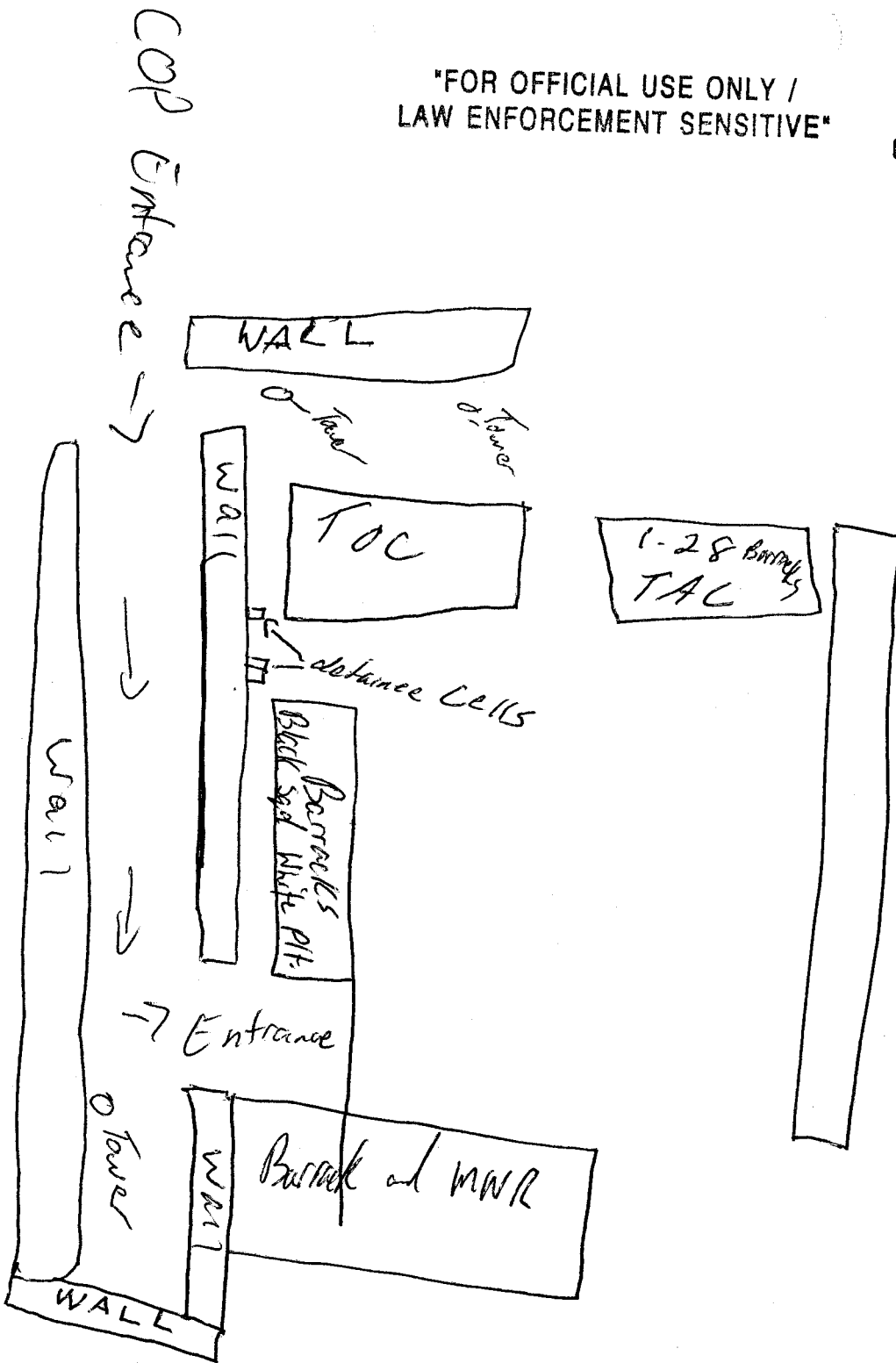
Initials of Person Making Statement (b)(6), (b)(7)(C)

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

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

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5 Feb 08 1121



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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	5 Feb 0	(b)(6), (b)(7)(C) 359 (b)(6), (b)(7)(C)	010-08-CID847-34682 0013-08-CID847-34684

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

ORGANIZATION/ADDRESS:

(b)(6), (b)(7)(C) A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion?

A: Yes, from whenever it opened to whenever we redeployed.

Q: When did you take R&R?

A: From 22 Mar 07 then I got back three weeks after that.

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon, I was a Bradley Gunner (A-26)

Q: What vehicle did you normally ride in, and what was its call sign?

A: At first I was a driver in A-26, then when we got to the COP I started gunning A-26, then later I started gunning A-25.

Q: Who normally rode in that vehicle (A-26) with you, and what were their jobs?

A: (b)(6), (b)(7)(C) was the gunner and I was the driver, then (b)(6), (b)(7)(C) went to Battalion and I started gunning. SGT (b)(6), (b)(7)(C) was the BC.

Q: Who normally rode in that vehicle (A-25) with you, and what were their jobs?

A: SSG (b)(6), (b)(7)(C) was the BC, me and SPC (b)(6), (b)(7)(C) was the driver.

Q: Who was normally in charge of your element when you went out?

A: 1LT (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

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

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley (A-25) most of the time towards the end of the deployment, then HMMWV, HMMWV, and the rear Bradley (A-26)

Q: Who was in A-26?

A: CPL (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) and I think they mixed up the drivers.

Q: Where did you live on the COP and with whom?

A: In a building right across from the TOC on the south side of the COP. The door to our building faced to the north. SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) Doc (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) PV2 (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: I never saw anything like that.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: I know they had guidelines posted outside the holding area, but I never really dealt with detainees very often.

Q: Was anyone ever reprimanded about their handling of the detainees?

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 5 Feb 08 Continued

A: Not that I know of.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yeah.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?

A: No, not until the last couple of days.

Q: What did you hear in the last couple of days?

A: I heard that an investigation was being done on things that happened in Iraq.

Q: Were you on patrols with the PSD?

A: Not often.

Q: Did you ever SEE SPC (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: No.

Q: What were you told about engaging Iraqis who ran from you?

A: We were told to make positive identification that they were Anti-Iraqi Forces and then we could engage them. I was never told to just shoot someone because they were running.

Q: Were you ever told to engage non-combatants?

A: No.

Q: Did you ever hear SPC (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) shoot into a crowd or a market-place?

A: No.

Q: Did you ever hear him brag about doing so?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: I was never in that situation, so I don't know.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: No.

Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?

A: No.

Q: Do you know what happened to him after he was hit?

A: No.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: No.

Q: Do you remember when that happened?

A: No.

Q: Were you part of that patrol?

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 Schweinfurt CID , Dated 5 Feb 08 Continued

Q: Can you describe the 4 guys?
A: No.
Q: Can you describe or draw the house they were captured at?
A: No.
Q: Can you describe the weapons they were found with?
A: No.
Q: Do you remember or can you point out on a map where it was that the patrol took fire from and eventually found the 4 Iraqi males identified as insurgents?
A: No.
Q: Have you seen any pictures of that incident or the 4 guys?
A: No.
Q: Do you know an interpreter named (b)(6), (b)(7)(C)?
A: Yes, he was short and kind of fat, around 30 years old, I think he had a mustache.
Q: Did anyone discuss the incident afterwards?
A: Not until just recently.
Q: What did you hear recently?
A: I heard that you guys were doing an investigation into things that happened in Iraq.
Q: Has anyone told you to with-hold information regarding this case?
A: No.
Q: Do you have anything else to add to this statement?
A: No. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of Feb 08 at Schweinfurt Germany. (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 Administering Oath)

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

Page 3 of 3 Pages

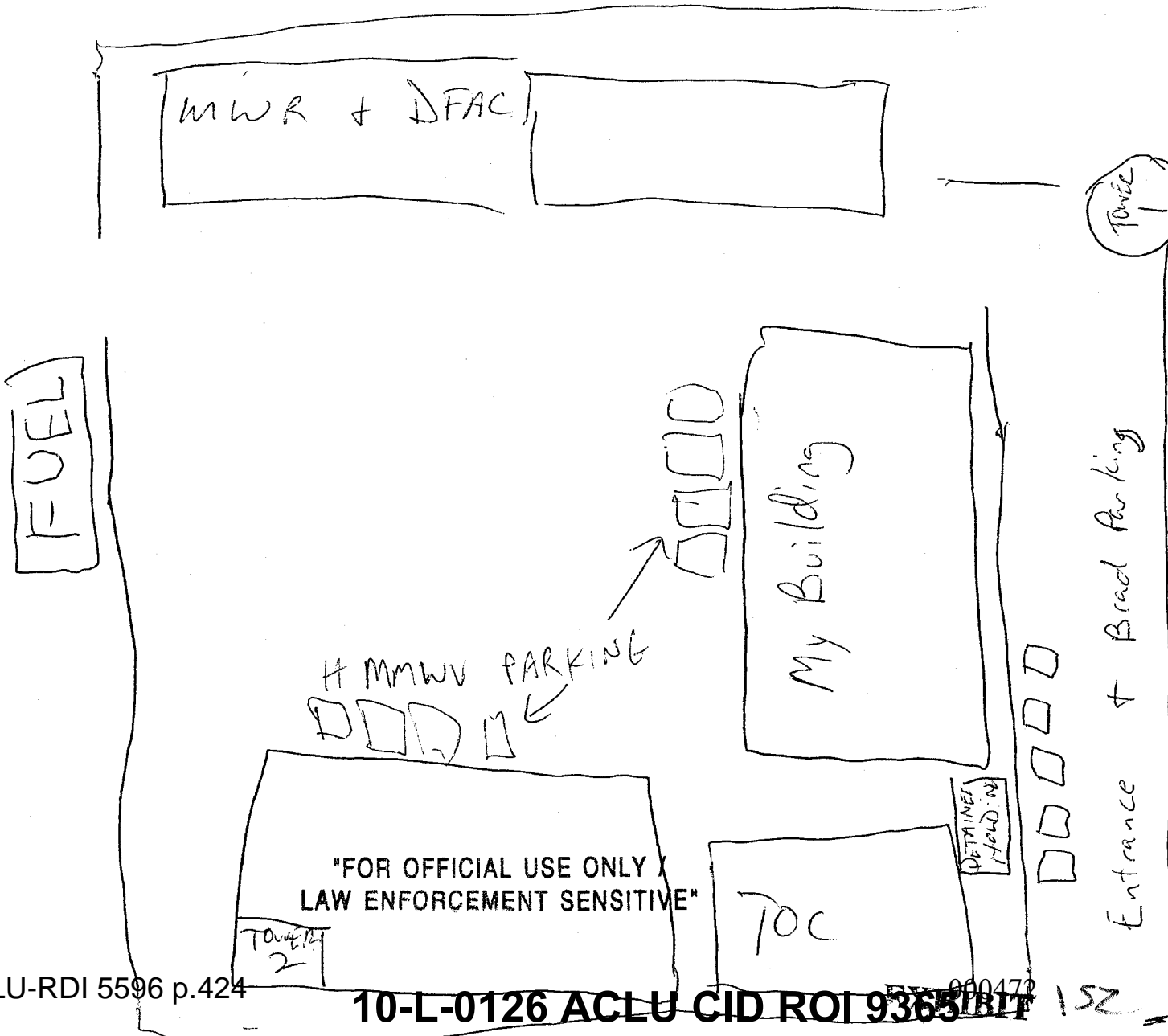
(b)(6), (b)(7)(C)

Sketched by:

1350, 5 Feb 08

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

Verified by:



**"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"**

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGE

DETAILS

About 0900, 6 Feb 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C), A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, of his legal rights, which he waived and provided a sworn statement in which he related he was present when the four detainees were taken to the canal and shot. SPC (b)(6), (b)(7)(C) stated that he did not witness or participated in any detainee abuse while in Iraq. (See Sworn Statement for details)

About 1300, 6 Feb 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C), A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who rendered a sworn statement, wherein he stated he did not witness or participate in any detainee abuse during his recent deployment to Iraq. SGT (b)(6), (b)(7)(C) further stated he did not witness or participate in the indiscriminate killing of non-combatants while in Iraq. (See Sworn Statement for details) ///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

Kaiserslautern CID Office,
5th MP Bn (CID)

DATE

06 Feb 08

EXHIBIT

153

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

0010-2008 - CID 847-34682

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

1. LOCATION Schweinfurt CID Office		2. DATE 6 Feb 08	3. TIME 9.24	4. FILE NUMBER (b)(6), (b)(7)(C)
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS A Company, 1/18th Infantry Battalion, Schweinfurt, GE APO AE 09226		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/RA			

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command As a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Article #118, Murder, Article #93, Cruelty and Maltreatment, Misprision of a Serious Offense ///Last item///.

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)

Have you requested a lawyer after being read your rights within the last 30 days? 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. SIGN (b)(6), (b)(7)(C)
1a. NAME (Type or Print)	b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGN (b)(6), (b)(7)(C)
2a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR Schweinfurt CID Office, 1002nd, Military Police BN, APO AE 09226

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

SP (C)(7)(b), (9)(b) was questioned about the same offenses prior to this one.

COMMENTS (Continued)

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.

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.")

SPECIAL INSTRUCTIONS

"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.)

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.

THE WAIVER

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.

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

THE WARNING

PART II - RIGHTS WARNING PROCEDURE

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

SWORN STATEMENT

File Number : 0010-08-CID667-34682
0013-08-CID667-34684
Location : Schweinfurt CID office, Schweinfurt Germany
Date : February 6, 200 (b)(6), (b)(7)(C)
Time : 1142 (b)(6), (b)(7)(C)
Statement of : (b)(6), (b)(7)(C)
Grade/Status : SPC/ Regular Army
SSN : (b)(6), (b)(7)(C)
Org/Address : A Company, 1/18th Infantry Battalion, Schweinfurt, Germany, APO AE 09226

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

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

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

On the night of the shootings of the four insurgents when were you told that you were taking the insurgents to the canal?

A: I was told by either SSG (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) that you were going to the canal to drop off the detainees. And I was told at COP Angry Dragon or just after we left COP Angry Dragon that we were going to the canal.

Q: Where you asked by the 1SG (b)(6), (b)(7)(C) if you wanted to be on the patrol taking the four detainees to Canal road?

A: No.

Q: When you arrived at Canal road, who went with the detainees?

A: SSG (b)(6), (b)(7)(C) walked towards Canal road but I don't believe he went very far, SGT (b)(6), (b)(7)(C) stayed at the HMMWV he was on my right hand side during the stop. SSG (b)(6), (b)(7)(C) went over to the Bradley. I couldn't see who else went to the Bradley, I was watching my sector for the most part, and I looked a couple of times but couldn't tell you who else was there.

Q: When you heard the gun shots, what did you think happened?

A: At first I thought we were taking fire, and then I realized we weren't taking fire, that the gun fire came from the soldiers who were with detainees.

Q: When did you realize that the four detainees were shot and killed?

A: When we got back to the COP Angry Dragon, the 1SG (b)(6), (b)(7)(C) got everyone in a group, that went to Canal road, and told us not to talk about what had happened here tonight that we did it for our fallen comrades. That's when I knew that SSG (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) might have killed them.

Q: Did you know what had happened was a violation of the UCMJ?

A: Yes.

Q: Why didn't you report the incident?

A: I was scared to report it, I was scared that I was in that situation. I didn't know who I could report it to, didn't know if I should talk to the Company Commander, I knew this thing was above me. I didn't know if I talked if there would be repercussions to myself if I talked about it.

Q: Who told you not to talk about this?

A: 1SG (b)(6), (b)(7)(C)

Q: Did your HMMWV get stuck during that day or night?

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

PAGE 1 OF 3 PAGES

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

0010-2008-CID 847-34682

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

TAKEN AT: Schweinfurt, GM; DATED: February 6, 2008

CONTINUED.

A: I don't think so, but I guess it could be possible, I don't recall it.

Q: Was the Blue Force Tracker on when you left the COP and went to Canal road?

A: The screen was not on, so I believe it was off.

Q: Who would have made the decision to turn off the Blue force tracker?

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

Q: Do you recall if a soldier received prayer beads?

A: Yes, I believe SPC (b)(6), (b)(7)(C) was given the prayer beads.

Q: Did you ever abuse detainees to include punching, poking detainees with sticks, and shooting detainees with Air/pellet guns, spinning detainees until they fell?

A: No.

Q: Did you ever witness anyone doing any of those acts?

A: No.

Q: Where you aware of your Rules of Engagement (ROE)?

A: Yes, I was well aware of the ROE.

Q: Did you ever witness anyone in your unit violate the ROE?

A: No.

Q: Did you ever witness SPC (b)(6), (b)(7)(C) shoot into a market place full of people?

A: No.

Q: Do you believe that the four insurgents were dumped in the canal?

A: Yes, I didn't see them get pushed in, but I believe they were pushed in to the canal.

Q: Did you discuss this event with anyone else?

A: I did talk to a few people, they were the lower enlisted soldiers who were on the patrol, guys like SPC (b)(6), (b)(7)(C) maybe SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) I really didn't want to think about it to much or talk about it.

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

A. No.///END OF STATEMENT//

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: Schweinfurt, GM; DATED: February 6, 2008
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)

(Sig

Subscribed and sworn to before me, a person authorized by law to administer oath, this February 6, 2008, at Schweinfurt, GM

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

KAISERSLAUTERN CID OFFICE
202d MILITARY POLICE GROUP (CID),
USACIDC, KAISERSLAUTERN, GERMANY APO AE 09227

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

WITNESS:

WITNESS:

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	(b)(6), (b)(7)(C) 06 Feb 08	(b)(6), (b)(7)(C) 19:28	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	E-5/RA

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: I was there February – October 07.

Q: When did you take R&R?

A: I went from 18 Dec 06 - & Jan 07.

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon/Team Leader

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: Call sign was White 2B, A-206, A-204, A-205, were all vehicles I rode in.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: 1LT (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) (TC) for 206, SGT (b)(6), (b)(7)(C) (TC) for 204, SGT (b)(6), (b)(7)(C) (TC) for 204, Gunners: SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) were all in my squad.

Q: Who was normally in charge of your element when you went out?

A: 1LT (b)(6), (b)(7)(C) later 1LT (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: 1LT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, HMMWV, HMMWV, BRADLEY.

Q: Who was in those vehicles?

A: See the above list.

Q: Where did you live on the COP and with whom?

A: I roomed with CPL (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: No.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: Placed in holding area, not allowed to talk, food and water was provided as needed and escorted to the Porto potty when needed.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: Not to my knowledge.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No.

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

Page 1 of 3 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 06 Feb 08 Continued

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
Q: What were you told about engaging Iraqis who ran from you?
A: If they did not have a weapon you couldn't engage them.
Q: Were you ever told to engage non-combatants?
A: No.
Q: Did you ever hear (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
Q: Did you ever see (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
Q: Did you ever hear him brag about doing so?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Were you part of that patrol?
A: No.
Q: What has been discussed about this incident and investigation recently?
A: I heard people are in trouble for shooting unarmed personnel.
Q: Has anyone told you to with-hold information regarding this case?
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

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 155

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 06 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to Administer oaths, this 6 th day of Feb 08 at Schweinfurt
Ge: (b)(6), (b)(7)(C)

(Person Administering Oath)

ACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 155

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
PAGE 1 OF 1 PAGE	

DETAILS

About 1102, 06 Feb 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement wherein he detailed having no knowledge of any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SGT (b)(6), (b)(7)(C) related he was not present on the patrol in which the four detainees were captured. Additionally, he provided his leave form which indicated he was on leave from 17 Mar 07 thru 5 Apr 07. SGT (b)(6), (b)(7)(C) also provided a sketch of his typical patrol configuration. **(See Sworn Statement, DA Form 31, and sketch for details)**

About 1426, 06 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement wherein he detailed having no knowledge of any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SPC (b)(6), (b)(7)(C) further related that each detainee was given a full physical examination upon arrival to COP Angry Dragon, and upon leaving the COP. SPC (b)(6), (b)(7)(C) stated he never saw any signs of abuse on any of the detainees during their physical examinations. SPC (b)(6), (b)(7)(C) also stated he was not present on the patrol in which the four detainees were captured. **(See Sworn Statement for details) ///LAST ENTRY///**

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Vicenza CID Vicenza, Italy APO AE 09630
SIGNATURE (b)(6), (b)(7)(C)	DATE 06 Feb 2008
EXHIBIT 156	

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	06 Feb 08	1102	0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)		SGT/AD

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes from March 07 until October 07.

Q: When did you take R&R?

A: I took R & R 17 March through 5 April 2007.

Q: What platoon were you in and/or what was your job?

A: 2nd platoon, I was a Bradley Driver.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: A Bradley, A28 or A27 it changed.

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: SSG (b)(6), (b)(7)(C) as the Bradley Commander, who rotated out with SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) as the Bradley Commander. I was the driver. Our gunner was (b)(6), (b)(7)(C) and while I was on leave from 17 March until 5 April (b)(6), (b)(7)(C) was the driver for me.

Q: Who was normally in charge of your element when you went out?

A: Our patrol leader was SSG (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

A: SSG (b)(6), (b)(7)(C) or LT (b)(6), (b)(7)(C)

Q: What was your usual patrol configuration going outside of the wire?

A: Typically Bradley, HMMWV, HMMWV, Bradley.

Q: Who was in those vehicles?

A: Lead Bradley: SSG (b)(6), (b)(7)(C) as the Bradley Commander, Myself as the driver, our gunner was (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) replaced me as the driver when I went on leave. Second Truck: SGT (b)(6), (b)(7)(C) was the Truck Commander, (b)(6), (b)(7)(C) was the driver, (b)(6), (b)(7)(C) was the gunner, and (b)(6), (b)(7)(C) was the dismount. Third Truck: SSG (b)(6), (b)(7)(C) was the truck commander, (b)(6), (b)(7)(C) was in the truck as the medic, (b)(6), (b)(7)(C) was the driver, (b)(6), (b)(7)(C) was the gunner, occasionally (b)(6), (b)(7)(C) rotated as a gunner or a dismount in a truck. In the last Bradley: The Bradley commander was sometimes SGT (b)(6), (b)(7)(C) the driver was SPC (b)(6), (b)(7)(C) The gunner was (b)(6), (b)(7)(C) and the dismount was (b)(6), (b)(7)(C) Sometimes (b)(6), (b)(7)(C) rode in the third vehicle and the interpreter rode in the second vehicle.

Rear Bradley: CPL (b)(6), (b)(7)(C) (Gunner/BC). I don't remember who else was in there.

Q: Where did you live on the COP and with whom?

A: I lived with my entire patrol, all the specialists.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Did you ever hear anyone brag about abusing detainees?

A: No.

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

Page 1 of 4 Pages

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 31 Jan 08 Continued

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?
A: No. In fact it was just the opposite.
Q: What was the command guidance on the COP concerning the detainees?
A: Treat them like detainees, they don't get special privileges, but give them food and water.
Q: Was anyone ever reprimanded about their handling of the detainees?
A: No.
Q: How about anyone from the 1/28th?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No, he was with PSD, we lived in the same building but there room was downstairs and I hardly ever saw him, I never patrolled with him.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: What would happen if a detainee ran?
A: There is no way, they wouldn't make it out, they wouldn't get shot unless they had a weapon.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No way, I love the kid to death, but I don't think he is smart enough to do anything like that.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes, before each patrol .
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
Q: Was there ever a situation when you were told to fire upon anyone suspicious?
A: No, SSG (b)(6), (b)(7)(C) always stressed before ever mission Positive Identification before firing.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: No.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: No.
Q: Did you a rumor or someone say or see (b)(6), (b)(7)(C) shoot into a market place?
A: No.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: I cant really say I never was with them when they engaged. I think he would call up "what do you got" and basically get a SITREP
Q: If the SITREP came back with negative results?
A: I don't know, he is a pretty stand up guy, he would not be happy about it.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware or did you hear any rumors or any one say or see the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: I'm showing you a photograph which depicts a man with a severe leg wound. Do you recall this individual?
A: No, I do not recognize this man.
Q: Do you know, or did you see or did you hear any rumors about what happened to him after he was hit?
A: No.

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

Page 2 of 4 Pages

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EXHIBIT 157

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0010-08-CID847-34682

0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 31 Jan 08 Continued

Q: Did you know or hear or see the 4 detainees who were taken out by the canal and shot?

A: Yes I was told CPL (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) within two to five days of me returning from leave on 5 April.

Q: What exactly did CPL (b)(6), (b)(7)(C) say to you?

A: That they caught some detainees that were responsible for an IED that killed Guerrero and that they were taken care of. He seemed distraught about it.

Q: Did CPL (b)(6), (b)(7)(C) tell you when this occurred?

A: No he just said while I was on leave between 17 March and 5 April 07.

Q: Who else was on leave during this time frame?

A: SPC (b)(6), (b)(7)(C) was on leave as well.

Q: What exactly did SPC (b)(6), (b)(7)(C) tell you?

A: He had asked me if I had heard what happened and I said yes. He said something like "yeah man they took care of them"

Q: What did CPL (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) mean when they said "they took care of them"

A: I assumed they killed them .

Q: Has anyone told you to with-hold information regarding this case?

A: No, no one has said a word about it.

Q: Have you spoken with 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) about this incident?

A: I saw SSG (b)(6), (b)(7)(C) that was the day we were all put on lockdown, he gave me a hug and just said take care of your guys and that was it.

Q: Was there any talk around the company about why you were on lock down?

A: No, I mean it was in the paper so everyone knew that there was an investigation going on, but no one asked questions because no one wants to be apart of it.

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)

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EXHIBIT 157

ACLU-RDI 5596 p.437

10-L-0126 ACLU CID ROI 9378

000485

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 31 Jan 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 4. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of FEB 08 at Schweinfurt Germany.

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 4 of 4 Pages

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LAW ENFORCEMENT SENSITIVE

EXHIBIT

157

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REQUEST AND AUTHORITY FOR LEAVE

1. CONTROL NUMBER
07/0305/123

This form is subject to the Privacy Act of 1974. For use of this form, see AR 600-8-10.
The proponent agency is ODCSPER. (See Instructions on Reverse)

PART - I

2. NAME (Last, First, Middle Initial) (b)(6)	3. SSN (b)(6)	4. RANK (b)(6)	5. DATE 20 Feb 07
6. LEAVE ADDRESS (Street, City, State, ZIP Code and Phone No.) (b)(6)	7. TYPE OF LEAVE <input type="checkbox"/> ORDINARY <input type="checkbox"/> PERMISSIVE TDY <input checked="" type="checkbox"/> EMERGENCY OTHER R&R Leave		8. ORGN. STATION, AND PHONE NO. A Co. 1-18 INF TF 1-18 Infantry FOB Falcon, Baghdad, Iraq APO AE 09361 DSN 677-2575

9. NUMBER DAYS LEAVE				10. DATES	
a. ACCRUED 14	b. REQUESTED 19	c. ADVANCED N/A	d. EXCESS N/A	a. FROM 11/07	b. TO 1/10
11. SIGNATURE OF REQUESTOR (b)(6)		12. SUPERVISOR RECOMMENDATION/SIGNATURE <input checked="" type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL (b)(6) SG, USA, First Sergeant		13. SIGNATURE AND TITLE OF APPROVING AUTHORITY (b)(6) PT. AR. CMD	

14. DEPARTURE		
a. DATE	b. TIME	c. NAME/TITLE/SIGNATURE OF DEPARTURE AUTHORITY
15. EXTENSION		
a. NUMBER DAYS	b. DATE APPROVED	c. NAME/TITLE/SIGNATURE OF APPROVAL AUTHORITY
16. RETURN		
a. DATE	b. TIME	c. NAME/TITLE/SIGNATURE OF RETURN AUTHORITY

17. REMARKS

a. DCS validated was completed on (). Participant completed the following mandatory DCS requirement: CDR's risk assessment, reintegration/reunion training, Medical threat brief and suicide awareness and prevention training.

b. If destination is other than CONUS or Germany, Commander has validated SM has possession of a current passport.

c. Army Travel Assistance Center 1-800-582-5552; 1-18 IN Rear Detachment: 318-353-8364

d. Soldier not authorized to consume alcohol while in uniform.

e. Soldier will maintain possession of Military ID, DA 31, ID tags at all times.

f. When soldier arrives at CONUS/OCONUS gateway Personnel Assistance Point (PAP) will sign them out and sign them back in off of leave.

g. Personnel at the PAP will assist soldiers with follow on transportation and return if any problems occur.

h. Soldiers returning home will move under the direction of Kuwait Gateway at Doha. Soldiers Point of Origin Gateway: BIAP, Iraq

i. Soldiers will be charged only 15 days of leave unless extended by proper authority for TDY or Emergency leave.

j. Soldiers must return to on the date and time directed by the PAP.

l. CONUS/OCONUS gateway: Atlanta

m. If admitted to medical center SM or official representative must notify PAP and nearest military medical facility preferably associated with the SM's branch of service.

n. I understand that I will only take 15 days of R&R beginning the day after I sign out of the PAP. Any extra days on this leave form are for TDY, emergency Leave or travel days only

DATE TO RETURN TO DALLAS/ATLANTA/FRANKFURT NODE: _____

Chargeable leave is from _____ to _____

PART II - EMERGENCY LEAVE TRANSPORTATION AND TRAVEL

18. You are authorized to proceed on official travel in connection with emergency leave and upon completion of your leave and travel will return to home station (or location) designated by military orders. You are directed to report to the Aerial Port of Embarkation (APOE) for onward movement to the authorized international airport designated in your travel documents. All additional travel is chargeable to leave. Do not depart the installation without reservations or tickets for authorized space required transportation. File a no-pay travel voucher with a copy of your travel documents or boarding pass within 5 working days after your return. Submit request for leave extensions to your commander. The American Red Cross can assist you in notifying your commander of your request for extension of leave.

19. INSTRUCTIONS FOR SCHEDULING RETURN TRANSPORTATION:
For return military travel reservations in CONUS call the MAC Passenger Reservation Center (PRC): 1-800-851-3144
Should you require other assistance call PAP: Dallas (DFW) Airport 800-770-5580/ Atlanta Airport 800-276-5809/ Frankfurt 800-872-7387

20. DEPARTED UNIT	21. ARRIVED APOD	22. ARRIVED APOE (return only)	23. ARRIVED HOME UNIT
-------------------	------------------	--------------------------------	-----------------------

PART III - DEPENDENT TRAVEL AUTHORIZATION

25. <input type="checkbox"/> (Space available or required cash reimbursable) <input type="checkbox"/> ONE WAY <input type="checkbox"/> ROUND TRIP <input type="checkbox"/> (Space required) TRANSPORTATION AUTHORIZED FOR DEPENDENTS LISTED IN BLOCK NO. 25			
DEPENDENT INFORMATION			
a. DEPENDENTS (Last name, First, MI)	b. RELATIONSHIP	c. DATES OF BIRTH (Children)	d. PASSPORT NUMBER
Next of Kin and Phone Number	FOR OFFICIAL USE ONLY		
«SM NOK Name» / «SM NOK Phone»	LAW ENFORCEMENT SENSITIVE		

PART IV - AUTHENTICATION FOR TRAVEL AUTHORIZATION

26. DESIGNATION AND LOCATION OF HEADQUARTERS	27. ACCOUNTING CITATION	28. AUTHORITY
29. DATE ISSUED	30. TRAVEL ORDER NUMBER	31. ORDER AUTHORIZING OFFICIAL (Title and signature) OR AUTHENTICATION

AC U RDI 5596 p 439

10-L-0126 ACLU CID ROI 9381

DOBIT 157

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

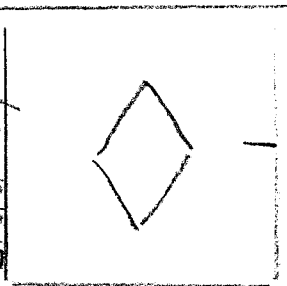
Verified by:

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

Time: 1118 (b)(6), (b)(7)(C)

Date: 06 Feb

Bradley



Bradley Sgt
Truck CG

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

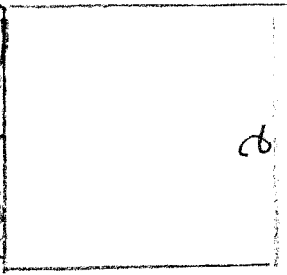
Spc (b)(6), (b)(7)(C)

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

none

none

HUMVEE



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

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

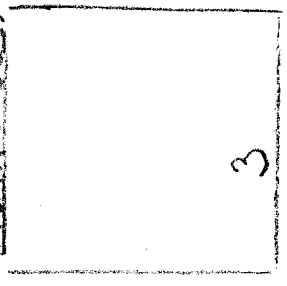
(b)(6), (b)(7)(C)

none

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

or Interpreter

HUMVEE



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

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

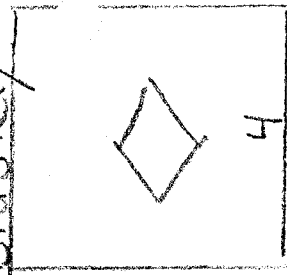
(b)(6), (b)(7)(C)

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

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

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

Bradley



Rotated
between
Sgt (b)(6), (b)(7)(C)

SPC

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

SPC

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

none

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

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ACLU-RDI 5596 p. 470

10-L-0126 ACLU CID ROI 9382

EXHIBIT

000488

dismounts none

5

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SWORN STATEMENT

LOCATION	DATE	(b)(6), (b)(7)(C) TIME	FILE NUMBER
Schweinfurt CID	(b)(6), (b)(7)(C) b 08	(b)(6), (b)(7)(C) 1726	0010-08-CID847-34682 0013-08-CID847-34684
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC/AD	

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes, but I don't know the time frame, I know it was after New Years 07 until the end of the deployment in November 07.

Q: When did you take R&R?

A: The end of February, I took my 15 days.

Q: What platoon were you in and/or what was your job?

A: 2nd Platoon, I was one of their medics.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I rode in the platoon leaders truck, LT (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: LT (b)(6), (b)(7)(C) didn't have a standard driver, but (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) Was a driver for him as well, also (b)(6), (b)(7)(C) would be a gunner or (b)(6), (b)(7)(C) would be a gunner. And one open seat.

Q: Who was normally in charge of your element when you went out?

A: It would be LT (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C)

Q: Who was in charge of your element when you were at the COP?

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

Q: What was your usual patrol configuration going outside of the wire?

A: We alternated it quite a bit, normally Bradley, HMMWV, HMMWV, Bradley.

Q: Who was in those vehicles?

A: I don't know just my vehicle.

Q: Where did you live on the COP and with whom?

A: I lived on the second floor on the open bay with (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) and part of black element, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No.

Q: Did you ever hear anyone brag about abusing detainees?

A: Not around me.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No. In fact it was just the opposite.

Q: What was the command guidance on the COP concerning the detainees?

A: Make sure they have food and water, and take them to the bathroom.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: No.

Q: How about anyone from the 1/28th?

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

Page 1 of 3 Pages

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 06 Feb 08 Continued

A: No.

Q: As a medic, when detainees first arrived to the COP what was the procedure?

A: We would obtain all information on them their name, where the live, and give a full physical.

Q: What does the physical consist of?

A: It is a head to toe visual inspection of their body to make sure they have no marks, bruises or lesions.

Q: Was this physical preformed upon release of the detainees to the DEHA as well?

A: Yes.

Q: Did you ever see any marks or bruises on a detainee after staying at the COP and being released to the DEHA?

A: There was one, he kept rubbing his elbow against the grating, and we notated that in his paperwork.

Q: Did you ever see any marks or bruises on a detainee that were inflicted by a Soldier physically or through neglect?

A: No.

Q: Did you see or hear of a Soldier at the COP abusing any detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

A: No

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?

A: No.

Q: Did you ever abuse detainees, to include shooting them with a BB or air-soft type gun?

A: No.

Q: What would happen if a detainee ran?

A: Depends on the situation, if they had a weapon, the standing order would be to shoot them. But if they had no weapon we would try and gain control of the situation.

Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?

A: No way, he wouldn't harm a baby bird.

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

A: Yes.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: There were occasions when we had taken fire, and suspicious people were in the area, and we were told if they were reaching for a suspected weapon but we couldn't positively verify if they had a weapon to give a warning shot, above there head.

Q: Who gave you that guidance?

A: SSG (b)(6), (b)(7)(C) and LT (b)(6), (b)(7)(C)

Q: Is there specific incident when this guidance was given?

A: No, we just had several incidents where we couldn't positively identify anyone.

Q: Did MAJ (b)(6), (b)(7)(C) ever give you or your platoon or company that guidance?

A: No, I didn't really patrol with him.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)

A: No.

Q: Were you on patrols with the PSD (AKA Black Squad)?

A: No.

Q: Did you hear someone say or see (b)(6), (b)(7)(C) shoot into a market place?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: He would call seize fire and then get on the radio and ask why the person is firing.

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

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EXHIBIT 158

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID , Dated 06 Feb 08 Continued

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware or did you hear any rumors or any one say or see the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: I'm showing you a photograph which depicts a man with a severe leg wound. Do you recall this individual?
A: No, I do not recognize this man.
Q: Do you know, or did you see or did you hear any rumors about what happened to him after he was hit?
A: No.
Q: Did you know or hear or see the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Has anyone told you to with-hold information regarding this case?
A: No, I don't think anyone is really talking about it.
Q: Have you spoken with 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) about this incident?
A: Negative.
Q: Do you have anything else to add to this statement?
A. No. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of FEB 08 at Schweinfurt Germany.

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

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

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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EXHIBIT 158

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
PAGE 1 OF 1 PAGES	

DETAILS
About 1410, 6 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SPC (b)(6), (b)(7)(C) related he was not on patrol during the PSD incident on 3 Jan 07, but heard that one of the insurgents was treated by a medic in his unit. (See Sworn Statement and Sketch for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) (b)(6), (b)(7)(C)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033
	DATE 6 Feb 08
	EXHIBIT 59

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10-L-0126 ACLU CID ROI 9386 000492

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	6 Feb 08	1410	(b)(6), (b)(7)(C) 0010-08-CID847-34682 0013-08-CID847-34684

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

A-1/18th IN BN, Schweinfurt Germany 09226

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

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

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

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion? If so - from roughly when until when?

A: Yes. From February 07 thru late Oct 07...right before we came back.

Q: When did you take R&R?

A: Mar 14th or 15th thru 1 Apr 07.

Q: What platoon were you in and/or what was your job?

A: Saw Gunner, 2nd PLT.

Q: What vehicle did you normally ride in (type & bumper number), and what was its call sign?

A: I didn't have a set vehicle. Everyday was different. I was a dismount one day, a driver the next, and then a gunner on other days. The last month I was in A206 (HMMWV) as 1LT (b)(6), (b)(7)(C) gunner.

Q: Who was normally in charge of your element when you went out?

A: It would be SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C). Sometimes they would switch out, but it would be one of them with us.

Q: Who was in charge of your element when you were at the COP?

A: The same. SGT (b)(6), (b)(7)(C) was the squad leader, and SGT (b)(6), (b)(7)(C) was my Team leader.

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, HMMWV, HMMWV, Bradley. Later in the deployment it would be Bradley, HMMWV, HMMWV, Bradley, HMMWV, HMMWV, Bradley. It just depended on what our mission was.

Q: Who was in those vehicles?

A: It wasn't a set crew.

Q: Where did you live on the COP and with whom?

A: I lived in the building to the left of the main entrance. I lived with Alpha section which consisted of about 8 or 9 people. I lived with SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them...?

A: No. I never saw anybody do anything like that. Usually when I guarded them, they were already in the cage.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: They told us not to do anything to them. Give them food and water if they needed it. There was no real way you could tell that they wanted to go to the bathroom because they wouldn't talk to us.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: None that I ever knew.

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

Page 1 of 3 Pages

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 6 Feb 08 Continued

Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: Never.
Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital? (if so, details)
A: I've never heard nothing about that.
Q: Were you on patrols with the PSD (AKA Black Squad)?
A: Every now and then. We would assist them sometimes, but we only went on one mission with them that I can remember.
Q: Did you ever SEE (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: Negative. I never saw that.
Q: What were you told about engaging Iraqis who ran from you?
A: If you were taking fire, and you see people running, shoot a warning shot to get them to stop, so we could go up there and find out what was going on.
Q: Who gave you those instructions?
A: My squad leader, SGT (b)(6), (b)(7)(C)
Q: Were you ever told to engage non-combatants?
A: Negative.
Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?
A: He would probably get extremely mad and yell.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: After the fact. One of the medics, I think it was Doc (b)(6), (b)(7)(C) came into the AID station and I heard him talking to someone else about the incident. I heard him say that they engaged who they thought was the trigger man, and that he had to treat him and get him to the CSH as soon as possible. I don't know if they took him to the CSH or not.
Q: Do you know what happened to him after he was hit?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Has anyone told you to with-hold information regarding this case?
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

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EXHIBIT

160

ACLU-RDI 5596 p.446

10-L-0126 ACLU CID ROI 9388

000494

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID, Dated 6 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

(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 6th day of Feb 08 at Schweinfurt, Germany.

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

(Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

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EXHIBIT 160

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1457, 6 Feb 08, SA (b)(6), (b)(7)(C) advised 1LT (b)(6), (b)(7)(C) B Co. 9th Engineer (EN) Battalion, Ledward Barracks, Schweinfurt, Germany, APO AE 09033 (LBSG) of his legal rights, which he waived and provided a sworn statement, wherein he stated he had no knowledge pertaining to the incidents in question. 1LT (b)(6), (b)(7)(C) provided a sketch of COP Angry Dragon. (See Rights Waiver Certificate, Sworn Statement and Sketch)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

DATE

6 Feb 08

EXHIBIT

161

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10-L-0126 ACLU CID ROI 9390

000496

RIGHTS WARNING PROCEDURE WAIVER CERTIFICATE

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. 0 0 1 0 - 2 0 0 8 - C I D 8 4 7 - 3 4 6 8 2
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.
LOCATION: Schweinfurt CID **DATE:** 6 Feb 08 **TIME:** 1457
FILE NUMBER:
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE / STATUS:** O-2/AD
ORGANIZATION OR ADDRESS: B Co. 9th EN, LBSG

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

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

suspected/accused: Misprision of a Serious Offense///

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 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:

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.

Witness # 1

Signature of Witness

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

Witness # 2

Signature of Witness

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

Agent

SCHWEINFURT CID Office
APO AE 09033

NON-WAIVER CERTIFICATE

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

Signature of Interviewee: _____

DA Form 3881-E

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	6 Feb 08	1628	(b)(6), (b)(7)(C) 10-08-CID847-34682 0013-08-CID847-34684
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	O-2/AD	
ORGANIZATION/ADDRESS:			

B Co. 9th EN, Ledward Barracks, Schweinfurt, Germany, APO AE 09033

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

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

A: 1LT (b)(6), (b)(7)(C)

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion?

A: Yes, sometime around the middle of Feb 07 and I left in Aug 07.

Q: When did you take R&R?

A: The last week of Apr thru mid May 07.

Q: What platoon were you in and/or what was your job?

A: I was the Platoon Leader for 2nd Platoon.

Q: What vehicle did you normally ride in and what was its call sign?

A: I was in an M-1114, Bumper Number A-206, my call sign was (b)(6), (b)(7)(C)

Q: Who normally rode in that vehicle with you, and what were their jobs?

A: I didn't have a set crew in my truck. Most the time I had SPC (b)(6), (b)(7)(C) the medic and our Interpreter in our truck.

Q: Who was usually your gunner?

A: I didn't have a set gunner.

Q: Who was normally in charge of your element when you went out?

A: I was in charge of my section.

Q: Who was in charge of your element when you were at the COP?

A: We fell under CPT (b)(6), (b)(7)(C) but when the new unit came in LTC (b)(6), (b)(7)(C) was in charge.

Q: What was your usual patrol configuration going outside of the wire?

A: Bradley, HMMWV, HMMWV, Bradley, I cycled the sequence of vehicles and crews.

Q: What were the bumper numbers of the vehicles in your platoon?

A: Bradleys A-25, A-26, A-27, and A-28, HMMWV's were A-204, 205 (never mission capable), 206, 207, 208, and 209.

Q: Who was the crew of A-25?

A: When we first got there SGT (b)(6), (b)(7)(C) was the BC, but in Dec 06 he got wounded and switched out with SSG (b)(6), (b)(7)(C) then the drivers and gunners, (b)(6), (b)(7)(C) was a driver, then he also became the gunner later on. (b)(6), (b)(7)(C) took over driving from (b)(6), (b)(7)(C) as driver. (b)(6), (b)(7)(C) originally cycled through gunning the HMMWV's.

Q: What was the call sign for A-25?

A: White 5.

Q: Who was the crew of A-27?

A: SPC (b)(6), (b)(7)(C) was the driver, SSG (b)(6), (b)(7)(C) was the BC, and (b)(6), (b)(7)(C) was the gunner.

Q: What was the call sign for A-27?

A: Whenever the Platoon SGT was in the vehicle it was (b)(6), (b)(7)(C) otherwise it would be (b)(6), (b)(7)(C)

Q: Who was the crew of A-28?

A: SGT (b)(6), (b)(7)(C) was the BC, the driver was (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) went over later and started driving and (b)(6), (b)(7)(C) took over as gunner.

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 6 Feb 08 Continued

Q: What was the call sign for A-28?

A: White 8.

Q: Who was the crew of A-26?

A: SGT (b)(6), (b)(7)(C) was the BC, the driver was (b)(6), (b)(7)(C) and the gunner was cycled through, sometimes I would ride in that track to. When I rode in it, SGT (b)(6), (b)(7)(C) took over as gunner and I was the BC. But, I only went out into sector three times in a Bradley.

Q: What was the call sign for A-26?

A: When I was not in it, it would be (b)(6), (b)(7)(C) but when I was in it, it was (b)(6), (b)(7)(C)

Q: Who was the crew of A-204?

A: SGT (b)(6), (b)(7)(C) was generally the TC for the vehicle and the driver was generally (b)(6), (b)(7)(C) and the gunner would be anybody else from his squad, and the dismounts as well.

Q: What was the call sign for A-204?

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

Q: Who was the crew of A-207?

A: The TC was SSG (b)(6), (b)(7)(C) the PSG, his driver was generally (b)(6), (b)(7)(C) gunner was (b)(6), (b)(7)(C) and then he would have Doc (b)(6), (b)(7)(C) as the medic, and usually somebody else from his section would jump in the other seat.

Q: What was the call sign for A-207?

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

Q: Who was the crew of A-208?

A: The crew was generally SGT (b)(6), (b)(7)(C) as the BC, the rest of his crew was just members of his squad and they rotated. Sometimes we would give guys days off and the crews would switch, or if one guy had been gunning too long, we might switch him to be a driver or dismount. They also manned A-209. Their call sign for SGT (b)(6), (b)(7)(C) would be (b)(6), (b)(7)(C)

Q: Where did you live on the COP and with whom?

A: I lived in the 2nd Platoon building, it was right next to the TOC. I lived by myself on the top floor.

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: I heard reports that someone was shooting detainees with Airsoft guns, but I didn't see it happen. I then told my platoon that they better not do it.

Q: Do you remember who told you?

A: No, it was just in a group talking.

Q: Is that why the Airsoft guns were removed from the COP?

A: When I was there they still had Airsoft guns.

Q: Do you know who had Airsoft guns?

A: I heard they were primarily from the PSD. The Soldiers in my platoon had water guns, but I never heard about them squirting detainees with them.

Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?

A: No.

Q: What was the command guidance on the COP concerning the detainees?

A: The SOG would brief them on what they were to do, but there was not any written SOP.

Q: Was anyone ever reprimanded about their handling of the detainees?

A: I know there were verbal warnings directed at the group.

Q: Who gave those warnings?

A: ISG (b)(6), (b)(7)(C) made it clear that abusing prisoners would not take place there, SSG (b)(6), (b)(7)(C) also said stuff like this and some of the other senior NCO's.

Q: Were the verbal warnings given preemptively or because an incident had occurred?

A: Because someone had done something stupid.

Q: Do you have any details pertaining to that?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?

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

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EXHIBIT

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0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 6 Feb 08 Continued

A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees?
A: No.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: There was a couple of times I saw him put them in front of an air conditioner, but that was it.
Q: Can you describe that?
A: He would put them in front where the exhaust came out for a few minutes.
Q: Did SSG (b)(6), (b)(7)(C) do this in order to gain their cooperation?
A: He wasn't do it out of bitterness, I think he was just doing it to get information, he would hold the guy in front of it for a few minutes and then he would pull him away and out of the noise and then the guy would generally start talking.
Q: Describe this air conditioner?
A: It was a window air conditioner on the back side of our building, about 3 feet off the ground.
Q: What reaction would he get when he did this to detainees?
A: The few times I saw it they felt the heat against their face and maybe thought they were next to a torch or heat source or something, generally they would freak out and scream.
Q: How many times did you see him do this?
A: I only saw it like twice.
Q: Who was there anyone else there who saw this incident?
A: Generally there were two or three Soldiers standing guard there and at least one Interpreter.
Q: Do you know who the Soldiers were?
A: Whoever was on the guard shift.
Q: Did you tell anyone else about this incident or report it higher?
A: CPT (b)(6), (b)(7)(C) was walking back towards the TOC from the where it happened, when I walked out there he was about 20 feet away from SSG (b)(6), (b)(7)(C) while this was going on, so I thought he knew about it, so I didn't take it above him. SSG (b)(6), (b)(7)(C) told me that CPT (b)(6), (b)(7)(C) told him to bring the detainee out here and try to get the information out of him.
Q: Did CPT (b)(6), (b)(7)(C) witness this incident?
A: I believe he did, I came downstairs from my platoon building to walk to the TOC, and as I was walking towards the TOC and I saw some Soldiers and detainees so I went over to see what was going on and as I walked in that direction, CPT (b)(6), (b)(7)(C) was walking away from there. I recall CPT (b)(6), (b)(7)(C) being out there multiple times when they were doing interrogations and I believe he was there when SSG (b)(6), (b)(7)(C) was holding the detainees face in front of the air conditioner.
Q: Did SSG (b)(6), (b)(7)(C) do this because CPT (b)(6), (b)(7)(C) told him to?
A: I don't believe that he told him to do that directly, but I believe he just told him to get information from the detainee.
Q: Did you ever speak with CPT (b)(6), (b)(7)(C) about this incident?
A: No.
Q: Was the detainee blind folded and zip-tied when this incident occurred?
A: Yes, he was zip-tied behind his back and blind folded as well with I believe a kravats.
Q: When did this incident occur?
A: I believe it was prior to me going on R&R, so I believe it was in Apr 07.
Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
Q: Did you ever hear CPT (b)(6), (b)(7)(C) give orders that were contrary to the way detainees should be treated?
A: No.
Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?

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

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EXHIBIT 162

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 6 Feb 08 Continued

A: Yes.

Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?

A: No.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?

A: No.

Q: Were you on patrols with the PSD?

A: Occasionally.

Q: Did you ever SEE SPC (b)(6), (b)(7)(C) intentionally engage non-combatants?

A: No.

Q: What were you told about engaging Iraqis who ran from you?

A: We would first be aware of our surroundings and if they are running away, what are they running away from. If we could safely pursue them we would, but if it didn't suit our mission then we wouldn't. We were told that if an IED went off in a street and there was nobody there and one person was running to use our best judgement.

Q: Who told you that?

A: 1SG (b)(6), (b)(7)(C)

Q: What did you think he meant by that?

A: I thought it meant to keep your wits about you. I thought it meant to pay attention for secondary explosions or something like that.

Q: Were you ever told to engage non-combatants?

A: No.

Q: Did you ever hear SPC (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?

A: No.

Q: Did you ever see SPC (b)(6), (b)(7)(C) shoot into a crowd or a market-place?

A: No.

Q: Did you ever hear him brag about doing so?

A: No.

Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

A: He would want to know the reasons for the engagement and then later we would do sworn statements as to what prompted the engagement and we would also document in the debriefs what happened on the patrol.

Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?

A: No, but I was over on Camp Slayer and was about 2 miles away from the blast and we initially thought it was incoming. I went outside to make sure we didn't have any Soldiers where it impacted. Shortly after, it came over the net that Wolf 6's patrol had been hit. I went back in and monitored the radio. Basically what I got was the lead vehicle had been hit, the Bradley was not destroyed but received superficial damage. The patrol called up that they spotted a trigger man and they were engaging him. Then over the company net, the other patrol with 1SG (b)(6), (b)(7)(C) were going to move over to help secure the site. Then they called up on the battalion net that they had wounded one suspected trigger man and were currently treating him on site. I believe about 10 minutes later the other patrol called up and said they were on site and the senior medic was treating the trigger man. Shortly thereafter they called up and said the detainee had passed away.

Q: Do you know who made the calls on the radio?

A: I can't recall.

Q: Did the radio transmissions say anything about the nature of the detainees wounds or life expectancy?

A: I don't recall. I know that Battalion was tracking it more closely than we were.

Q: Did you hear what happened to him afterwards, and from whom?

A: I know I hear that he died but I don't remember who said what.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

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

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0010-08-CID847-34682
0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 6 Feb 08 Continued

A: No.
 Q: Do you remember when that happened?
 A: I don't remember when it happened, but I remember the other patrol from my platoon who was with 1SG (b)(6), (b)(7)(C) made contact and said they had detainees and were bringing them back to the COP. Then later they called up and said they didn't have enough evidence so they were going to release them.
 Q: Do you remember who made the call?
 A: I believe it came from the TOC.
 Q: Did they say how many detainees they had?
 A: I can't remember.
 Q: Did they say where the detainees would be released?
 A: I want to say somewhere near the canal. I think they said they were going somewhere near the canal to release them.
 Q: Did you hear radio traffic during that mission that indicated a vehicle had got stuck?
 A: No.
 Q: Were you briefed on the mission when it was completed?
 A: No, the debrief was done through the TOC, which then got submitted to Battalion.
 Q: Did anyone discuss the incident afterwards?
 A: No, I don't recall anything ever being mentioned about it.
 Q: What has been discussed about this incident and investigation recently?
 A: I didn't even know we were being investigated until last night.
 Q: Has anyone told you to with-hold information regarding this case?
 A: No.
 Q: Do you have anything else to add to this statement?
 A: No. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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.

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

(Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 th day of Feb 08 at Schweinfurt German (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 Administering Oath)

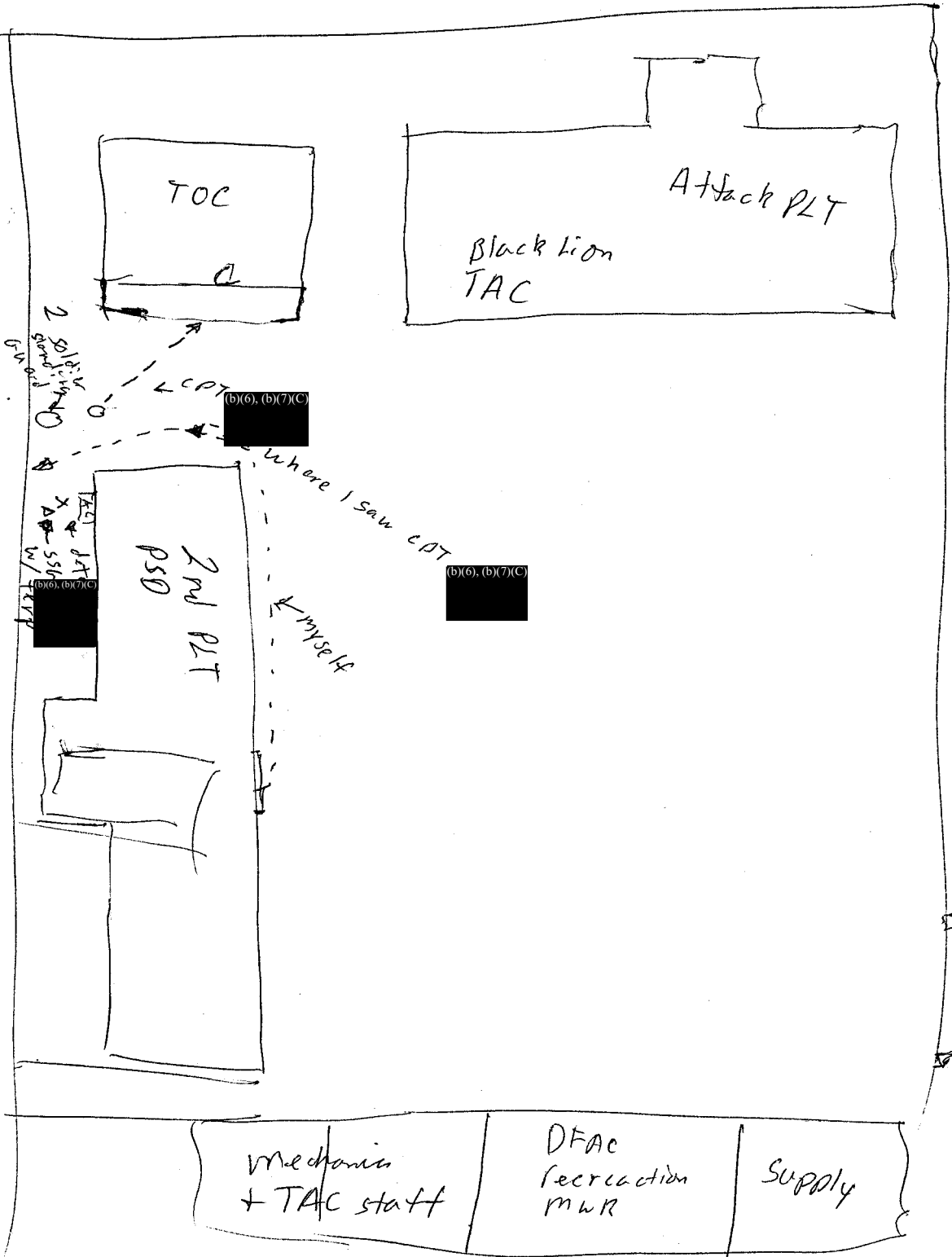
Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 5 of 5 Pages

DA Form 2823 (Automated)

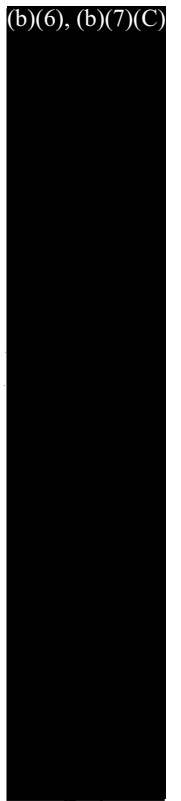
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LAW ENFORCEMENT SENSITIVE

EXHIBIT



Sketched by: 1LT
Verified by: SA

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



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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGES

DETAILS
About 1705, 11 Feb 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SGT (b)(6), (b)(7)(C) related he was on patrol during the PSD incident on 3 Jan 07, but did not see the wounded detainee. SGT (b)(6), (b)(7)(C) further stated he didn't know the wounded detainee was shot en route to the Combat Support Hospital (CSH). (See Sworn Statement for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033	
(b)(6), (b)(7)(C)	DATE 11 Feb 08	EXHIBIT 163

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID Office	11 Feb 08	1705	10-08-CID847-34682
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SGT / Active Duty	

ORGANIZATION/ADDRESS:

A Company, 1-18th Infantry Battalion, Conn Barracks, APO AE 09226

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

Insert narrative, including COP, platoon, vehicle type & number, call-sign and crew.

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

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

Q: Were you stationed at COP Angry Dragon during your recent deployment?

A: I believe I was there for 15 days from maybe the 8th of Feb 07 thru the beginning of March 07.

Q: When did you take R&R?

A: In November 06. I believe it was November 23rd thru December 8th.

Q: What platoon were you in and what was your job during your recent deployment?

A: 1st Platoon; Bradley Gunner.

Q: What vehicle did you ride in, and what was your call sign?

A: It always changed. Bradley Bumper numbers A15 or A16 were the main vehicles I rode in. My call sign was Red 5 G.

Q: Who was your section leader?

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

Q: Who was in charge of your element outside of the COP?

A: CPT (b)(6), (b)(7)(C) He was our Platoon Leader.

Q: Regarding the 3 Jan 07 shooting of the wounded insurgent, what do you recall of that incident?

A: The commander gets hit with an EFP and we were out there to pull security. This incident happened at night. I was a Bradley gunner at the time, and I believe I was in the lead Bradley.

Q: Do you remember seeing the wounded detainee?

A: No. I couldn't see anything other than my sector as the gunner.

Q: Do you recall any radio traffic by the QRF after they departed for the CSH with the wounded insurgent?

A: No I don't.

Q: What did you do after departing the scene?

A: I went back to Angry Dragon.

Q: On the Google map provided, is the location of the IED strike correct?

A: Yes.

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

Page 1 of 3 Pages

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 11 Feb 08 Continued

Q: Did anyone tell you later that the insurgent was killed en route to the CSH? If so, who said what?

A: No. Not that I recall.

Q: Who was in your vehicle during this incident?

A: I couldn't tell you. I want to say either SSG (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) Those were the main BC's that I rode with.

Q: Who was in the other vehicles?

A: I couldn't tell you. I don't even know who the dismounts were.

Q: Who was in 1SG's HMMWV during this incident?

A: No I don't.

Q: Who was in the Bradley that took the wounded insurgent to the CSH?

A: I think it may have been SGT (b)(6), (b)(7)(C) Bradley. I don't know who else would have been in his Bradley because they always flip-flopped. He was Bravo section, and I was Alpha section. Bravo section rolled out with SFC (b)(6), (b)(7)(C) and we rolled out with CPT (b)(6), (b)(7)(C)

Q: Did you know or hear about the 4 detainees who were taken out to Hamdani canal by 2nd Platoon and the 1SG, and executed?

A: No I don't. This is actually the first time that I even heard about it.

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

A: Negative. I never rolled out with PSD.

Q: Did you ever hear of SPC (b)(6), (b)(7)(C) wantonly engaging non-combatants?

A: No, I never heard anything about that.

Q: Did you ever witness soldiers at COP Angry Dragon engaged in detainee abuse, to include shooting them with BB or SoftAir guns, assaulting them, or holding their faces against air conditioner exhaust ducts?

A: No I never saw anything like that.

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

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EXHIBIT

ACLU-RDI 5596 p.458

10-L-0126 ACLU CID ROI 9400

164
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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 11 Feb 08 Continued

AFFIDAVIT

(b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

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

(Signature of Person Making Statement)

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

is authorized by law to
Schweinfurt, Germany.

(Typed Name of Person Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 3 of 3 Pages

DA Form 2823 (Automated)

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EXHIBIT 164

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
PAGE 1 OF 1 PAGES	

DETAILS
About 1152 12 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SPC (b)(6), (b)(7)(C) related his Bradley encountered mechanical problems with the fuel pump during one of his patrols in early January 2007. SPC (b)(6), (b)(7)(C) stated the patrol pulled off onto the side of the road, and he, 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) attempted to fix the problem, which met with negative results. SPC (b)(6), (b)(7)(C) stated his vehicle was towed back to FOB Falcon, and never stopped at an Iraqi Police station or the CSH. SPC (b)(6), (b)(7)(C) denied he transported a wounded detainee which was later killed by 1SG (b)(6), (b)(7)(C) (See Sworn Statement for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033
(b)(6), (b)(7)(C)	DATE 12 Feb 08
	EXHIBIT 165

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID Office	12 Feb 08 (b)(6), (b)(7)(C)	1522 (b)(6), (b)(7)(C)	0010-08-CID847-34682

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226

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

Q: What Platoon were you in during your recent deployment to Iraq?

A: 1st Platoon. I was a HMMWV driver/gunner, Bradley driver/gunner, and a dismounted rifleman.

Q: What vehicle did you usually ride in during your deployment?

A: A HMMWV or Bradley fighting vehicle. It was a toss up.

Q: What was the Bumper # and Call sign of your Bradley?

A: Bumper #'s ranged from A15, 16, 17, and 18. The call signs were (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

Q: Regarding the 3 Jan 07 shooting of the wounded insurgent, what do you know of that incident?

A: Only rumors of what I've heard. I heard that 1SG (b)(6), (b)(7)(C) executed a wounded Iraqi National following an IED strike on a friendly vehicle.

Q: Who told you this information?

A: I don't remember. It was just rumors that circulated throughout the Company.

Q: Do you remember conducting joint missions with 1SG (b)(6), (b)(7)(C) in early January 07?

A: Yes I do. We conducted movement to contact patrols, where the general idea is to drive around making our presence known, and if engaged, to identify the threat and return fire.

Q: Describe the incident in which your Bradley encountered mechanical problems.

A: In probably late December or early January during one of our movement to contact patrols, my Bradley suffered a fuel systems or fuel pump malfunction which rendered the vehicle inoperable. Upon realizing we didn't have the appropriate tools to fix the problem, we used our Platoon's second Bradley, and towed the disabled vehicle back to FOB Falcon.

Q: Was there a wounded insurgent in the back of your Bradley at that time?

A: No Sir, there was not.

Q: Who were the other individuals on your patrol when you suffered the fuel pump problem?

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

Page 1 of 4 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 12 Feb 08 Continued

A: People that I can remember were SGT (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) and I don't remember anyone else specifically, just the other members of PSD.

Q: What was your job at that time?

A: I was the Bradley driver. I don't remember who the gunner was, but SGT (b)(6), (b)(7)(C) was the Bradley Commander. I remember him because we both had to get out of the vehicle to try and work on it.

Q: How long did it take to fix the fuel pump problem?

A: Well it was never fixed. From the time the vehicle was rendered inoperable, to the time we actually recovered it with the other Bradley's tow bar, I would have to say four hours. Once we decided we couldn't fix it, we then called SFC (b)(6), (b)(7)(C) element with the other Bradley, and the time lapse was about four hours.

Q: Who called the fuel pump problem over the net?

A: I don't remember. I know that SGT (b)(6), (b)(7)(C) would have to call it up to SFC (b)(6), (b)(7)(C) or the 1SG to make them aware that we couldn't move anymore.

Q: Where did your vehicle stop when it encountered the fuel pump problem?

A: I don't know. I don't know where we were that night route wise. We were in the northern Muhallahs.

Q: Describe the area in which you stopped during this time.

A: It was a straight stretch of road. There were no buildings in our immediate vicinity. The sides of the road were grassy field areas. The nearest buildings were about 100 meters off to either side of the road. We were still in the city, but we were not in a heavily urban area.

Q: How many vehicles were in your convoy when you stopped on the side of the road?

A: There was my single Bradley, and probably two or three HMMWV's.

Q: Describe the patrol configuration during this time.

A: My Bradley should have been leading off, with the HMMWV's trailing about 50 to 100 meters between vehicles. We couldn't have been moving faster than 20 mph.

Q: What time of day did this incident with your fuel pump occur?

A: It was after midnight I believe. It was dark when we left the FOB and dark when we got back. It was winter time as well.

Q: Did anyone from your patrol fire their weapon when your patrol stopped on the side of the road?

A: No Sir.

Q: Describe 1SG (b)(6), (b)(7)(C) actions once your patrol stopped on the side of the road.

A: He dismounted from his vehicle and examined the engine deck of the Bradley with me and SGT (b)(6), (b)(7)(C) and told us to disconnect the transmission prop shafts. Upon discovering that we didn't have the correct equipment to do so, he became angry at us. After some time, an hour or so had passed and we couldn't fix the problem. He called SFC (b)(6), (b)(7)(C) and informed us that we would be using the other Bradley to recover ours. He ordered us to recover our Bradley with the other Bradley. He was very angry with us because there was only one appropriate wrench set which was at FOB Falcon with the other platoons patrol set.

Q: Where was your patrol headed before you encountered fuel pump problems?

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

Page 2 of 4 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 12 Feb 08 Continued

A: We were just maneuvering through the Muhallahs to identify and attempt to engage enemy forces.

Q: Were you en route to the CSH when you encountered fuel pump problems?

A: No Sir.

Q: Did you stop at the Iraqi Police station at anytime during that patrol?

A: No Sir.

Q: What happened after the other Bradley arrived to assist your vehicle?

A: We utilized the tow bar and attached our Bradley to the other Bradley, and at a 5 kilometers per hour pace, we were towed back to FOB Falcon. It took the better part of 2 hours to get back because of our pace.

Q: Is that the only occasion in which your vehicle stopped on the side of the road with fuel pump problems?

A: That's the only occasion in which I was a Bradley driver, and my vehicle was disabled due to fuel pump problems.

Q: Were you present when 1SG (b)(6), (b)(7)(C) executed the wounded detainee?

A: No.

Q: Regarding the execution of 4 detainees at the canal near Hamdani Village, what do you know or have you heard of that incident?

A: I have not heard of that incident.

Q: Regarding the 3 Jan 07 IED incident, did anyone tell you later that the insurgent was killed en route to the CSH? If so, who said what?

A: No Sir, I didn't hear about that in conjunction with the IED attack. I just heard about 1SG executing captured detainees at various points throughout the deployment. I don't remember any specific incidents, just rumors that I've heard.

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

A: No Sir.

Q: Did you ever hear SPC (b)(6), (b)(7)(C) bragging about wantonly engaging non-combatants?

A: No Sir.

Q: Were you operating out of COP Angry Dragon?

A: Yes I was for a time. It would have been the last week of February thru May 07.

Q: When did you take R&R?

A: 3 Feb 07 thru 21 Feb 07.

Q: Did you ever witness soldiers at COP Angry Dragon engaged in detainee abuse, to include shooting them with BB or SoftAir guns, assaulting them, or holding their faces against air conditioner exhaust ducts?

A: No Sir.

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

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

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

Page 3 of 4 Pages

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EXHIBIT 166

ACLU-RDI 5596 p.463

10-L-0126 ACLU CID ROI 9405

000511

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 12 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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. *LMF*

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of Feb 08 at Schweinfurt, Germany.

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

ring Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

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

Page 4 of 4 Pages

DA Form 2823 (Automated)

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EXHIBIT

166

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1319, 12 Feb 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) Headquarters and Headquarters Battery (HHB), 1-7th Field Artillery (FA) Battalion, LBSG, of his legal rights, which he waived and provided a sworn statement, wherein he stated he had no knowledge pertaining to the incidents in question. (See Waiver Certificate and Sworn Statement)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

DATE

12 Feb 08

EXHIBIT

167

CID FORM 94

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ACLU-RED 75596 p.465

10-L-0126 ACLU CID ROI 9407 000513

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7 **LA W ENFORCEMENT SENSITIVE**
RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. 00 10 - 2008 - CID 847 - 34682
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary. (b)(6), (b)(7)(C)
LOCATION: Schweinfurt CID **DATE:** 12 Feb 08 **TIME:** 1319 4
FILE NUMBER:
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE / STATUS:** E-6/AD
ORGANIZATION OR ADDRESS: HHB, 1-7 FA, LBSG

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

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

suspected/accused: 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:

1. I do not have to answer 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:

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.

Witness # 1

Signature of Witness

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

Witness # 2

Signature of Witness

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

Sig _____ ent _____
SA _____
SCHWEINFURT CID Office
APO AE 09033

NON-WAIVER CERTIFICATE

I do not want to give up my rights: I want a lawyer: I do not want to be questioned or say anything:

Signature of Interviewee: _____

DA Form 3881-E

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID	12 Feb 08	1531	0010-08-CID847-34682 0013-08-CID847-34684
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)		E-4/SPC	
ORGANIZATION/ADDRESS:			

(b)(6), (b)(7)(C) HHB, 1-7 FA, Ledward Barracks, Schweinfurt, Germany APO AE 09033

(b)(6), (b)(7)(C), want to make the following statement under oath:

SA (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C)

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion?

A: Yes, from mid May 06 to the end of the tour.

Q: When did you take R&R?

A: Dec 9, 06, I think I got back around the 1st of January 07.

Q: What platoon were you in and/or what was your job?

A: For the first couple of months I was RTO at the TOC, in May 07 I became CPT (b)(6), (b)(7)(C) driver.

Q: What vehicle did you normally ride in and what was its call sign?

A: A-6, Wolf 6.

Q: Where did you live on the COP and with whom?

A: I lived in a building with SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)

Q: While you were at the COP, did you ever witness anyone abusing the detainees, to include shooting them with BB guns, spinning them around to make them fall down, kicking or punching them?

A: Just myself.

Q: Could you describe what you did?

A: The spinning around would be one or two quick spins to disorient them when they first got there. Then I would sit them down. I was playing around and I saw a detainee sitting there and shot him in the leg.

Q: Where was the detainee?

A: He was sitting on the ground outside the TOC.

Q: What did you shoot the detainee with?

A: An airsoft pistol.

Q: Describe the pistol?

A: It looked just like an army standard issue beretta, black with an orange tip.

Q: What hit the detainee?

A: A little yellow airsoft bb. I think it was .12 mm or something like that.

Q: Was the pistol yours?

A: Yes.

Q: Who else had airsoft guns on the COP?

A: (b)(6), (b)(7)(C)

Q: Did you ever witness (b)(6), (b)(7)(C) shoot detainees with airsoft guns?

A: I never did witness that.

Q: Was the detainee you shot restrained and blind folded, if so, how?

A: He was zip cuffed and blindfolded.

Q: How was he zip cuffed?

A: Hands behind his back.

Q: How was he blindfolded?

A: I think it was a cravat from the medics.

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 1 of 3 Pages

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0010-08-CID847-34682

0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 12 Feb 08 Continued

- Q: Were you guarding the detainee when this occurred?
A: No.
- Q: Who was?
A: I don't remember.
- Q: What did the detainee do when you shot him?
A: He just flinched.
- Q: Describe the detainee?
A: I can't tell you anything about him, I just don't remember.
- Q: Who witnessed this incident?
A: I couldn't tell you.
- Q: When did this incident occur?
A: It was summer some time in the mid afternoon, I can't remember any more than that. Most of my tour to Iraq just blended in to one big bad experience.
- Q: Were you ever told to deprive them of food & water or toilet facilities for extended periods?
A: No.
- Q: What was the command guidance on the COP concerning the detainees?
A: First we had briefings then they had an SOP on one of the detainee cages.
- Q: Was anyone ever reprimanded about their handling of the detainees?
A: Not to my knowledge.
- Q: Did you ever see SPC (b)(6), (b)(7)(C) kick or punch detainees at the COP?
A: No.
- Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees, to include shooting them with a BB or air-soft type gun?
A: No.
- Q: Did you ever see SSG (b)(6), (b)(7)(C) abuse detainees?
A: No.
- Q: Did you ever see SPC (b)(6), (b)(7)(C) abuse detainees?
A: No.
- Q: OK. Moving outside the wire. Were you ever made aware of the Rules Of Engagement for your deployment?
A: Yes.
- Q: Were you ever given guidance contrary to those Rules Of Engagement by someone in a position of authority?
A: No.
- Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?
A: No.
- Q: Were you on patrols with the PSD?
A: Yes.
- Q: Did you ever SEE SPC (b)(6), (b)(7)(C) intentionally engage non-combatants?
A: No.
- Q: What were you told about engaging Iraqis who ran from you?
A: Not to shoot at them unless they posed a threat.
- Q: Were you ever told to engage non-combatants?
A: No.
- Q: Did you ever hear SPC (b)(6), (b)(7)(C) bragging about intentionally engaging non-combatants?
A: No.
- Q: Did you ever see SPC (b)(6), (b)(7)(C) shoot into a crowd or a market-place?
A: No.
- Q: Did you ever hear him brag about doing so?
A: No.
- Q: What was the Commander's reaction if someone opened fire when there wasn't incoming fire?

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 2 of 3 Pages

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EXHIBIT

168

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0010-08-CID847-34682

0013-08-CID847-34684

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 12 Feb 08 Continued

A: He would call cease fire. If it was another truck he would hop on the radio and find out a sitrep.
Q: Were you out with the patrol on 3 Jan 07, when one of the PSD Bradleys took a hit from an EFP/IED?
A: No.
Q: Were you aware of the insurgent who was engaged as the trigger man getting hit in the leg?
A: No.
Q: Do you know what happened to him after he was hit?
A: No.
Q: Did you hear what happened to him afterwards, and from whom?
A: No.
Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?
A: No.
Q: Do you remember when that happened?
A: No.
Q: Did anyone discuss the incident afterwards?
A: Not to my knowledge.
Q: What has been discussed about this incident and investigation recently?
A: Nothing.
Q: Has anyone told you to with-hold information regarding this case?
A: No.
Q: Did you ever kick or punch a detainee?
A: No.
Q: Did you ever make a detainee squat so long that they were no longer able to stand?
A: No.
Q: Why did you shoot the detainee with the air soft gun?
A: It was just stupid, I was just fucking around.
Q: Do you have anything else to add to this statement?
A: No. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 th day of Feb 08 at Schweinfurt Germany.

(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 Administering Oath)

Initials of Person Making Statement (b)(6), (b)(7)(C)

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EXHIBIT 168

**FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE**

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
PAGE 1 OF 1 PAGES	

DETAILS

About 1252, 13 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226, who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. SPC (b)(6), (b)(7)(C) related his Bradley encountered mechanical problems with the fuel pump while en route to the CSH in early January 2007. SPC (b)(6), (b)(7)(C) stated the patrol pulled off onto the side of the road, not far from the Iraqi Police station, and SPC (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) attempted to fix the problem, which met with negative results. SPC (b)(6), (b)(7)(C) related a wounded detainee and a medic were in the back of his Bradley during this time, but he didn't know what happened to them after the Bradley pulled off onto the side of the road. SPC (b)(6), (b)(7)(C) related he was the Bradley gunner, and was focused on his sector of fire. SPC (b)(6), (b)(7)(C) denied he witnessed 1SG (b)(6), (b)(7)(C) shoot the wounded detainee and/or heard any gunshots. SPC (b)(6), (b)(7)(C) stated his vehicle was towed back to FOB Falcon by another Bradley in his platoon and never made it to the CSH. (See Sworn Statement for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033
(b)(6), (b)(7)(C)	DATE 13 Feb 08
	EXHIBIT 169

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID Office	13 Feb 08 (b)(6), (b)(7)(C)	1252 (b)(6), (b)(7)(C)	0010-08-CID847-34682
NAME:	SSN:	GRADE/STATUS:	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty	

ORGANIZATION/ADDRESS:

A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226

(b)(6), (b)(7)(C), (b)(6), (b)(7)(C), want to make the following statement under oath:

Q: SA (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C)

Q: What Platoon were you in during your recent deployment to Iraq?

A: 1st Platoon. I was a driver/gunner for a Bradley.

Q: What was the Bumper number and Call sign for your Bradley?

A: (b)(6), (b)(7)(C)

Q: Regarding the 3 Jan 07 shooting of the wounded insurgent, what do you recall of that incident?

A: From what I remember, I think it was 3rd platoon that wounded the guy, and we were called in to provide support. We were instructed by SFC (b)(6), (b)(7)(C) to bring the wounded detainee to the CSH. I was a gunner for A18, and my BC was SGT (b)(6), (b)(7)(C). The driver was (b)(6), (b)(7)(C). The detainee and medic were in the back of the Bradley. I don't know which medic it was. While we were en route to the CSH, we encountered problems with the fuel pump and halted off on the side of the road. (b)(6), (b)(7)(C) and 1SG tried to fix the problem by trying to take the prop shafts off, but it didn't work. We didn't have the tools to properly do it. I was scanning a certain sector which SGT (b)(6), (b)(7)(C) directed me to do. I pulled security away from the road towards an open area. I don't know how long I was there, but after that event, we had to get another Bradley to pick us up and tow us to the FOB Falcon. When we got to the FOB, we dropped the Bradley's off at the motor pool and waited until the morning to fix the problem.

Q: Did you see the detainee that was loaded into the back of your Bradley?

A: No.

Q: What happened to the detainee that was in the back of your Bradley?

A: From what I know, they just dropped the ramp and took him out. I didn't see them take him out.

Q: How do you know he was taken out if you didn't see it?

A: Cause the ramp dropped, so I'm sure they took him out at that point.

Q: Who took him out of the back of your Bradley?

A: I don't know who took him out exactly. I couldn't say.

Q: What happened to the detainee after he was taken out?

A: I have no clue after that point...from what I can remember.

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 1 of 4 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 13 Feb 08 Continued

Q: About how long was the Bradley ramp down?

A: I don't know. I didn't keep track of how long it was down for.

Q: Do you recall any radio traffic by the QRF after they departed for the CSH with the wounded insurgent?

A: No. I don't recall. I was probably monitoring my Platoon's net at that time.

Q: How long was your Bradley on the side of the road?

A: I'm not sure exactly how long.

Q: Describe the area in which your vehicle stopped on the road after you encountered fuel pump problems?

A: From what I can see, it was dark out, so I was using thermal vision. We were on the right side of the road, and I was facing toward the right side at about 2 or 3 O'clock. I could see an open space and some buildings a little distance away.

Q: Was your Bradley in front during this patrol?

A: Yes.

Q: Did anyone in your patrol fire their weapon when your patrol stopped on the side of the road?

A: No.

Q: On the Google map provided, is the location of the IED strike correct?

A: I don't know. I can't really tell because it's been so long ago. I just have brief flashes of everyday missions throughout the deployment.

Q: Did anyone tell you later that the insurgent was killed en route to the CSH? If so, who said what?

A: No. Not at all. I just thought it was an everyday mission.

Q: Who was in the other vehicles while you were en route to the CSH?

A: I don't know.

Q: Other than your SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) who else was present during this patrol?

A: From what I can remember, I know 1SG (b)(6), (b)(7)(C) was there. I don't know who went with us en route to the CSH.

Q: Who was in 1SG's HMMWV during this incident?

A: I don't really know what his crew was.

Q: Was that the only occasion in which your vehicle stopped on the side of the road with fuel pump problems?

A: From what I can remember, yes.

Q: Were you present when 1SG (b)(6), (b)(7)(C) executed the wounded detainee?

A: No.

Q: Did your Bradley take the wounded detainee to the Iraqi Police Station?

A: We were in the area of the Iraqi Police Station when my vehicle broke down. I don't know what they did to the detainee.

Q: Did you know or hear about the 4 detainees who were taken out to Hamdani canal by 2nd Platoon and the 1SG, and executed?

A: No. I haven't heard about that. We never worked with 2nd Platoon.

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 2 of 4 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 13 Feb 08 Continued

A: No.

Q: Did you ever hear of SPC (b)(6), (b)(7)(C) wantonly engaging non-combatants?

A: No.

Q: Were you operating out of COP Angry Dragon?

A: I was there for a short period of time. It had to have been less than a month in February.

Q: When did you take R&R?

A: I went on R&R from 25 Feb 07 thru 17 Mar, and that's when I heard about one of my friends dying that day.

Q: Did you ever witness soldiers at COP Angry Dragon engaged in detainee abuse, to include shooting them with BB or SoftAir guns, assaulting them, or holding their faces against air conditioner exhaust ducts?

A: No. Not at all.

Q: Has anyone told you to withhold information regarding this investigation?

A: No.

Q: Do you have anything else to add to this statement?

A: No Sir. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 3 of 4 Pages

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EXHIBIT

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10-L-0126 ACLU CID ROI 9415

000521

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 13 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13th day of Feb 08 at Schweinfurt, Germany.

(b)(6), (b)(7)(C)

SA (b)(6), (b)(7)(C), (b)(7)(F) USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 4 of 4 Pages

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EXHIBIT 170

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0040-08-CID446-

PAGE 1 OF 1 PAGES

DETAILS

On 14 Feb 08, this office received a Request For Assistance (RFA) from the Schweinfurt CID Office, CMR 457, APO AE 09033. The RFA requested this office to locate, identify and interview Mr (formerly SSG) (b)(6), (b)(7)(C) for his knowledge of the murder of Iraqi insurgents.

About 1522, 15 Feb 08, SA (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) who rendered a sworn statement wherein he detailed his knowledge of the murders of Iraqi insurgents. (See Sworn statement for details).

Agent's Comments: Mr (b)(6), (b)(7)(C) was provided with a DD Form 2701.

This investigation was completed in the files of this office and no further action is anticipated.

//////////////////////////////////////LAST ITEM//////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Fort Huachuca CID Office, 38 th MP Det (CID), USACIDC, Fort Huachuca, AZ 85613	
SID (b)(6), (b)(7)(C)		DATE	EXHIBIT
		15 Feb 08	171

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10-L-0126 ACLU CID ROI 9417 000523

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Ft. Huachuca, AZ 85670	DATE 15 Feb 2008	TIME 1522	FILE NUMBER 0040-08-CID446
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS CIV/FORMER SSG
ORGANIZATION OR ADDRESS (b)(6), (b)(7)(C)			

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I was deployed to the Baghdad theater between 3 Sep 06 to about 16 Nov 07. I was assigned to A Company, 1/18th Infantry Regiment, 2 Bde, 1st Inf Div out of Schweinfurt, Germany. While deployed to the theater, my primary job was a section leader and weapons squad leader for 2nd Platoon (White). I became the A section Leader for 2nd Platoon on Dec 06 after the A Section leader was hit by an IED and MED EVAC'd out. During my time with the unit, the 1SG was 1SG (b)(6), (b)(7)(C). His crew consisted of SGT (b)(6), (b)(7)(C) (NFI) his medic and his driver was SPC (b)(6), (b)(7)(C) (NFI) and his gunner. He was a Spanish kid and his last name started with a 'V' (I think), but I can't remember his name. I know he was a Specialist. My Platoon Sergeant was SFC (b)(6), (b)(7)(C). He had a HMMWV truck and his crew was driver SPC (b)(6), (b)(7)(C) his gunner SPC (b)(6), (b)(7)(C) and a medic SPC (b)(6), (b)(7)(C).

Q. (b)(6), (b)(7)(C)

A. (b)(6), (b)(7)(C)

Q. During this interview, we discussed an incident that occurred between Mar 07 and May 07, where it was alleged that during an attack, 4 Iraqi males were captured, questioned, photographed, blind folded and placed into a Bradley. Do you remember this incident?

A. No, I don't.

Q. Do you know the area near Baghdad called 'Hamdani Village'?

A. Yes.

Q. According to the allegation, the 4 Iraqi Males were taken to that area and were shot at the behest of either 1SG (b)(6), (b)(7)(C) or SFC (b)(6), (b)(7)(C). Can you tell me if you've heard of this?

A. No, I haven't.

Q. Do you know if anyone in the unit may have heard of this; because they were there or because of rumors?

A. No, not to my knowledge.

Q. Are you in anyway in fear for discussing this issue?

A. No.

Q. Do you know, whether first hand knowledge or by rumors, whether the 1SG directed his unit not to speak of this incident or similar incidents?

A. No.

Q. You mentioned during this interview that the 1SG was often overheard saying something to the effect of "we are not to speak of this again". In what context was he saying this?

A. No, he's never said that to me or anyone else. I just said that he was the type of person that if he would have said something like that, because of camaraderie or respect for him as the 1SG, no one would have spoken about what ever the issue was at the time to anyone. This is why, if something like that happened, no one would have spoken about it: not even in rumor mill. I was on mid-tour leave between about 5 Mar to about 26 Mar 07.

Q. Can you think of anyone that might have first hand knowledge of the above incident?

A. Just his crew. If 1SG and SFC (b)(6), (b)(7)(C) was there, their crew would have first hand knowledge.

Q. Do you remember a time where 1SG (b)(6), (b)(7)(C) gathered the unit together and said something to the effect of "...this (meaning Iraqi killed) was done because of our fallen (mentioned by name) comrades"?

A. No.

Q. How would you describe 1SG (b)(6), (b)(7)(C) what type of person was he?

A. A very strong person. He commanded respect. He lead his guys: always leading from the front. He was a great guy; both in Germany and Iraq.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE
INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE
LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

0040-08-CID446

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Ft. Huachuca, AZ 85670 DATED 15 February 2008 CONTINUED

Q. Would you say he was 'hot-headed' or 'quick tempered'?

A. I think he could be. He's told this story in the past of getting 11 assault charges against him on one night in a bar. It's a story. Not bragging, just way he couldn't get a top-secret clearance.

Q. What about SFC (b)(6), (b)(7)(C)?

A. Him and I had differences. He was manipulative when it came to getting his way. When it came to something he wanted a certain way, he would change things or make it painful until he got his way. I heard that SFC (b)(6), (b)(7)(C) almost struck another soldier in Iraq. It was an equal dislike for each other and they almost got into a fight.

Q. Do you think either 1SG (b)(6), (b)(7)(C) or SFC (b)(6), (b)(7)(C) could have taken these prisoners and shot them, all because of fallen comrades?

A. No. If something like that happened, it would have been something else, not just to make them fall guys or scapegoats for members of our unit.

Q. About 3 Jan 07, the A-1/18th Inf Commander's PSD Bradley was hit by an IED. Do you recall this?

A. Yes.

Q. Were you there?

A. No.

Q. Where were you?

A. I believe I was on LSA Slayer.

Q. How did you hear about this?

A. Rumor mill. I knew it happened. I was in the re-trans site. I overheard the soldiers on the re-trans site talking about it. This was about an hour after the incident. I remember thinking that 'why the hell were they on Route Steeler since it was deemed Black'.

Q. Do you remember whether anyone was caught, meaning the trigger man for the IED?

A. Yes, I heard about the incident two weeks later from soldiers that were there.

Q. What did they say?

A. While they were on Route Stealers near the Al-Jihad neighborhood, the lead Bradley was hit. After that, the convoy started receiving small arms fire. From what I heard, from SGT (now SSG) (b)(6), (b)(7)(C) (believe) (b)(6), (b)(7)(C) he said that the lead HMMWV gunner returned fire. After investigating, they found an Iraqi male who was wounded in the legs. According to SGT (b)(6), (b)(7)(C) the Iraqi was given first aid, but later died of wounds before he could be stabilized. The Iraqi was placed in a body bag and transported to an Iraqi check point or Police Station.

Q. Did SGT (b)(6), (b)(7)(C) mention anything else about the incident?

A. No.

Q. Do you know who else was on this convoy?

A. The Black Squad. I don't know who specifically. If the Commander was out, they were out.

Q. Do you know if SFC (b)(6), (b)(7)(C) was with them?

A. No, he was not there.

Q. How do you know that?

A. He was on the installation with me. Our whole platoon was there.

Q. Did you see him?

A. No, but our platoon was not on sector.

Q. Do you know if the QRF was called to the scene?

A. I don't remember. I wasn't. I was the Plt Ldr wing man. B Section, which was with SFC (b)(6), (b)(7)(C) was another patrol set.

Q. Who led the QRF?

A. It had to be SFC (b)(6), (b)(7)(C) but I don't know for sure. I don't believe that our platoon was on QRF at the time.

Q. Do you know if 1SG (b)(6), (b)(7)(C) was on the QRF?

A. I don't. I don't think he was.

Q. Why do you say that?

A. He might have jumped in at FOB Falcon. He might have said 'My Commander's hit. I'm going'. I don't believe any one from Slayer went out.

Q. Do you know if SGT (b)(6), (b)(7)(C) might have been there?

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

ACLU-RDI 5596 p.477

PAGE 2 OF 4 PAGES

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 10-L-0126 ACLU CID RO 13419 172 000525

Incl 2

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Ft. Huachuca, AZ 85670 DATED 15 February 2008 CONTINUED

A. If 1SG was out, then most likely he was with him.

Q. Did anyone else tell you what happened at this incident other than SGT (b)(6), (b)(7)(C)

A. No. No one else talked about it.

Q. Do you know if the 1SG directed the unit or specific soldiers not to discuss this incident?

A. No, nobody said that.

Q. Do you recognize the soldier(s) in this photo (photograph of a wounded Iraqi male with wound to the leg)?

A. That's SPC (b)(6), (b)(7)(C) (NFI). PSD' medic.

Q. Do you remember hearing over the re-trans net that 1SG (b)(6), (b)(7)(C) suffered any type of malfunction to his vehicle?

A. No. I wasn't at the re-trans site until an hour after the incident happened.

Q. Did the soldiers at the re-trans site say anything about a malfunction to 1SG (b)(6), (b)(7)(C) vehicle?

A. No, they didn't mention anything to me.

Q. Did anyone, after the incident, mention that the wounded Iraqi was placed in a Bradley, then on the way to the CSH, was taken from the vehicle and shot?

A. No.

Q. Do you know whether any other soldier in the unit was involved in any type of detainee abuse or indiscriminate killing of Iraqis?

A. No.

Q. Is there anything you would like to add to this statement?

A. No.///END OF STATEMENT/// (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

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10-L-0126 ACLU CID RDI 9420

000536

Final 2

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Ft. Huachuca, AZ 85670 DATED 15 February 2008 CONTINUED:
STATEMENT (Continued)

AFFIDAVIT

I, _____ (b)(6), (b)(7)(C) _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of February, 2008 at _____ Ft. Huachuca, AZ 85670

(b)(6), (b)(7)(C)

(Administering Oath)

SA (b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

10 USC 1031

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 4 OF 4 PAGES

Final 2

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0010-08-CID847-34682/
0027-08-CID146

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 1045, 23 Jan 08, this office received a Request for Assistance (RFA) (0010-08-CID847-34682) from the Schweinfurt Resident Agency (CID), Schweinfurt, GE APO, AE 09026 to conduct a subject interview of SPC (b)(6), (b)(7)(C) F Troop (Trp), 2-11th Calvary Regiment (CR), Fort Irwin, CA 92310 (FICA) for the offenses of Murder and Conspiracy.

At 1205, 31 Jan 08, SA (b)(6), (b)(7)(C) this office, advised SPC (b)(6), (b)(7)(C) of his legal rights, which he invoked requesting a lawyer.

AGENT'S COMMENT: SPC (b)(6), (b)(7)(C) was searched for officer safety. No illegal drugs and/or contraband were found. SPC (b)(6), (b)(7)(C) refused to provide consent to search his on-post quarters and Privately Owned Vehicle (POV).

At 1440, 31 Jan 08, SA (b)(6), (b)(7)(C) coordinated this investigation with CPT (b)(6), (b)(7)(C) Military Magistrate, Office of the Staff Judge Advocate (OSJA), Fort Irwin, CA 92310. CPT (b)(6), (b)(7)(C) concluded based on the results of the interviews conducted thus far, she would not grant an authorization to search SPC (b)(6), (b)(7)(C) on post quarters.

About 0925, 19 Feb 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) stated she would not grant an authorization for a search of SPC (b)(6), (b)(7)(C) residence and personal vehicle. CPT (b)(6), (b)(7)(C) stated even if the prayer beads were located, they would not show that SPC (b)(6), (b)(7)(C) actually participated with the incidents under investigation.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6), (b)(7)(C), (b)(7)(F)		Ft Irwin Resident Agency (CID) Ft Irwin, CA 92310	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C), (b)(7)(F)	19 Feb 08	173	

CID FORM 94

1 FEB 77

0005281

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 Fort Irwin, CA 92310	2. DATE 31 Jan 08	3. TIME 1705	4. FILE NO.
5. NAME (Last, First MI) (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS F TROOP, 2/11TH CAVALRY REGIMENT FORT IRWIN, CA 92310		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS SPC/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND and wanted to question me about the following offense(s) of which I am suspected: MURDER AND CONSPIRACY

Before he/she asked me any questions about the offense(s), he/she made it clear to me that I have the following rights:

- 1. I do not have to answer any question 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.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE	(b)(6), (b)(7)(C)	
2a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE	SA (b)(6), (b)(7)(C)	
	6. ORGANIZATION OF INVESTIGATOR FORT IRWIN RESIDENT AGENCY (CID) FORT IRWIN, CA 92310	

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)

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0010-08-CID847-34682
0007-08-CID507

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DETAILS

BASIS FOR INVESTIGATION: On 16 Jan 08, this office received a Request For Assistance from the Schweinfurt CID office to examine digital media for images or information regarding an ongoing investigation into possible war crimes in Iraq involving several members of Alpha Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt Germany.

IMAGE AND ANALYSIS OF EVIDENCE:

- **Item Analyzed:** Hama Secure Digital Card, 1 gigabyte, S/N 0637TN4926U removed from Casio Digital Camera SN: 4110946F.
- **Originating CID Office Voucher Number:** Item #1, Voucher 0010-08.
- **ESIFFO Voucher Number:** Item #1, Voucher 0005-08.

Between 1530, 16 Jan 08 and 0900, 17 Jan 08, SA (b)(6), (b)(7)(C) removed the Hama Secure Digital Card from the Casio Camera and connected it to a U.S. Government computer via a Tableau hardware write protection device. The write block device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the U.S. Government computer a forensic copy of the Secure Digital Card was made using the software EnCase, version 6.8. Upon completion of the forensic imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified against the HASH value created during the imaging process. The HASH values verified completely with zero errors. A review of the active files revealed nothing of evidentiary value. Additionally, a review of the internal memory of the camera was reviewed and revealed nothing of evidentiary value.

IMAGE AND ANALYSIS OF EVIDENCE:

- **Item Analyzed:** Toshiba Hard Drive, 80 gigabyte, S/N 84IM3156S removed from Sony Vaio Laptop SN: CXSM507BRD01-D480 (Voucher). Actually SN: C100GNCS
- **Originating CID Office Voucher Number:** Item #1, Voucher 0014-08.
- **ESIFFO Voucher Number:** Item #1, Voucher 0008-08.

Between 0900-1400, 23 Jan 08, SA (b)(6), (b)(7)(C) prepared a forensic image of the Toshiba hard removed from a Sony laptop Computer. The hard disk was connected to a U.S. Government computer via a Tableau hardware write

SA (b)(6), (b)(7)(C), (b)(7)(F)

European Special Investigation and Fraud Field Office, 202d MP GP CID APO AE 09102

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0007-08-CID507

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DETAILS

protection device. The write block device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the U.S. Government computer a forensic copy of the Secure Digital Card was made using the software EnCase, version 6.8. Upon completion of the forensic imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified against the HASH value created during the imaging process. The HASH values verified completely with zero errors.

Reported System Date: 23 Jan 2008

Actual Date: 23 Jan 2008

Reported System Time: 10:27:08

Actual Time: 10:27:18

Between 0900, 24 Jan 08 to 1100, 21 Feb 08, SA (b)(6), (b)(7)(C) reviewed the active and recovered files on the Toshiba hard drive. The examination revealed.

Questionable Pics in Iraq:

Active: 135 images

Image Spreadsheet

////////////////////////////////////LAST ENTRY////////////////////////////////////

SA (b)(6), (b)(7)(C)	European Special Investigation and Fraud Field Office, 202d MP GP CID APO AE 09102	
(b)(6), (b)(7)(C)	DATE 21 Feb 08	EXHIBIT 175

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DETAILS

BASIS FOR INVESTIGATION: On 16 Jan 08, this office received a Request For Assistance to examine various computers and other digital media belonging to numerous soldiers assigned to A Company 1-18th Infantry Battalion, Con Barracks, Schweinfurt GE, for images and other evidence of possible war crimes.

IMAGE AND ANALYSIS OF EVIDENCE:

- **Item Analyzed:** Hitachi Travel Star HDD, SN #JKH5412H removed from an Acer brand Laptop computer SN # LXTAH060085340DAF8EM00
- **Originating CID Office Voucher Number:**012-08 Item #2
- **ESIFFO Voucher Number:** 007-08

Between 0900 - 1110, 23 Jan 08, SA (b)(6), (b)(7)(C) removed the Hitachi HDD from the Laptop computer and attached it to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer a forensic copy of the hard disk was made using the software EnCase version 6.8. Upon completion of the imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified against the HASH value created during the imaging process. The HASH values verified completely with zero errors.

Encase Acquisition Report:

Reported System Date: 23 Jan 08
Actual Date: 23 Jan 08

Reported System Time: 0352
Actual Time: 0950

Between 1010, 23 Jan 08 and 1325, 1 Feb 08, SA (b)(6), (b)(7)(C) conducted an analysis of the data stored on the Hitachi HDD and discovered the following data in active files and unallocated clusters (UAC).

Active files:

- Active Images: 44
- Image data Spreadsheet

SA (b)(6), (b)(7)(C), (b)(7)(F)	European Special Investigation and Fraud Field Office, 202d MP GP CID APO AE 09102	
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DETAILS

No additional items of evidentiary items were discovered.

IMAGE AND ANALYSIS OF EVIDENCE:

- **Item Analyzed: Hitachi Travel Star HDD, SN #X6JMN BAG removed from a Toshiba brand Laptop computer SN # 26208359Q**
- **Originating CID Office Voucher Number:015-08 Item #1**
- **ESIFFO Voucher Number: 009-08**

Between 1045, 23 Jan 08, SA (b)(6), (b)(7)(C) removed the Hitachi HDD from the Laptop computer and attached it to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer a forensic copy of the hard disk was made using the software EnCase version 6.8. Upon completion of the imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified against the HASH value created during the imaging process. The HASH values verified completely with zero errors.

Encase Acquisition Report:

Reported System Date: 23 Jan 08
 Actual Date: 23 Jan 08

Reported System Time: 1050
 Actual Time: 1049

Between 1050, 23 Jan 08 and 1435, 1 Feb 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) conducted an analysis of the data stored on the Hitachi HDD and discovered the following data in active files and unallocated clusters (UAC).

Active files:

- Active Images: 42
- Image data Spreadsheet

Image files recovered from unallocated clusters (UAC)

SA (b)(6), (b)(7)(C), (b)(7)(F)	European Special Investigation and Fraud Field Office, 202d MP GP CID APO AE 09102	
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- UAC Images: 41

No additional items of evidentiary items were discovered.

IMAGE AND ANALYSIS OF EVIDENCE:

- **Item Analyzed: Toshiba HDD, SN #36DQ1953S 763ECA**
- **Originating CID Office Voucher Number:015-08 Item #2**
- **ESIFFO Voucher Number: 009-08**

Between 1315 - 1430, 25 Jan 08, SA (b)(6), (b)(7)(C) attached the Hitachi HDD to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer a forensic copy of the hard disk was made using the software EnCase version 6.8. Upon completion of the imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified against the HASH value created during the imaging process. The HASH values verified completely with zero errors.

Between 0826, 28 Jan 08 and 1619, 31 Jan 08, SA (b)(6), (b)(7)(C) conducted an analysis of the data stored on the Toshiba HDD and discovered nothing of evidentiary value.

IMAGE AND ANALYSIS OF EVIDENCE:

- **Item Analyzed: SAMSUNG HDD, SN #5116JD0P511305 removed from a Hewlett Packard brand laptop computer SN #2CE72109TL**
- **ESIFFO Voucher Number: 014-08**

Between 1015 - 1500, 24 Jan 08, SA (b)(6), (b)(7)(C) removed the SAMSUNG HDD from the Laptop computer and attached it to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer a forensic copy of the hard disk was made using the software EnCase version 6.8. Upon completion of the imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified

SA (b)(6), (b)(7)(C), (b)(7)(F)

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against the HASH value created during the imaging process. The HASH values verified completely with zero errors.

Encase Acquisition Report:

Reported System Date: 24 Jan 08

Actual Date: 24 Jan 08

Reported System Time: 1222

Actual Time: 1019

Between 0830, 28 Jan 08 and 0830, 1 Feb 08, SA (b)(6), (b)(7)(C) conducted an analysis of the data stored on the Toshiba HDD and discovered the following data in active files and unallocated clusters (UAC).

Active files:

- Active Images: 189
- Active Image data Spreadsheet

Files recovered from unallocated Clusters (UAC)

- UAC Images: 23

No additional items of evidentiary items were discovered.

AGENT'S COMMENT: The HDD listed on VO 014-08 contains the forensic image files of the Samsung HDD removed from the Hewlett Packard Laptop Computer. The owner of the computer (SPC (b)(6), (b)(7)(C) would not consent to the search of his computer if the computer had to be kept so a forensic image of the drive from the computer was made and then the computer was returned to the owner.

SA (b)(6), (b)(7)(C), (b)(7)(F)

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ANALYSIS OF EVIDENCE:

- Item Analyzed: Hitachi Travel Star HDD, SN #26629201F3RD02A removed from Hewlett Packard brand laptop computer SN# CND5080D3X
- Originating CID Office Voucher Number:011-08 Item #1
- ESIFFO Voucher Number: 006-08

Between 1330, 1 Feb 08 and 1500, 4 Feb 08, SA (b)(6), (b)(7)(C) removed the Hitachi HDD from the Laptop computer and attached it to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer SA (b)(6), (b)(7)(C) conducted a review the active data and unallocated clusters and discovered nothing of evidentiary value.

Reported System Date: 1 Feb 08

Actual Date: 1 Feb 08

Reported System Time: 1422

Actual Time: 1417

ANALYSIS OF EVIDENCE:

- Item Analyzed: Unknown Brand USB Thumb Drive
- Originating CID Office Voucher Number:016-08 Item #9
- ESIFFO Voucher Number: 010-08

Between 0800-0820, 8 Feb 08, SA (b)(6), (b)(7)(C) attached the thumb drive to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer SA (b)(6), (b)(7)(C) conducted a review the active data and unallocated clusters and discovered nothing of evidentiary value.

ANALYSIS OF EVIDENCE:

- Item Analyzed: Toshiba HDD, SN #87EWF1HAS9B7, removed from a Sony brand laptop computer SN #CXSM01BRD02D330
- Originating CID Office Voucher Number:016-08 Item #1
- ESIFFO Voucher Number: 010-08

SA (b)(6), (b)(7)(C)

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Between 0851- 1506, 8 Feb 08, SA (b)(6), (b)(7)(C) removed the Toshiba HDD from the Laptop computer and attached it to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer SA (b)(6), (b)(7)(C) conducted a review the active data and unallocated clusters and discovered nothing of evidentiary value.

Reported System Date: 8 Feb 08
Actual Date: 8 Feb 08

Reported System Time: 0153
Actual Time: 0851

AGENT'S COMMENT: A forensic image was not created of this item because all analysis was completed during the preview process.

ANALYSIS OF EVIDENCE:

- Item Analyzed: Seagate HDD, SN #5MA1FMVS, removed from a Compaq brand laptop computer SN #2CA4380SQH
- Originating CID Office Voucher Number: 016-08 Item #3
- ESIFFO Voucher Number: 010-08

Between 1500, 8 Feb 08 and 1100, 11 Feb 08, SA (b)(6), (b)(7)(C) removed the Seagate HDD from the Laptop computer and attached it to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer SA (b)(6), (b)(7)(C) conducted a review the active data and unallocated clusters and discovered nothing of evidentiary value.

Reported System Date: 8 Feb 08
Actual Date: 8 Feb 08

Reported System Time: 1528
Actual Time: 0833

SA (b)(6), (b)(7)(C)

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DETAILS

IMAGE AND ANALYSIS OF EVIDENCE:

- Item Analyzed: Samsung HDD, SN #S042J20YB68977, removed from a Dell brand laptop computer SN #CNF-OF8460-12961-5BR-2124
- Originating CID Office Voucher Number:002-08 Item #1
- ESIFFO Voucher Number: 021-08

Between 1300-1530 12 Feb 08, SA (b)(6),(b)(7)(C) removed the Samsung HDD from the Laptop computer and attached it to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer SA (b)(6),(b)(7)(C) conducted a review the active data and unallocated clusters and discovered nothing of evidentiary value.

Reported System Date: 12 Feb 08
Actual Date: 12 Feb 08

Reported System Time: 0730
Actual Time: 1327

IMAGE AND ANALYSIS OF EVIDENCE:

- Item Analyzed: Fuji Finepix digital camera and 256 MB XD picture card.
- Originating CID Office Voucher Number:016-08 Item #5
- ESIFFO Voucher Number: 010-08

Between 1300-1600, 14 Feb 08, SA (b)(6),(b)(7)(C) attached the Fuji digital camera and picture card to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer a forensic copy of the hard disk was made using the software EnCase version 6.8. Upon completion of the imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified against the HASH value created during the imaging process. The HASH values verified completely with zero errors. Once SA (b)(6),(b)(7)(C) reviewed all active data and unallocated clusters and discovered nothing of evidentiary value.

SA (b)(6),(b)(7)(C),(b)(7)(F)	European Special Investigation and Fraud Field Office, 202d MP GP CID APO AE 09102	
SIGNATURE (b)(6),(b)(7)(C)	DATE 21 Feb 08	EXHIBIT 176

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DETAILS

ANALYSIS OF EVIDENCE:

- Item Analyzed: Microsoft Zune, SN #010826463710,
- Originating CID Office Voucher Number:016-08 Item #7
- ESIFFO Voucher Number: 010-08

Between 1000- 1300, 19 Feb 08, SA (b)(6), (b)(7)(C) attached the Zune to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the US Government computer SA (b)(6), (b)(7)(C) was unable to view the data on the Zune. To be able to view the data forensically would have required SA (b)(6), (b)(7)(C) to make changes to the software on the Zune.

About 1330, 21 Feb 08, SA (b)(6), (b)(7)(C) reviewed the images and videos on the Zune in a non-forensic manner and discovered nothing of evidentiary value.

AGENT'S COMMENT: Because the Zune could not be examined forensically, a review of any items which may have been deleted and therefore may have existed in unallocated clusters could not be recovered and examined.

////////////////////////////////////LAST ENTRY////////////////////////////////////

SA (b)(6), (b)(7)(C), (b)(7)(F)

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(b)(6), (b)(7)(C)

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<h2 style="margin:0;">AGENT'S INVESTIGATION REPORT</h2> <p style="margin:0; text-align: center;"><i>CID Regulation 195-1</i></p>	<p>ROI NUMBER 0010--08-CID847-34682 0007-08-CID507</p> <hr/> <p style="text-align: center; font-weight: bold;">PAGE 1 OF 2 PAGES</p>
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DETAILS

BASIS FOR INVESTIGATION: Received a request for assistance from the Schweinfurt CID office to examine digital media for images or information regarding an ongoing investigation into possible war crimes in Iraq involving several members of Alpha Company, 1/18th Infantry Battalion, Conn Barracks, Schweinfurt Germany..

IMAGE AND ANALYSIS OF EVIDENCE:

- **Item Analyzed: Hama Secure Digital Card, 1 gigabyte, S/N 0637TN4926U removed from Casio Digital Camera SN: 4110946F.**
- **Originating CID Office Voucher Number: Item #1, Voucher 0010-08.**
- **ESIFFO Voucher Number: Item #1, Voucher 0005-08.**

Between 1530, 16 Jan 08 and 0900, 17 Jan 08, SA (b)(6), (b)(7)(C) removed the Hama Secure Digital Card from the Casio Camera and connected it to a U.S. Government computer via a Tableau hardware write protection device. The write block device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the U.S. Government computer a forensic copy of the Secure Digital Card was made using the software EnCase, version 6.8. Upon completion of the forensic imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified against the HASH value created during the imaging process. The HASH values verified completely with zero errors. A review of the active files revealed nothing of evidentiary value. Additionally, a review of the internal memory of the camera was reviewed and revealed nothing of evidentiary value.

IMAGE AND ANALYSIS OF EVIDENCE:

- **Item Analyzed: Toshiba Hard Drive, 80 gigabyte, S/N 84IM3156S removed from Sony Vaio Laptop Voucher SN: CXSM507BRD01-D480. Actually SN: C100GNGS**
- **Originating CID Office Voucher Number: Item #1, Voucher 0014-08.**
- **ESIFFO Voucher Number: Item #1, Voucher 0005-08.**

Between 0900-1400, 23 Jan 08, SA (b)(6), (b)(7)(C), prepared a forensic image of the Toshiba hard removed from a Sony Laptop Computer. The hard disk was connected to a U.S. Government computer via a Tableau hardware write

SA (b)(6), (b)(7)(C), (b)(7)(F)	European Special Investigation and Fraud Field Office, 202d MP GP CID APO AE 09102	
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protection device. The write block device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the U.S. Government computer a forensic copy of the Secure Digital Card was made using the software EnCase, version 6.8. Upon completion of the forensic imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified against the HASH value created during the imaging process. The HASH values verified completely with zero errors.

Reported System Date: 23 Jan 2008

Actual Date: 23 Jan 2008

Reported System Time: 10:27:08

Actual Time: 10:27:18

Between 0900, 24 Jan 08 to 1100, 21 Feb 08, SA (b)(6), (b)(7)(C) reviewed the active and recovered files on the Toshiba hard [REDACTED]. The examination revealed.

Questionable Pics in Iraq:

Active: [135 images](#)

Image [Spreadsheet](#)

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

SA (b)(6), (b)(7)(C), (b)(7)(F)	European Special Investigation and Fraud Field Office, 202d MP GP CID APO AE 09102	
SIGNATURE	DATE 21 Feb 08	EXHIBIT

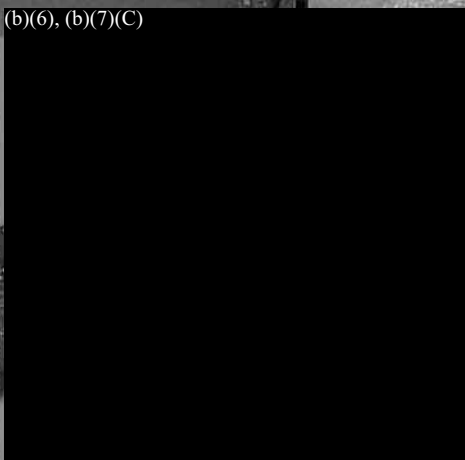


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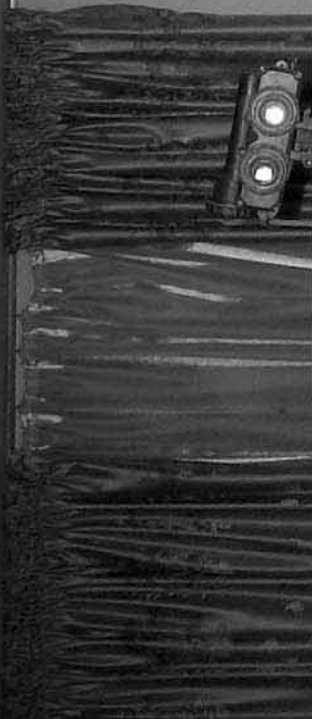
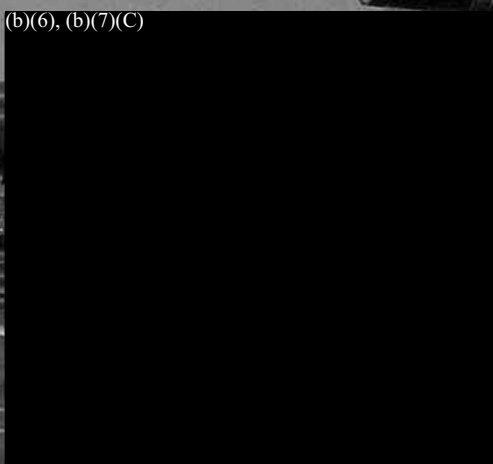
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وصيانة الاجرة في الخدمة
NATIONAL

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مشارف الخليل
شارع 1911
بغداد

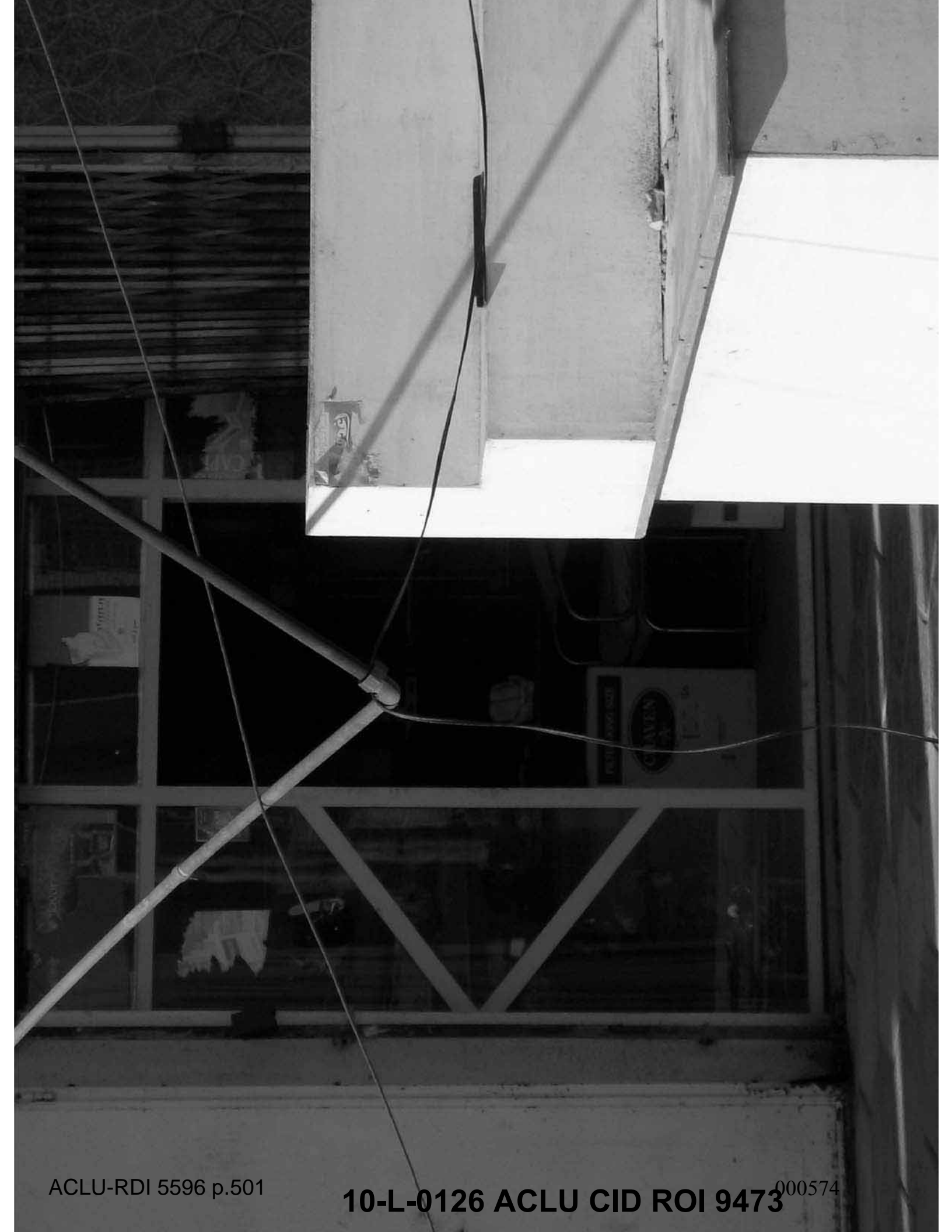
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وساكنة الجزائر
NATIONAL

مكتب
عزل الطين على السقف
تصميم الجوارف

مكوي المشاركة
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مجلس الامانة العامة
بمكة المكرمة
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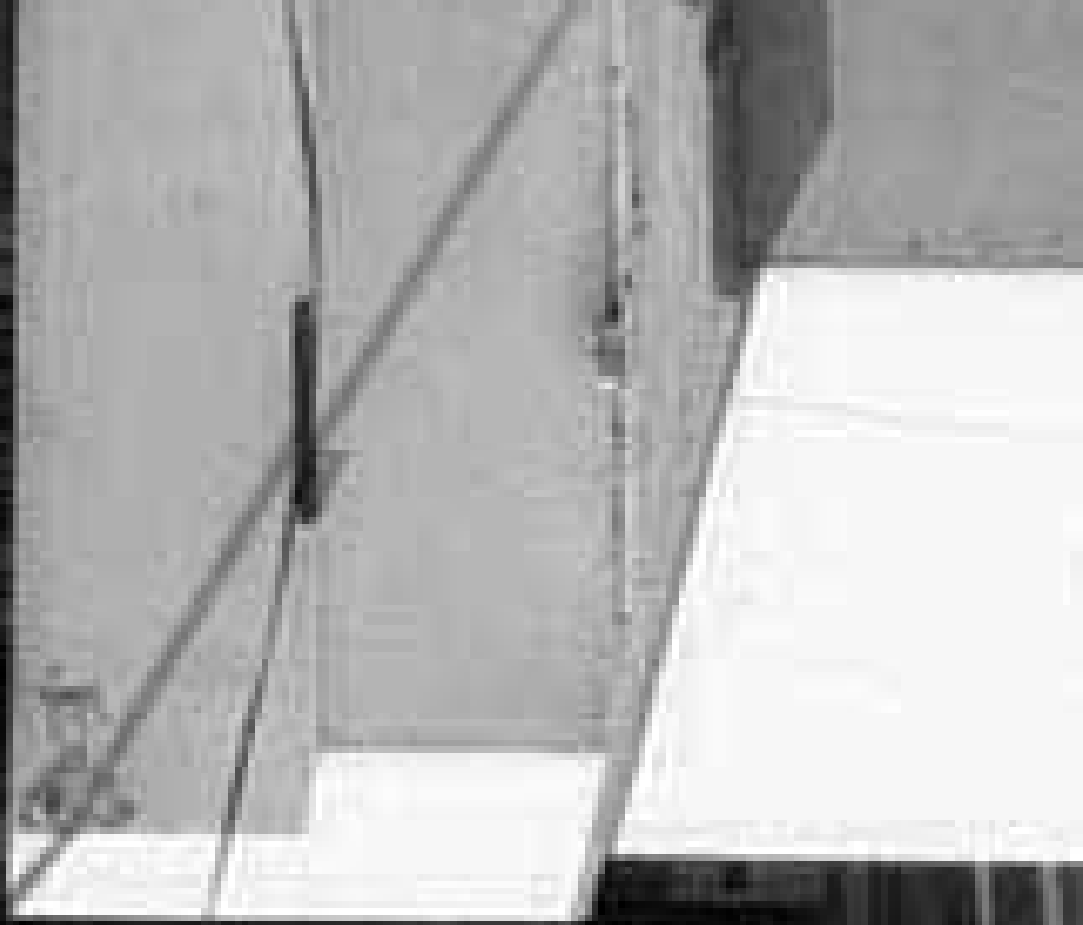






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بسم الله الرحمن الرحيم
الحمد لله رب العالمين
والصلاة والسلام على
سيدنا محمد وآله الطيبين
الطاهرين
الذين هم خاتم النبيين
مما مضى
والسلام على من اتبع الهدى
أجمعين
أما بعد
فإن الله قد جعلنا
هذا القرآن
مذكرا للناس
الذين هم على
الهدى
فإن الله قد جعلنا
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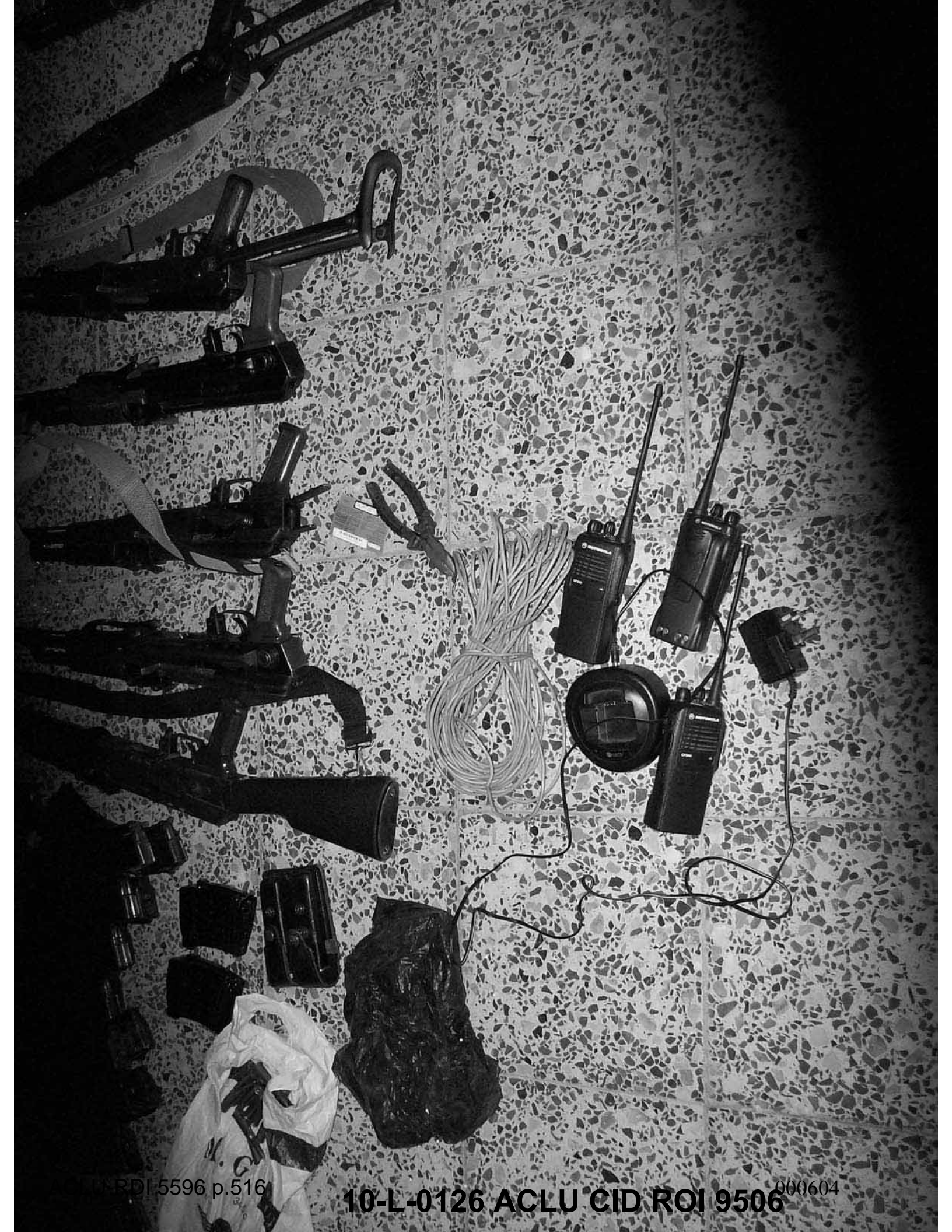


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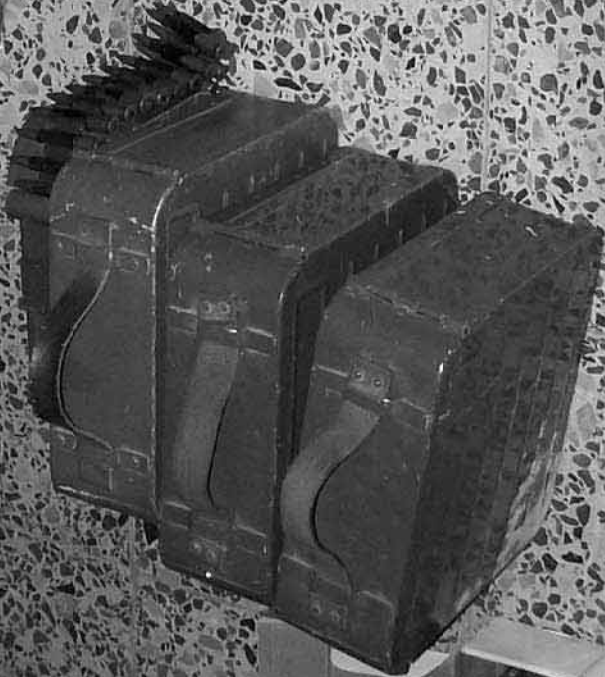
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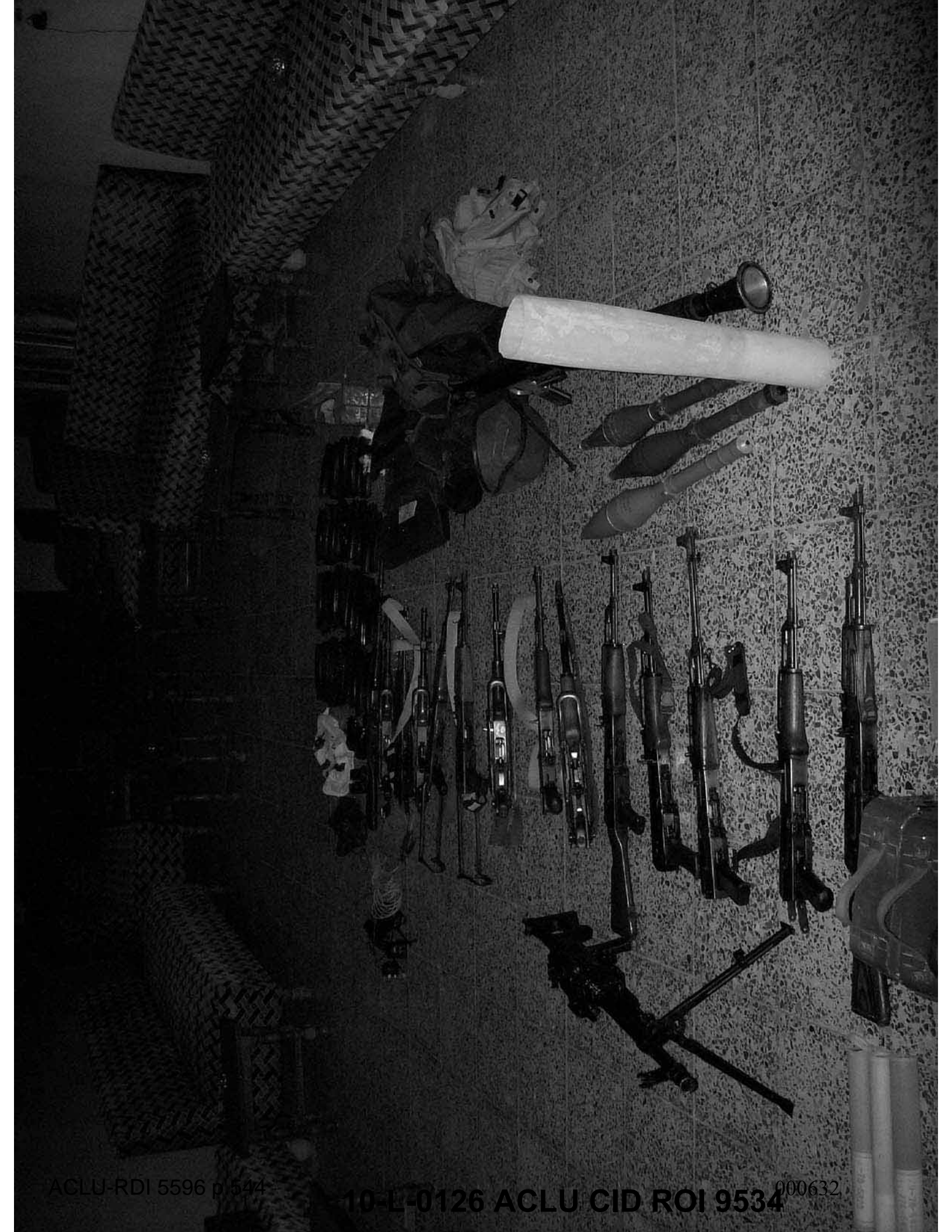




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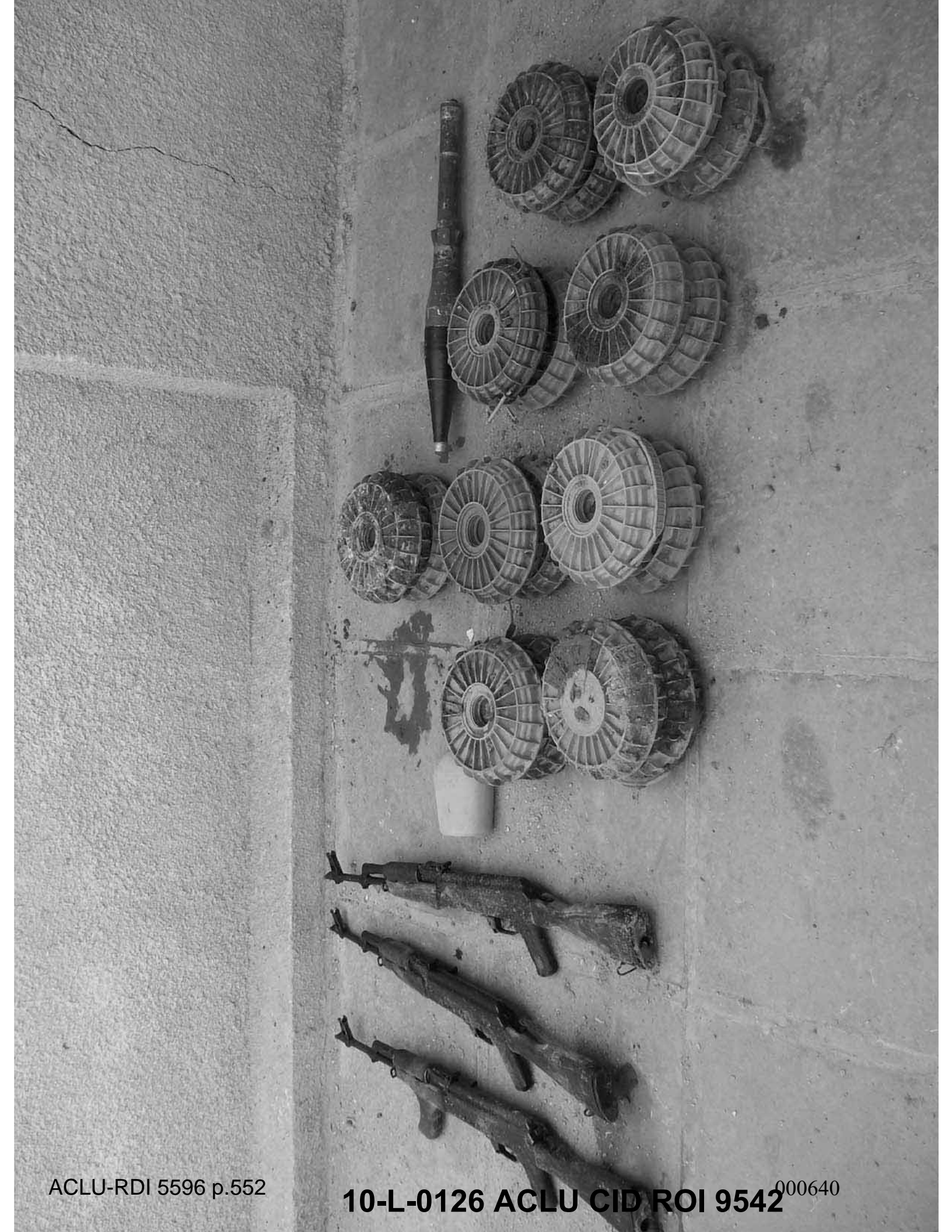


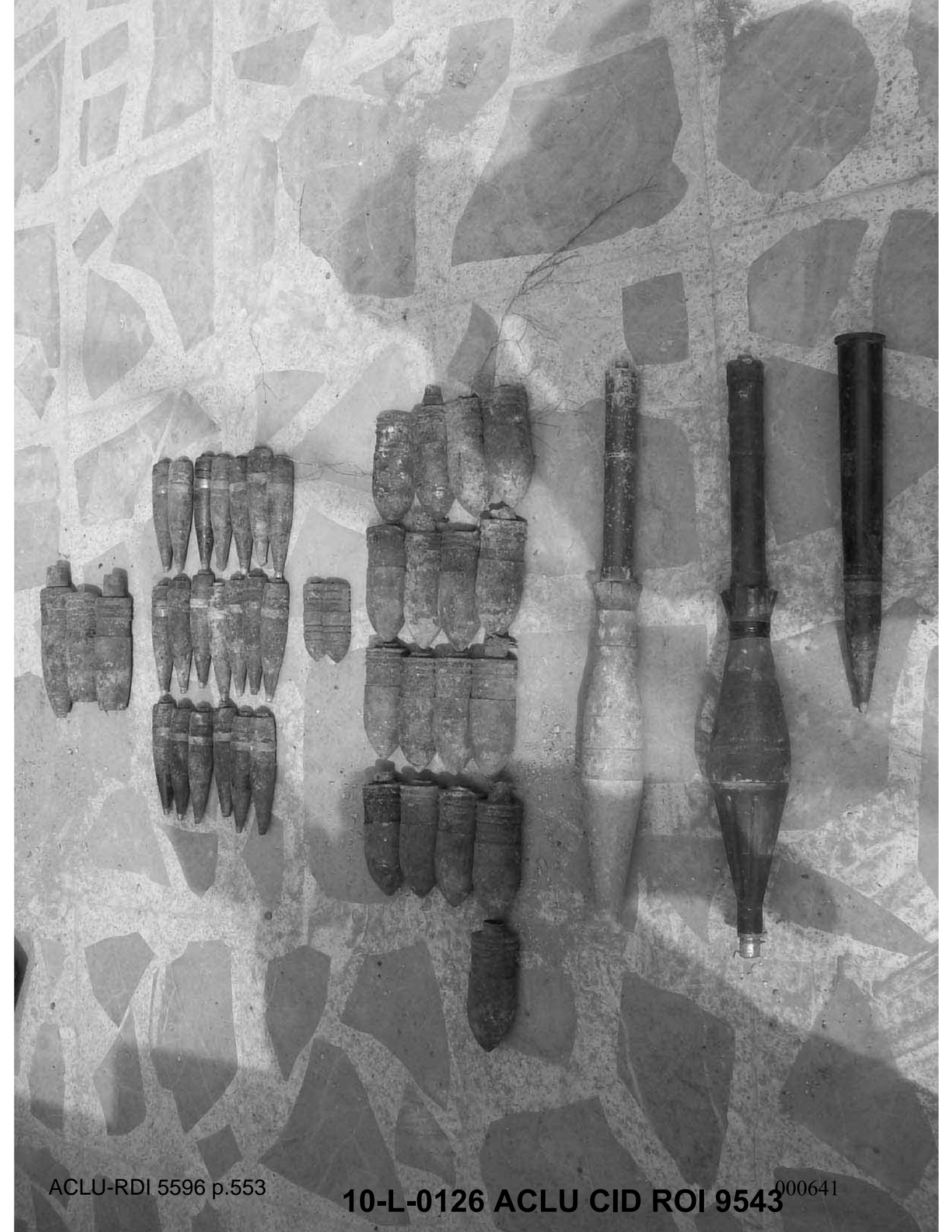


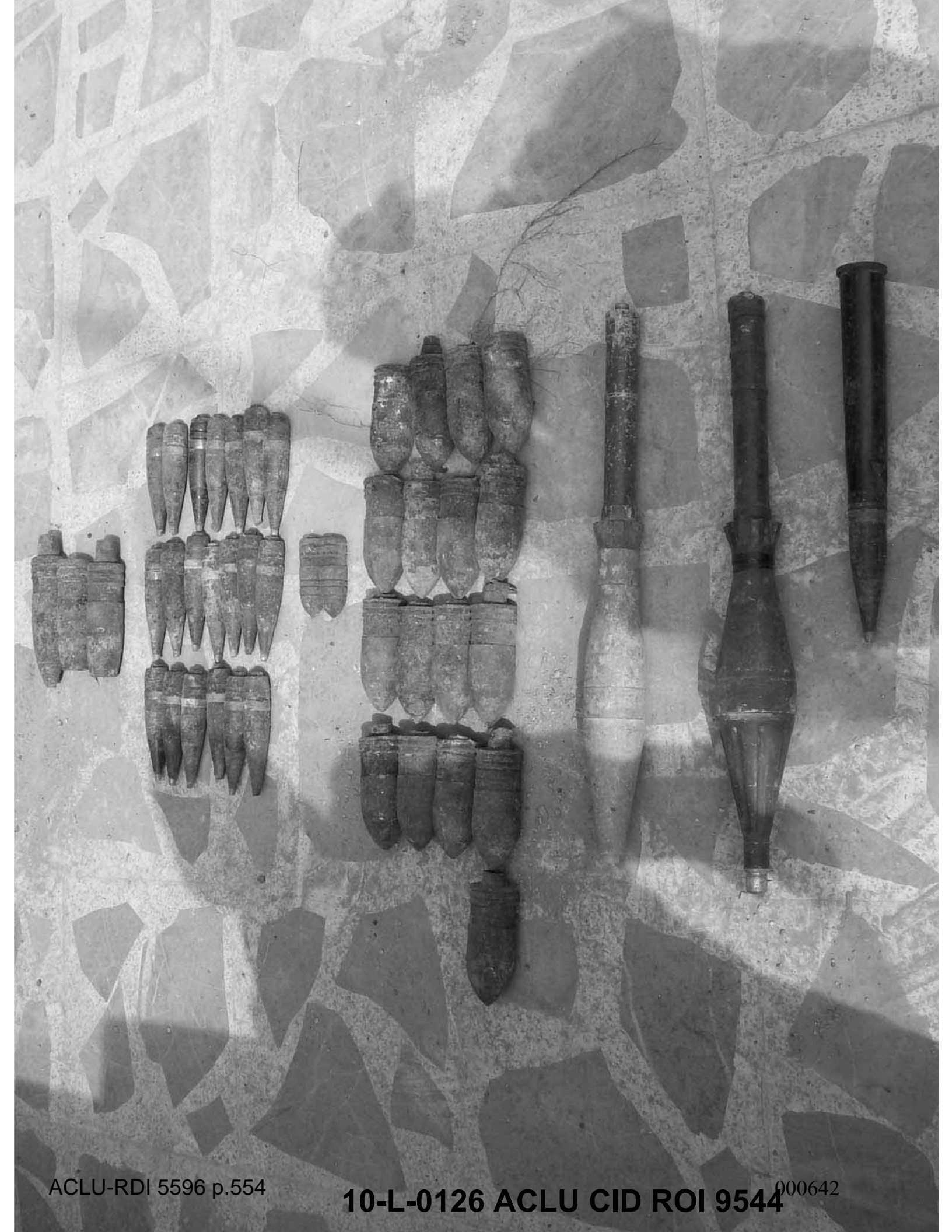






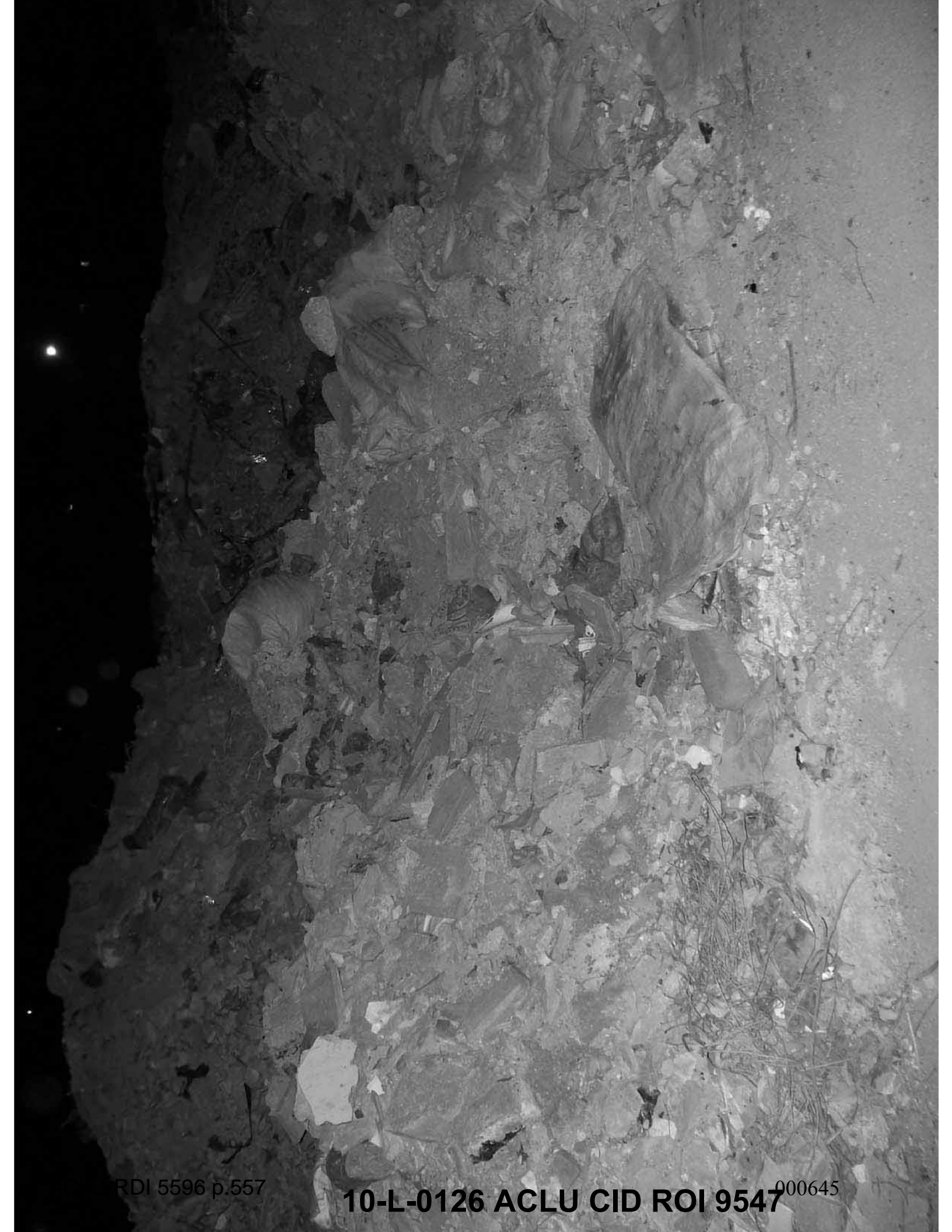














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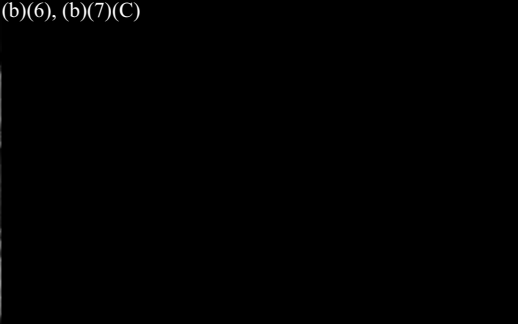
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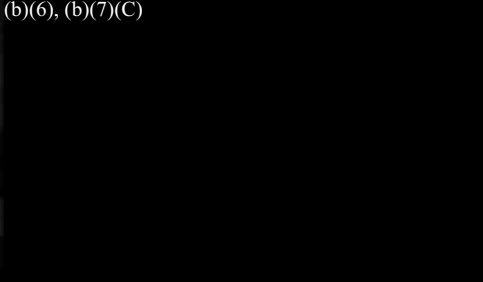




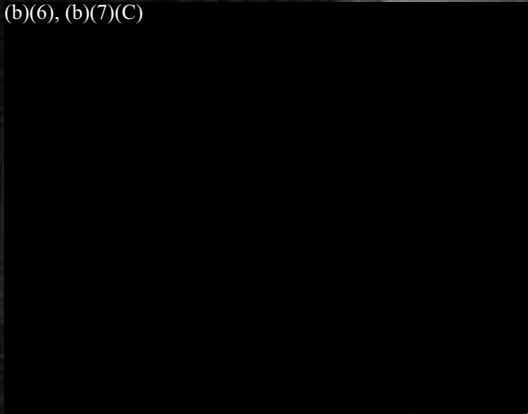
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(b)(6), (b)(7)(C)



ASN CO	ULN	LAST FIRST MIDDLE	SSN	RNK	MOS	Blip departure Date	Projected Departure Group	Sensitive Item Weapon #1 (Model / SN)	Sensitive Item Weapon #2 (Model / SN)	Sensitive Item Laser Device (Model / SN)	Sensitive Item Night Vision Device (Model / SN)	Sensitive Item Optic Device (Model / SN)	Sensitive Item Commo Device (Model / SN)
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70	2	HHC 1-18 IN	TO2N52			20071118	MAIN BODY 5	M4 W243768	NA	NA	PVS7B 01596	M68 860291	NA
71	3	HHC 1-18 IN	TO2N52			20071118	MAIN BODY 5	M4 W243856	NA	NA	PVS7B 95289A	ACOG 109594	NA
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(b)(6)

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

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DETAILS

About 1000, 22 Feb 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) A Company (A Co), 1-18th Infantry Battalion (IN BN), Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG), who provided a sworn statement in which he related he did not witness any detainee abuse or indiscriminate killing of Iraqi non-combatants during his recent deployment to Iraq. PFC (b)(6), (b)(7)(C) related he was a gunner assigned to 2nd platoon from October 2006 thru 4 Jan 07, and then was assigned to the Commander's PSD. PFC (b)(6), (b)(7)(C) related he wasn't present at the 3 Jan 07 IED incident, nor the canal incident in which four detainees were executed. (See Sworn Statement for details)

About 1320, 22 Feb 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) A Co, 1-18th IN BN, CBSG, of his legal rights, which he waived and provided a sworn statement which detailed his knowledge of the 3 Jan 07 incident in which the Commander's PSD was hit by an IED, and the wounded insurgent was shot. SPC (b)(6), (b)(7)(C) related he was 1SG (b)(6), (b)(7)(C) gunner, and his section responded to the scene of the IED blast. SPC (b)(6), (b)(7)(C) stated he was told the insurgent was shot before they arrived on scene, and had died of his wounds. SPC (b)(6), (b)(7)(C) related he was aware the insurgent was loaded onto the back of the lead Bradley, but didn't know his disposition. SPC (b)(6), (b)(7)(C) stated while en route to the IP station, his convoy stopped on the side of the road, and 1SG (b)(6), (b)(7)(C) dismounted his truck. SPC (b)(6), (b)(7)(C) stated he later heard two gunshots from 10 - 15 meters behind his truck, and assumed 1SG (b)(6), (b)(7)(C) shot the insurgent. SPC (b)(6), (b)(7)(C) stated he didn't report the incident because the insurgent tried to kill the Commander and his crew, and he didn't think shooting him was wrong. SPC (b)(6), (b)(7)(C) provided a sketch of the location in which the shooting took place. (See Sworn Statement and Sketch for details) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Schweinfurt CID Office
CMR 457, APO AE 09033

DATE

22 Feb 08

EXHIBIT

178

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID Office	(b)(6), (b)(7)(C) 22 Feb 08	10:00	(b)(6), (b)(7)(C) 0010-08-CID847-34682

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	PFC / Active Duty

ORGANIZATION/ADDRESS:

A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C), want to make the following statement under oath:

Q: SA (b)(6), (b)(7)(C)

A: PFC (b)(6), (b)(7)(C)

Q: What platoon were you assigned to, and what was your job during your deployment to Iraq?

A: I was a Gunner with LT (b)(6), (b)(7)(C) for 2nd PLT from Oct 06 thru 4 Jan 07. I then went on leave, and after I came back I did one more patrol with 2nd, and then I changed to PSD where I was a gunner for SGT (b)(6), (b)(7)(C)

Q: What vehicle did you ride in, and what was your bumper number when you were a member of PSD?

A: I was the 2nd HMMWV, but I don't remember the bumper number. My call sign was Black 3 G.

Q: Regarding the 3 Jan 07 shooting of the wounded insurgent, what do you recall of that incident?

A: I heard about it, but I don't know any details about the story because I wasn't there. I went on leave on 4 Jan 07. On 3 Jan 07, I was waiting for my flight to go to Kuwait.

Q: What did you hear about that incident?

A: The PSD got hit by an IED, but I don't know where. (b)(6), (b)(7)(C) PID an insurgent firing with an AK, so he returned fire and shot him in the leg.

Q: Did anyone tell you later that the insurgent was killed en route to the CSH? If so, who said what?

A: No.

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

A: No.

Q: Did you ever hear of SPC (b)(6), (b)(7)(C) wantonly engaging non-combatants?

A: No.

Q: Were you operating out of COP Angry Dragon?

A: Yes. I came back from leave and was at Slayer for another 3 weeks. I probably started living at COP Angry Dragon from the middle of February 07 until the end of the deployment.

Q: When did you take R&R?

Initials of Person Making Statement (b)(6), (b)(7)(C)

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 22 Feb 08 Continued

A: 4 Jan 07 thru 25 Jan 07.

Q: Did you ever witness soldiers at COP Angry Dragon engaged in detainee abuse, to include shooting them with BB or SoftAir guns, assaulting them, or holding their faces against air conditioner exhaust ducts?

A: I heard about detainees being shot with BB guns, but I don't know any names.

Q: How did you hear about it?

A: Well at the beginning, people had BB guns at the COP, but one day they briefed us and told us we couldn't have them anymore because people were using them to play with the detainees. So we couldn't have them anymore. I never had one, and I never saw any of the detainees get shot.

Q: Who briefed the members of your unit about the BB guns?

A: SSG (b)(6), (b)(7)(C)

Q: Did you ever hear about the detainees being assaulted or held in front of the air conditioner exhaust ducts?

A: No, I never heard about it.

Q: Regarding the execution of 4 detainees at the canal near Hamdani Village, what do you know, or have you heard of that incident?

A: I never heard anything about it until the investigation started going on. So obviously, I didn't know anything while I was over there.

Q: What did you hear about the 4 detainees at the canal?

A: I heard the investigation was going on because somebody in the company executed some insurgents and abused detainees.

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

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 22 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 1. 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)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of Feb 08 at Schweinfurt, Germany.

(b)(6), (b)(7)(C)

SA (b)(6), (b)(7)(C)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 3 of 3 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 179

ACLU-RDI 5596 p.591

10-L-0126 ACLU CID ROI 9928

001020

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 Schweinfurt CID Office APO AE 09033		2. DATE 22 Feb 08	3. TIME 1320	4. FILE NUMBER 0010-08-CID847-34682
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS A Company, 1-18th Infantry Battalion		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS SPC / Active Duty	Conn Barracks Schweinfurt, Germany, APO AE 09226		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent.

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)
Have you been advised of your legal rights within the past 30 days and requested a lawyer? Yes / 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 (b)(6), (b)(7)(C)	
1a. NAME (Type or Print)			
b. ORGANIZATION OR ADDRESS AND PHONE	(b)(6), (b)(7)(C)		
2a. NAME (Type or Print)			
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR Schweinfurt CID Office Schweinfurt, GE, APO AE 09033		

SECTION C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID Office	22 Feb 08 (b)(6), (b)(7)(C)	1540	0010-08-CID847-34682

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:

A Company, 1-18th Infantry Battalion, Conn Barracks, APO AE 09226

(b)(6), (b)(7)(C), want to make the following statement under oath:

I was a gunner for 1SG (b)(6), (b)(7)(C) in HQ platoon from late November 06 to Early March 07. I was also a rifleman in second squad third platoon from early March till the end of the deployment. While I was the 1SG's gunner, an IED went off on the Commanders truck on route Steelers at night in January 2007. First platoon and 1SG's crew were called to the scene of the IED. When we arrived, I was told that Parker had shot the triggerman of the IED. I oriented my turret to the northwest so I could pull security to the north and west, while 1SG and SGT (b)(6), (b)(7)(C) dismounted the HUMVEE and met up with the commander who was already on the ground. Someone called up to Battalion that the triggerman died of wounds. Then someone called up to Battalion that his wounds were being treated. Then someone called up to Battalion that the triggerman had died of wounds. The triggerman was loaded up into SGT (b)(6), (b)(7)(C) Bradley and I was told that we were going to the IP Checkpoint to drop the body off. I do not remember who told me. On the way to the checkpoint, we stopped next to an open field to the south. 1SG dismounted and the ramp of the Bradley in front of me dropped. At that time I suspected that something was going to happen but I was not sure of what. I oriented my turret to the north and pulled security to the north. I did not see who got out of the Bradley. Then I heard two gunshots come from about 10 to 15 meters south of my truck. They sounded like they were from a pistol. I did not see who the shots came from. I continued to pull security to the north. Then 1SG and SGT (b)(6), (b)(7)(C) came back to the truck and mounted up. SGT (b)(6), (b)(7)(C) said he had blood on his new uniform and then our section left the site. We were at the site for no more than five minutes. We went to an IP Checkpoint and dropped off the body. I do not remember which checkpoint we dropped the body off at. Then I think we went back to FOB Falcon.

Q: SA (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C)

Q: Did you type the above narrative?

A: Yes.

Q: Did you see the wounded triggerman?

A: No.

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 1 of 5 Pages

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 22 Feb 08 Continued

Q: Who told you the wounded triggerman died of his wounds before you departed the IED site?

A: I think it was either SGT (b)(6), (b)(7)(C) or I heard it over the radio.

Q: What wounds did the triggerman have?

A: I was told that he had a gunshot wound to his shoulder. I thought it sounded strange that he would die of a gunshot wound to his shoulder, but I didn't want to ask any questions. Also, bullets could have bounced around inside of him and hit vital organs, so anything was possible.

Q: What route were you on when you stopped on the side of the road en route to the IP station?

A: Steelers.

Q: Describe the area in which your convoy stopped.

A: To the North were buildings. To the South was an open field with trees in it. I don't know what type of trees, but I could see their silhouettes. To the East was Check Point 578. I don't remember what was toward the West.

Q: How far were you from Check Point 578 when your convoy stopped?

A: I don't know. More than 600 meters. It could have been 2000 for all I know.

Q: Why did your convoy stop en route to the IP station?

A: I think it was to shoot that guy...the triggerman.

Q: Was the triggerman alive when your convoy departed the IED scene?

A: I do not know.

Q: What did you suspect was about to happen when your convoy pulled off onto the side of the road?

A: I suspected someone was going to shoot the triggerman.

Q: So you believe the triggerman was alive, despite what you were told prior to departing the IED scene?

A: I suspected it, but I didn't know for sure.

Q: Did you see the triggerman taken out of the Bradley once your convoy stopped en route to the IP station?

A: No.

Q: Who got out of your truck when the convoy stopped on the side of the road?

A: 1SG (b)(6), (b)(7)(C)

Q: Where was SGT (b)(6), (b)(7)(C) at the time?

A: I don't remember.

Q: Describe SGT (b)(6), (b)(7)(C) demeanor when he got back into the truck after the gunshots?

A: He was quiet. He was normal. There was nothing abnormal about him.

Q: Did SGT (b)(6), (b)(7)(C) say anything to you about the gunshots, or what happened after your convoy stopped?

A: No. He just said he had blood on his uniform.

Q: Are you saying that SGT (b)(6), (b)(7)(C) returned to your vehicle instead of getting back into the Bradley?

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 2 of 5 Pages

DA Form 2823 (Automated)

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EXHIBIT 186

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 22 Feb 08 Continued

A: That's what I remember...yes. I'm pretty sure he stayed in the truck, but I'm not positive.

Q: Who else was in 1SG (b)(6), (b)(7)(C) vehicle with you?

A: (b)(6), (b)(7)(C) the driver. It was either (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C) ...one of the two.

Q: Why do you think SSG (b)(6), (b)(7)(C) could have been the driver that night?

A: He was 1SG's driver while (b)(6), (b)(7)(C) was on R&R, and I believe (b)(6), (b)(7)(C) took R&R around that time.

Q: What other vehicles were present during the convoy to the IP station?

A: SGT (b)(6), (b)(7)(C) Bradley, and another Bradley, but I don't remember who the Bradley Commander was.

Q: Do you know who was in the other vehicles?

A: Besides SGT (b)(6), (b)(7)(C) no.

Q: Describe the order of March during this convoy to the IP station.

A: SGT (b)(6), (b)(7)(C) Bradley, 1SG's truck, and then the trail Bradley.

Q: Did anyone else dismount their vehicles once your convoy stopped en route to the IP station?

A: Not that I know of. I only saw 1SG dismount.

Q: Did SGT (b)(6), (b)(7)(C) Bradley pull over because it was having fuel pump problems?

A: No. That happened on a different patrol.

Q: Was anything said over the radio before your convoy stopped en route to the IP station?

A: No.

Q: Which direction was your convoy traveling when it stopped en route to the IP station?

A: East on Steelers.

Q: Did anyone explain why the convoy stopped?

A: No.

Q: What direction was your vehicle oriented when you heard the two gunshots?

A: The vehicle was pointing to the East, but I oriented my gun to the North. I was facing North as well.

Q: How far was your vehicle from the lead Bradley when your convoy stopped?

A: Approximately 15 meters.

Q: Once your vehicle stopped on the side of the road, were you able to hear any voices or communications?

A: No.

Q: Who do you believe fired the two gunshots you mentioned above?

A: 1SG.

Q: Why do you believe 1SG fired the gunshots?

A: That's something he would do. It's believable that he would, and it seemed to me that it was the right decision because the triggerman deserved to die.

Q: What was discussed after you heard the two gunshots?

A: Nothing.

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 3 of 5 Pages

DA Form 2823 (Automated)

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EXHIBIT 180

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 22 Feb 08 Continued

Q: Did 1SG (b)(6), (b)(7)(C) report over the radio that SGT (b)(6), (b)(7)(C) vehicle was experiencing mechanical problems during this incident?

A: No.

Q: Who requested a body bag for the triggerman?

A: I didn't hear a request for a body bag.

Q: Did anyone discuss the incident afterwards?

A: No.

Q: Did you know or hear about the 4 detainees who were taken out to Hamdani canal by 2nd Platoon and the 1SG and shot?

A: Yes, I heard about them. I heard rumors that it happened. All I heard was that 1SG killed some people by the canal. That's all I heard. I heard about it the last two months of the deployment from someone in second platoon, but I don't remember who.

Q: Were you operating out of COP Angry Dragon?

A: Yes. From early February 07 until early March 07.

Q: When did you take R&R?

A: November 07.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

Q: Did you report any of the above violations, and to whom?

A: No I did not.

Q: Why not?

A: I didn't have any evidence to back it up.

Q: Did you think 1SG's actions of shooting the triggerman was a violation of the Rules of Engagement?

A: No. I didn't report it because we knew the triggerman tried to kill the Commander and his crew.

Q: Was the Commander aware 1SG (b)(6), (b)(7)(C) planned to kill the triggerman?

A: I don't know.

Q: Do you have anything else to add to this statement?

A: Nothing factual; no. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 4 of 5 Pages

DA Form 2823 (Automated)

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EXHIBIT 180

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 22 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(Signature)
(Typed Name of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of Feb 08 at Schweinfurt, Germany.

(b)(6), (b)(7)(C), (b)(7)(F)

(Signature)
(Typed Name of Person Administering Oath)

SACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 5 of 5 Pages

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EXHIBIT 180

NP

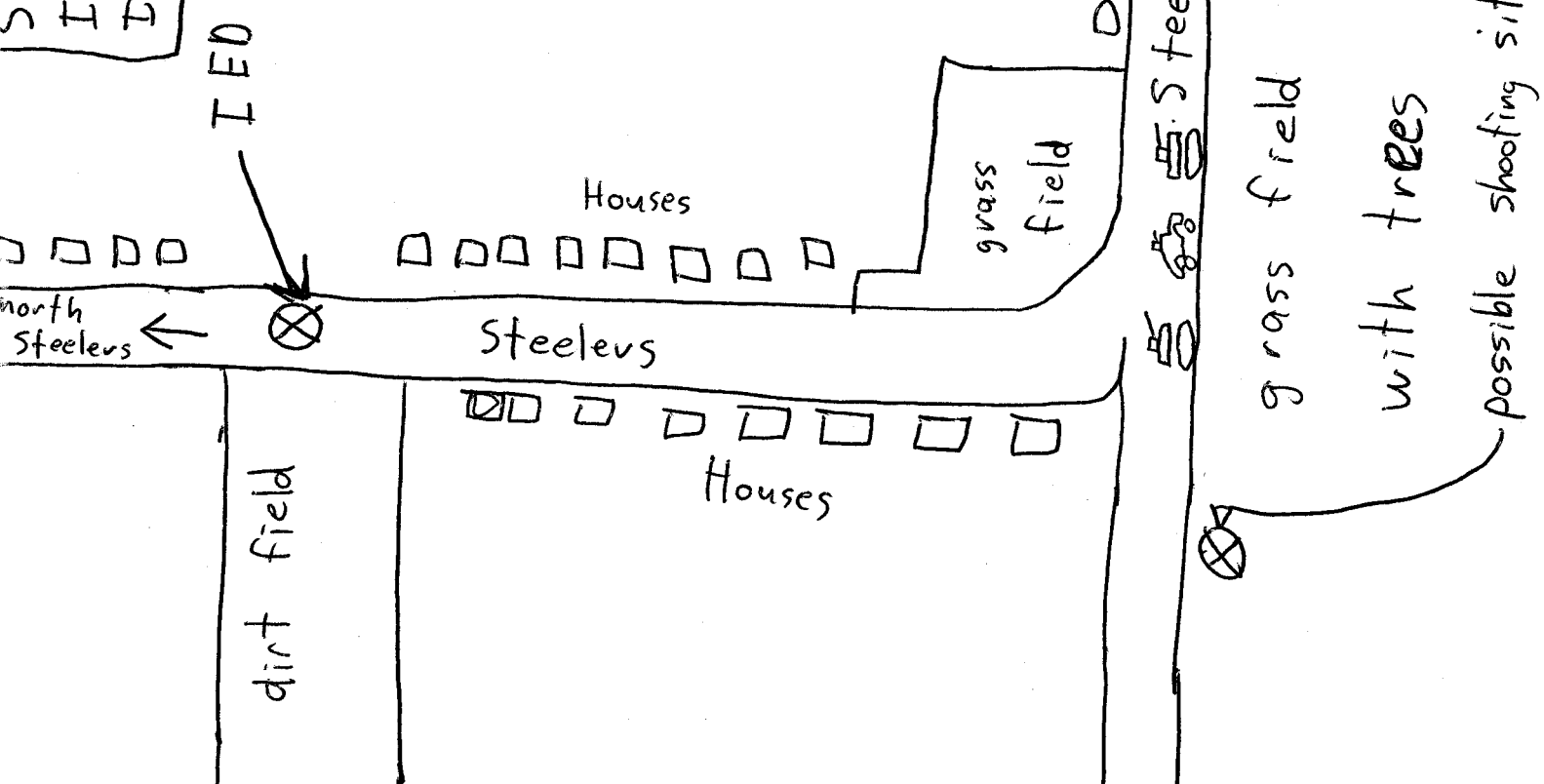
(b)(6), (b)(7)(C)

sketched by:

verified by: SA (b)(6), (b)(7)(C)

Date/Time: 22 Feb 08 1535

Sketch of January IED/Triggerman Incident



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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1405, 22 Feb 08, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) A Co. 1-18 IN, CBSG, who provided a sworn statement, wherein he stated he had no knowledge pertaining to the incidents in question. (See Sworn Statement for details)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

DATE

22 Feb 08

EXHIBIT

181

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10-L-0126 ACLU CID ROI 9936

001028

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LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

LOCATION DATE TIME FILE NUMBER
Schweinfurt CID 22 Feb 08 1405 0010-08-CID847-34682

NAME: SSN: GRADE/STATUS:
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) O-2/ILT

ORGANIZATION/ADDRESS:

A Co. 1-18 IN, Conn Barracks, Schweinfurt, Germany APO AE 09226

(b)(6), (b)(7)(C), want to make the following statement under oath:

Q: SA (b)(6), (b)(7)(C)

A: 1LT (b)(6), (b)(7)(C)

Q: During your recent OIF Deployment, were you operating out of JSS-14, known as COP Angry Dragon or COP Black Lion?

A: Yes, from 29 Jul until maybe 10 Nov 07.

Q: When did you take R&R?

A: I did not take R&R.

Q: What platoon were you in and/or what was your job?

A: Platoon Leader for 2nd Platoon, from 29 Jul 07 till present.

Q: Did you ever hear about 1SG (b)(6), (b)(7)(C) and or Doc (b)(6), (b)(7)(C) killing a wounded insurgent on the way to the Combat Support Hospital?

A: No.

Q: Did you know or hear about the 4 detainees who were taken out by the canal and shot?

A: No.

Q: Did anyone discuss the incident afterwards?

A: No.

Q: What has been discussed about this incident and investigation recently?

A: Nothing.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

Q: Do you have anything else to add to this statement?

A: I do not. ///END OF STATEMENT// (b)(6), (b)(7)(C)

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 2 Pages

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Dated 22 Feb 08 Continued

//NOT U (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 nd day of Feb 08 at Schweinfurt Germany.

(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 Administering Oath)

Initials of Person Making Statement

(b)(6), (b)(7)(C)

Page 2 of 2 Pages

DA Form 2823 (Automated)

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EXHIBIT

182

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0051-08-CID093-

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 1530, 11 Feb 08, SA (b)(6), (b)(7)(C) this office, received a Request For Assistance from SA (b)(6), (b)(7)(C) Schweinfurt CID Office, CMR 457, APO AE 09033. The RFA requested this office locate, fully identify, interview and obtain a sworn statement from SGT (b)(6), (b)(7)(C)

pertaining to Murder, Conspiracy, Law of Army Conflict Violations, and Detainee Abuse.

About 1130, 12 Feb 08, SA (b)(6), (b)(7)(C) coordinated with SGT (b)(6), (b)(7)(C) Patrol Sergeant, Brevard County Sheriff Office. SGT (b)(6), (b)(7)(C) confirmed that SGT (b)(6), (b)(7)(C) lived at the listed address. SGT (b)(6), (b)(7)(C) gave Mr. (b)(6), (b)(7)(C) contact information and informed SGT (b)(6), (b)(7)(C) that he needs to contact SA (b)(6), (b)(7)(C) as soon as possible.

About 1135, 12 Feb 08, SGT (b)(6), (b)(7)(C) contacted SA (b)(6), (b)(7)(C) and confirmed he would be at (b)(6), (b)(7)(C) and will be available for an interview by the United States Army Criminal Investigation Division (CID) on Thursday, 14 Feb 08.

About 1030, 14 Feb 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, interviewed SGT (b)(6), (b)(7)(C) who a provided sworn statement detailing his knowledge of this incident. SGT (b)(6), (b)(7)(C) denied having any direct or indirect knowledge of any members from his unit performing their duties in a cruel or unusual fashion while deployed in Iraq. (See Statement)

About 1500, 25 Feb 08, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) briefed her on the results of the RFA and provided her scanned copies of the enclosures pertaining to this investigation. SA (b)(6), (b)(7)(C) related no further investigative activity by this office was necessary.

LAW ENFORCEMENT RECORDS: A check of the criminal intelligence files of this office and the National Criminal Information Center disclosed the following derogatory information pertaining to SGT (b)(6), (b)(7)(C)

a.) Subject; CID ROI # 0193-03-CID847-39155; Wrongful use of dangerous drugs, 30 Oct 03. Disposition: Field Grade Article 15, UCMJ, reduced from E-3 to E-1, forfeiture \$597.00 for two months. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Fort Stewart CID Office, 30 th MP Det (CID), Fort Stewart, GA 31314	
SIGNATURE (b)(6), (b)(7)(C)	DATE	EXHIBIT	
	25 Feb 08	183	

CID FORM 94
1 FEB 77

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SWORN STATEMENT

LOCATION DATE TIME FILE NUMBER
2725 North Courtenay Parkway (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
Merritt Island, FL 32953 Feb 08 1457 0010-08-CID847-34682

NAME: SSN: GRADE/STATUS:
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) E-5/AD

ORGANIZATION/ADDRESS:
1/18th Infantry Battalion, Schweinfurt, GE, APO, AE, 09226

(b)(6), (b)(7)(C) want to make the following statement under oath:

On 1 Sep 06, Our company, A 1/18th Infantry Battalion, 2nd BDE, 1ID "Dagger Brigade", was put under lock down in the 1/18th motor pool on Conn Barracks. We waited for the buses to arrive. We did roll call and got on the buses. We went to the airport and flew into Kuwait. We rolled out from Kuwait sometime around 1 Oct 06 to go to Baghdad International Airport. Our company then got on Chinooks flew to FOB Falcon. We stayed at FOB Falcon until about 1 Nov 06. We left FOB Falcon to go to FOB Slayer. Only my platoon, 2nd Platoon, "Swap Donkeys", Alpha Company, 1/18th, went to FOB Slayer. While assigned there our daily mission consisted of six hours QRF, a six hours of patrol, six hours of QRF, and another six hours of patrol. I was on QRF a couple times when we got calls that the Commander's element had got hit. The Cdr's PSD element consisted of one Bradley and two HMMWV. The Cdr's PSD Bradley was always getting hit. To the best of my knowledge concerning this incident, our platoon arrived on scene, North South Steelers route. In January, there was not COP's (Combat Off Post) established but it occurred at what is now COP Angry Dragon. I was in the back of a Bradley. I don't know which Bradley bumper number but it would have been A25, A26, A27 or A28. The call sign for my Bradley would have been (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) I don't know who the Bradley commander was but that's what would have determined their call sign. The Bradley commanders for my platoon were SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (call sign (b)(6), (b)(7)(C) vehicle bumper # A25), SGT (b)(6), (b)(7)(C) (call sign (b)(6), (b)(7)(C) bumper number A26), SSG (b)(6), (b)(7)(C) (call sign (b)(6), (b)(7)(C) bumper number A25), or SSG (b)(6), (b)(7)(C) (call sign (b)(6), (b)(7)(C) vehicle bumper # A28). I got out and posted my guys, SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) I made sure everyone was pulling their security. I presume that SFC (b)(6), (b)(7)(C) call sign (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) call sign (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) call sign (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) call sign (b)(6), (b)(7)(C) went inside the building. I stayed with 1LT (b)(6), (b)(7)(C) outside the building. I never saw anyone wounded or being medically evacuated. SFC (b)(6), (b)(7)(C) vehicle was a HMMWV, bumper number A207, with a crew that consisted of a gunner, SPC (b)(6), (b)(7)(C) the driver was SPC (b)(6), (b)(7)(C) and the medic would have been SPC (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) vehicle was a HMMWV, bumper number

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 3 Pages

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0010-08-CID847-34682

(b)(6), (b)(7)(C)

Statement of (b)(6), (b)(7)(C), Taken at Merritt Island, FL 32953, Dated 14 Feb 08 Continued

A206, with a crew that consisted of SPC (b)(6), (b)(7)(C) the driver probably was SPC (b)(6), (b)(7)(C) the interpreter and whoever else. 1SG (b)(6), (b)(7)(C) vehicle was a HMMWV, bumper number A7, with a crew that consisted of SPC (b)(6), (b)(7)(C) the gunner was SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C). The designated medical evacuation element would have been 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) and whoever else he would have took with him. I believe this casualty would have been evacuated to the CSH at Prosperity. If along the way a casualty died he would have been taken to the 1/31 Iraqi Police headquarters.

Q: SA (b)(6), (b)(7)(C)

A: SGT (b)(6), (b)(7)(C)

Q: Regarding the 3 Jan 07 shooting of the wounded insurgent, what do you know of that incident?

A: Nothing.

Q: Regarding the execution of 4 detainees at the canal near Hamdani Village, what do you know or have you heard of that incident?

A: Nothing. That was in our sector so I think I would have known about it.

Q: Regarding the 3 Jan 07 IED incident, did anyone tell you later that the insurgent was killed en route to the CSH? If so, who said what?

A: No.

Q: Do you remember when you heard about it?

A: When you told me about it. I don't think it happened.

Q: Why don't you think it happened?

A: I don't think it happened due to the amount of discipline our company has. 1SG (b)(6), (b)(7)(C) was a model to NCO's. SFC (b)(6), (b)(7)(C) is too scared to jeopardize his career, family and the embarrassment of his father. (b)(6), (b)(7)(C) is medic and he treats people, he doesn't kill people. I don't know who else would have been with them.

Q: Would you purposely try to cover for someone in your unit that performed their duties in Iraq out of the regulations set in the current Rules Of Engagement?

A: No.

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

A: No.

Q: Did you ever hear SPC (b)(6), (b)(7)(C) bragging about wantonly engaging non-combatants?

A: No.

Q: Were you operating out of COP Angry Dragon?

A: Yes. COP Angry Dragon was established in Feb 07.

Q: When did you take R&R?

A: Sometime around 10 Feb 07 through sometime around 25 Feb 07.

Q: Did you ever witness soldiers at COP Angry Dragon engaged in detainee abuse, to include shooting them with BB or Soft Air guns, assaulting them, or holding their faces against air conditioner exhaust ducts?

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 2 of 3 Pages

DA Form 2823 (Automated)

**FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE**

EXHIBIT 184

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

(b)(6), (b)(7)(C)

Statement of (b)(6), (b)(7)(C) Taken at Merritt Island, FL 32953, Dated 14 Feb 08 Continued

A: I know people had BB guns but I never witnessed anyone shooting a detainee. I know they shot each other with them. They leave pretty good welts so I think they'd be visible.

Q: How do you feel about Soldiers that engage in detainee abuse?

A: I understand but I don't condone it. I think embarrassing a detainee is far less of a penalty compared to as they do us.

Q: How do you feel you were treated here today?

A: Awesome, outstanding, great, professional.

Q. Do you have anything else to add to this statement?

A. Yes, I think this is bull shit. I think somebody got in trouble or something got their butt hurt or someone didn't get put into a position that they wanted and now they're taking it out on someone. 1SG (b)(6), (b)(7)(C) was so disciplined he wouldn't even let us roll back our sleeves one roll when it was hot. Also, if this ever went to court, I'd be happy to testify on behalf of the senior leadership in my unit of 2nd platoon.

Q: Do you have anything else to add to this statement?

A: No.

///END OF STATEMENT///

(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) Thomas, 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)

(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of Feb 08 at Merritt Island Florida

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C) JSACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement

(b)(6), (b)(7)(C)

Page 3 of 3 Pages

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EXHIBIT 184

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 0952, 26 Feb 08, SA (b)(6), (b)(7)(C) advised SSG (b)(6), (b)(7)(C) of his legal rights, which he waived and provided a sworn statement which detailed his knowledge of the 3 Jan 07 incident in which 1SG (b)(6), (b)(7)(C) shot a wounded insurgent while en route to the CSH. SSG (b)(6), (b)(7)(C) related he was 1SG (b)(6), (b)(7)(C) driver in January 2007, and his patrol responded to the location in which the Commander's PSD was hit by an IED/EFP. SSG (b)(6), (b)(7)(C) stated the wounded insurgent was loaded into the back of a Bradley, and his HMMWV, along with a third Bradley departed for the CSH. While en route to the CSH, 1SG (b)(6), (b)(7)(C) instructed SSG (b)(6), (b)(7)(C) to stop along the side of the road, and told the lead Bradley to drop its ramp. SSG (b)(6), (b)(7)(C) related 1SG (b)(6), (b)(7)(C) then went to the back of the Bradley and spoke with SGT (b)(6), (b)(7)(C). SSG (b)(6), (b)(7)(C) stated both 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) carried the wounded insurgent to a ditch on the side of the road. Moments later, SSG (b)(6), (b)(7)(C) related he saw two flashes and heard two gunshots which came from 1SG (b)(6), (b)(7)(C) location. SSG (b)(6), (b)(7)(C) stated 1SG (b)(6), (b)(7)(C) came back to his vehicle and got a body bag. The wounded insurgent was placed inside of the body bag, put back into the Bradley, and then transported to the Iraqi Police station, where 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) took his body inside. SSG (b)(6), (b)(7)(C) related he could not determine whether the wounded insurgent was alive prior to being shot in the ditch, nor was he able to see who fired the shots. SSG (b)(6), (b)(7)(C) provided a sketch of the location in which his convoy stopped, and the wounded insurgent was killed. (See Sworn Statement and Sketch for details)

AGENT'S COMMENT: After the interview of SSG (b)(6), (b)(7)(C) was completed, he was asked why he thought the Commander was aware the wounded insurgent was subsequently killed by 1SG (b)(6), (b)(7)(C). SSG (b)(6), (b)(7)(C) related he assumed the Commander knew about the incident because both the Commander and 1SG (b)(6), (b)(7)(C) shared living quarters throughout the deployment. **///LAST ENTRY///**

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Schweinfurt CID Office
CMR 457, APO AE 09033

DATE

26 Feb 08

EXHIBIT

185

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 Schweinfurt CID Office APO AE 09033 (b)(6), (b)(7)(C)		2. DATE 26 Feb 08	3. TIME 0950	4. FILE NUMBER (b)(6), (b)(7)(C)
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS SSG	8. ORGANIZATION OR ADDRESS A Company, 1-18th Infantry Battalion Conn Barracks Schweinfurt, Germany, APO AE 09226		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent. (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/accused: (b)(6), (b)(7)(C) misprision of a Serious Offense; 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 (b)(6), (b)(7)(C)
2. Anything I say or do can be used as evidence against me in a criminal trial (b)(6), (b)(7)(C)
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 (b)(6), (b)(7)(C)

-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. (b)(6), (b)(7)(C)

5. COMMENTS (Continue on reverse side)

Have you been advised of your legal rights within the past 30 days and requested a lawyer? Yes / 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. (b)(6), (b)(7)(C)

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE (b)(6), (b)(7)(C)
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR Schweinfurt CID Office Schweinfurt, GE, APO AE 09033

SECTION C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer
 I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE.

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

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SWORN STATEMENT

LOCATION DATE TIME FILE NUMBER
Schweinfurt CID Office 26 Feb 08 1325 0010-08-CID847-34682

NAME: SSN: GRADE/STATUS:
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SSG / Active Duty

ORGANIZATION/ADDRESS:

A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226

I, (b)(6), (b)(7)(C) want to make the following statement under oath:

In Jan 07, I took over the driver responsibilities for 1SG (b)(6), (b)(7)(C) because SPC (b)(6), (b)(7)(C) went on R&R. We got a call that one of the Co's vehicles had been hit by an IED or EFP, and we went to respond through Aamel. An IED blew up in front of us while we were responding to the Co's location, but none of us were injured. Once we arrived at the Commander's location, they had the place secured and they said they caught the guy who set off the IED or EFP. They put him in the Bradley, but I don't know whose Bradley it was. There was one Bradley in front, which had the detainee, then my HMMWV with 1SG, followed by a Bradley in the back. All three vehicles took off and we were supposed to head toward the CSH. We headed west, but I knew something wasn't right because the CSH was north towards Aamel. We ended circling around to a secluded area, but I don't know what road it was. There was a field on the right side, and abandoned buildings on the left of us. We stopped on the side of the road. The 1SG told us to stop. He then called over the radio and told the lead Bradley to drop the ramp. He then got out of the vehicle and walked over to the Bradley to talk to SGT (b)(6), (b)(7)(C) who was the medic inside of the Bradley. They talked for about one minute and then both SGT (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) pulled the detainee out of the Bradley and carried him to the ditch which was about 12 meters to the right of us. Then I saw two flashes and heard the shots. Then 1SG (b)(6), (b)(7)(C) came back to my vehicle and asked me if the body bags were still in the trunk of the HMMWV, and I said yeah. He went into the trunk and pulled out a body bag. He then went back over to where the detainee was and put him in the body bag. I think (b)(6), (b)(7)(C) helped him place the guy in the body bag. They then carried him back to the Bradley and told the Bradley Commander to raise the ramp. DOC (b)(6), (b)(7)(C) then came back to my HMMWV and was complaining about him having blood on his new uniform. Then 1SG got back in the vehicle and told me to head to the Iraqi Police station. We headed over there; they lowered the ramp and 1SG and DOC (b)(6), (b)(7)(C) carried the guy to the Iraqi Police station. Once they took the guy inside, they came back and told me to link back up with the Wolf 6 convoy which was back at the location where the Commander got hit by the IED. They didn't say anything to me about what happened.

Q: SA (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C)

Q: When did this incident occur?

A: It was at night. I don't know what time. But it was sometime in January 2007.

Q: Were you wearing night vision goggles during this time?

A: I was wearing mine.

Q: Why did your convoy stop on the side of the road while en route to the CSH?

A: I don't know why it stopped. The 1SG just told me to stop at that spot.

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 1 of 4 Pages

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 26 Feb 08 Continued

Q: Did anyone call over the net to report mechanical problems shortly after departing for the CSH?

A: I can't remember that. 1SG called over the net and asked if the Aerostat was up.

Q: What is the Aerostat?

A: It's a tool up in the sky that we use to track the location of enemies and troops. Someone from Battalion who runs the Aerostat told 1SG that it was down. Then 1SG told me to pull the HMMWV over.

Q: Is the Aerostat capable of tracking the location of your vehicle?

A: Yes.

Q: Why do you think 1SG asked if the Aerostat was up?

A: I don't know.

Q: Describe the wounded insurgent/detainee?

A: I just saw his bloody leg when they first lowered the ramp and took him out of the Bradley.

Q: Can you describe what the wounded insurgent was wearing?

A: No.

Q: I am showing you a picture of a wounded insurgent who has an injury to his right leg. Do you recognize this individual?

A: I recognize his right leg which has the wound, but I didn't see the rest of his body.

Q: When your convoy stopped on the side of the road, how far were you from the lead Bradley?

A: The lead Bradley was about 30 meters in front.

Q: Was anything said prior to 1SG (b)(6), (b)(7)(C) dragging the man off the stretcher and shooting him?

A: No, I don't remember.

Q: Where exactly were you in relation to the shooting?

A: I was in the driver's seat. The wounded insurgent was carried about 12 meters to the right of our vehicle and about equal distance between the lead Bradley and my HMMWV.

Q: Did the wounded insurgent appear to be alive when he was carried from the Bradley to the ditch?

A: I didn't see any movement, so I didn't know if he was alive or dead. I just know that they carried him.

Q: Did 1SG (b)(6), (b)(7)(C) shoot the man with an M-9 or with a Glock?

A: He always carries a Glock. I think he shot him with a Glock because that weapon isn't assigned to anyone there. He carries an M-9 on the FOB, but he always carries the Glock when he moves outside of the wire.

Q: Did you see 1SG (b)(6), (b)(7)(C) shoot the wounded insurgent?

A: No. I just saw the flashes.

Q: Why weren't you able to see 1SG (b)(6), (b)(7)(C) when you previously stated you were wearing night vision goggles?

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 2 of 4 Pages

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EXHIBIT

186

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LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 26 Feb 08 Continued

A: I couldn't see 1SG when they went down to the ditch. I just saw the flashes. Also I turned off the HMMWV's infra red lights once we stopped, so I couldn't make out as much as when the infra red lights were on.

Q: Describe the flashes that you saw.

A: I saw two quick glows of light. I didn't see who fired the shots; I only saw the area glow as the rounds went off.

Q: Could you see (b)(6), (b)(7)(C) after he helped carry the insurgent to the ditch?

A: No I couldn't see him anymore when he went into the ditch.

Q: After you heard the gunshots and 1SG (b)(6), (b)(7)(C) got back into your vehicle, did he say anything to you?

A: No. He just told me to go to the Iraqi Police station, and then link back up with the rest of the convoy.

Q: Who requested a body bag for the detainee?

A: 1SG requested the body bag.

Q: Who was in your HMMWV while your convoy was en route to the CSH?

A: 1SG, me, and SPC (b)(6), (b)(7)(C) the gunner.

Q: Who was in the other vehicles?

A: I don't know who was in the other vehicles. I just know (b)(6), (b)(7)(C) was originally in the back of the lead Bradley.

Q: Did anyone discuss the incident afterwards?

A: No. We kept it all hush...hush.

Q: Who do you think shot the wounded insurgent in the ditch?

A: I think it was the 1SG that shot him because he said that if someone shot at him, he would make sure they wouldn't shoot at him another day.

Q: Why didn't you report what happened?

A: I just thought the Commander and the 1SG probably already talked about it.

Q: Do you think it was wrong for 1SG (b)(6), (b)(7)(C) to shoot the wounded insurgent?

A: In Iraq, either they're going to blow you up, or you have to take care of yourself out there. I think 1SG did the right thing.

Q: Why did you deny knowledge of this incident when you gave your previous statement to CID?

A: I didn't want to be involved.

Q: Do you have anything else to add to this statement?

A: No. I just didn't want to be involved with any of the incidents. I just wanted to be a driver to get away from the FOB, and then come back to Germany.

///END OF STATEMENT/// (b)(6), (b)(7)(C)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 3 of 4 Pages

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EXHIBIT 186

ACLU-RDI 5596 p.610

10-L-0126 ACLU CID ROI 9947 001039

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 26 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

(b)(6), (b)(7)(C)

(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26th day of Feb 08 at Schweinfurt, Germany.

(b)(6), (b)(7)(C)

(Oath)

SA (b)(6), (b)(7)(C), (b)(7)(F) USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 4 of 4 Pages

DA Form 2823 (Automated)

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EXHIBIT 186



(b)(6), (b)(7)(C)

Open field

Flooded streets

Flooded streets

linkup point

Open field

Water

Ditch Detainee

North

About 12m

sketched by: SSG

Verified by: SA

Date/Time: 26 Feb 08 1252

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Sketch of location of which was shot
ACLU-RD 5590-1012

AGENT'S INVESTIGATION REPORT

0010-08-CID847-34682

0102-08-CID023

CID Regulation 195-1

PAGE 1 OF 1 PAGE(S)

About 1700, 12 Feb 08, this investigation was initiated upon receipt of a Request for Assistance, 0010-08-CID847-34682, from the Schweinfurt CID Office regarding the murder / conspiracy / law of armed conflict violation and detainee abuse of Iraqi nationals.

About 1535, 12 Feb 08, SA (b)(6), (b)(7)(C) conducted a DEIDS check on Mr. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) which listed Mr. (b)(6), (b)(7)(C) as residing at (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Mrs. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) who stated Mr. (b)(6), (b)(7)(C) resided in NC and she would forward this agents contact information to him.

About 1030, 22 Feb 08, SA (b)(6), (b)(7)(C) conducted a reverse address search of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) which revealed Mr. (b)(6), (b)(7)(C) resided there. SA (b)(6), (b)(7)(C) spoke with Mr. (b)(6), (b)(7)(C) father of Mr. (b)(6), (b)(7)(C) who stated he would contact his son and have him contact CID.

About 1400, 27 Feb 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) wherein he stated he never operated in the area of the reported incident, therefore had no information.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Fort Bragg CID Office
Fort Bragg, NC 28310-8310

SIGNATURE (b)(6), (b)(7)(C)

DATE
27 Feb 08

EXHIBIT 187

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 0937, 28 Feb 08, SA (b)(6), (b)(7)(C) obtained a copy of the Flight Manifests pertaining to the redeployment of A Co, 1-18th IN BN from Iraq. The Flight Manifests indicated the serial number of SGT (b)(6), (b)(7)(C) assigned M9 pistol was 1273931, which was consistent with the serial number of the pistol collected as evidence by this office. **(See Flight Manifests for details)**

Agent's Comment: The M9 pistols of SFC (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) were not recorded on the Flight Manifests.

About 1100, 28 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Co, 1-18th IN BN, CBSG, who provided a sworn statement in which he related he was on leave during the 3 Jan 07 incident. SPC (b)(6), (b)(7)(C) stated he heard about the allegations against members of his unit pertaining to the shooting of detainees after the current CID investigation began. SPC (b)(6), (b)(7)(C) related he did not witness any indiscriminate killing of non-combatants during his deployment. In addition, SPC (b)(6), (b)(7)(C) did not recognize the four detainees depicted in the photographs which were shown to him. **(See Sworn Statement for details)**

About 1320, 28 Feb 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who denied he was part of the convoy which transported the wounded insurgent away from the IED scene on 3 Jan 07. SPC (b)(6), (b)(7)(C) stated he was the driver of one of the PSD HMMWV's during that incident.

About 1450, 29 Feb 08, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) Executive Officer (XO), A Co, 1-18th IN BN, CBSG, who provided a copy of the Flight Manifests pertaining to the deployment of his unit to Iraq. The assigned weapons of A Co personnel were not recorded on the aforementioned documents. MAJ (b)(6), (b)(7)(C) related the weapons not listed on the Flight Manifests to and from Iraq were shipped in the Sensitive Item Container belonging to their unit; however, only the serial numbers of the weapons were recorded. MAJ (b)(6), (b)(7)(C) also related he would grant this office access to the historical mission logs pertaining to his unit's deployment. **///LAST ENTRY///**

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) (b)(6), (b)(7)(C)		ORGANIZATION Schweinfurt CID Office CMR 457, APO AE 09033
	DATE 29 Feb 08	EXHIBIT 788

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10-L-0126 ACLU CID ROI 9951 001043

2010-08-110341-27602

(b)(6)

total	unit	ASSN CO	ULN	LAST FIRST MIDDLE	SSN	RNK	MOS	Ship	Projected Departure	Sensitive Item Weapon #1	Sensitive Item Weapon #2	Sensitive Item Laser Device	Sensitive Item Night Vision Device	Sensitive Item Optic Device	Sensitive Item
	count							Date	Group	(Model / SN)	#2 (Model / SN)	(Model / SN)	(Model / SN)	(Model / SN)	(Model / SN)
1	1	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W066538	M203 38101	Tac Light T20X	PVS14 00625	M68 942278	NA
2	2	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W243754	NA	NA	PVS7B 00343	NA	NA
3	3	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M249 011838	NA	NA	PVS7B 85198A	M145 05-44412	NA
4	4	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246029	NA	PEQ2A 0460524	PVS7B 83361A	M68 942288	NA
5	5	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246503	NA	NA	PVS7B 83449A	M68 897528	NA
6	6	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246436	NA	NA	PVS7B 80883A	M68 187646	NA
7	7	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W243736	NA	NA	NA	NA	NA
8	8	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246518	M9 1358616	NA	PVS7B 76533	NA	NA
9	9	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W057106	NA	PEQ2 054232A	PVS7B 68401	M68 187467	NA
10	10	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W057106	NA	NA	PVS7B 95951A	ACOG 109592	NA
11	11	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246885	NA	NA	PVS7B 37974B	M145 03-15416	NA
12	12	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M249 012730	NA	NA	PVS7B 00301	NA	NA
13	13	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W243738	NA	NA	NA	NA	NA
14	14	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	16A4 1003963	NA	PEQ2 048046A	PVS7B 158016	NA	NA
15	15	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246679	NA	NA	PVS14 00472	M145 05-44202	NA
16	16	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M240B U7108	NA	NA	PVS7B 82416A	M145 03-15310	NA
17	17	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M240B U71637	NA	NA	PVS7B 83415A	M145 03-15310	NA
18	18	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246059	NA	PEQ2 163392A	PVS7B 83393A	M68 187728	NA
19	19	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246883	M203 7063	NA	PVS14 00622	M68 161087	NA
20	20	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W0652037	NA	NA	PVS7B 96022A	M68 897716	NA
21	21	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W244397	NA	NA	PVS14 00578	M68 609013	NA
22	22	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W243445	M203 32442	NA	PVS7B 81184A	M68 082A	NA
23	23	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M249 007480	NA	NA	PVS7B 96031A	M145 01-0580	NA
24	24	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246790	NA	NA	PVS7B 67864	NA	NA
25	25	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W243733	NA	NA	PVS7B 00023	M68 609022	NA
26	26	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W2464347	NA	PEQ2 1629501A	PVS7B 00012	ACOG 050370	NA
27	27	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246423	NA	Tac Light T22X	PVS7B 83417A	ACOG 050370	NA
28	28	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M249 009710	NA	NA	PVS7B 83417A	M68 608930	NA
29	29	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246576	NA	PEQ2 163396A	PVS7B 84415A	M145 03-15172	NA
30	30	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246699	NA	NA	PVS7B 83435A	M68 187207	NA
31	31	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W2467189	NA	NA	PVS7B 84334A	M68 020A	NA
32	32	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W051324	NA	NA	PVS7B 43213	M68 091A	NA
33	33	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W051324	Tac Light T16X	PEQ2 046339A	PVS7B 43213	ACOG 051979	NA
34	34	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W247117	M203 177463	NA	PVS7B 82363A	M68 019526	NA
35	35	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W247115	NA	NA	PVS14 00566	M68 087A	NA
36	36	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W0565410	M203 310035	PEQ2 163394A	PVS14 00394	ACOG 055756	NA
37	37	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W243773	NA	NA	PVS7B 016655	NA	NA
38	38	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M240B U97173	NA	NA	PVS7B 00292	M145 0429037	NA
39	39	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W242288	M9 1273931	NA	PVS14 00541	ACOG 116195	NA
40	40	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246403	M203 106563	NA	PVS7B 00030	M68 897737	NA
41	41	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246106	NA	NA	PVS7B 83524A	M68 001A	NA
42	42	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M249 009141	NA	NA	PVS7B 00289A	M145 04-30682	NA
43	43	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246422	NA	NA	PVS7B 00109	M68 897705	NA
44	44	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246789	NA	NA	PVS7B 834176A	M68 019536	NA
45	45	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246110	Surefire A39324	PEQ2A 007684A	PVS14 00694	M68 897725	NA
46	46	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W247470	M203 310529	NA	PVS7B 80961A	M68 187822	NA
47	47	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246369	NA	PEQ2 163277A	PVS7B 84408A	M68 187663	NA
48	48	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246540	Surefire A40211	PEQ2 163277A	PVS14 00501	ACOG 109585	NA
49	49	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W243782	NA	NA	NA	M68 897649	NA
50	50	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246677	NA	NA	PVS7B 94611A	NA	NA
51	51	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246677	NA	NA	PVS7B 81176A	M68 897696	NA
52	52	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W245081	Surefire A034093	PEQ2A 046328A	PVS7B 83522A	ACOG 835292	NA
53	53	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246523	NA	Tac Light L19A	PVS7B 43177	ACOG 109589	NA
54	54	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246523	NA	PACQ 090468B	PVS7B 68014	M68 161776	NA
55	55	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W239188	NA	NA	PVS7B 68014	M68 161776	NA
56	56	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M240B U49395	NA	NA	PVS7B 051686A	M145 05-44321	NA
57	57	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M240B U67194	NA	PEQ2 162509A	PVS7B 051686A	M145 05-44321	NA
58	58	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246613	NA	PEQ2 090672A	PVS7B 050912	M68 161627	NA
59	59	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246511	NA	NA	PVS7B 80885A	M68 186392	NA
60	60	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246878	NA	NA	PVS7B 05204A	M68 897735	NA
61	61	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W244866	NA	NA	PVS7B 00207	NA	NA
62	62	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246880	NA	NA	PVS7B 05204A	M68 161116	NA
63	63	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246880	NA	NA	PVS7B 85244A	M68 187652	NA
64	64	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246880	NA	NA	NA	NA	NA
65	65	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246880	NA	NA	NA	NA	NA
66	66	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246438	NA	PEQ2 162510A	PVS7B 05204A	M68 897735	NA
67	67	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246438	Surefire A038661	PEQ2A 008316B	PVS7B 43239	M68 609021	NA
68	68	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246878	NA	NA	PVS14 00669	ACOG 055761	NA
69	69	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W246467	NA	NA	NA	NA	NA
70	70	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M240B U49254	NA	PEQ2 035024A	PVS7B 83415A	M68 073A	NA
71	71	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W247085	NA	NA	PVS7B 80909A	M68 942270	NA
72	72	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M249 47011	NA	NA	PVS7B 00030	M145 03-15343	NA
73	73	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W244842	NA	NA	PVS7B 00028	M145 03-15368	NA
74	74	A-1-18 IN	TO2N5					20071113	MAIN BODY 1	M4 W243761	NA	Tac Light L016	PVS14 00655	M68 897662	NA
													PVS7B 00210	NA	NA
													PVS 7B 048936A	M68 161644	NA
															NA

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10-1-0126 ACLU CID ROL 9954

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Schweinfurt CID Office	28 Feb 08 (b)(6), (b)(7)(C)	11:00 (b)(6), (b)(7)(C)	0010-08-CID847-34682

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SPC / Active Duty

ORGANIZATION/ADDRESS:
A Company, 1-18th Infantry Battalion, Conn Barracks, Schweinfurt, Germany, APO AE 09226

I, (b)(6), (b)(7)(C), want to make the following statement under oath:

Q: SA (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C)

Q: What platoon were you assigned to, and what was your job during your deployment to Iraq?

A: I was assigned to Headquarters platoon, and I was the company Armorer. About the 1st or 2nd week of April, I joined PSD. I was a Bradley gunner for PSD.

Q: What vehicle did you ride in, and what was your bumper number when you were a member of PSD?

A: We rode in A 65 which was the rear Bradley. The patrol configuration consisted of a Bradley in front with SGT (b)(6), (b)(7)(C) as the BC, followed by A 7 with MAJ (b)(6), (b)(7)(C) followed by SGT (b)(6), (b)(7)(C) HMMVW, and then the rear Bradley with SGT (b)(6), (b)(7)(C) as the BC.

Q: Regarding the 3 Jan 07 shooting of the wounded insurgent, what do you recall of that incident?

A: I was not in country at the time of the incident.

Q: What did you hear about that incident?

A: I heard about the damage to the Bradley and saw the damage first hand later on while the vehicle was in the motor pool.

Q: Did anyone tell you later that the insurgent was killed en route to the CSH? If so, who said what?

A: Not that I recall...no. In my position at the FOB, I did not see most of the other guys.

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

A: No.

Q: Did you ever hear of SPC (b)(6), (b)(7)(C) wantonly engaging non-combatants?

A: No.

Q: Were you operating out of COP Angry Dragon?

A: Yes. From April 07 until the end of our deployment in November 07.

Q: When did you take R&R?

A: 16 Dec 06 thru 3 Jan 07. I had a period of 4 days or so in Kuwait prior to returning to Baghdad.

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 2 Pages

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Statement of (b)(6), (b)(7)(C) Taken at Schweinfurt CID Office, Dated 28 Feb 08 Continued

Q: Regarding the execution of 4 detainees at the canal near Hamdani Village, what do you know, or have you heard of that incident?

A: I never heard anything about it until the investigation began.

Q: What did you hear about the 4 detainees at the canal?

A: I heard there were allegations that detainees were executed. There was also a rumor of a detainee not making it to the CSH. But I don't know the whole story, or whether it is true or made up. I just heard there were allegations that 1SG (b)(6), (b)(7)(C) executed a detainee. Most of this came to light after the weapons were confiscated by CID.

Q: Do you have anything else to add to this statement?

A: No. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 1. 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)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of Feb 08 at Schweinfurt, Germany.

(b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement (b)(6), (b)(7)(C)

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EXHIBIT

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AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGES

DETAILS

LAW ENFORCEMENT RECORDS CHECK:

SPC MORTON:

USACRC: On 25 Feb 08, a check of the files maintained by the United States Army Crime Records Center (USACRC) and the National Crime Information Center (NCIC) revealed no derogatory information pertaining to SPC (b)(6), (b)(7)(C)

COPS: On 10 Mar 08, a name check of the Centralized Operations Police Suite (COPS) was conducted by Mrs. (b)(6), (b)(7)(C) Interpreter, USAG, Schweinfurt, APO AE 09033, which revealed no derogatory information pertaining to SPC (b)(6), (b)(7)(C)

SSG FEDDERMAN:

USACRC: On 1 Mar 08, a check of the files maintained by the United States Army Crime Records Center (USACRC) and the Defense Clearance and Investigations Index (DCII) revealed no derogatory information pertaining to SSG (b)(6), (b)(7)(C)

COPS: On 10 Mar 08, a name check of the Centralized Operations Police Suite (COPS) was conducted by Mrs. (b)(6), (b)(7)(C) Interpreter, USAG, Schweinfurt, APO AE 09033, which revealed no derogatory information pertaining to SSG (b)(6), (b)(7)(C)

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) (b)(6), (b)(7)(C)	ORGANIZATION Schweinfurt Resident Agency (CID) CMR 457, APO AE 09033
DATE 10 Mar 08	EXHIBIT 191

0010-08-CID847-34682

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0074-08-CID014-

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0900, 11 Feb 08, this office received a Request for Assistance (RFA) from the Schweinfurt CID Office, Schweinfurt, Germany, APO AE 09033, to locate, fully identify, and interview SPC (b)(6), (b)(7)(C) HHC, Army Evaluation Task Force (AETF), 5/1 Armor Division (AD), Fort Bliss, TX (FBTX), about any information he has pertaining to the death of five detainees in Iraq.

About 1448, 12 Mar 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) denied any knowledge pertaining to the abuse or death of any detainees while in Iraq. SPC (b)(6), (b)(7)(C) further provided hand drawn sketches pertaining to the incidents under investigation. (See Sworn Statement and sketches for details)

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)
SIGN

ORGANIZATION:

76th Military Police Detachment (CID)
11th Military Police Battalion (CID)
Fort Bliss, TX 79916

DATE

12 Mar 08

EXHIBIT

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SWORN STATEMENT

LOCATION DATE TIME FILE NUMBER
Fort Bliss CID, Fort Bliss, TX 12 Mar 08 (b)(6), (b)(7)(C) 440 (b)(6), (b)(7)(C) 0010-08-CID847-34682

NAME: SSN: GRADE/STATUS:
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SPC/AD

ORGANIZATION/ADDRESS:
HHC, 5/1 AD (AETF), Fort Bliss, TX 79916

(b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C), want to make the following statement under oath:

The unit arrived to Kuwait around Sep 06. In Nov 06, the unit finally went to Iraq and we were stationed at FOB Falcon. I was in HQ Platoon the entire time and was on the CDR's PSD. My vehicle was a M2A2 Bradley Fighting Vehicle, vehicle number A66. The vehicle call sign was (b)(6), (b)(7)(C) and I was (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) was the vehicle CDR and his call sign was Black 1. PFC (b)(6), (b)(7)(C) was the driver and his call sign was (b)(6), (b)(7)(C). The CDR's was in a HMMWV and the vehicle number was A6. The CDR's call sign was (b)(6), (b)(7)(C). The 1SG HMMWV was A7 and his call sign was (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) was the 1SG medic and his call sign was (b)(6), (b)(7)(C) and he was in the 1SG's vehicle. The incident that occurred when we got hit by the IED on Route Steelers occurred in Jan 07, but I am not sure of the date. When the blast went off I was in the lead vehicle which was the Bradley. Then there was CDR's HMMWV and another HMMWV behind him as trail. The Bradley was the vehicle that sustained the blast and had damage to it. I believe the only damage we sustained was to the road wheel. After the IED exploded the Bradley drove through the blast and the CDR's vehicle and the trail vehicle engaged the insurgent and apparently wounded him. I heard a lot of gun fire but I was not sure if the insurgent was actually wounded because everyone was making fun of PFC (b)(6), (b)(7)(C) the CDR's gunner, because he couldn't shoot. I heard radio chatter that one of the people in the patrol believed they hit the insurgent and they were going to go and check it out. I stayed in the turret of the Bradley during all of this and that was the last I heard before QRF showed up and took over. My crew stayed with the Bradley to check everything out to make sure the vehicle could still move and see what damage we sustained. The Bradley was still able to operate on its own. I did not see the suspected insurgent at any time and I do not believe my crew did either. I assume QRF took the insurgent and put him in there Bradley, because that is where they were usually placed because the HMMWV were always full. The patrol I was on and QRF all took off at the same time and headed in different directions. The patrol I was on headed back to FOB Falcon and the QRF should have gone to the CSH but I don't know. This is the first time that I have heard anything else about this incident since it occurred.

Q: Regarding the 3 Jan 07 shooting of the wounded insurgent, what do you recall of that incident?

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 3 Pages

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Statement of (b)(6), (b)(7)(C) Taken at Fort Bliss CID, Dated 12 Mar 08 Continued

(b)(6), (b)(7)(C)

I recall that the CO's gunner shot and possible wounded the insurgent. While my Bradley crew was determining what was going on with our vehicle. The CO's HMMWV and the rear HMMWV went to track down the possible wounded insurgent. I heard they were tracking down a blood trail and traveled about a half a block away and I heard a door being kicked in. The Soldier's that tracked the insurgent down stayed with him until QRF showed up. QRF showed up with 1SG (b)(6), (b)(7)(C) and they transported the insurgent with them.

Q: Do you recall any radio traffic by the QRF after they departed for the CSH with the wounded insurgent?

A: No. They were on their PLT frequency. They were first platoon.

Q: What did you do after departing the scene?

A: Our patrol then headed to FOB Falcon and conducted minor maintenance on the Bradley.

Q: On the google map provided, is the location of the IED strike correct?

A: I am assuming so. If the marker was not there I would not remember where it happened.

Q: Did anyone tell you later that the insurgent was killed en route to the CSH? If so, who said what?

A: No.

Q: Who was in your vehicle during this incident?

A: SGT (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C)

Q: Who was in the other vehicles?

A: In the CO's vehicle there was CPT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C). I do not remember the rest of the people because the crew changed so much.

Q: Who was in 1SG's HMMWV during this incident?

A: The 1SG and SGT (b)(6), (b)(7)(C) because they were always in the truck together. I don't remember the other people.

Q: Who was in the Bradley that took the wounded insurgent to the CSH?

A: I don't remember. I just remember that it was a 1st platoon vehicle.

Q: Did you know or hear about the 4 detainees who were taken out to Hamdani canal by 2nd Platoon and the 1SG and shot?

A: No.

Q: Do you remember when that happened?

A: No. I didn't even know that it happened.

Q: Who exactly said what about that incident?

A: Don't know.

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

A: No.

Q: Did you ever hear of SPC (b)(6), (b)(7)(C) wantonly engaging non-combatants?

A: No.

Q: Were you operating out of COP Angry Dragon?

A: Yes, we started a little bit before Christmas.

Q: When did you take R&R?

Initials of Person Making Statement (b)(6), (b)(7)(C)

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Statement of (b)(6), (b)(7)(C) Taken at Fort Bliss CID, Dated 12 Mar 08 Continued

A: 6 Apr 07 through 20 Apr 07.

Q: Did you ever witness soldiers at COP Angry Dragon engaged in detainee abuse, to include shooting them with BB or SoftAir guns, assaulting them, or holding their faces against air conditioner exhaust ducts?

A: No.

Q: (If applicable) Did you report any of the above violations, and to whom?

A: NA.

Q: If not, why not?

A: NA.

Q: Do you have anything else to add to this statement?

A: No.

///END OF STATEMENT///(b)(6), (b)(7)(C)

AFFIDAVIT

I, SPC (b)(6), (b)(7)(C), have read or have read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of Mar 08 at Fort Bliss CID.

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C) USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 3 of 3 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT

193

ACLU-RDI 5596 p.622

10-L-0126 ACLU CID ROI 9961 001052
EMIC 2

CANAL

3 JAN 07 EFP

QRF
officer

PSD
officer

Route Cedars

PSD
QRF

Route Steele
Argry Dragon

IP Station

Image © 2008 DigitalGlobe
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(b)(6), (b)(7)(C)
1992 12 Mar 08
SA [redacted]

Route
EXHIBIT 193
2055

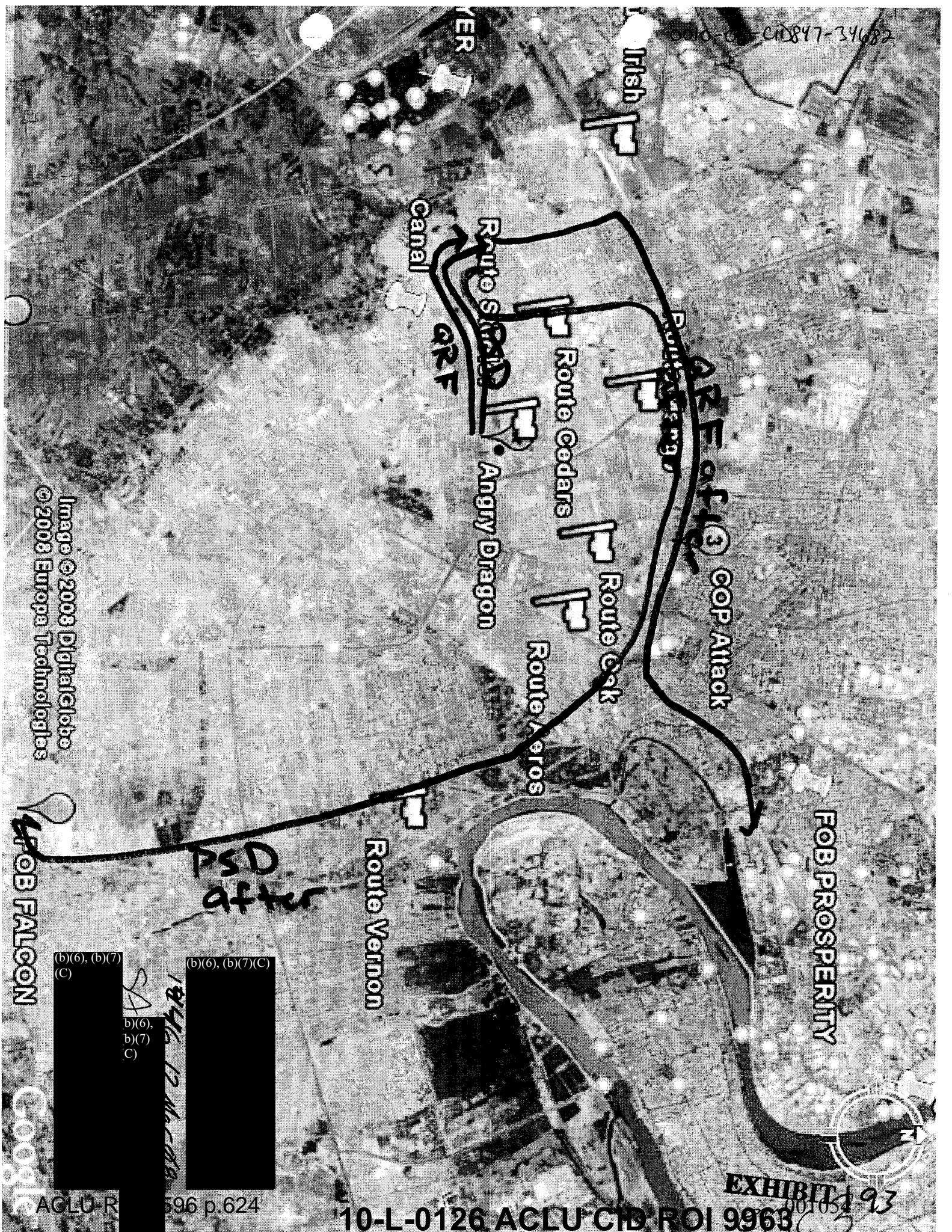


Image © 2008 DigitalGlobe
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Fob Falcon

Google

(b)(6), (b)(7)(C)
AS
b(6), b(7)(C)

1846 12 McCann

(b)(6), (b)(7)(C)

Route Vernon

Route Yeros

Route East

Route Cedars

Angry Dragon

Canal

Fob Prosperity

QRF
ASD
GOP Attack

EXHIBIT 93
001051

S

Canal

Route Cedars

Route Steeler

Abd al Waid

Angry Dragon

I know the location of the Canal, but no knowledge of the Killers of the detainees.

(b)(6), (b)(7)(C)

1999 12 Nov 08

S

(b)(6), (b)(7)(C)

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 2 PAGES

DETAILS

About 1400, 4 Mar 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C), Military Magistrate, Schweinfurt Law Center, CBSG, and informed her this office obtained sworn statements provided by two A Co, 1-18th BN service members, wherein they detailed SGT (b)(6), (b)(7)(C) complained his uniform was stained with blood from the detainee killed by 1SG (b)(6), (b)(7)(C) during the 3 Jan 07 IED incident. SA (b)(6), (b)(7)(C) requested authorization to search and seize the military clothing and equipment of SGT (b)(6), (b)(7)(C) for forensic examination and collection of possible DNA evidence.

Agent's Comment: Coordination was effected with the Military Magistrate based on the statements provided by SPC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C).

About 1500, 5 Mar 08, CPT (b)(6), (b)(7)(C) authorized the Search and Seizure of all Army Combat Uniforms (ACU's), to include T-shirts, boots and socks, as well as the pants and blouse of the ACU's; all Individual Ballistic Armor (IBA), to include all protective attachments; and all Load carrying pouches belonging to SGT LEAHY, from his person and barracks room. (See Affidavit and Search and Seizure Authorization for details)

About 1507, 6 Mar 08, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) INV (b)(6), (b)(7)(C) and INV (b)(6), (b)(7)(C) executed the Search and Seizure Authorization upon SGT (b)(6), (b)(7)(C) barracks room, Building 168, (b)(6), (b)(7)(C) CBSG. SGT (b)(6), (b)(7)(C) military uniforms and equipment were photographed and collected as evidence. In addition, SGT (b)(6), (b)(7)(C) was provided a copy of the Search and Seizure Authorization and the EPCD. (See Photographs and EPCD for details)

Agent's Comment: Searches of the desk and furniture drawers belonging to SGT (b)(6), (b)(7)(C) were conducted to obtain items of evidentiary value to include ACU nametapes and patches. SGT (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Executive Officer, 299th Forward Support Battalion (FSB), CBSG, were present during the search and seizure of evidence.

About 1245, 6 Mar 08, SA (b)(6), (b)(7)(C) obtained a copy of the 1-18th IN BN Property Book, June 2006, and a copy of the DA 31's (Request and Authority for Leave) of 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) from MAJ (b)(6), (b)(7)(C) (See Property Book excerpt and DA 31's for details)

Agent's Comment: A cursory review of the Property Book revealed the two 9mm pistols previously collected as evidence, S/N: 1346311 and 1165701, were listed on the sensitive item inventory; however, the Property Book did not indicate to whom the pistols were assigned. A review of the leave forms of 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) indicated they're R&R leave began 7 Apr 07 and 13 Apr 07, respectively; therefore, it is likely the canal shooting took place prior to 7 Apr 07.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C)

ORGANIZATION

Schweinfurt CID Office
CMR 457, APO AE 09033

DATE

12 Mar 08

EXHIBIT

194

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10-L-0126 ACLU CID ROI 9967

001057

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 2 OF 2 PAGES

DETAILS

About 1008, 12 Mar 08, SA (b)(6), (b)(7)(C) advised SSG (b)(6), (b)(7)(C) of his legal rights, which he invoked. SSG (b)(6), (b)(7)(C) stated he wanted to cooperate with this investigation, but wanted his legal counsel present during questioning. **(See Non-Waiver Certificate for details)**

About 1015, 12 Mar 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) Armorer, A Co, 1-18th IN BN, who stated in Jan 08, he personally destroyed all the hand receipts for weapons assigned to his company. SPC (b)(6), (b)(7)(C) stated he was only required to keep the hand receipts for 30 days after the weapons were turned into the Armory. SPC (b)(6), (b)(7)(C) stated he was certain the weapons previously collected by this office were assigned to SFC (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) and there was no reason those weapons would have been reassigned to other soldiers. SPC (b)(6), (b)(7)(C) related there are currently 16 pistols present in the Arms Room, which are the same weapons that were assigned during the deployment. SPC (b)(6), (b)(7)(C) provided a copy of the current Master Authorization List (MAL) which details the pistols assigned to his company. **(See MAL for details)**

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C)

ORGANIZATION

Schweinfurt CID Office
CMR 457, APO AE 09033

DATE

12 Mar 08

EXHIBIT

194

OFFICIAL USE ONLY

10-L-0126 ACLU CID ROI 9968

001058

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, SA (b)(6), (b)(7)(C), Schweinfurt CID Office
(Name) (Organization or Address)

CMR 457, APO AE 09033

having been duly sworn, on oath depose and state that:

Affiant is a Special Agent of the United States Army Criminal Investigation Command (USACIDC), and has been employed as such since Jun 07. Affiant is currently assigned as a Special Agent to the Schweinfurt CID office, and in that capacity, has investigated allegations involving felony level offenses, and serious or sensitive investigations wherein the United States Army has an interest, to include Homicides and allegations of Detainee Abuse. As a Special Agent, Affiant has utilized his training and experience in the review and analysis of the criminal intelligence information obtained thus far.

2. The affiant further states that:

On 10 Jan 08, the Schweinfurt CID Office was notified by CPT (b)(6), (b)(7)(C) Trial Defense Services (TDS), Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG), that his client witnessed the murder of Iraqi prisoners in the Spring of 2007 by soldiers of A Company (Co), 1-18th Infantry Battalion (IN BN), CBSG during their recent deployment to Iraq. In addition, the client later identified as SSG (b)(6), (b)(7)(C), A Co, 1-18th IN BN, also reported a second separate incident of murder which occurred in Jan 07, wherein 1SG (b)(6), (b)(7)(C) A Co, 1-18th IN BN allegedly shot and killed a wounded detainee.

On 3 Jan 07, an EFP damaged one of the Company Commander's PSD Bradleys during a patrol in West Baghdad. 1SG (b)(6), (b)(7)(C) led a Quick Reaction Force (QRF) to lend support after the EFP strike. The suspected EFP trigger man was shot in the engagement and suffered a near amputation of his right leg. He was loaded into a Bradley, where the Senior Medic, SGT (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 1-18th IN BN, attended to his wounds. A three vehicle convoy, which included the Bradley with the wounded detainee and 1SG (b)(6), (b)(7)(C) HMMWV, departed the EFP scene en route to the Combat Support Hospital (CSH). About ten minutes later 1SG (b)(6), (b)(7)(C) instructed the convoy to stop, and then inquired about the deteriorating condition of the detainee. SGT (b)(6), (b)(7)(C) told him the detainee would probably die. Both 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) then carried the detainee from the Bradley into a ditch on the side of the road, where the detainee was subsequently shot twice in the chest. SGT (b)(6), (b)(7)(C) thought 1SG (b)(6), (b)(7)(C) shot the wounded man with a Glock 9mm he carried as a spare. They then placed the dead insurgent in a body bag and dropped him off at a nearby Iraqi Police station.

On 18 Jan 08, SGT (b)(6), (b)(7)(C) was advised of his rights and rendered a sworn statement wherein he implicated 1SG (b)(6), (b)(7)(C) as the shooter of the wounded detainee. SGT (b)(6), (b)(7)(C) stated he checked the detainee's pulse after 1SG (b)(6), (b)(7)(C) shot him, and confirmed he was dead. He further admitted he helped place the body of the detainee into a body bag, which was then transported to the Iraqi Police station.

On 22 Feb 08, SPC (b)(6), (b)(7)(C) A Co, 1-18th IN BN, was advised of his rights and rendered a sworn statement wherein he related he was the gunner of 1SG (b)(6), (b)(7)(C) HMMWV on 3 Jan 07, and was aware the detainee was shot on the side of the road by 1SG (b)(6), (b)(7)(C) after the convoy was instructed to stop. SPC (b)(6), (b)(7)(C) denied he saw the incident occur, but related he heard both gun shots. In addition, SPC (b)(6), (b)(7)(C) stated after the detainee was placed into a body bag, SGT (b)(6), (b)(7)(C) returned to his vehicle and complained about getting blood on his uniform.

On 26 Feb 08, SSG (b)(6), (b)(7)(C) A Co, 1-18th IN BN, was advised of his rights and rendered a sworn statement wherein he related he was the driver of 1SG (b)(6), (b)(7)(C) HMMWV on 3 Jan 07, and witnessed 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) carry the wounded insurgent from the Bradley into a ditch on the side of the road, after which he could no longer see them. SSG (b)(6), (b)(7)(C) reported he subsequently heard two gunshots and saw indirect light from the muzzle flashes. SSG (b)(6), (b)(7)(C) did not see who shot the detainee, but related after the body was placed back into the Bradley, SGT (b)(6), (b)(7)(C) got into his vehicle and complained about getting blood on his new uniform.

Attempts to identify the deceased are ongoing by CID in Iraq. Based on your Affiant's experience and training, and the corroborating statements obtained during this investigation, it is probable SGT (b)(6), (b)(7)(C) is in possession of the uniform he wore during the aforementioned incident. A forensic examination of this uniform can possibly recover trace evidence / DNA which could be linked to the DNA of the deceased victim.

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of SGT (b)(6), (b)(7)(C)
(the person) (and)
and his personal property located in Room 210, Building 168, Conn Barracks, Schweinfurt, Germany, APO AE 09226
(the quarters or billets) (and)

(the automobile) and (seizure) (apprehension) of All Army Combat Uniforms (ACU's);
(items/persons searched for)
Individual Ballistic Armor, including all protective attachments; and all Load carrying pouches that belong to SGT (b)(6), (b)(7)(C)

TYPED NAME AND ORGANIZATION OF AFFIANT

(b)(6), (b)(7)(C)
Special Agent
Schweinfurt CID Office, APO AE 09033

(b)(6), (b)(7)(C)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 5th DAY OF March 2008 AT 1500 hours

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY ADMINISTERING THE OATH

CPT (b)(6), (b)(7)(C)
Military Magistrate
Schweinfurt Law Center, APO AE 09226

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)

SA (b)(6), (b)(7)(C) Schweinfurt CID Office, APO AE 09033

(An affidavit) (A sworn) or (unsworn) oral statement) having been made before me by SA (b)(6), (b)(7)(C) (Name of Affiant)

Schweinfurt CID Office, APO AE 09033

(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

Barracks Room and person of SGT (b)(6), (b)(7)(C) b(6), b(7)(C) Building 168, Conn Barracks, APO AE 09226

for the property described as All Army Combat Uniforms (ACU's), to include T-shirts, boots and socks, as well as the pants and blouse of the ACU's; all Individual Ballistic Armor (IBA), to include all protective attachments; and all Load carrying pouches belonging to SGT (b)(6), (b)(7)(C)

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:

SA (b)(6), (b)(7)(C) Evidence Custodian, Schweinfurt CID Office, APO AE 09033 (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 5 day of March, 2008

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL (b)(6), (b)(7)(C) CPT	DUTY POSITION OF AUTHORIZING OFFICIAL Military Magistrate
ORGANIZATION OF AUTHORIZING OFFICIAL Schweinfurt Law Center APO AE 09226	SIGNATURE OF AUTHORIZING OFFICIAL (b)(6), (b)(7)(C)

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United States Army Criminal
Investigation Command



PHOTOGRAPHIC PACKET OF EVIDENCE
SEIZED FROM SGT (b)(6), (b)(7)(C)
CRC COPY

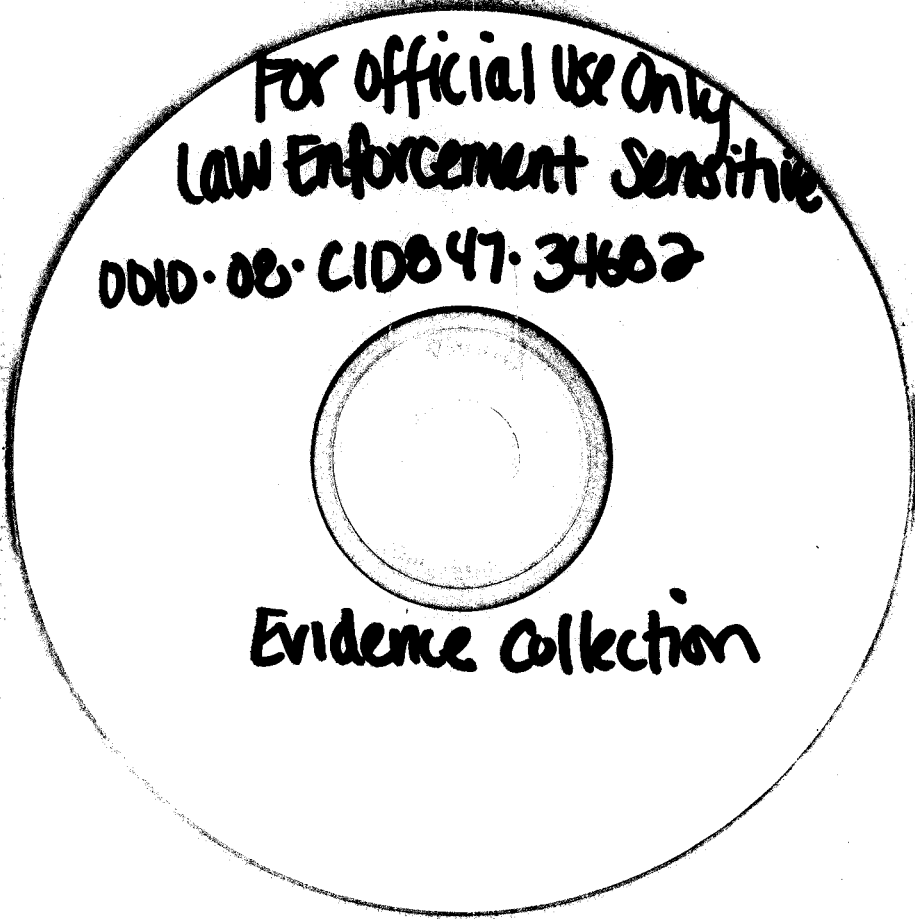


EXHIBIT 196

b(6), b(7)(C)

b(6), b(7)(C)

b(6), b(7)(C)



b(6), b(7)(C)











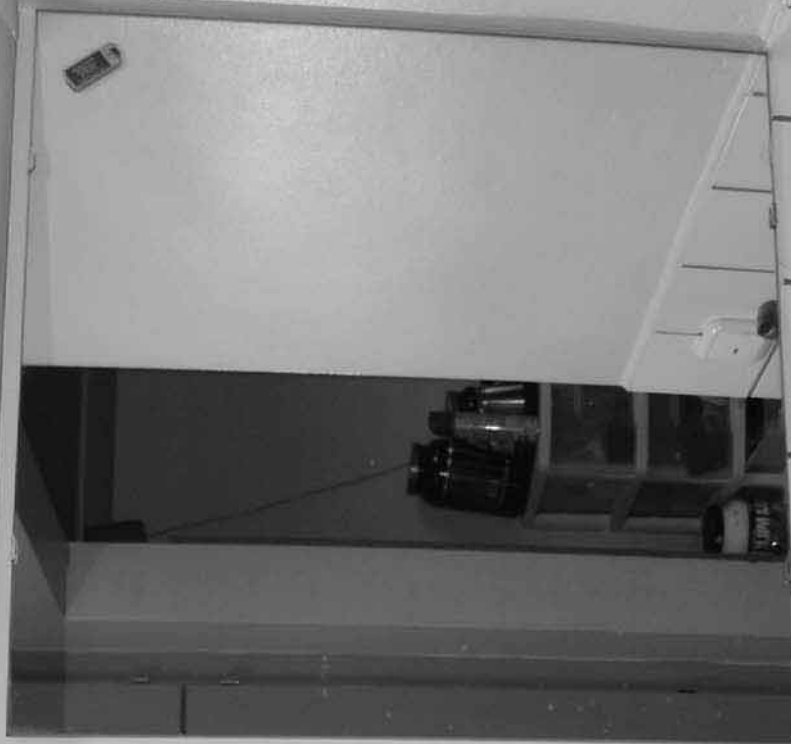


















b(6), b(7)(C)

b(6), b(7)(C)

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REFRIGERANT
APPLIANCE

SIERRA
FIRST EIGHT

MAGIC POLISHING CLOTHS
CAUTION

SIERRA
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TABLE WITH 10 COLUMNS AND 10 ROWS



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FOR FINISHING, USE A DRY CLEANER
MADE IN THE U.S.A.
100% COTTON
100% POLYESTER
100% COTTON
100% POLYESTER

b(6), b(7)(C)



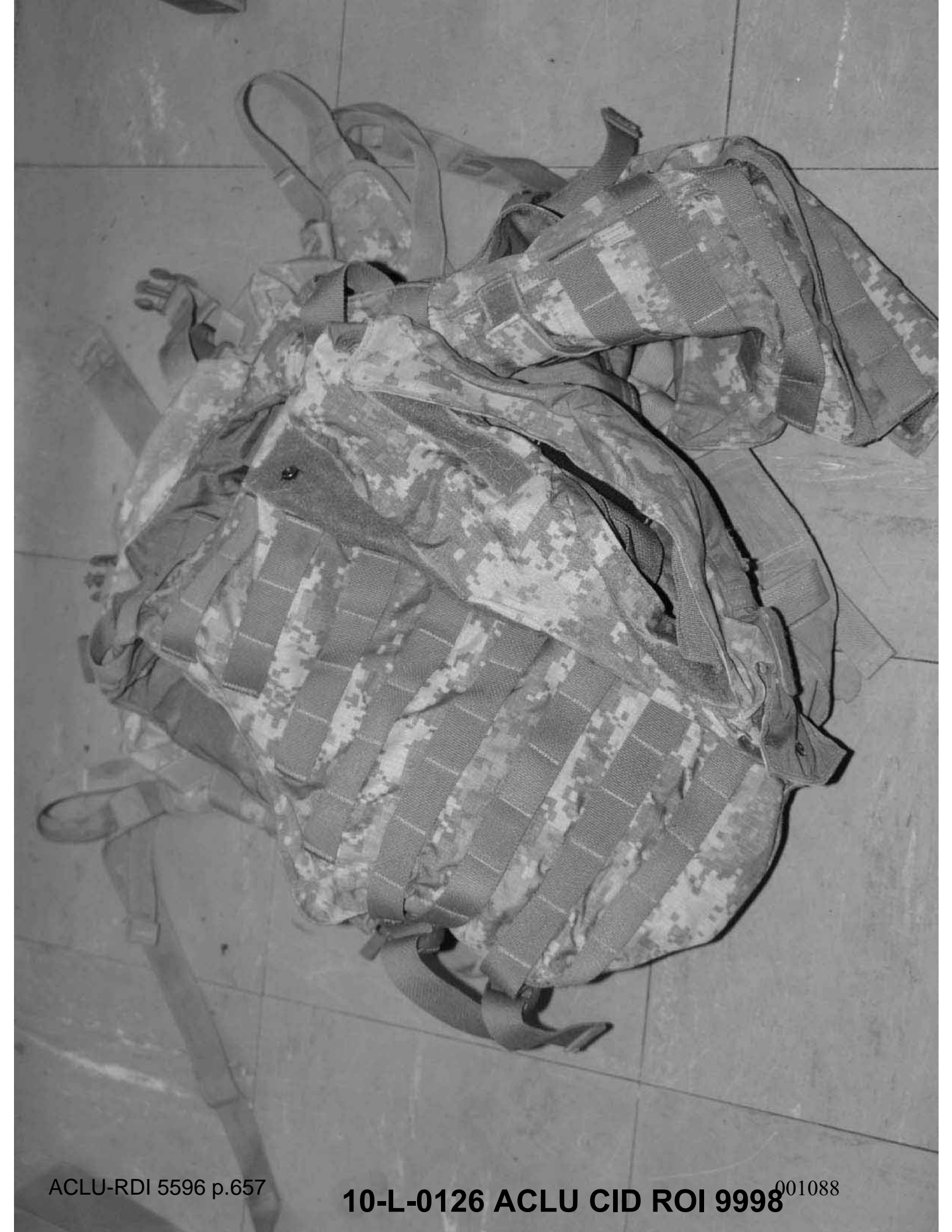




























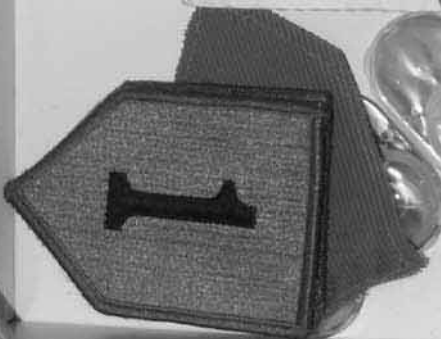












THE FIRST NOVEL AND THE EDGAR AWARD
BY THE #1 NEW YORK TIMES BESTSELLING AUTHOR

ADDENDUM TO MICROSOFT
2007 MICROSOFT OFFICE SY

Microsoft

Survive and Thrive
and you are the guide.

It's their survival story.

KEY FEATURES

- 100+ survival tips
- 100+ survival stories
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- 100+ survival maps
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- 100+ survival tables
- 100+ survival diagrams
- 100+ survival flowcharts
- 100+ survival infographics
- 100+ survival infographics
- 100+ survival infographics

100+ Survival Tips

100+ Survival Stories

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100+ Survival Audio Clips

100+ Survival Illustrations

100+ Survival Maps

100+ Survival Charts

100+ Survival Tables

100+ Survival Diagrams

100+ Survival Flowcharts

100+ Survival Infographics

100+ Survival Infographics

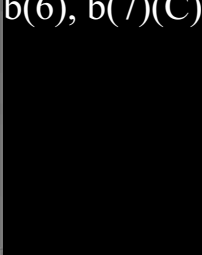
100+ Survival Infographics



WINNER
U110X



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)



MEDIUM
FACE





























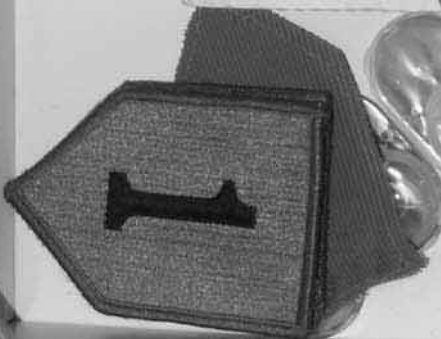






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THE FIRST NOVEL AND THE EDGAR AWARD
BY THE #1 NEW YORK TIMES BESTSELLING AUTHOR



SPLIT FOR JUNE 06

SENSITIVE ITEM INVENTORY LISTING

UIC : WAM4A0

LINE	SUBLINE	NSN	PBIC EGS	NOMENCLATURE	UI	CIIC	O/H
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145470		146591					
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1349320		1349324					
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1165701A		1165804A					
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012608		055967					
064726							
QTY ON HAND = <u>1</u> QTY IN MAINT = <u>0</u> QTY SIGNED OUT = <u>0</u> QTY OTHER = <u>0</u> REMARK _____							

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REQUEST AND AUTHORITY FOR LEAVE This form is subject to the Privacy Act of 1974. For use of this form, see AR 600-8-10. The proponent agency is ODCSPER. (See instructions on Reverse)				1. CONTROL NUMBER 07/0607/03	
PART - I					
2. NAME (Last, First, Middle Initial) (b)(6)		3. SSN (b)(6)		4. RANK 1SG	5. DATE 19 Mar 07
6. LEAVE ADDRESS (Street, City, State, ZIP Code and Phone No.) (b)(6)			7. TYPE OF LEAVE <input type="checkbox"/> ORDINARY <input type="checkbox"/> PERMISSIVE TDY <input checked="" type="checkbox"/> EMERGENCY OTHER R&R Leave		8. ORGN, STATION, AND PHONE NO. A Co. 1-18 INF TF 1-18 Infantry FOB Falcon, Baghdad, Iraq APO AE 09361 DSN 677-2575
9. NUMBER DAYS LEAVE					
a. ACCRUED 28	b. REQUESTED 18	c. ADVANCED N/A	d. EXCESS N/A	10. DATES	
				a. FROM 4 APR 07	b. TO 22 APR 07
11. SIGNATURE OF REQUESTOR (b)(6)		12. SUPERVISOR RECOMMENDATION/SIGNATURE <input checked="" type="checkbox"/> APPROVAL / <input type="checkbox"/> DISAPPROVAL PT. AR, Executive Officer (b)(6)		13. SIGNATURE AND TITLE OF APPROVING AUTHORITY (b)(6) LTJG IN CMD	
14. a. DATE 07 APR	b. TIME 0001	DEPARTURE (b)(6)		PRIORITY U	
15. a. NUMBER DAYS	b. DATE APPROVED	c. NAME/TITLE/SIGNATURE OF APPROVAL AUTHORITY			
16. RETURN					
a. DATE 21 Apr 07	b. TIME 2359	c. NAME/TITLE/SIGNATURE OF RETURN AUTHORITY (b)(6)			
17. REMARKS					
a. DCS validated was completed on (1 Apr 07). Participant completed the following mandatory DCS requirement: CDR's risk assessment, reintegration/reunion training, Medical threat brief and suicide awareness and prevention training. b. If destination is other than CONUS or Germany, Commander has validated SM has possession of a current passport. c. Army Travel Assistance Center: 1-800-582-5552; 1-18 IN Rear Detachment: 318-353-8364 d. Soldier not authorized to consume alcohol while in uniform. e. Soldier will maintain possession of Military ID, DA 31, ID tags at all times. f. When soldier arrives at CONUS/OCONUS gateway Personnel Assistance Point (PAP) will sign them out and sign them back in off of leave. g. Personnel at the PAP will assist soldiers with follow on transportation and return if any problems occur. h. Soldiers returning home will move under the direction of Kuwait Gateway at Doha. Soldiers Point of Origin Gateway: BIAP, Iraq i. Soldiers will be charged only 15 days of leave unless extended by proper authority for TDY or Emergency leave. j. Soldiers must return to on the date and time directed by the PAP. k. CONUS/OCONUS gateway: Atlanta m. If admitted to medical center SM or official representative must notify PAP and nearest military medical facility preferably associated with the SM's branch of service. n. I understand that I will only take 15 days of R&R beginning the day after I sign out of the PAP. Any extra days on this leave form are for TDY, emergency Leave or travel days only _____ DATE TO RETURN TO DALLAS/ATLANTA/FRANKFURT NODE: _____ Chargeable leave is from _____ to _____					
PART II - EMERGENCY LEAVE TRANSPORTATION AND TRAVEL					
18. You are authorized to proceed on official travel in connection with emergency leave and upon completion of your leave and travel will return to home station (or location) designated by military orders. You are directed to report to the Aerial Port of Embarkation (APOE) for onward movement to the authorized international airport designated in your travel documents. All additional travel is chargeable to leave. Do not depart the installation without reservations or tickets for authorized space required transportation. File a no-pay travel voucher with a copy of your travel documents or boarding pass within 5 working days after your return. Submit request for leave extensions to your commander. The American Red Cross can assist you in notifying your commander of your request for extension of leave.					
19. INSTRUCTIONS FOR SCHEDULING RETURN TRANSPORTATION: For return military travel reservations in CONUS call the MAC Passenger Reservation Center (PRC): 1-800-851-3144 Should you require other assistance call PAP: Dallas (DFW) Airport: 800-770-5580/ Atlanta Airport 800-276-5809/ Frankfurt 800-872-7387					
20. DEPARTED UNIT WAWYAB		21. ARRIVED APOD	22. ARRIVED APOE (return only)	23. ARRIVED HOME UNIT	
PART III - DEPENDENT TR					
25. <input type="checkbox"/> (Space available or required cash reimbursable) <input type="checkbox"/> C	TRANSPORTATION AUTHORIZED FOR DEPENDENT INFC				
a. DEPENDENTS (Last name, First, MI)	b. RELATIONSHIP				
Next of Kin and Phone Number					
«SM NOK Name» / «SM NOK Phone»	(b)(6)				
PART IV - AUTHENTICATION FOR TRAVEL					
26. DESIGNATION AND LOCATION OF HEADQUARTERS BIAP			27. ACCOUNTING CITATION		
28. DATE ISSUED	29. TRAVEL ORDER NUMBER	30. ORDER AUTHORIZING OFFICIAL (Title and signature) OR AUTHENTICATION			

DA FORM 31, SEP 93

EDITION OF 1 AUG 75 IS OBSOLETE

military resource
1 800 342 96477

lost ticket
1 800 827 7777

"FOR OFFICIAL USE ONLY /
LAW ENFORCEMENT SENSITIVE"

REQUIREMENT AND AUTHORITY FOR LEAVE
This form is subject to the Privacy Act of 1974. For use of this form, see AR 600-8-10.
The proponent agency is ODCSPER. (See Instructions on Reverse)

1. CONTROL NUMBER
07/0650/R3

PART - I

2. NAME (Last, First, Middle Initial) (b)(6)		3. SSN (b)(6)	4. RANK SGT	5. DATE 19 Mar 07
6. LEAVE ADDRESS (Street, City, State, ZIP Code and Phone No.) (b)(6)		7. TYPE OF LEAVE <input type="checkbox"/> ORDINARY <input type="checkbox"/> PERMISSIVE TDY <input checked="" type="checkbox"/> OTHER R&R Leave		8. ORGN. STATION, AND PHONE NO. A Co. 1-18 INF TF 1-18 Infantry FOB Falcon, Baghdad, Iraq APO AE 09361 DSN 677-2575
9. NUMBER DAYS LEAVE				
a. ACCRUED 30	b. REQUESTED 19	c. ADVANCED N/A	d. EXCESS N/A	10. DATES a. FROM 13 APR 07 b. TO 07 May 07
11. SIGNATURE OF REQUESTOR (b)(6)		12. SUPERVISOR RECOMMENDATION/SIGNATURE <input checked="" type="checkbox"/> APPROVAL (b)(6) USA, First Sergeant		13. SIGNATURE AND TITLE OF APPROVING AUTHORITY (b)(6) PT. IN, CMD

14. DEPARTURE		
a. DATE	b. TIME	c. NAME/TITLE/SIGNATURE OF DEPARTURE AUTHORITY
15. EXTENSION		
a. NUMBER DAYS	b. DATE APPROVED	c. NAME/TITLE/SIGNATURE OF APPROVAL AUTHORITY
16. RETURN		
a. DATE	b. TIME	c. NAME/TITLE/SIGNATURE OF RETURN AUTHORITY

17. REMARKS

a. DCS validated was completed on 02 Apr 07. Participant completed the following mandatory DCS requirement: CDR's risk assessment, reintegration/reunion training, Medical threat brief and suicide awareness and prevention training.

b. If destination is other than CONUS or Germany, Commander has validated SM has possession of a current passport.

c. Army Travel Assistance Center 1-800-582-5552; 1-18 IN Rear Detachment: 318-353-8364

d. Soldier not authorized to consume alcohol while in uniform.

e. Soldier will maintain possession of Military ID, DA 31, ID tags at all times.

f. When soldier arrives at CONUS/OCONUS gateway Personnel Assistance Point (PAP) will sign them out and sign them back in off of leave.

g. Personnel at the PAP will assist soldiers with follow on transportation and return if any problems occur.

h. Soldiers returning home will move under the direction of Kuwait Gateway at Doha. Soldiers Point of Origin Gateway: BIAP, Iraq

i. Soldiers will be charged on 15 days of leave unless extended by proper authority for TDY or Emergency leave.

j. Soldiers must return to on the date and time directed by the PAP.

k. CONUS/OCONUS gateway: Atlanta

m. If admitted to medical center SM or official representative must notify PAP and nearest military medical facility preferably associated with the SM's branch of service.

n. I understand that I will only take 15 days of R&R beginning the day after I sign out of the PAP. Any extra days on this leave form are for TDY, emergency Leave or travel days only.

DATE TO RETURN TO DALLAS/ATLANTA/FRANKFURT NODE: Military one source 1800-302-9647

Chargeable leave is from _____ to _____

PART II - EMERGENCY LEAVE TRANSPORTATION AND TRAVEL

18. You are authorized to proceed on official travel in connection with emergency leave and upon completion of your leave and travel will return to home station (or location) designated by military orders. You are directed to report to the Aerial Port of Embarkation (APOE) for onward movement to the authorized international airport designated in your travel documents. All additional travel is chargeable to you. Do not depart the installation without reservations or tickets for authorized travel required transportation. File a no-charge travel voucher with a copy of your travel documents or boarding pass within 5 working days after your return. Submit request for leave extensions to your commander. The American Red Cross can assist you in notifying your commander of your request for extension of leave.

19. INSTRUCTIONS FOR SCHEDULING RETURN TRANSPORTATION:
For return military travel reservations in CONUS call the CBA Passenger Reservation Center: 1-800-851-3144
Should you require other assistance call PAP: Dallas/Fort Worth APOE 800-770-5580/ Atlanta APOE 800-376-8066/ Guam APOE 800-872-7387

20. (b)(6)	21. ARRIVED APOD APR 14 2007	22. AR
24. PART III - DEPENDENT TRAVEL		
25. <input type="checkbox"/> (Space available or required each reimbursement) <input type="checkbox"/> OR <input type="checkbox"/> (Space required) TRANSPORTATION AUTHORIZED FOR DEPENDENT INFO		
a. DEPENDENTS (Last name, First, MI)	b. RELATIONSHIP	
Next of Kin and Phone Number		
«SM_NOK_Name» / «SM_NOK_Phone»		

NO PER DIEM AUTHORIZED
(b)(6)
P135197.00 832QRR 21T1
TRR2HOM 2QRR83 S09076
CIC: 27208A2QRR09076 Traveler uses CBA.
(b)(6)
JFLCC-C8-FWD

PART IV - AUTHENTICATION FOR TRAVEL AUTHORIZATION

26. DESIGNATION AND LOCATION OF HEADQUARTERS CBA		27. ACCOUNTING CITATION
28. DATE ISSUED	29. TRAVEL ORDER NUMBER	30. ORDER AUTHORIZING OFFICIAL (Title and signature) OR AUTHENTICATION

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 Schweinfurt CID Office APO AE 09033		2. DATE 12 Mar 08	3. TIME 1008	4. FILE NUMBER 0010-08-CID847-34682
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS Headquarters and Headquarters Company, 1-18th Infantry Battalion		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS SSG / Active Duty	Conn Barracks APO AE 09226		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent. (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/accused (b)(6), (b)(7)(C) conspiracy; Misprision of a Serious Offense// (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 (b)(6), (b)(7)(C)
2. Anything I say or do can be used as evidence against me in a criminal trial (b)(6), (b)(7)(C)
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 (b)(6), (b)(7)(C)

-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. (b)(6), (b)(7)(C)

5. COMMENTS (Continue on reverse side)

Have you been advised of your legal rights within the past 30 days and requested a lawyer? Yes / No? (b)(6), (b)(7)(C) I have spoken to a lawyer on the past 30 Days. (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. ORGANIZATION OR ADDRESS AND PHONE	(b)(6), (b)(7)(C)	
2a. NAME (Type or Print)			
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR		
		Schweinfurt CID Office Schweinfurt, GE, APO AE 09033	

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)

ATTACHMENT TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

M9	11	1349310	(b)(6)		
M9	12	1349320			
M9	1	1094792			
M9	5	1342018	(b)(6)		
M9	9	1151933			
M9	17	1165701			
M9	13	1165804			
M9	4	1166109			
M9	6	1342290	(b)(6)		
M9	7	1144892			
M9	14	1342293			
M9	10	1342962	(b)(6)		
M9	8	1345012			
M9	15	1346305			
M9	16	1346307			
M9	18	1346311	(b)(6)		
M9	2	1349324			
M9	3	1359952			

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

0021-08-CID036

PAGE 1 OF 2 PAGES

DETAILS

On 12 Feb 08, this office received a Request for Assistance from the Schweinfurt CID Office, CMR 457, APO AE 09033, to interview Mr. (b)(6), (b)(7)(C) regarding the murder of an Iraqi detainee and possible detainee abuse at Combat Out Post (COP) Angry Dragon. Further, this office received an additional request on 19 Feb 08, to interview Mr. (b)(6), (b)(7)(C) in regards to his knowledge of the murder of an Iraqi detainee and possible detainee abuse.

About 1305, 27 Feb 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) who provided a Sworn Statement and interview sketch wherein he detailed his knowledge of detainee abuse and murder while in Iraq.

AGENT's COMMENT: Mr. (b)(6), (b)(7)(C) attempted to locate his leave form which would confirm his leave dates while deployed; however Mr. (b)(6), (b)(7)(C) could not locate the document.

About 1030, 20 Feb 08, SA (b)(6), (b)(7)(C) coordinated with the Human Resources Center (HRC), St Louis, MO, who related there was no record of Mr. (b)(6), (b)(7)(C) being in the Individual Ready Reserve.

About 1204, 13 Mar 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) who did not wish to provide a written statement; however, agreed to allow a recording of the interview. Mr. (b)(6), (b)(7)(C) related he was part of a separate patrol on 3 Jan 07, when he was dispatched to the location of an Improvised Explosive Device (IED), which had struck another patrol. Mr. (b)(6), (b)(7)(C) stated when he got to the incident site, his Bradley Fighting Vehicle (BFV), bumper number A18, took up a security position, wherein he saw a BFV on the side of the road, but was not able to tell if it was the damaged BFV. Mr. (b)(6), (b)(7)(C) related he was at the IED location on route Steelers, for approximately thirty minutes, during which time he was given a hand signal from 1SG (b)(6), (b)(7)(C) A CO, 1-18th INF BN, Conn Barracks, Schweinfurt, GE, APO AE 09226, to drop his ramp to load a body. Mr. (b)(6), (b)(7)(C) related he was not sure if the body that was loaded into his BFV was dead or alive or if the body was in a body bag or not. Mr. (b)(6), (b)(7)(C) stated he never looked back into the crew compartment of his BFV to see the body and was unaware if anyone was attending to the body. Mr. (b)(6), (b)(7)(C) related approximately fifteen minutes later a convoy, consisting of three HMMWV's and his BFV, left the IED site to go to the Iraqi Police Station (IPS) to drop off the body. Mr. (b)(6), (b)(7)(C) related he assumed the body in his BFV was already dead due to the need to take it to the IPS as was the standard operating procedure (SOP). Mr. (b)(6), (b)(7)(C) related the convoy left for the IPS, his BFV was the trail vehicle, and approximately three blocks from the IED location the convoy stopped for an unknown reason. Mr. (b)(6), (b)(7)(C) related the convoy was on route Steelers but did not know the exact location. Mr. (b)(6), (b)(7)(C) stated his BFV took a security position and pulled security to the rear. Mr. (b)(6), (b)(7)(C) related 1SG (b)(6), (b)(7)(C) instructed the BFV driver to pivot in place and to drop the ramp. Mr. (b)(6), (b)(7)(C) related he was instructed by 1SG (b)(6), (b)(7)(C) to orient his security in a direction which placed the ramp of the BFV to his rear. Mr. (b)(6), (b)(7)(C) related he did not hear any gunfire other than AK gunfire. Mr. (b)(6), (b)(7)(C) related after approximately five minutes of pulling security, he looked into the crew compartment

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)
(b)(6), (b)(7)(C)

ORGANIZATION
Monterey CID Office
Presidio of Monterey, CA 93944

SIG

DATE
13 Mar 08

EXHIBIT
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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

0021-08-CID036

PAGE 2 OF 2 PAGES

DETAILS

of his BFV and saw 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) load a body bag into the BFV. Mr. (b)(6), (b)(7)(C) related he never saw the actual body inside the body bag. Mr. (b)(6), (b)(7)(C) related the convoy continued to the IPS and dropped the body bag off. Mr. (b)(6), (b)(7)(C) stated the convoy headed back to link up with the other convoy near the IED location; however, Mr. (b)(6), (b)(7)(C) BFV began to have a fuel problem which was later found to have been caused by an inadvertent switch being pulled in the turret. Mr. (b)(6), (b)(7)(C) provided a sketch which detailed the approximate locations of the incidents; however, Mr. (b)(6), (b)(7)(C) related the locations were to the best of his recollection. Mr. (b)(6), (b)(7)(C) related he never had any direct knowledge or heard any rumors pertaining to 1SG (b)(6), (b)(7)(C) having shot a detainee. Further, Mr. (b)(6), (b)(7)(C) related he had no knowledge of other detainee deaths or detainee abuse. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

ORGANIZATION

Monterey CID Office
Presidio of Monterey, CA 93944

S

DATE

13 Mar 08

EXHIBIT

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SWORN STATEMENT

LOCATION	DATE	TIME	FILE NUMBER
Public Library (b)(6), (b)(7)(C)	27 Feb 08 (b)(6), (b)(7)(C)	3:14 PM (b)(6), (b)(7)(C)	0021-08-CID036 0010-08-CID847-34682

NAME:	SSN:	GRADE/STATUS:
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	CIV

ORGANIZATION/ADDRESS:
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) want to make the following statement under oath:

I was assigned to Aco 1-18 first platoon from November 2005 up until March 2007, I took R & R leave on or about December 19 2006 to January 5 2007 . I transfer from 1st platoon to the commanders PSD right before I left to go on emergency leave on mid March. I wasn't in country when all this occur and I don't recall anybody mentioning anything . To my knowledge I cant even specified one specific incident because theyre were so may of them, but again I have no idea of this specific incident.

Q: Where you on the patrol on 3 Jan 07?

A: No.

Q: Where you on R and R leave?

A: Yes

Q: What were the dates of your leave?

A: 19 Dec 06 to 5 Jan 07.

Q: When did you arrive back at your duty location?

A: Approximately one week after that, near the 10 or 12 of Jan 07.

Q: Did you hear anything about the incident on 3 Jan 07?

A: No.

Q: When were you assigned the CDR's PSD?

A: Around Mar 07, before I took emergency leave?

Q: Do you recall who was assigned to the CDR's PSD during the Jan 07 timeframe?

A: His PSD was either SGT (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) should be in the unit still and SGT (b)(6), (b)(7)(C) got hurt so I don't know where he is. Either of them would have been the BC for the CDR's Bradley.

Q: Did you ever hear any rumors of 1SG (b)(6), (b)(7)(C) killing any wounded insurgents?

A: I heard something about (b)(6), (b)(7)(C) taking care of the insurgent but I don't recall who or when I heard it.

Q: What do you think "taking care of the insurgent" meant?

A: I didn't really think about what it meant, it was just something I heard in passing.

Q: Is there anything else you tell us about the incident on 3 Jan 07?

A: No.

Q: Did you know or hear about the 4 detainees who were taken out to Hamdani canal by 2nd Platoon and the 1SG and shot?

A: No.

Q: Did you ever hear any rumors about the detainees taken out of the canal? (b)(6), (b)(7)(C)

Initials of Person Making Statement (b)(6), (b)(7)(C) Page 1 of 3 Pages

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C)

Dated 27 Feb 08 Continued

(b)(6), (b)(7)(C) b(6), b(7)(C)
(b)(6), (b)(7)(C) heard a lot about the canal, about ~~frag's~~ ^{(b)(6), (b)(7)(C)} being found in the canal and a Bradley almost tipping into it, but nothing specific regarding anything with 2nd Platoon.
Q: Did you ever witness or hear about any members of your unit abusing detainees at COP Angry Dragon?
A: Yes, I heard about it
Q: What did you hear?
A: SSG (b)(6), (b)(7)(C) (not sure of spelling) saw PFC (b)(6), (b)(7)(C) and some other guys, who had air guns and were shooting them at the detainees.
Q: When did you hear about this?
A: Towards the end of my deployment around Aug 07.
Q: Did you hear it directly from SSG (b)(6), (b)(7)(C)?
A: No, PFC (b)(6), (b)(7)(C) was talking to a group of guys after a patrol one night and I overheard PFC (b)(6), (b)(7)(C) say he shot detainees with the air soft guns.
Q: Do you know who else heard PFC (b)(6), (b)(7)(C) say he shot people with the air soft guns?
A: The only element that was there that could have heard was the PSD and ~~the medic,~~ SGT (b)(6), (b)(7)(C) ^{why wasn't there} (b)(6), (b)(7)(C)
Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?
A: No.
Q: Did you ever hear of SPC (b)(6), (b)(7)(C) wantonly engaging non-combatants?
A: No.
Q: Were you operating out of COP Angry Dragon?
A: No at the beginning we were out of FOB FALCON and then operated out of Angry Dragon around the end of Jan 07.
Q: Did you report any of the above violations, and to whom?
A: No.
Q: If not, why not?
A: I didn't actually see him shoot anyone and I believed since there were people around who out ranked me they would have handled it.
Q: Do you recall an incident on 31 Jan 07, wherein you and SPC (b)(6), (b)(7)(C) found a cache of weapons? ^{not exact date} (b)(6), (b)(7)(C)
A: Yes.
Q: Can you detail what you remember of that day?
A: We were searching the area of where we found the individuals we apprehended. It was around noon time, we came up to the house went inside and SPC (b)(6), (b)(7)(C) and I went on the roof top and found a sniper rifle at that point and time we were given orders to search the entire house in detail. We found ^{1 by one} ~~more~~ weapons and ammunition, and all military age males were apprehended. We were doing a joint operation with the tankers that were assigned to BRAVO 1-28inf, I don't recall if we took the individuals in or if 1-28 took them. I don't recall seen them after that.
Q: Do you know the full title of 1-28?
A: 1-28th INF, they were out of Fort Riley.
Q: Do you know which company?
A: No. (b)(6), (b)(7)(C)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 2 of 4 Pages

DA Form 2823 (Automated)

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0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C) Dated 27 Feb 08 Continued

(b)(6), (b)(7)(C)
Q: Do you where they were operating out of in Iraq?
A: It was a COP located off of route Cedars, close to route Irish.
A: Where there any other units there during the incident?
A: I believe (b)(6), (b)(7)(C) 1-77th Tankers, in which some were in Hummers and some in tanks, also a platoon from Attack 1-28th ^{assigned} was to 1-18th during the incident.
Q: How many insurgents were captured during the search?
A: I believe four.
Q: Were any of the insurgents injured during there capture?
A: No.
Q: Do you recognize the Soldier in the picture I am showing you?
A: Yes, it is SPC (b)(6), (b)(7)(C)
Q: Do you know the final disposition of the detainees?
A: No.
Q: If your unit had taken the insurgents, who would have transported them?
A: SGT (b)(6), (b)(7)(C) in the Bradley, which was SOP for him to put prisoners in the Bradley and then overflow would go into my ^{Bradley} ~~hammer~~, which was last in the convoy.
Q: When was the last time you saw the detainees in the pictures?
A: Where they were photographed is the last time I saw them, which was still close the location they were found.
Q: Do you know what happened to the weapons?
A: They were loaded into the vehicles, but I don't know which vehicles they were put into then.
Q: Is there anything else you can tell me about the detainees or the weapons that were captured on 31 Jan 07?
A: No.
Q: Do you have anything else to add to this statement?
A: In regards to the incident when we detained four insurgents and located a weapons cache, it happened after I was assigned to PSD around March 07.
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 3 of 4 Pages

DA Form 2823 (Automated)

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LAW ENFORCEMENT SENSITIVE

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

0010-08-CID847-34682

Statement of (b)(6), (b)(7)(C)

Dated 27 Feb 08 Continued

AFFIDAVIT

I, (b)(6), (b)(7)(C), have read or have 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)

(b)(6), (b)(7)(C)

(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ___th day of Feb 08 at _____, _____.

(b)(6), (b)(7)(C)

(Oath)

SA (b)(6), (b)(7)(C) USACIDC

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administering Oath)

Initials of Person Making Statement (b)(6), (b)(7)(C)

Page 4 of 4 Pages

DA Form 2823 (Automated)

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

RAP SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C)
K7 [redacted] DRIVER
GUNNER

TRUCK [redacted] CPT (b)(6), (b)(7)(C)
PEC [redacted] DRIVER
PFC [redacted] GUNNER

TRUCK [redacted] SGT (b)(6), (b)(7)(C)
PFC [redacted] GUNNER
PFC [redacted] DRIVER

RUCK [redacted] ISG (b)(6), (b)(7)(C)
SGT [redacted] medic (b)(6), (b)(7)(C)
[redacted] (b)(6), (b)(7)(C)

COMMANDERS PSD

The people that I believe were assigned to the Commanders PSD at or around the time of January 2007

ISG (b)(6), (b)(7)(C) truck
ISG (b)(6), (b)(7)(C) and the medic SGT (b)(6), (b)(7)(C)
I know were assigned to ISG trucks the driver and gunner I don't remember their names.

SKETCHED BY:

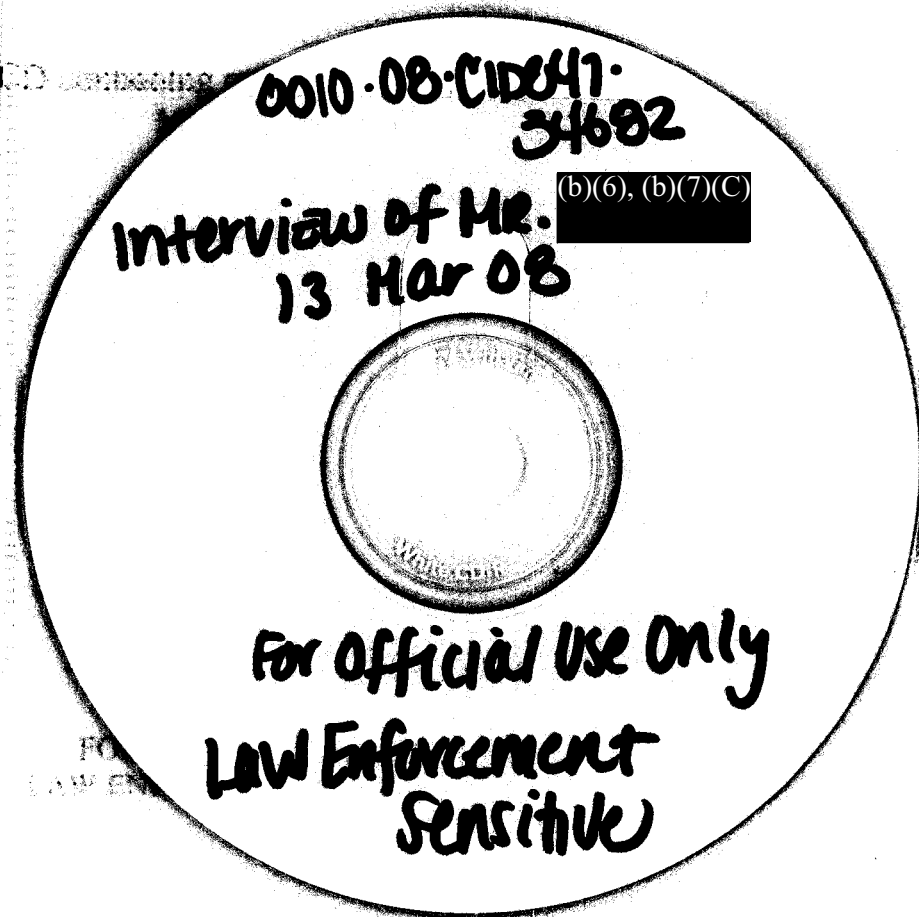
(b)(6), (b)(7)(C)
[redacted]

27 Feb 08

VERIFIED BY:

(b)(6), (b)(7)(C)
SA [redacted]

27 FEB 08





Pointer 33°15'44.61" N 44°18'20.29" E elev 116ft Streaming 100% Eye all

Image © 2008 DigitalGlobe
© 2008 Europa Technologies

Google

Sketched By :

(b)(6), (b)(7)(C)

Verified By:

(b)(6), (b)(7)(C)

10-L-0126 ACLU

EXHIBIT 205

13 MAR 08 12:49

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

CARLISLE BARRACKS CID OFFICE (CID), 3RD MILITARY POLICE GROUP, USACIDC,
CARLISLE, PA 17013

AGENT'S INVESTIGATIVE REPORT
0021-08-CID342/0088-08-CID014-47881
DATE: 13 Mar 2008

DETAILS:

BASIS FOR INVESTIGATION: On 19 Feb 08, this office received a Request For Assistance (RFA) from the Schweinfurt CID Office, CMR 457, APO AE 09033, requesting the interview of Mr. (b)(6), (b)(7)(C) regarding the murder of an Iraqi detainee [NFI].

About 1313, 25 Feb 08, SA (b)(6), (b)(7)(C) advised Mr. (b)(6), (b)(7)(C) of his legal rights, which he waived and provided a Sworn Statement relating he had no knowledge of anyone in his unit killing Iraqi civilians or abusing detainees.

About 1209, 10 Mar 08, SA (b)(6), (b)(7)(C) advised Mr. (b)(6), (b)(7)(C) of his legal rights, which he waived and provided a Sworn Statement relating while on a combat patrol mission in early Jan 07, he heard one or two faint gunshots after his convoy stopped for an unknown reason. Mr. (b)(6), (b)(7)(C) related his gunner, SPC (b)(6), (b)(7)(C) stated "they shot the Iraqi prisoner," but refused to elaborate on who shot the prisoner.

About 0922, 19 Mar 08, SA (b)(6), (b)(7)(C) Polygrapher, Fort Drum CID Office, Fort Drum, NY, advised Mr. (b)(6), (b)(7)(C) of his rights, which he waived and provided a sworn statement relating in early Jan 07, he witnessed 1SG (b)(6), (b)(7)(C) murder an unarmed Iraqi prisoner while on a cobat patrol mission in Iraq. Mr. (b)(6), (b)(7)(C) also related he lied on previous statements provided to this office, because he didn't want to be involved in this investigation.

About 1323, 19 Mar 08, Mr. (b)(6), (b)(7)(C) provided consent to search his online MySpace.com account for an online message sent from "SPC (b)(6), (b)(7)(C) [NFI].

About 1325, 19 Mar 08, Mr. (b)(6), (b)(7)(C) while located at his residence, logged onto his MySpace.com account (Logon ID: (b)(6), (b)(7)(C) @us.army.mil), and provided SA (b)(6), (b)(7)(C) with a copy of the message he received from SPC (b)(6), (b)(7)(C)

AGENT'S COMMENT: This message was electronically forwarded to the Schweinfurt CID Office.///LAST ENTRY///

(b)(6), (b)(7)(C)

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSISITIVE

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

LOCATION: Oil City, PA 16301 **DATE:** 25 Feb 08 **TIME:** 1313
FILE NUMBER: 0010-08-CID847-34682
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSAN:** (b)(6), (b)(7)(C) **GRADE / STATUS:** CIV
ORGANIZATION OR ADDRESS: (b)(6), (b)(7)(C)

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command (b)(6), (b)(7)(C) and wanted to question me about the following offense(s) of which I am suspected/accused. Misprison of a Serious Offense/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 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 -

(b)(6), (b)(7)(C) (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:** Have you ever been advised of your legal rights and requested a lawyer? Y or N

I understand my rights as stated above. I am now willing to discuss (b)(6), (b)(7)(C) and make a statement without talking to a lawyer first and without having a lawyer present.

Witness# 1

Signature of Witness

Witness# 2

Signature of Witness

(b)(6), (b)(7)(C)

Carlisle Barracks CID Office
Carlisle Barracks, PA 17013

NON-WAIVER CERTIFICATE

I do not want to give up my rights: I want a lawyer: I do not want to be questioned or say anything:

Signature of Interviewee: _____

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSISITIVE

DA Form 3881-E

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION (b)(6), (b)(7)(C)	DATE 25 Feb 2008	TIME 1644	FILE NUMBER (b)(6), (b)(7)(C) 010-08-CID847-34682
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS CIV	
ORGANIZATION OR ADDRESS (b)(6), (b)(7)(C)			

I, **(b)(6), (b)(7)(C)** WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Details

I was in A Co 1/18 wolf pack stationed in Schweinfurt Germany. A Co got deployed to Iraq around sep. 1st 2006. we got to Kuwait first and then trained and then later around September 15- 25th we got our orders to deploy into Iraq. I was in PSD (personal security detachment) for the first sergeant and Company commander. I was a humvee driver the whole 15months while we were in Iraq. In my vehicle was Me, as the driver SPC **(b)(6), (b)(7)(C)** as my gunner and Sgt **(b)(6), (b)(7)(C)** as my TC for the humvee and SPC **(b)(6), (b)(7)(C)** as my medic. In our PSD patrol was Bradley driver SPC **(b)(6), (b)(7)(C)** the gunner was SPC **(b)(6), (b)(7)(C)** and SSgt **(b)(6), (b)(7)(C)** as the Bradley commander. And in the Company commanders humvee was a SPC **(b)(6), (b)(7)(C)** as the driver and SPC **(b)(6), (b)(7)(C)** as the gunner and SPC **(b)(6), (b)(7)(C)** as the Radio Dismount. In the Humvee behind the company commander was a Sgt **(b)(6), (b)(7)(C)** as the TC, and a SPC **(b)(6), (b)(7)(C)** as the gunner and a SPC **(b)(6), (b)(7)(C)** as the Driver. In the First Sgt's humvee was a SPC **(b)(6), (b)(7)(C)** as the driver and a Sgt **(b)(6), (b)(7)(C)** as the senior Medic and a SPC **(b)(6), (b)(7)(C)** as the gunner. We were stationed at Fob Falcon in Baghdad Iraq, and then later on during the deployment we got moved onto Cop Angry Dragon in the middle of our sector. Our PSD group went through a lot of stress and a lot of missions and with little sleep and I personally would no say that anyone of these men did anything wrong during the 15 month Iraq tour. Each one of these men are good soldiers and the military should appreciate to have them. I would trust my life any day of the week with these men. The night of Jan1st – 10 we did a combat patrol of our sector around 2200 at night. In our convoy was the Bradley as the first vehicle and behind the Bradley was the company commanders vehicle and behind the company commanders humvee was the 1st Sgt's humvee and then Sgt **(b)(6), (b)(7)(C)** humvee and then Sgt **(b)(6), (b)(7)(C)** humvee behind sgt **(b)(6), (b)(7)(C)** humvee which I was with sgt **(b)(6), (b)(7)(C)** We were on RT Steelers and got hit by a large IED and took small arms fire from many different positions. We went to go down RT Steelers to check out small arms fire when one of our humvees spotted the trigger man and shot him. The trigger man currently ran into a Local nationals house near by and we found him 5 -10minutes of looking around going in and out of houses. The medics Doc **(b)(6), (b)(7)(C)** and Doc **(b)(6), (b)(7)(C)** went into the house to provide medical care for the wounded Local national and fixed him up as much as they could and put him into the back of the lead Bradley. 1st Sgt **(b)(6), (b)(7)(C)** currently got on the radio and told our company to call the green zone and let them know we are bringing a Local national with gun shot wounds to them. Our convoy started moving down RT Steelers and Then our Medic in the back of the Bradley told the crew men of the Bradley that the guy had died from loss of blood from the

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)	PAGE 1 OF 6 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.	
DA FORM 2823 1 JUL 72	SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

Continued

gun shot wounds. 1st Sgt (b)(6), (b)(7)(C) called the company and told them about the Local national that died and The company called the green zone and the green zone told them to take the Dead Local nation to the local Iraqi Police station and let them handle the body from there on. So the convoy currently took the dead local national to the local Iraqi police station and they took him from there on. And there on to my knowledge we went from the local Iraqi police station back to Fob Falcon to repair our Bradley's road wheels that got damaged from the Large IED. (b)(6), (b)(7)(C)

Q: Did you type the above narrative?

A: Yes.

Q: What does COP stand for?

A: Combat Out Post.

Q: Did you see who shot the Iraqi Insurgent?

A: No. I'm not sure who shot him. We were all shooting from different places.

Q: Where exactly was the Insurgent located when he was found?

A: He was found about 15-20 meters away from the road we were hit on. It was a typical local national house. There was nothing distinctive about the house.

Q: Who found the insurgent?

A: It would have been the personnel who were dismounted. I'm not sure who it was.

Q: Who was dismounted at that time?

A: It would have been SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), 1SG (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) and MAJ (b)(6), (b)(7)(C)

Q: How long were military personnel inside the house the insurgent was in?

A: About 10-15 minutes.

Q: Did you see how the insurgent come out of the house?

A: He was carried on a stretcher by dismount personnel and SGT (b)(6), (b)(7)(C)

Q: Could you tell who else was carrying the insurgent out?

A: No. I had to use my night vision goggles to see.

Q: What was your job while this was going on?

A: I was the driver for SGT (b)(6), (b)(7)(C) My job was to stay behind the wheel of the vehicle and monitor the radio.

Q: Could you see the insurgent loaded onto the Bradley?

A: No. I could see them carrying him towards the Bradley, but not actually put him inside. There were three HMMWV's in front of me blocking my vision.

Q: Could you describe the insurgent?

A: No. I was never close enough to get a description of him.

Q: Do you know what wounds the insurgent had?

A: I was told he had multiple gunshot wounds.

Q: Do you know who told you the insurgent had the multiple wounds?

A: It was either one of the medics or I possibly heard 1SG provide the details over the radio while he was reporting the incident to the Company.

Q: Were there any street lights or other lights that lit up the area?

A: It was dark. We had to use our night vision goggles to see.

Q: After the insurgent was loaded on the Bradley, how long did it take for the convoy to leave the area?

A: Approximately less than a minute or two.

Q: What happened after you and the convoy pulled out?

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGES

PAGE 2 OF 6

Continued

A: I heard 1SG call on the radio reporting the status of the mission and they were headed to the green zone with an injured insurgent. About 20 meters up the road the convoy pulled over and I heard the crew of the Bradley reporting the insurgent died. 1SG had the Company call the green zone and report that the insurgent was now dead. The 1SG was then advised that there was no need to take a dead insurgent to the green zone and was told to take him to the Iraqi Police Station.

Q: After the convoy stopped, who got out of their vehicle?

A: No one got out of their vehicle.

Q: After the insurgent was loaded onto the vehicle, did the convoy stop for any other reason before you were notified the insurgent was dead?

A: No.

Q: After the insurgent was loaded onto the Bradley, did you hear any gunshots?

A: No.

Q: Was there any type of gunfire later that night?

A: No.

Q: Did you see the insurgent again after he was loaded onto the Bradley the first time?

A: No. When we got to the Iraqi Police Station, the Bradley, the Commander's and the 1SG's vehicle entered the Iraqi Police compound while my vehicle and SGT (b)(6), (b)(7)(C) vehicle stayed outside of the compound to pull security. I could not see them unload the insurgent from the Bradley.

Q: Do you know who put the Insurgent into a body bag?

A: It would have had to been by SGT (b)(6), (b)(7)(C) inside the Bradley or when they got to the Police station.

Q: In the mission you detailed above, was that sometime between 1 Jan 07 and 10 Jan 07?

A: Yes.

Q: What was the nature of your mission that day?

A: We were conducting a Combat Patrol.

Q: Where did this mission take place?

A: We were just supposed to patrol our sector.

Q: Describe your sector?

A: Our sector was Radwunia.

Q: How many total vehicles were in the convoy and what kind of vehicles were they?

A: The lead vehicle was a Bradley Fighting Vehicle, and three HMMWV's. The Bradley was driven by SPC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) was the Bradley Commander and SPC (b)(6), (b)(7)(C) was the gunner and SGT (b)(6), (b)(7)(C) was the Senior Medic also in the Bradley. The second vehicle was a HMMWV driven by SPC (b)(6), (b)(7)(C) MAJ (b)(6), (b)(7)(C) was the TC, SPC (b)(6), (b)(7)(C) was the gunner and SPC (b)(6), (b)(7)(C) was one of the dismounts. The third vehicle was a HMMWV driven by SPC (b)(6), (b)(7)(C) the gunner was SPC (b)(6), (b)(7)(C) and the TC was 1SG (b)(6), (b)(7)(C) The third vehicle also had SGT (b)(6), (b)(7)(C) in it until he switched to the Bradley to care for the insurgent. The fourth vehicle was driven by SPC (b)(6), (b)(7)(C) the TC was SGT (b)(6), (b)(7)(C) and the gunner was SPC (b)(6), (b)(7)(C) The fifth vehicle was a HMMWV driven by myself, the gunner was SPC (b)(6), (b)(7)(C) the TC was SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) as the medic. This is all to the best of my knowledge.

Q: Do you remember vehicle numbers?

A: My vehicle number was A602. I don't remember the other vehicle numbers.

Q: Regarding the 3 Jan 07 shooting of the wounded insurgent, do you recall the Bradley TC or the 1SG calling over the net with mechanical problems shortly after departing for the CSH?

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGES

PAGE 3 OF 6

Continued

A: They might have called in the condition of the Bradley and that the road wheels were damaged, but we didn't stop for any reason.

Q: Do you believe those mechanical problems were real?

A: Yes I believe the Bradley sustained damage to the left side, but it was still mobile.

Q: Did you stop prior to the shooting of the wounded insurgent, and why?

A: We only stopped to report the insurgent was dead as described earlier. The next time we stopped was when we dropped the already dead insurgent off at the Iraqi Police compound.

Q: Was anything said prior to 1SG (b)(6), (b)(7)(C) dragging the man off the stretcher and shooting him?

A: I have no knowledge of that happening.

Q: Where exactly were you in relation to the shooting?

A: Again, I have no knowledge of the insurgent being shot again.

Q: Did 1SG (b)(6), (b)(7)(C) shoot the man with an M-9 or with a Glock?

A: I have no knowledge of 1SG shooting the insurgent.

Q: What type of pistol did 1SG (b)(6), (b)(7)(C) carry?

A: He would have carried a military issued weapon. I'm not sure exactly what the make of the weapon was. It would have been the same type of weapon the Commander and the medic would have carried.

Q: On a map, roughly where did the shooting take place?

A: I have no knowledge of a shooting other than the initial firefight I described earlier.

Q: Who said what afterwards?

A: Again I have no knowledge of this shooting taking place.

Q: Who requested a body bag for the detainee?

A: I don't know.

Q: Did the wounded insurgent appear alive just before the shooting?

A: I only saw the insurgent being carried out of the house on a stretcher and taken to the Bradley. I could not see much else. Again, I have no knowledge of a shooting that took place.

Q: Did anyone discuss the incident afterwards?

A: No. I only heard some rumors back in Germany about people in our unit killing Iraqi nationals. I don't remember who was spreading those rumors. I don't believe those rumors to be true.

Q: Did you know or hear about the 4 detainees who were taken out to Hamdani canal by 2ND Platoon and the 1SG and shot?

A: No, I have no knowledge of that incident. If we were ever in possession of a detainee it would have been in company records.

Q: Who exactly said what about that incident?

A: I have no knowledge of that incident and have never heard any details of that incident.

Q: Were you ever on patrols with the PSD (AKA Black Squad)?

A: That was my Squad. The Black Squad was our nickname.

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

A: No.

Q: Did you ever hear of the PSD wantonly engaging non-combatants?

A: No.

Q: Were you stationed at COP Angry Dragon?

A: Yes. I was stationed there half way through my deployment til the end of the deployment. Approximately Mar 07 to Nov 07.

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGES

PAGE 4 OF 6

Continued

Q: When did you take R&R?

A: I was on R&R from 16 Jan 07 to 14 or 15 Mar 07.

Q: Did you ever witness soldiers at COP Angry Dragon engaged in detainee abuse?

A: No.

Q: Has anyone told you to with-hold information regarding this case?

A: No.

Q: Did you report any of the above violations, and to whom?

A: I have no knowledge of any crimes or violations that happened while I was deployed.

Q: Is there anything else you would like to add to this statement?

A: No.///END OF STATEMENT///

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT:
PAGES

(b)(6), (b)(7)(C)

PAGE 5 OF 6

Continued

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 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 COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

WITNESSES:

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C) (making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25th day of February, 2008 at (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (Oath)

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oaths)

Small Arms fire

Small Arms Fire

The local nation was in the grassy area where trigger man were there

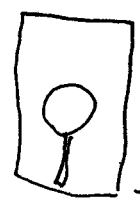
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(b)(6), (b)(7)(C)

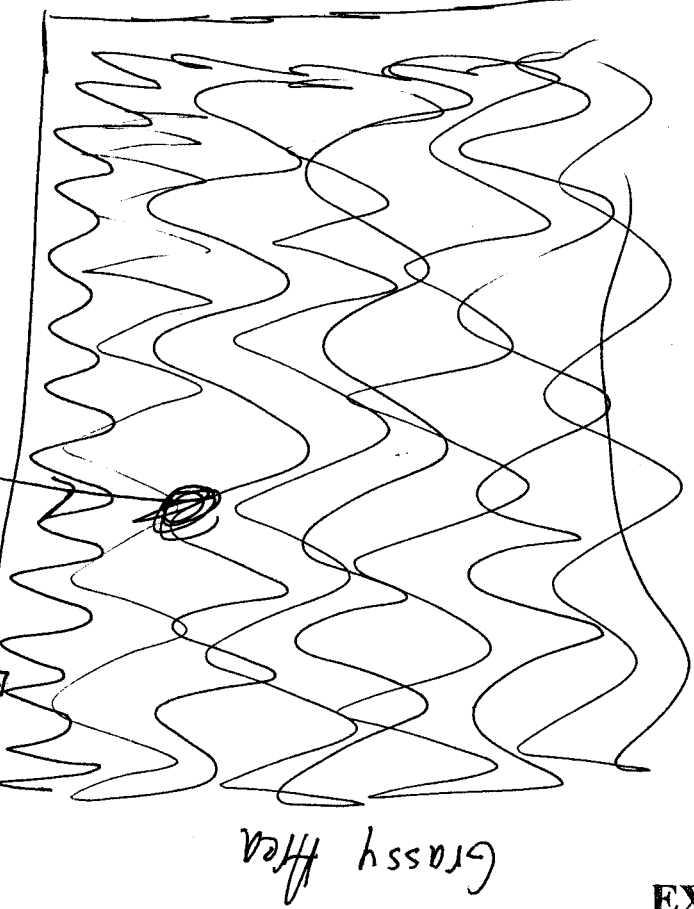
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(b)(6), (b)(7)(C)

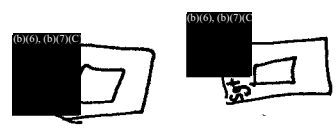
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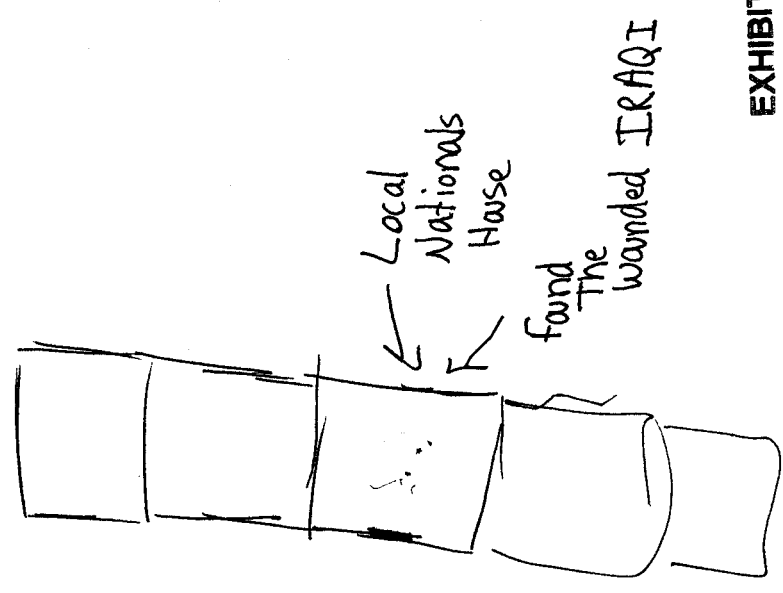
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Grassy Area



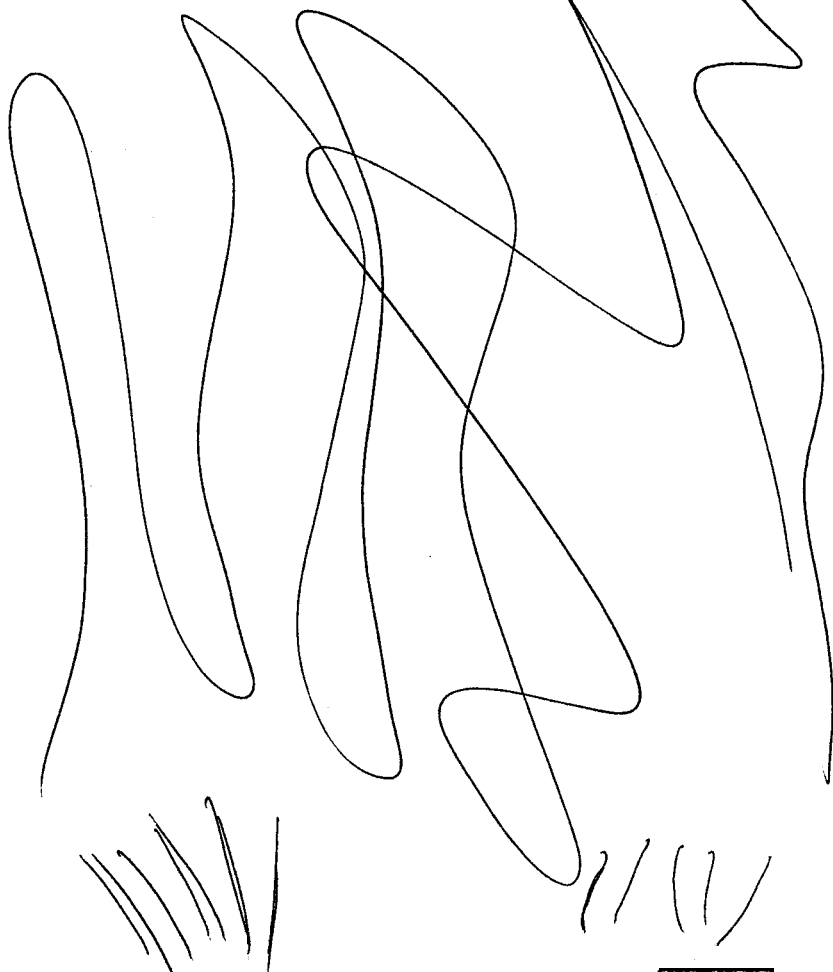
Dirt Road



Local Nationals House

Found The wounded IRAQI

Grass

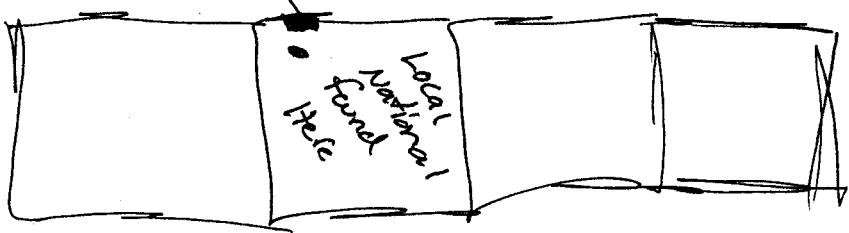
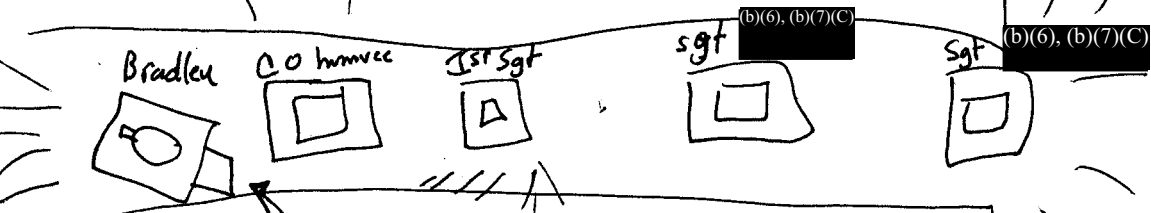


TED

Rt Steelers

Backed up
 upon leaving humvees
 turned around and we
 left the same way we
 came

FOR ORIGINAL USE ONLY - LAW ENFORCEMENT SENSITIVE



Left to IP
 Station

(b)(6), (b)(7)(C)

Sketched

1641
 Feb 25th 08

Stopped and
 this
 around
 10-15
 away

EXHIBIT

001157 207

FOR ORIGINAL USE ONLY - LAW ENFORCEMENT SENSITIVE

FOR ORIGINAL USE ONLY - LAW ENFORCEMENT SENSITIVE

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

LOCATION: Oil City, PA 16301 **DATE:** 10 Mar 08 **TIME:** 1209
FILE NUMBER: 0010-08-CID847-34682
NAME (Last, First MI): (b)(6), (b)(7)(C) **SAN:** (b)(6), (b)(7)(C) **GRADE / STATUS:** CIV
ORGANIZATION OR ADDRESS: (b)(6), (b)(7)(C)

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as an investigator and wanted to question me about the following offense(s) of which I am suspected/accused: Misprison of a Serious Offense/Conspiracy/False Statements.

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 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:** Have you ever been advised of your legal rights and requested a lawyer? Y or N

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.

Witness# 1

Signature of Witness

Witness# 2

Signature of Witness

Carlisle Barracks CID Office
Carlisle Barracks, PA 17013

NON-WAIVER CERTIFICATE

I do not want to give up my rights: I want a lawyer: I do not want to be questioned or say anything:

Signature of Interviewee: _____

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

DA Form 3881-E

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION (b)(6), (b)(7)(C)	DATE 10 Mar 2008	TIME 15 07	FILE NUMBER 0010-08-CID847-34682
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS CIV	
ORGANIZATION OR ADDRESS (b)(6), (b)(7)(C)			

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Details

In the beginning of January 07, between the 1st – 12th, black squad went on a night patrol. I do not remember clearly of whom all was there or what all vehicles were there to my knowledge. Black squad went down Rt Steelers and got hit with an IED. We received small arms fire from different areas of where we were at. We traveled down RT Steelers to search for who was shooting at us after the IED hit our lead Bradley. We then went back down to the location of the site to look for the trigger man and look for where the wires lead to from the IED. The Convoy stopped on the dirt road and the dismounts searched the houses on that road looking for the trigger man. The dismounts found the triggerman in one of the houses on that small dirt road when they found him he was shot and the medics did first aid on the Local national. They then loaded up the local national in the Bradley and I do not have clear knowledge of who loaded him all up or was on the ground at the time. We then turned around and went down Steelers and to my knowledge I do not know how far or where it was all that I recall was it was grassy and had a little slope on the hill. The Bradley then stopped and then we were told to pull in front of the Bradley and I do not recall who had told us to pull in front of the Bradley. I heard the Bradley pivot but to my knowledge I do not recall of exactly which way it turned. I heard softly one or two small gun shots while I was listening to the radio and I asked my gunner where it came from and he said that they pulled the injured local national out of the Bradley and they shot him. To my knowledge I do not know exactly who had shot him it was either 1st sgt hatley or sgt layhe. I did not see anyone shoot the local national but I did hear one or two small gun shots. After that quick stop we then went to the closest IP station and dropped off the dead local national. I do not recall exactly which IP station it was. After that we went back to the Fob to repair the lead Bradley that's all I remember to my knowledge. (b)(6), (b)(7)(C)

Q: Did you type the above narrative?

A: Yes. (b)(6), (b)(7)(C)

Q: Why did you lie on your first statement?

A: I didn't lie. I was trying to recall what happened exactly after a year. (b)(6), (b)(7)(C)

Q: How are you able to remember now that an Iraqi prisoner was murdered on that mission?

A: I was trying to think of a bunch of different missions. (b)(6), (b)(7)(C)

Q: Were there Iraqi prisoners murdered on other missions?

A: Not to my knowledge. (b)(6), (b)(7)(C)

Q: Were there any other people murdered on any other missions?

A: No. (b)(6), (b)(7)(C)

Q: Did you see who shot the Iraqi Insurgent?

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823
1 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

Sworn Statement of (b)(6), (b)(7)(C)

Dated 10-Mar-08

Continued

A: No. (b)(6), (b)(7)(C)

Q: Who do you think shot and killed the Iraqi?

A: It would have had to been 1SG (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Q: Why do you think it was one of them?

A: I saw 1SG (b)(6), (b)(7)(C) get out of his vehicle along with SSG (b)(6), (b)(7)(C) but SSG (b)(6), (b)(7)(C) would not have done something like that. SGT (b)(6), (b)(7)(C) because he was in the Bradley and he and 1SG (b)(6), (b)(7)(C) were pumped up at the beginning of the mission. (b)(6), (b)(7)(C)

Q: What do you mean they were both pumped up?

A: Not that they were pumped, but their personalities have them always acting tough and sometimes bullyish. (b)(6), (b)(7)(C)

Q: Was there any discussion about murdering anyone on a mission?

A: Not to murder anyone. (b)(6), (b)(7)(C)

Q: Who got out of the vehicle when the convoy stopped after the Iraqi prisoner was loaded onto the Bradley?

A: To my knowledge it had to be 1SG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C)

Q: Did you see all of those individuals get out of their vehicle?

A: I only saw 1SG (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) actually get out of their vehicles. (b)(6), (b)(7)(C)

Q: How do you know SGT (b)(6), (b)(7)(C) got out of his vehicle?

A: I cant say for sure he did get out of his vehicle. He was in the Bradley behind me. (b)(6), (b)(7)(C)

Q: Where exactly was the Insurgent located when he was found?

A: He was found about 15-20 meters away from the road we were hit on, in a typical local national house. There was nothing distinctive about the house. (b)(6), (b)(7)(C)

Q: Who found the insurgent?

A: It would have been the personnel who were dismounted. I'm not sure who it was. (b)(6), (b)(7)(C)

Q: Who was dismounted at that time?

A: I'm not sure who they all were. I recall 1SG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and possibly SPC (b)(6), (b)(7)(C) or SPC (b)(6), (b)(7)(C)

Q: How long were military personnel inside the house the insurgent was in?

A: About 10-15 minutes. (b)(6), (b)(7)(C)

Q: Did you see how the insurgent came out of the house?

A: He was carried on a stretcher by dismount personnel and most likely SGT (b)(6), (b)(7)(C) because he was a senior medic. (b)(6), (b)(7)(C)

Q: Could you tell who else was carrying the insurgent out?

A: No. (b)(6), (b)(7)(C)

Q: What was your job while this was going on?

A: I was the driver for SGT (b)(6), (b)(7)(C) My job was to stay behind the wheel of the vehicle and monitor the radio. (b)(6), (b)(7)(C)

Q: Could you see the insurgent loaded onto the Bradley?

A: I could see them carrying him towards the Bradley, but not actually put him inside. There were several HMMWV's in front of me blocking my vision. (b)(6), (b)(7)(C)

Q: Could you describe the insurgent?

A: No. (b)(6), (b)(7)(C)

Q: Do you know what wounds the insurgent had?

A: I was told he had multiple gunshot wounds. (b)(6), (b)(7)(C)

Q: Do you know who told you the insurgent had the multiple wounds?

A: It was possibly one of the medics. I don't recall exactly. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

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Continued

Q: Were there any street lights or other lights that lit up the area?

A: It was dark. We had to use our night vision goggles to see.

Q: After the insurgent was loaded on the Bradley, how long did it take for the convoy to leave the area?

A: Approximately less than a minute or two.

Q: What happened after you and the convoy pulled out?

A: We turned around to travel back down Route Steelers. We traveled a short distance and I heard someone over the radio say that the Iraqi was dead. I don't recall who, but was told to pull ahead of the Bradley. The Bradley was now behind me and I heard it pivoting in the road. I then saw 1SG get out of his vehicle and SSG get out of our vehicle and walk back towards the rear Bradley. Not long after that I heard two faint gunshots.

Q: Did you know what the shots were from?

A: No. Not until my Gunner SPC told me that they shot the Iraqi. He didn't say who shot him though.

Q: Did you ask him who shot the Iraqi?

A: He refused to tell me. He just said don't worry about who shot him.

Q: Why do you think he didn't want to tell you?

A: To prevent rumors from being spread.

Q: Did you hear anyone call or ask for a body bag?

A: No.

Q: Do you know who put the Insurgent into a body bag?

A: No.

Q: What was the nature of your mission that day?

A: We were conducting a Combat Patrol.

Q: Where did this mission take place?

A: In our sector called Radwunia.

Q: How many total vehicles were in the convoy and what kind of vehicles were they?

A: I can't recall exactly. I remember my HMMWV #A-602 and the Bradley # A-65 or A-66, 1SG vehicle # A-7 and the Commanders vehicle # A-6.

Q: Regarding the 3 Jan 07 shooting of the wounded insurgent, do you recall the Bradley TC or the 1SG calling over the net with mechanical problems shortly after departing for the CSH?

A: No. They might have, but I don't remember.

Q: Do you believe those mechanical problems were real?

A: Yes I believe the Bradley sustained damage to the left side, but it was still mobile.

Q: Did you stop prior to the shooting of the wounded insurgent, and why?

A: I don't recall anyone saying why we stopped, but that is when the Iraqi was shot.

Q: Was anything said prior to 1SG dragging the man off the stretcher and shooting him?

A: I have no idea.

Q: Where exactly were you in relation to the shooting?

A: I was in the last HMMWV in front of the Bradley.

Q: Did 1SG shoot the man with an M-9 or with a Glock?

A: I do not know.

Q: What type of pistol did 1SG carry?

INITIALS OF PERSON MAKING STATEMENT: _____
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Continued

A: He would have carried a military issued weapon. I'm not sure exactly what the make of the weapon was. It would have been the same type of weapon the Commander and the medic would have carried. (b)(6), (b)(7)(C)

Q: On a map, roughly where did the shooting take place?

A: I know we were on Route Steelers, but I don't know on the map where it was. (b)(6), (b)(7)(C)

Q: Who said what afterwards?

A: After SPC (b)(6), (b)(7)(C) said they shot him, he told me not to worry about it. (b)(6), (b)(7)(C)

Q: Did you talk about this incident with anyone else?

A: No. (b)(6), (b)(7)(C)

Q: Who requested a body bag for the detainee?

A: I don't know. (b)(6), (b)(7)(C)

Q: Did the wounded insurgent appear alive just before the shooting?

A: I only saw the insurgent being carried out of the house on a stretcher and taken to the Bradley. I could not see much else. (b)(6), (b)(7)(C)

Q: Did anyone discuss the incident afterwards?

A: It briefly came up once or twice, but nothing in detail was discussed. (b)(6), (b)(7)(C)

Q: Who brought it up?

A: I don't know. (b)(6), (b)(7)(C)

Q: What happened after the Iraqi was shot?

A: We pulled out about a minute or two after the gunshots and drove to the Iraqi Police Station. We then dropped off the dead Iraqi. (b)(6), (b)(7)(C)

Q: Who went inside the station and dropped off the body?

A: I'm not sure. (b)(6), (b)(7)(C)

Q: Did everyone go into the station?

A: No. (b)(6), (b)(7)(C)

Q: Was anyone else involved in the murder of the Iraqi?

A: No. (b)(6), (b)(7)(C)

Q: Do you recall if your Company Commander was on this mission with you?

A: I can't be positive. I don't know. (b)(6), (b)(7)(C)

Q: Did you know or hear about the 4 detainees who were taken out to Hamdani canal by 2ND Platoon and the 1SG and shot?

A: No, I have no knowledge of that incident. (b)(6), (b)(7)(C)

Q: Who exactly said what about that incident?

A: I have no knowledge of that incident and have never heard any details of that incident. (b)(6), (b)(7)(C)

Q: Were you ever on patrols with the PSD (AKA Black Squad)?

A: That was my Squad. The Black Squad was our nickname. (b)(6), (b)(7)(C)

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

A: No. (b)(6), (b)(7)(C)

Q: Did you ever hear of the PSD wantonly engaging non-combatants?

A: No. (b)(6), (b)(7)(C)

Q: Were you stationed at COP Angry Dragon?

A: Yes. I was stationed there half way through my deployment until the end of the deployment. Approximately Mar 07 to Nov 07. (b)(6), (b)(7)(C)

Q: When did you take R&R?

A: I was on R&R from 16 Jan 07 to 14 or 15 Mar 07. (b)(6), (b)(7)(C)

Q: Did you ever witness soldiers at COP Angry Dragon engaged in detainee abuse?

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGES

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Continued

A: No. (b)(6), (b)(7)(C)

Q: Has anyone told you to with-hold information regarding this case?

A: No. (b)(6), (b)(7)(C)

Q: Did you report any of the above violations, and to whom?

A: No I did not. (b)(6), (b)(7)(C)

Q: Why?

A: I tried to put it out of my mind and forget about it. I block it out. (b)(6), (b)(7)(C)

Q: Are there any other details regarding this incident that we have not discussed in this statement?

A: Nothing that I recall. (b)(6), (b)(7)(C)

Q: Is there anything else you would like to add to this statement?

A: No.///END OF STATEMENT/// (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT:
PAGES

(b)(6), (b)(7)(C)

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Continued

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 30. 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 (b)(6), (b)(7)(C) I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

WITNESSES:

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of March, 2008 at (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ACLU-RDI 5596 p.733

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10-L-26 AGLU CID ROIX1007T 208

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

LOCATION: Franklin, PA DATE: 19 Mar 08 TIME: 0922 (b)(6), (b)(7)(C)
FILE NUMBER: 0010-08-CID847-34682
NAME (Last, First MI): (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C) STATUS: CIV
ORGANIZATION OR ADDRESS: (b)(6), (b)(7)(C)

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and a (b)(6), (b)(7)(C) Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: **Misprision of a Serious Offense / False Office Statement**

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 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: Q: Have you requested legal counsel after being advised of your rights in the past?

A: NO.

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.

(b)(6), (b)(7)(C)

Carlisle BKS CID office

Witness# 2

Signature of Witness

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Signature of Investigator/Special Agent

SA (b)(6), (b)(7)(C)

NON-WAIVER CERTIFICATE

I do not want to give up my rights: I want a lawyer: I do not want to be questioned or say anything:

Signature of Interviewee: _____

DA Form 3881-E

FOR OFFICIAL USE ONLY

SWORN STATEMENT

FOR USE OF THIS FORM, SEE AR 190-45: THE PROPONENT AGENCY IS OFFICE OF THE DEPUTY CHIEF OF STAFF FOR PERSONNEL (b)(6), (b)(7)(C)

LOCATION: Franklin, PA DATE: 19 Mar 08 TIME: 1215

FILE NUMBER: 0010-08-CID847-34682

NAME: (b)(6), (b)(7)(C) SOCIAL SECURITY NUMBER: (b)(6), (b)(7)(C)

GRADE/STATUS: CIV

ORGANIZATION: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) I, (b)(6), (b)(7)(C) want to make the following statement under oath:

Around January 1-15th I went on a combat patrol with my PSD element. And my lead Bradley got hit by an IED on route Steelers. We got small arms fire from different areas and my humvee and the Commanders humvee shot. We went down the road to look for the personnel who shot at us. We then went back down the dirt road we were on and dismounted and the dismounts found the trigger man in one of the houses on the dirt road. I then heard them call up on the radio that we were getting ready to head to the green zone when first sergeant came over the net and said that the local national died and we were going to go drop off the dead Iraqi off at the IP station. I seen part of the Iraqi in the Bradley laying on a stretcher and he was moving his arm and was alive when I seen part of him in the Bradley when the first sergeant said he was dead. We then moved to a location down the road where the humvees pulled in front of the Bradley and the Bradley pivoted and then my first sergeant pulled the local national out of the Bradley and shot him and before that happened I told my gunner that I wanted to see it because I wanted to see what they were doing and he wouldn't let me get up in the gun and look so I looked at the side mirror of my humvee and saw my first sergeant pull the local national out and shoot him. After that we loaded up and dropped the dead local national off at the IP station. I do not recall exactly if they asked for a body bag or not because in Iraq I was usually the humvee that was asked if we had body bags or not. I also recall Spc (b)(6), (b)(7)(C) telling me not to say anything to anyone about what happened. I also recall everyone saying every so often that if anything happened that we have each other backs on what ever happens. I do not recall first segent or the commander ever pull us all together and say not to say anything about the mission and they did not ever pull me and me alone and ever say anything to me about not saying anything about the mission and what happened.

Q: (b)(6), (b)(7)(C)

A: (b)(6), (b)(7)(C)

Q: Was the above narrative typed by you?

A: Yes.

Q: You've stated above that you saw part of the Iraqi in the Bradley and he was moving, can you go into more detail about that?

A: After the Iraqi prisoner was found in the house, he was loaded into a Bradley vehicle. He was wounded and from where I was parked in my HMMWV, I could see the upper half of the Iraqi's body. 1SG (b)(6), (b)(7)(C) came over the radio that the Iraqi was dead and they were going to transport the dead Iraqi to an Iraqi Police Station. After 1SG (b)(6), (b)(7)(C) reported this, I saw the wounded Iraqi prisoner still moving in the Bradley.

Q: Why do you think 1SG (b)(6), (b)(7)(C) reported the Iraqi was dead when you saw he was not?

A: Because, I would say 1SG wanted to kill the Iraqi because he was the trigger man who set off the IED.

Q: You have stated above that the First Sergeant shot the Iraqi man, are you referring to 1SG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

EXHIBIT: _____ INITIALS: (b)(6), (b)(7)(C) PAGE 1 OF 4 PAGES DA FORM 2823E

(b)(6), (b)(7)(C)

SWORN STATEMENT

FOR USE OF THIS FORM, SEE AR 190-45: THE PROPONENT AGENCY IS OFFICE OF THE DEPUTY CHIEF OF STAFF FOR PERSONNEL

STATEMENT OF (b)(6), (b)(7)(C) CIV; TAKEN AT: (b)(6), (b)(7)(C) DATED: 19 Mar 08 (CONTINUED)

A: Yes.

Q: You stated above that you told your gunner that you wanted to see what they were doing, what were you referring to?

A: I wanted to see if they were going to kill the Iraqi.

Q: When you say they, who are you referring to?

A: 1SG (b)(6), (b)(7)(C) and or SGT (b)(6), (b)(7)(C)

Q: How did you know they were going to kill the Iraqi?

A: Because 1SG (b)(6), (b)(7)(C) came over the radio while we were at the house and said the Iraqi had already died. I knew this not to be true, so I just figured they were going to kill the Iraqi on the way to the IP Station.

Q: Did anyone tell you they were going to kill the Iraqi?

A: No.

Q: Did you actually witness who shot the Iraqi prisoner?

A: Yes.

Q: Who shot the Iraqi prisoner?

A: 1SG (b)(6), (b)(7)(C)

Q: How did he shoot the Iraqi prisoner?

A: 1SG (b)(6), (b)(7)(C) shot the Iraqi prisoner twice in the chest.

Q: Did you see what weapon he used?

A: It looked like a 9mm, standard issue, I can't say exactly, but that is what it looked like to me.

Q: Was the Iraqi prisoner alive when 1SG (b)(6), (b)(7)(C) shot him twice in the chest?

A: Yes he was still alive.

Q: How can you be sure?

A: When 1SG (b)(6), (b)(7)(C) pulled the Iraqi prisoner out of the Bradley, he pushed him down onto the dirt road. I saw that the Iraqi Prisoner was alive because he was still moving. If the Iraqi was already dead, he would have been like a sack of potatoes when 1SG (b)(6), (b)(7)(C) pushed him to the ground. I saw the Iraqi brace himself before he hit the ground, much like anyone would do if they had been pushed down to the ground.

Q: When 1SG (b)(6), (b)(7)(C) shot the Iraqi prisoner, was the Iraqi prisoner armed with any type of weapon?

A: No.

Q: Did you observe anyone else participate in the shooting of the Iraqi prisoner?

A: No.

Q: Did 1SG (b)(6), (b)(7)(C) say anything that you could hear after he shot the Iraqi prisoner?

A: Not that I could hear.

Q: What is the name of the gunner in your vehicle?

A: SPC (b)(6), (b)(7)(C)

Q: Are you for certain that SPC (b)(6), (b)(7)(C) witnessed 1SG (b)(6), (b)(7)(C) shoot the Iraqi prisoner?

A: Yes, I know he saw what happened because I was trying to get up into his position as the gunner because I wanted to see what was going to happen, but SPC (b)(6), (b)(7)(C) would not let me up there because he wanted to see it too. Further, immediately following 1SG (b)(6), (b)(7)(C) shooting the Iraqi, SPC (b)(6), (b)(7)(C) made the comment to me that the Iraqi deserved what he got.

Q: What conversation did you have with SPC (b)(6), (b)(7)(C) regarding 1SG (b)(6), (b)(7)(C) shooting the Iraqi prisoner?

EXHIBIT: _____ INITIALS (b)(6), (b)(7)(C) PAGE 2 OF 4 PAGES
DA FORM 2823E

(b)(6), (b)(7)(C)

SWORN STATEMENT

FOR USE OF THIS FORM, SEE AR 190-45: THE PROPONENT AGENCY IS OFFICE OF THE DEPUTY CHIEF OF STAFF FOR PERSONNEL

STATEMENT OF: (b)(6), (b)(7)(C) CIV; TAKEN AT: (b)(6), (b)(7)(C) DATED: 19 Mar 08 (CONTINUED)

A: Well, first of all, right after the 1SG shot the Iraqi and SPC (b)(6), (b)(7)(C) and myself were still in the HMMWV, I recall SPC (b)(6), (b)(7)(C) making a statement to the effect of "the Iraqi prisoner deserved what he got". Further, approximately 3 weeks ago, I received an email from SPC (b)(6), (b)(7)(C) on my "MY SPACE" page. SPC (b)(6), (b)(7)(C) wrote to me and told me not to say anything about 1SG (b)(6), (b)(7)(C) shooting the Iraqi prisoner to anyone. I did write back to SPC (b)(6), (b)(7)(C) and told him I would not say anything. That is why I was not truthful at first during this investigation. I served in combat with these guys and I felt like I should not get involved, that is why I lied to the CID Investigator at first. I now realize that it is important that I tell the truth and I want to be honest today.

Q: Do you still have the email in your "MY SPACE" Account?

A: I not positive, I would have to look.

Q: Will you provide a Special Agent from CID access to you're my SPACE for the purpose of collecting the email as evidence?

A: Yes, that is fine.

Q: Has anyone else other than SPC (b)(6), (b)(7)(C) asked you to not cooperate with this investigation?

A: No.

Q: You previously provided a written Sworn Statement and verbal statements to CID regarding this investigation is that correct?

A: Yes.

Q: Did you previously provide those statements knowingly to be false?

A: Yes.

Q: Did you provide false statements to CID regarding the murder of an Iraqi, with the intent to hide the crime?

A: Not really to hide, but to keep it in the past. I did not want to talk about it.

Q: Did you understand an know at the time you provided false information to CID, that you had an obligation to report what you witnessed in Iraq and that by not doing so is in violation of the UCMJ?

A: Yes.

Q: Were there any other incidents that happened in Iraq regarding 1SG (b)(6), (b)(7)(C) and/or SGT (b)(6), (b)(7)(C) that you heard about?

A: The only other thing I heard about was when I was in Iraq, SPC (b)(6), (b)(7)(C) told me that there was an investigation regarding detainee abuse, but I don't know anything about it. I wasn't there and I only heard that there was an investigation, I was never asked any questions about it though.

Q: Is this statement true?

A: Yes.

Q: How were you treated during this interview?

A: Fine.

Q: Were you given the opportunity to take any breaks today during the interview?

A: Yes.

Q: Did you make this statement of your own free will?

A: Yes.

Q: Were you promised anything by anyone in exchange for your cooperation or this statement?

A: No.

EXHIBIT: _____ INITIALS: (b)(6), (b)(7)(C) PAGE 3 OF 4 PAGES
DA FORM 2823E

SWORN STATEMENT

FOR USE OF THIS FORM, SEE AR 190-45: THE PROPONENT AGENCY IS OFFICE OF THE DEPUTY CHIEF OF STAFF FOR PERSONNEL

STATEMENT OF: (b)(6), (b)(7)(C) CIV; TAKEN AT: (b)(6), (b)(7)(C) DATED: 19 Mar 08 (CONTINUED)

Q: Did you (b)(6), (b)(7)(C) this statement before you signed it?

A: Yes

Q: Is there anything else you would like to add to this matter under investigation?

A: No. /// END OF STATEMENT ///

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.

SIGNATURE OF STATEMENT

(b)(6), (b)(7)(C)

Carlisle Bks CID office

SUBSCRIBED AND SWORN TO BEFORE ME, A PERSON AUTHORIZED BY LAW TO ADMINISTER OATH (b)(6), (b)(7)(C)

SIGNATURE OF PERSON ADMINISTERING OATH

SA (b)(6), (b)(7)(C) TYPED NAME OF PERSON ADMINISTERING OATH

10 USC, Section 936 AUTHORITY TO ADMINISTER OATH

EXHIBIT: DA FORM 2823E

INITIALS:

PAGE 4 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

Date: (b)(6), (b)(7)(C) **Consent To Search** Time: 1323 (b)(6), (b)(7)(C)
 (USACIDC Supplement 1 to AR 190-22)

1. Name of person consenting to the search: (b)(6), (b)(7)(C)
 2. Organization and location: (b)(6), (b)(7)(C)

3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law:
 Murder, Misprison of a Serious Offense, False Statements

4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you do not give your consent, do not sign this form.)

5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: *(Initial and sign applicable blocks)*

a.	My Person	Initials	Signature
b.	My Quarters	Initials	Signature

Located At:

c.	My Vehicle	Initials	Signature
----	------------	----------	-----------

Located At:

Described As: (b)(6), (b)(7)(C)

d.	Other	Initials	Signature
----	-------	----------	-----------

Located At: www.MySpace.com account of Mr (b)(6), (b)(7)(C)
 Described As: Login ID: (b)(6), (b)(7)(C) @us.army.mil

I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations:

Online MySpace message from SPC Jason MYERS
 (b)(6), (b)(7)(C)

6. This written permission is given to the undersigned voluntarily and without threats or promises of any kind:

(b)(6), (b)(7)(C) _____

 Signature of Witness (If Available)

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1115, 28 Mar 08, SA (b)(6), (b)(7)(C) received the USACIL Lab Report, 2008-CID131-0464, 13 Mar 08, which documented the forensic examination of the three pistols previously submitted to the lab. Each pistol was test fired, and the bullets and cartridge casings were recovered and held for future comparison.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C)

ORGANIZATION

Schweinfurt CID Office
CMR 457, APO AE 09033

DATE

28 Mar 08

EXHIBIT

212

FOR OFFICIAL USE ONLY

ACLU-RDP 5596 p.740

10-L-0126 ACLU CID ROI 10084

001171

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)

Firearms and Tool Marks Branch: Please examine Exhibits 1 thru 3, conduct ballistics testing and functions check, and hold for future comparison.

Please conduct any additional investigative activities deemed necessary.

**SENT TO USACIL
FOR EXAM**

REGISTERED MAIL
RR 113 612 707 US

FEB 29 2008

SA (b)(6), (b)(7)(C) Evidence Custodian / (b)(6), (b)(7)(C) @eur.army.mil

14.a. INVESTIGATOR AND ALTERNATE POC
(Typed or Printed) (Mandatory Information)

SA (b)(6), (b)(7)(C) / SA (b)(6), (b)(7)(C)
011-49-9721-96-6627

b. TELEPHONE (Primary/Alt): 011-49-9721-96-6867

c. DSN (Primary/Alt): 314-354-6627

d. Fax: 314-354-6866

e. E-Mail: (b)(6), (b)(7)(C) @eur.army.mil

15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE

2008-02-28

b. TYPED/PRINTED NAME OF REQUESTOR

SA (b)(6), (b)(7)(C)
c (b)(6), (b)(7)(C)

d. TELEPHONE (Primary/Alt): 011-49-9721-96-6627

e. DSN (Primary/Alt): 354-6627

f. Fax: 354-6866

g. E-Mail: (b)(6), (b)(7)(C) @eur.army.mil

16. LAB USE ONLY

LAB CASE #



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-FA

13 March 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, SCHWEINFURT CID OFFICE,
CMR 457, APO AE 09033-5221

SUBJECT: Firearms Branch - Final Report
USACIL Case Number 2008-CID131-0464
Submitter Case Number 0010-08-CID847-34682

EXHIBITS:

- 1 - Pistol; 9mm Beretta, SN: 1273931 (Item 1, Doc 0017-08).
- 2 - Pistol; 9mm Beretta, SN: 1346311 (Item 1, Doc 0018-08).
- 3 - Pistol; 9mm Beretta, SN: 1165701A (Item 2, Doc 0018-08).

FINDINGS:

1. Examination of Exhibit 1 (Pistol) disclosed that it is operational with its incorporated safety features working properly. The single-action trigger pull is approximately 6 pounds and the double-action trigger pull is approximately 10 pounds. Exhibit 1 was test fired and the test fired bullets and cartridge cases were recovered.

2. Examination of Exhibit 2 (Pistol) disclosed that it is operational with its incorporated safety features working properly. The single-action trigger pull is approximately 5 pounds and the double-action trigger pull is approximately 8.5 pounds. Exhibit 2 was test fired and the test fired bullets and cartridge cases were recovered.



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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1 of 2

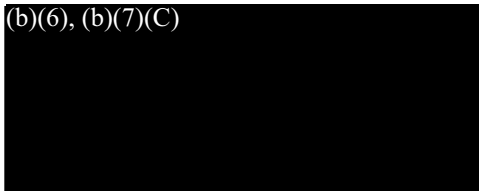
CILA-FA

SUBJECT: Firearms Branch - Final Report
USACIL Case Number 2008-CID131-0464
Submitter Case Number 0010-08-CID847-34682

3. Examination of Exhibit 3 (Pistol) disclosed that it is operational with its incorporated safety features working properly. The single-action trigger pull is approximately 5.5 pounds and the double-action trigger pull is approximately 11 pounds. Exhibit 3 was test fired and the test fired bullets and cartridge cases were recovered.

4. 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)



Firearms Branch Chief

(b)(6), (b)(7)(C)



Forensic Firearms Examiner

USACIL STATUS WORKSHEET

Date: 13 MARCH 2008

USACIL Case Number: 2008-CID131-0464

Investigating Agency Case: 0010-08-CID847-34682

Reports Published:	Interim	Corrected	Cancelled	Suppl	Pending	Final
Trace Evidence (Lubricants)						
DNA						
Drug Chemistry						
Forensic Documents						
Latent Prints						
Firearms						✓
Digital Evidence						
Investigative Support						
Exhibit List						
Add'l Orig Req*						

*Add'l Orig Requested = Additional Original Report(s) Requested

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1000, 2 Apr 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) A Co, 1-2 IN, CBSG, who stated he had not contacted SPC (b)(6), (b)(7)(C) in any way since SPC (b)(6), (b)(7)(C) departure to the US. SPC J. (b)(6), (b)(7)(C) stated his MYSPACE log-on/Screen name was (b)(6), (b)(7)(C) @msn.com. SPC (b)(6), (b)(7)(C) stated his screen name photo depicted him alone, wearing a black jacket and derby hat. SPC (b)(6), (b)(7)(C) stated he had no knowledge pertaining to this investigation.

AGENT'S COMMENT: SPC (b)(6), (b)(7)(C) was identified by SPC (b)(6), (b)(7)(C) as the individual who sent him a MYSPACE message which contained a warning not to cooperate with this investigation. Upon review of the screen name photo it was clear that it was SPC (b)(6), (b)(7)(C) depicted and not SPC (b)(6), (b)(7)(C)

About 1611, 2 Apr 08, SA (b)(6), (b)(7)(C) advised SPC (b)(6), (b)(7)(C) of his legal rights, which he invoked, and stated he had legal representation who advised him not to answer any questions pertaining to this investigation. (See Non-waiver Certificate) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Schweinfurt CID Office, APO AE 09033

(b)(6), (b)(7)(C)

DATE

2 Apr 08

EXHIBIT

215

CID FORM 94

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LAW ENFORCEMENT SENSITIVE

ACLU-RDI 75596 p.746

10-L-0126 ACLU CID ROI 10090

001177

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary. (b)(6), (b)(7)(C)
LOCATION: CID Office **DATE:** 2 Apr 08 **TIME:** 1611
FILE NUMBER: 0010-08-CID847-34682
NAME (Last, First MI): (b)(6), (b)(7)(C) **SSA:** (b)(6), (b)(7)(C) **GRADE / STATUS:** E-4 / AD
ORGANIZATION OR ADDRESS: A Company, 1-2 Infantry

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

(b)(6), (b)(7)(C) The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am (b)(6), (b)(7)(C) suspected/accused: Obstruction of Justice, Misprision of Serious Offense, 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 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:

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)

Signature of Interviewee

INV (b)(6), (b)(7)(C)
Schweinfurt CID Office

Witness # 2

Signature of Witness

(b)(6), (b)(7)(C)

Schweinfurt CID Office
APO AE 09033

NON-WAIVER CERTIFICATE

I do not want to give up my rights: I want a lawyer: (b)(6), (b)(7)(C) not want to be questioned or say anything: (b)(6), (b)(7)(C)

Signature of Interviewee: (b)(6), (b)(7)(C)

DA Form 3881-E

FOR OFFICIAL USE ONLY

EXHIBIT

216

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0010-08-CID847-34682
	PAGE 1 OF 1 PAGES

DETAILS

LAW ENFORCEMENT RECORDS CHECK:

SPC (b)(6), (b)(7)(C)

USACRC: On 30 Mar 08, a check of the files maintained by the United States Army Crime Records Center (USACRC) and the National Crime Information Center (NCIC) revealed no derogatory information pertaining to SPC (b)(6), (b)(7)(C)

COPS: On 3 Apr 08, a name check of the Centralized Operations Police Suite (COPS) was conducted by SGT (b)(6), (b)(7)(C) USAG, Schweinfurt, APO AE 09033, which revealed no derogatory information pertaining to SPC RUPP. **///LAST ENTRY///**

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) (b)(6), (b)(7)(C)	ORGANIZATION Schweinfurt Resident Agency (CID) CMR 457, APO AE 09033	
	DATE 3 Apr 08	EXHIBIT 217

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 10092

001179

AGENT'S INVESTIGATIVE REPORT <i>CID Regulation 195-1</i>	ROI NUMBER 0109-2008-CID016-
	Page 1 of 1 Pages

DETAILS

Basis For Investigation: About 1005, 8 Feb 08, this office received a Request for Assistance from the Schweinfurt CID Office, CMR 457, APO AE 09033, to locate, fully identify, and interview SGT (b)(6), (b)(7)(C) HHC, 1/17th Infantry, Fort Lewis, WA 98433 (FLWA), regarding his knowledge of a murder.

About 1432, 26 Mar 08, SA (b)(6), (b)(7)(C) this office, advised SGT (b)(6), (b)(7)(C) of his rights, which he invoked, and requested to speak with legal counsel.

About 1115, 15 Apr 08, SA (b)(6), (b)(7)(C) advised SGT (b)(6), (b)(7)(C) of his legal rights, which he invoked requesting legal counsel.

About 0930, 28 Apr 08, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) Schweinfurt CID Office, CMR 457, APO AE 09033, who stated no further investigative activity would be necessary from this office.///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION 44 th Military Police Detachment (CID) Fort Lewis, WA 98433	
SIGNATURE (b)(6), (b)(7)(C)	DATE 28 Apr 08	EXHIBIT 218	

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 44 th MP DET (CID), Fort Lewis, WA 98433		2. DATE 26 Mar 08 (b)(6), (b)(7)(C)	3. TIME 1432 (b)(6), (b)(7)(C)	4. FILE NUMBER
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS HHC, 1/17th INF		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS SGT	Fort Lewis, WA		

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:

Misprision of a Serious Offense/// (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 past 30 days?

Y N (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		4. SIGNATURE	
2a. NAME (Type or Print)		5. TYPE NAME OF INVESTIGATOR	
b. ORGANIZATION OR ADDRESS AND PHONE		SA (b)(6), (b)(7)(C)	
		6. ORGANIZATION OF INVESTIGATOR	
		44 th MP DET (CID) Fort Lewis, WA 98433	

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)

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

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 44 th MP DET (CID), Fort Lewis, WA 98433		2. DATE 15 Apr 08	3. TIME 1115	4. FILE NUMBER (b)(6), (b)(7)(C)
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS B Company, 1/17 th Infantry Fort Lewis, WA 98433		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E5/AD			

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Misprision of a Serious Offense//

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 in the past 30 days? Yes

Q: Do you currently have legal representation? 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			
2a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR	
b. ORGANIZATION OR ADDRESS AND PHONE		5. TYPE NAME SA (b)(6), (b)(7)(C)	
		6. ORGANIZATION OF INVESTIGATOR 44 th MP DET (CID) Fort Lewis, WA 98433	

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)

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

**For Official Use Only
Law Enforcement Sensitive**

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER: 0010-08-CID847-34682

RFA NUMBER: 0019-08-CID259

PAGE 1 OF 2 PAGES

DETAILS

Scene Examination. Between 1100 and 1500, 30 Apr 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, conducted a scene examination of a canal located at Grid Coordinate 38S MB (b)(6), (b)(7)(C) located south of Hamdani Village, West Rasheed, Baghdad, Iraq.

Characteristics of Scene: The scene was confirmed to be a canal located between two dirt roads which ran parallel to the canal. The portion of the canal where the incident occurred extended from west to east; however the canal's overall direction extended from north to south when observing the direction of the canal beyond the incident site. On both sides of the canal were open fields which were overseen by (b)(6), (b)(7)(C). The canal was approximately 15' wide and 10' deep. The canal was filled with reeds which extended approximately 5' to 8' feet past the top surface of the canal. The canal contained dense and dark water which was approximately 3' to 5' deep at different points along the canal. The incident site was identified at the perpendicular intersection of the northern canal road and another dirt road which extended from north to south and led to Hamdani Village. The road separated (b)(6), (b)(7)(C) residence, located immediately south of Hamdani village, from two light beige in color, rectangular in shape and brick constructed farm houses. There was a water pump located on the far side of the northern canal road, south of the most eastern perimeter of the farm houses. The fields on the south and north side of the canal consisted of grassy and dirt open fields. The ground along the fields were uneven. There were numerous groups of 3 to 4 palm trees organized in even rows which were scattered sporadically along the open fields. Several power line structures cut into the fields along the west and east side of the canal and also extended parallel to the canal along the southern dirt road.

Conditions of Scene: At the time of the scene examination, the vegetation around and in the canal was significantly overgrown and was beginning to dry. The vegetation was primarily green in color and consisted mainly of grassy reeds. The vegetation in the field surrounding the canal was also primarily green in color and was interrupted by rows of small palm trees. Trash was scattered sporadically along the fields, roads and in the canal.

Environmental Conditions: At the time of the scene examination, the sky was thick with dust and the temperature was about 85 degrees Fahrenheit. There were no visible signs of air pollution but a slight odor of sewage permeated from the canal.

Factors Pertinent to Entry/Exit: Access to canal could be gained by foot from all directions as the field was not completely barricaded in any way. Vehicle access to the canal could be gained from both the northern and southern dirt roads which ran parallel to and eventually met with Route Cypress and Route Steelers through other unnamed side dirt roads which cut into remote villages in West Rasheed.

Scene Documentation: SA (b)(6), (b)(7)(C) recorded digital images of the scene using a Nikon D80 Digital Camera. SA (b)(6), (b)(7)(C) completed a sketch of the scene.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6), (b)(7)(C), (b)(7)(F)		Camp Slayer CID Office, 20 th /1149 th MP DET (CID), 11 th MP BN (CID), Unit# 44232, APO AE 09342	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	30 Apr 08	221	

OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

1 FEB 7
ACLU-RDI 5396 p.752

10-L-0126 ACLU CID ROI 10096

001183

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Law Enforcement Sensitive**

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER: 0010-08-CID847-34682
RFA NUMBER: 0019-08-CID259

PAGE 2 OF 2 PAGES

DETAILS

Collection of Crime Scene Evidence: There was no evidence collected and a search for latent impressions was not conducted as the incident occurred over a year ago. A search of approximately 300 feet of the canal by a U.S. Army Dive Team was conducted but revealed nothing of evidentiary value. A search of the northern perimeter of the canal with a metal detector did not identify any shell casings or round fragments.

Search Beyond the Scene: A search beyond the scene was not conducted as the canal was located in a hostile area which received frequent small arms fire and IED attacks. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

Camp Slayer CID Office, 20th/1149th MP DET (CID), 11th MP BN (CID), Unit# 44232, APO AE 09342

SIGNATURE

(b)(6), (b)(7)(C), (b)(7)(F)

DATE

30 Apr 08

EXHIBIT

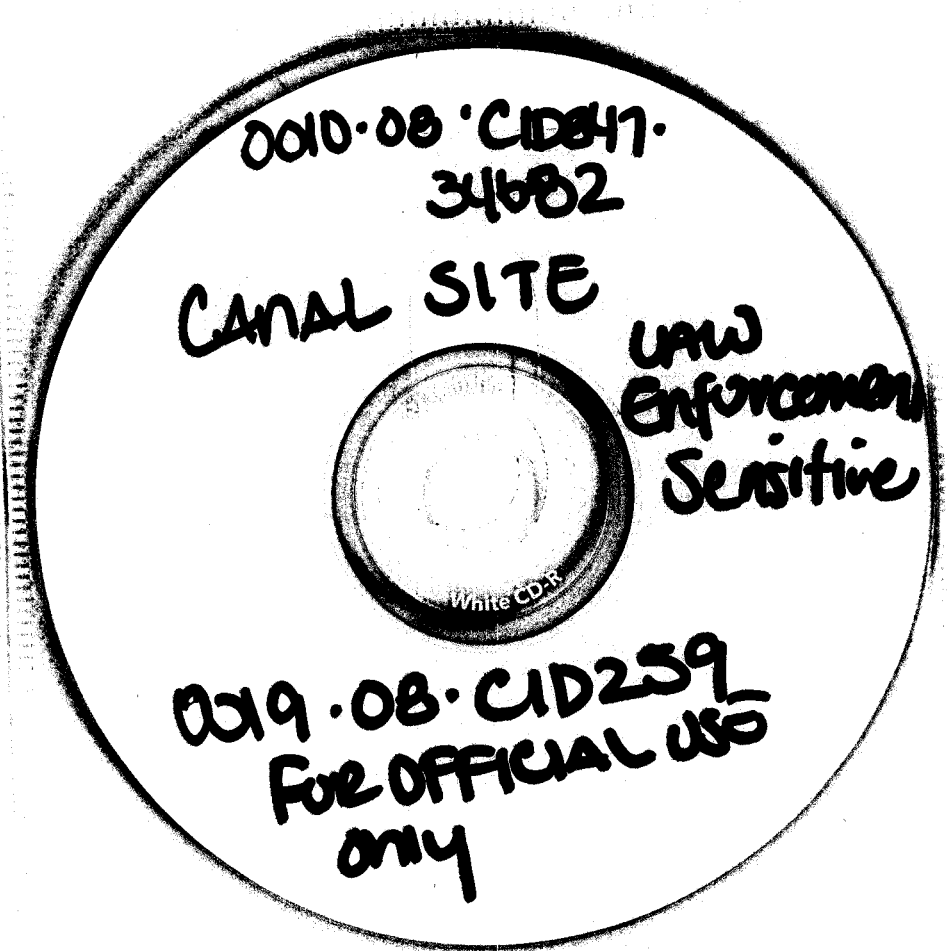
221

OFFICIAL USE ONLY

LAW ENFORCEMENT SENSITIVE



PHOTOGRAPH PACKET



FOR OFFICIAL USE ONLY

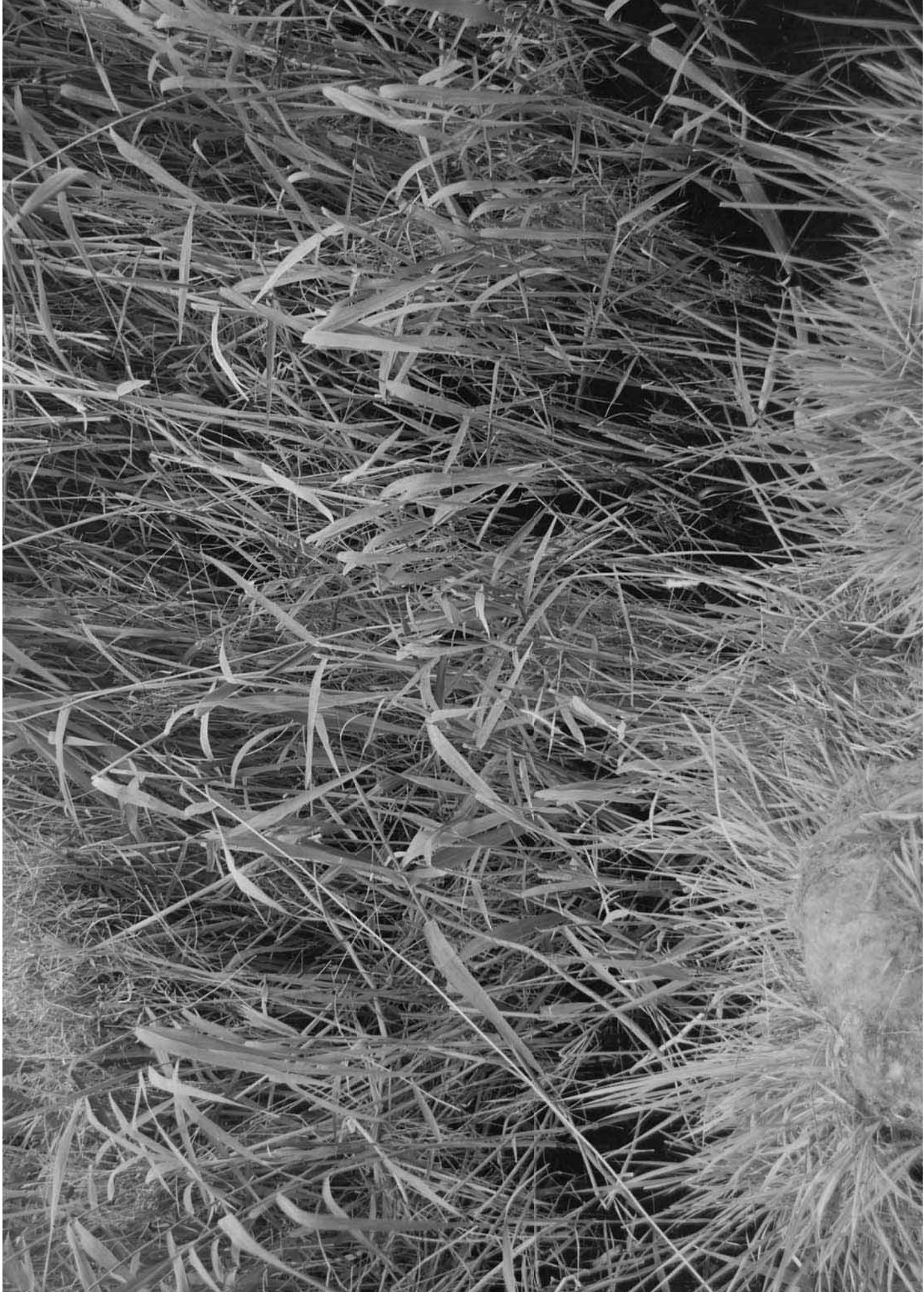


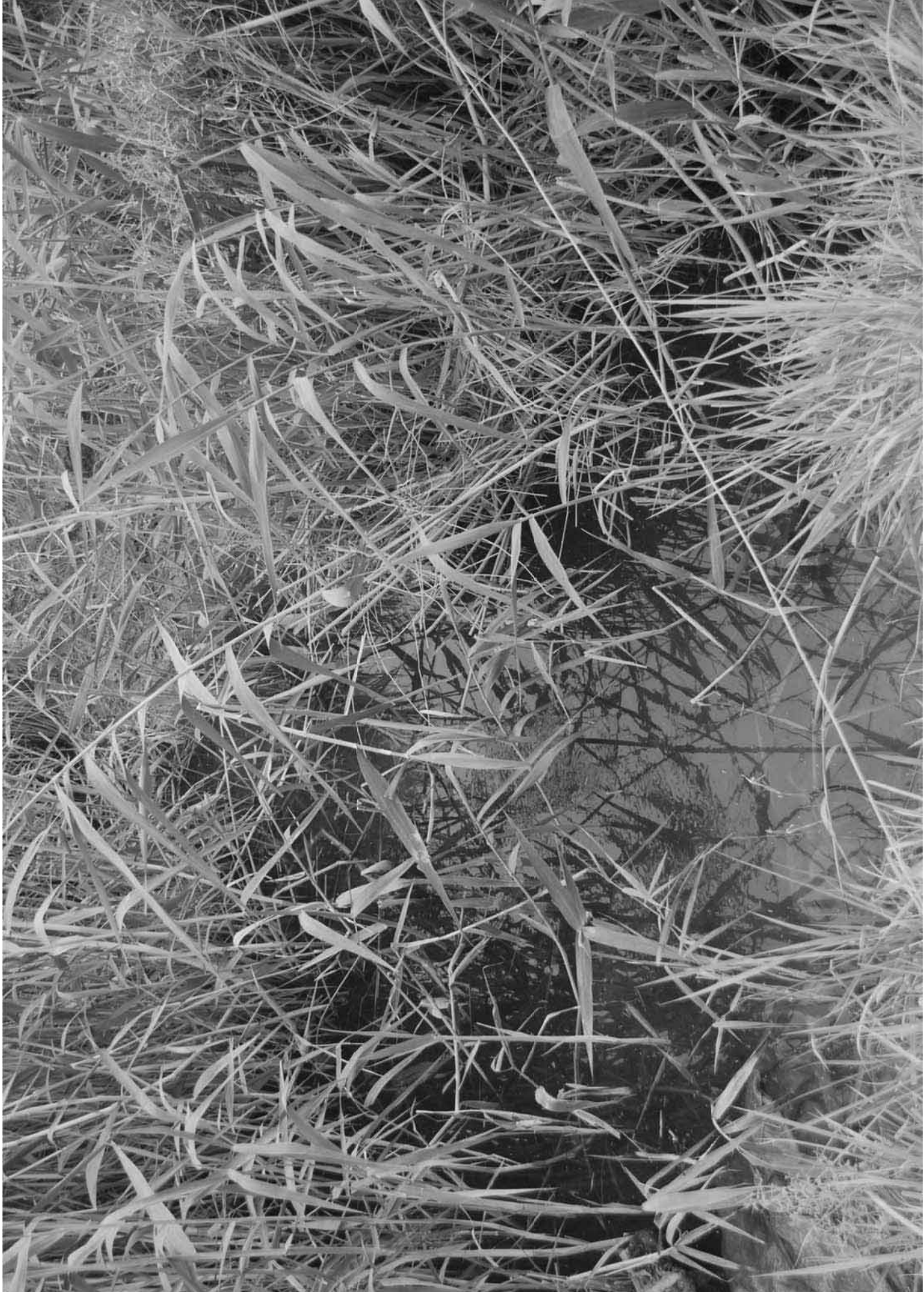
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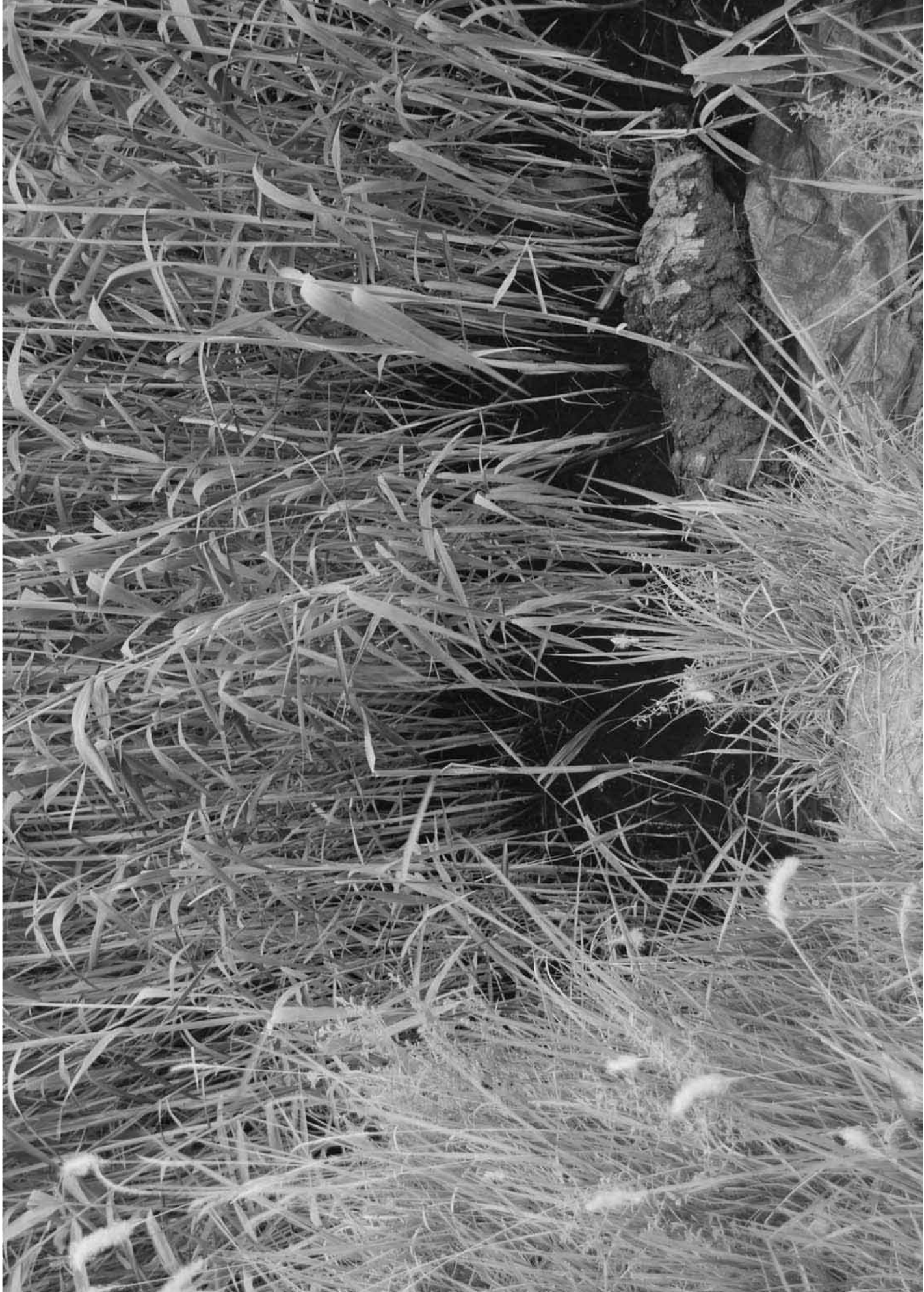
(b)(6), (b)(7)(C)



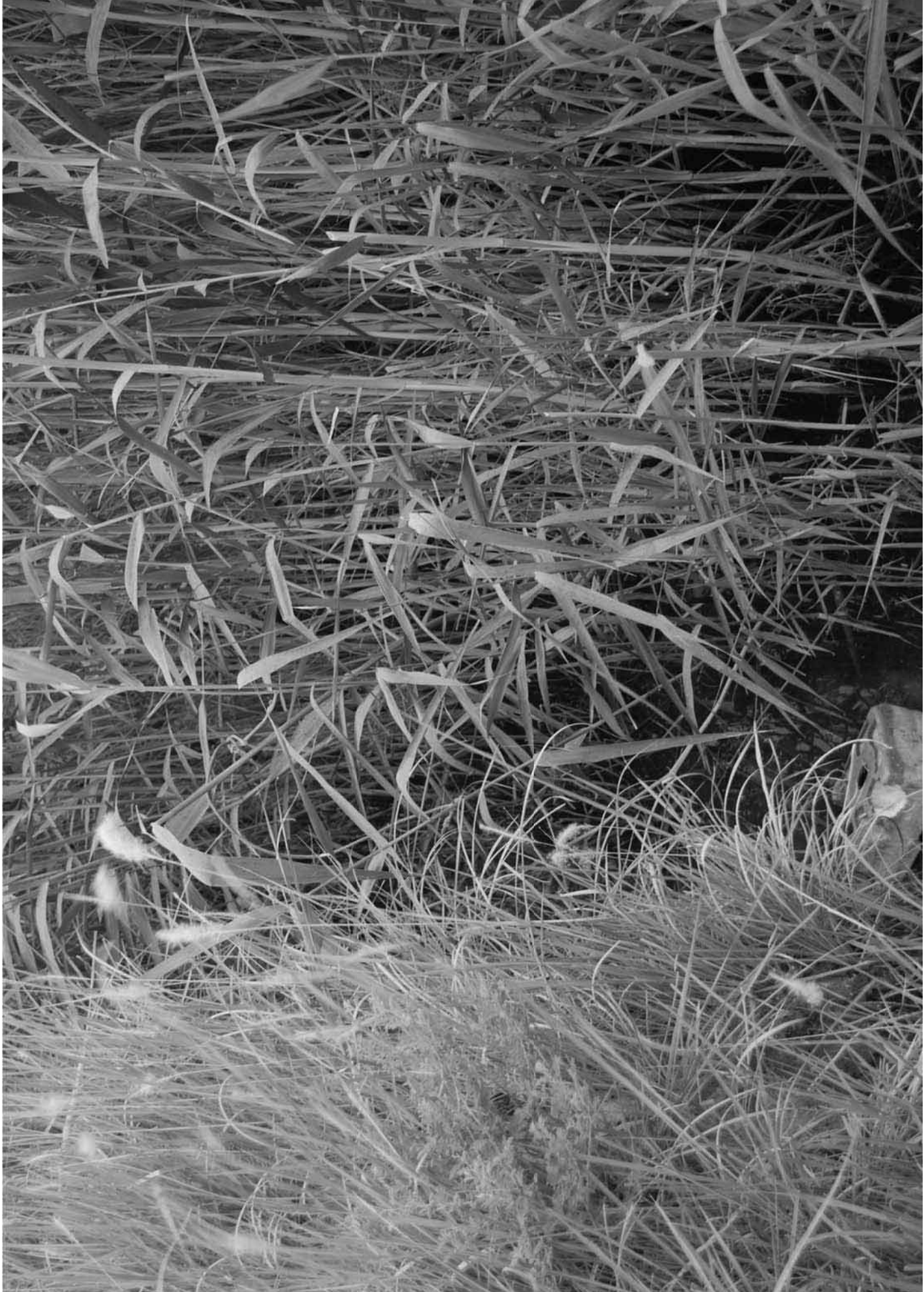












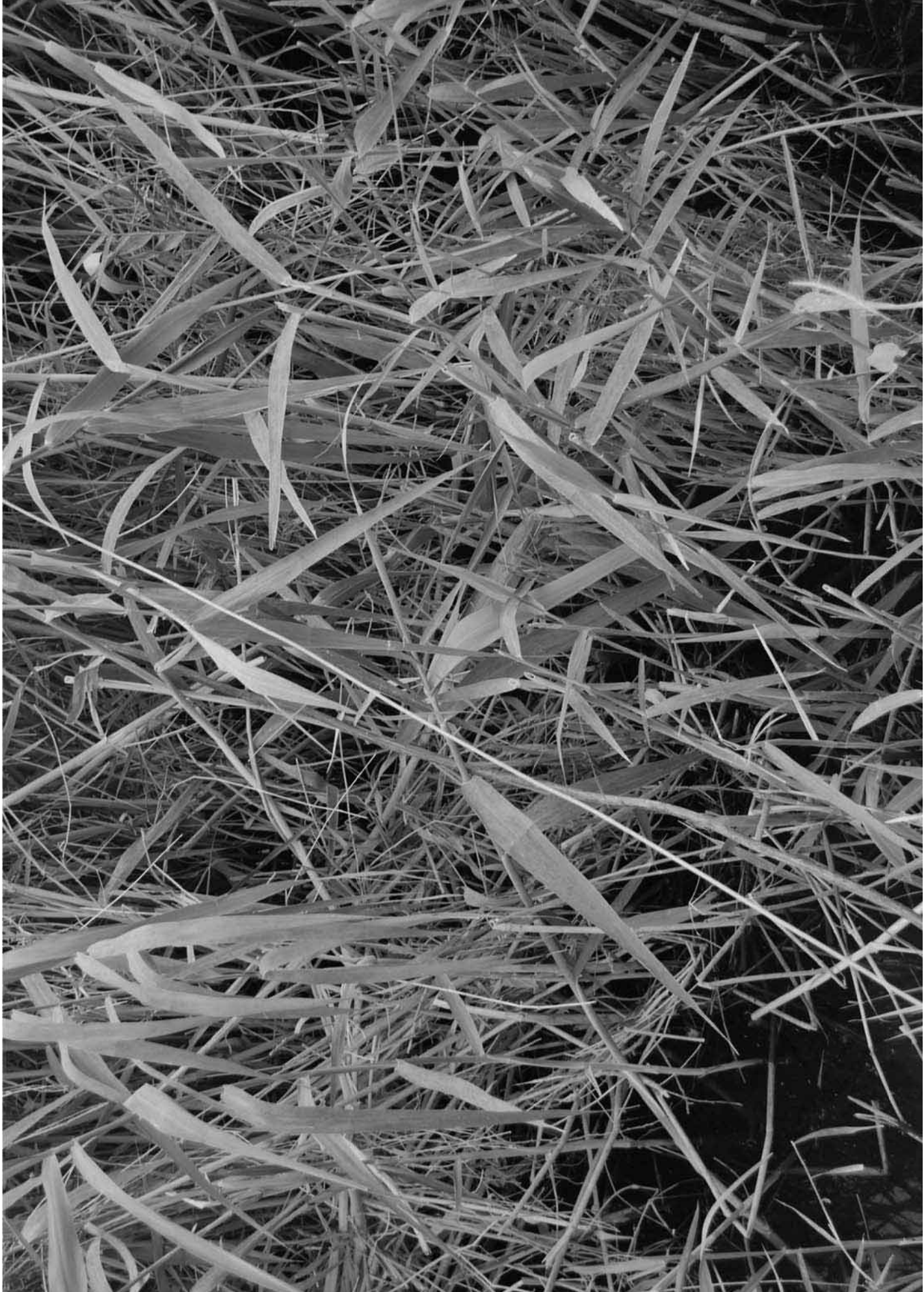














(b)(6), (b)(7)(C)

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)

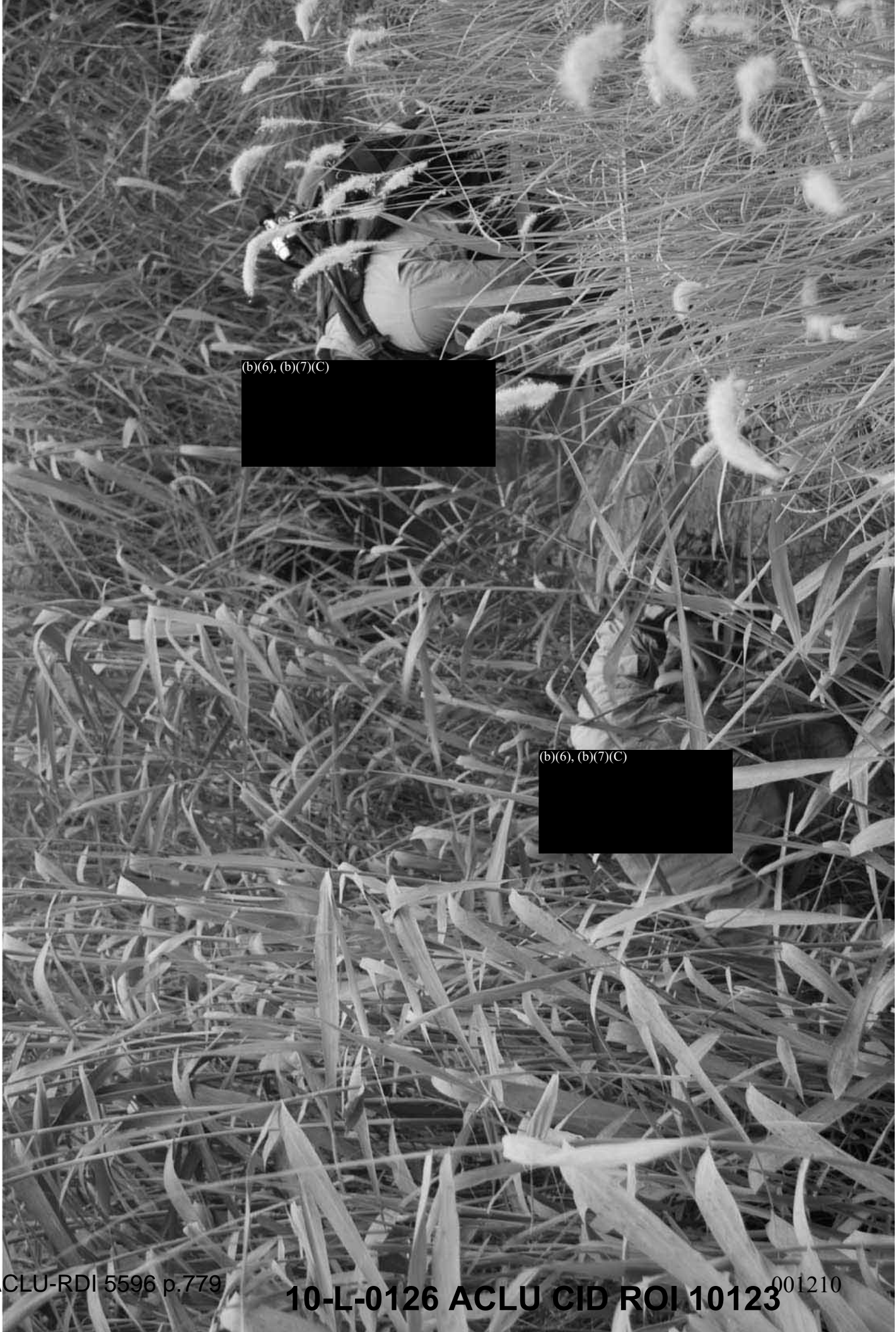




(b)(6), (b)(7)(C)

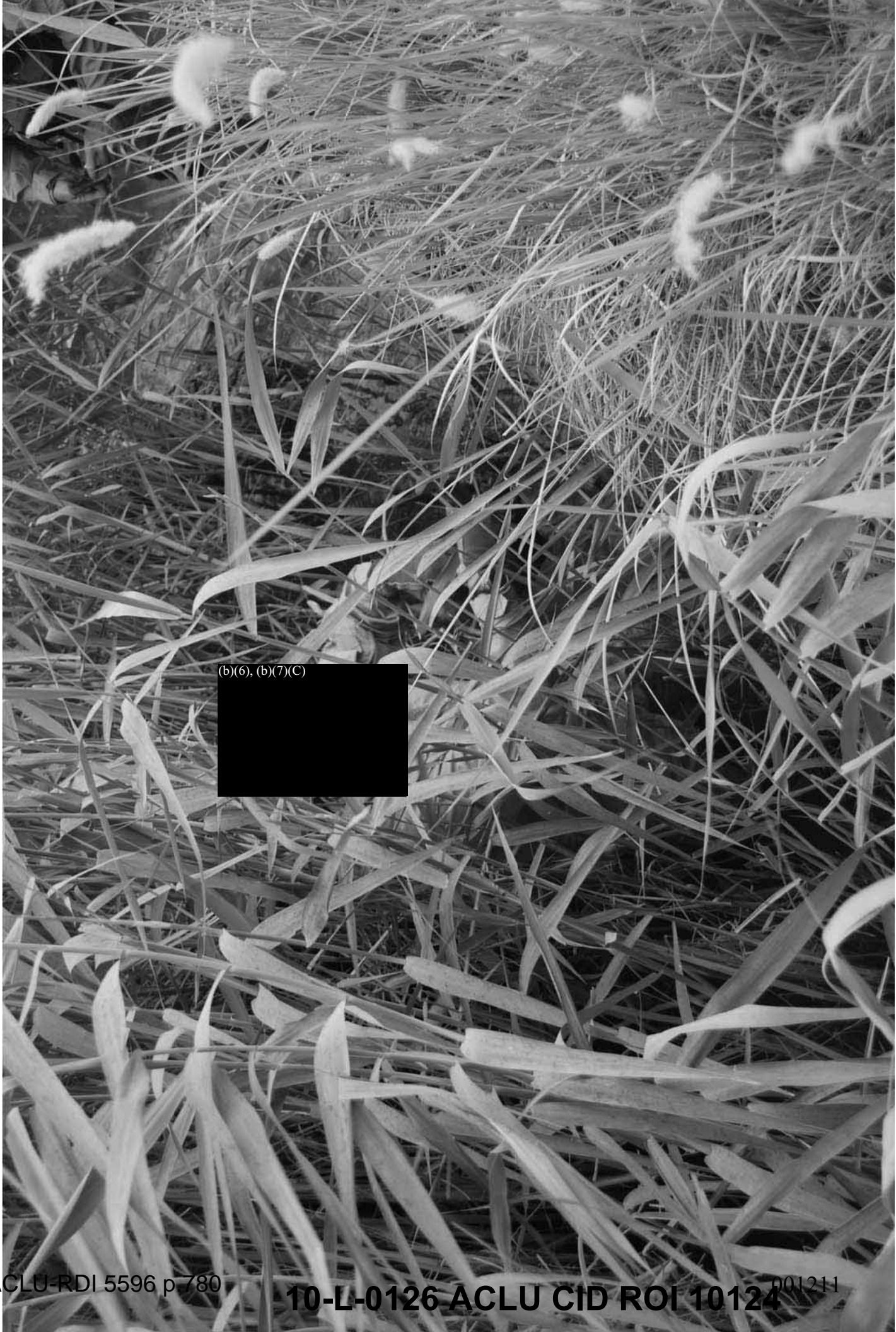






(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)

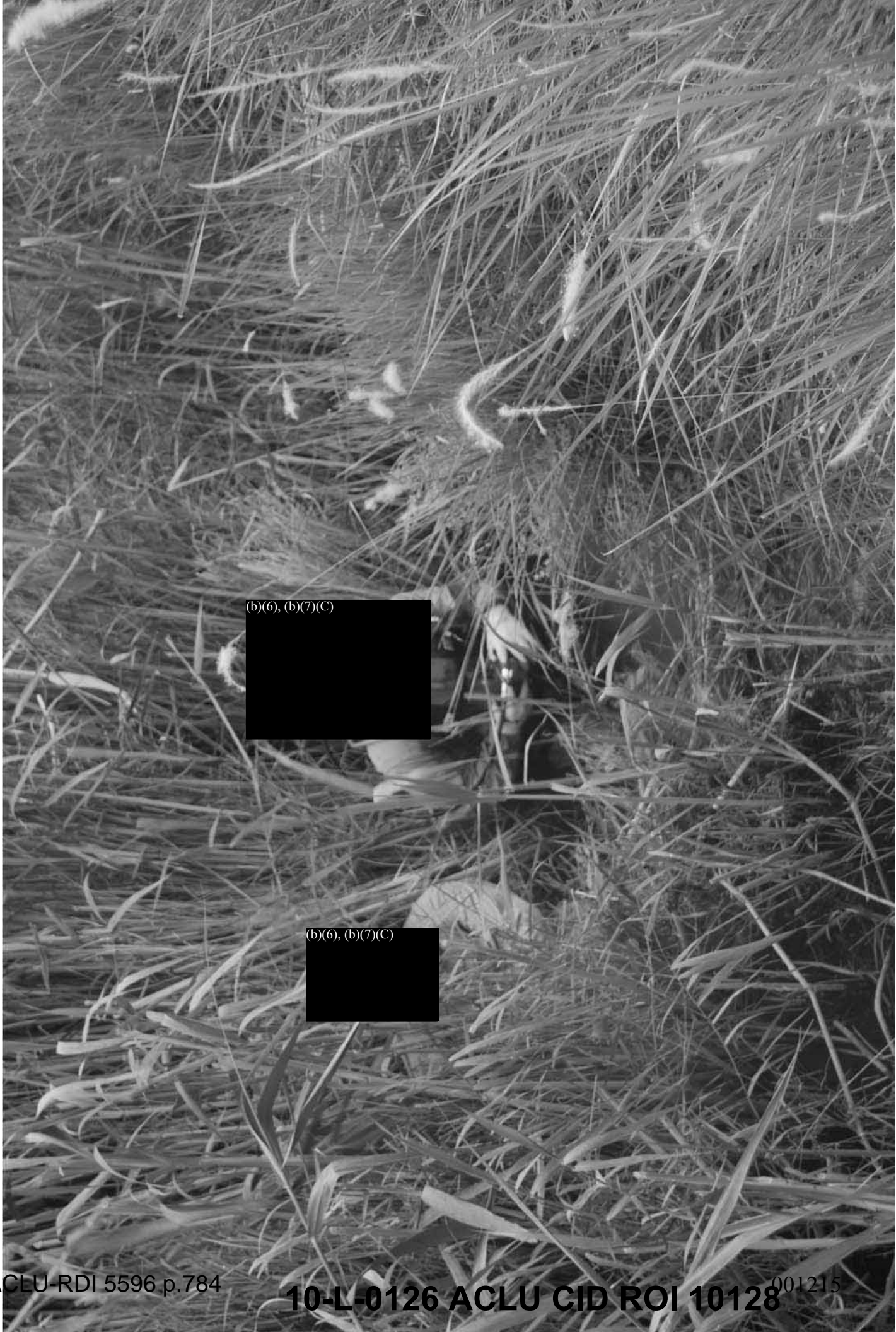
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(b)(6), (b)(7)(C)



(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)





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(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)

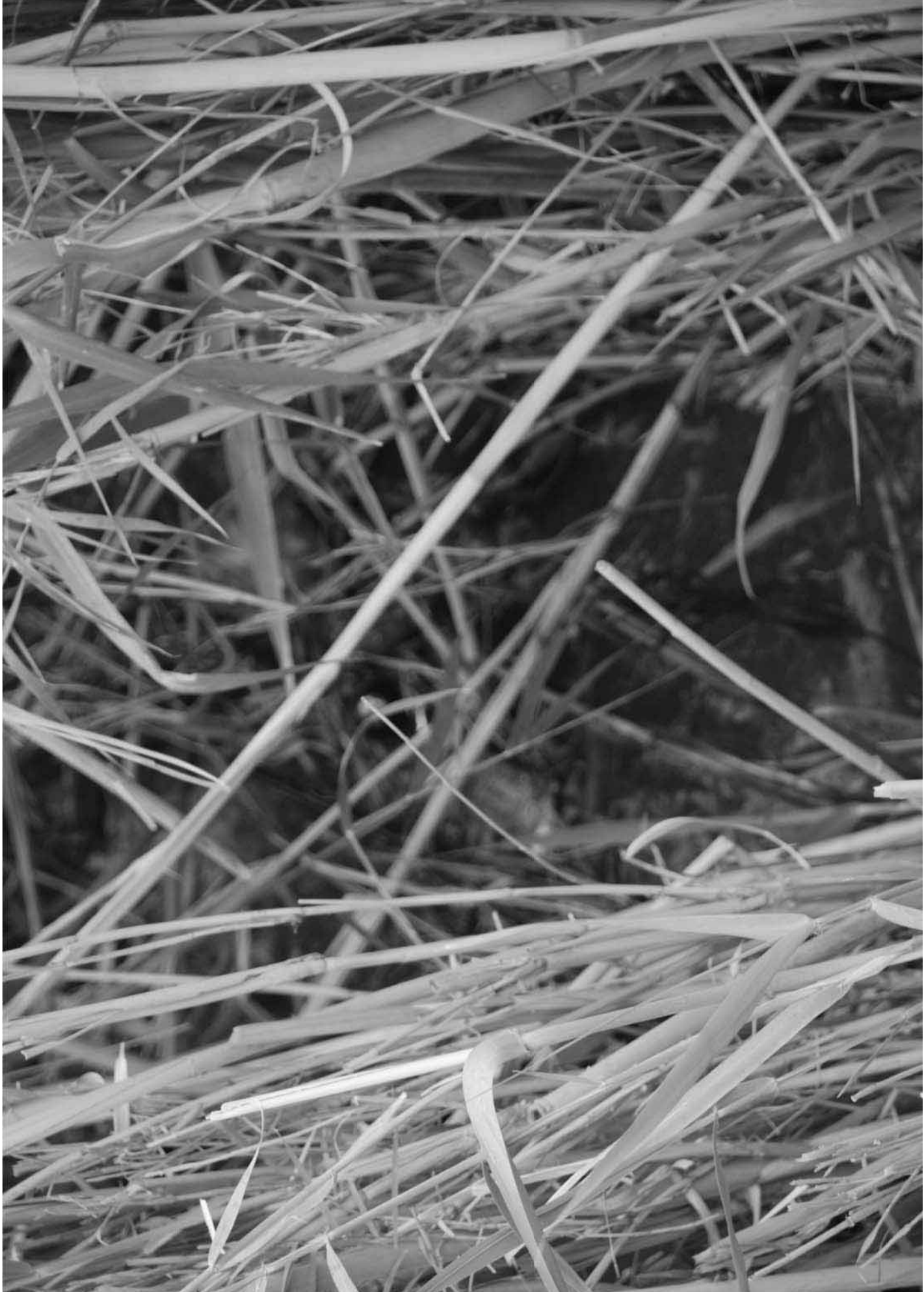
(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)









(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)







(b)(6), (b)(7)(C)

The Receipt of the
Property of the
Public Health Service
Inventory Number

Name: [Redacted]
Address: [Redacted]
City: [Redacted]
State: [Redacted]
Date of Birth: [Redacted]
Date of Expiration: [Redacted]

For Information: [Redacted]

b(6), b(7)(C)

b(6), b(7)(C)

**The Republic of Iraq
Coalition Forces
FOB Falcon, Iraq
Security Force**

Name:

b(6), b(7)(C)

Rank: Commander

Card #: W0093

Date of Issue: 08257/2007

Date of Expiration: 08/25/2008

For information: 07901943143

b(6), b(7)(C)

(b)(6), (b)(7)(C)



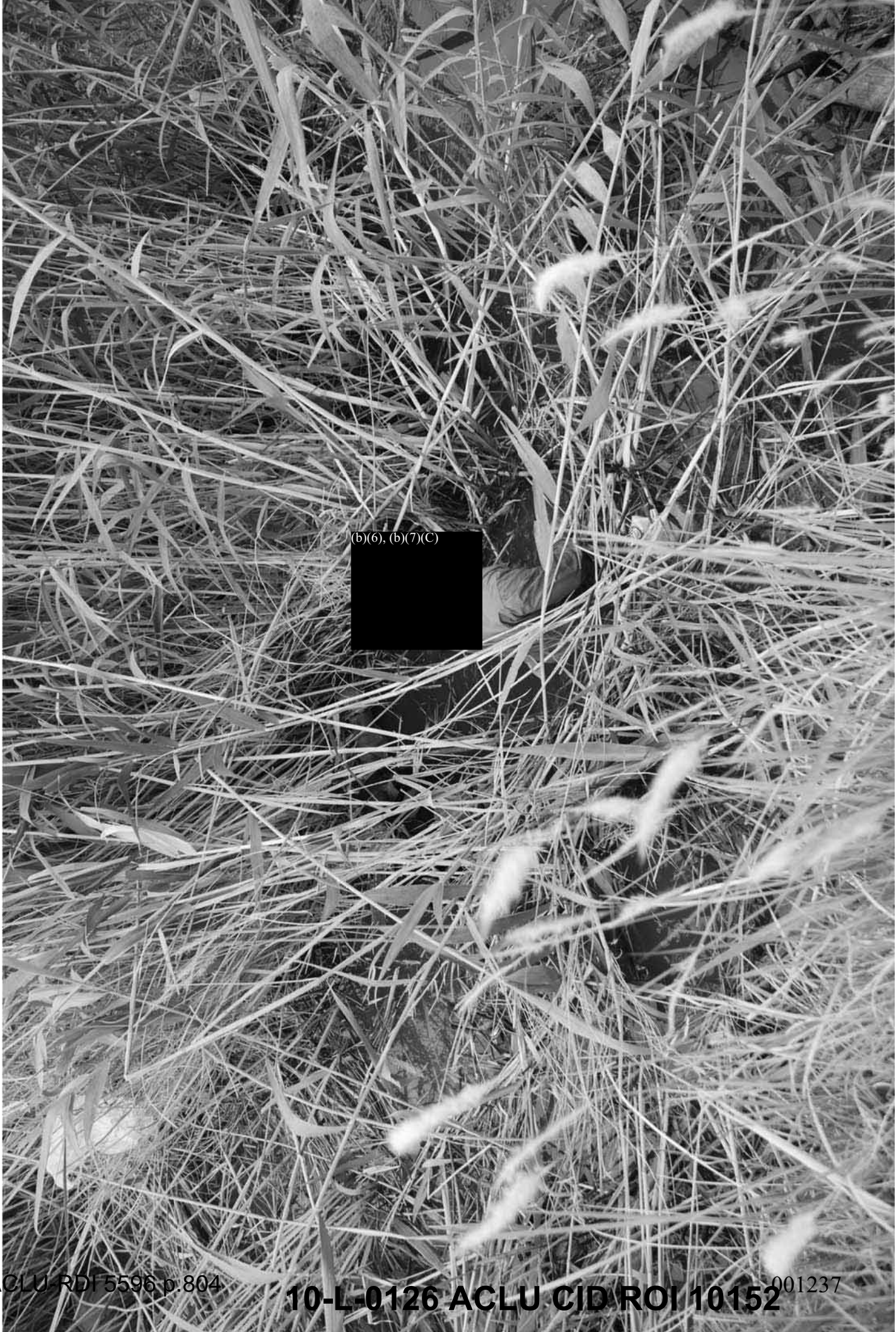


b(6), b(7)(C)

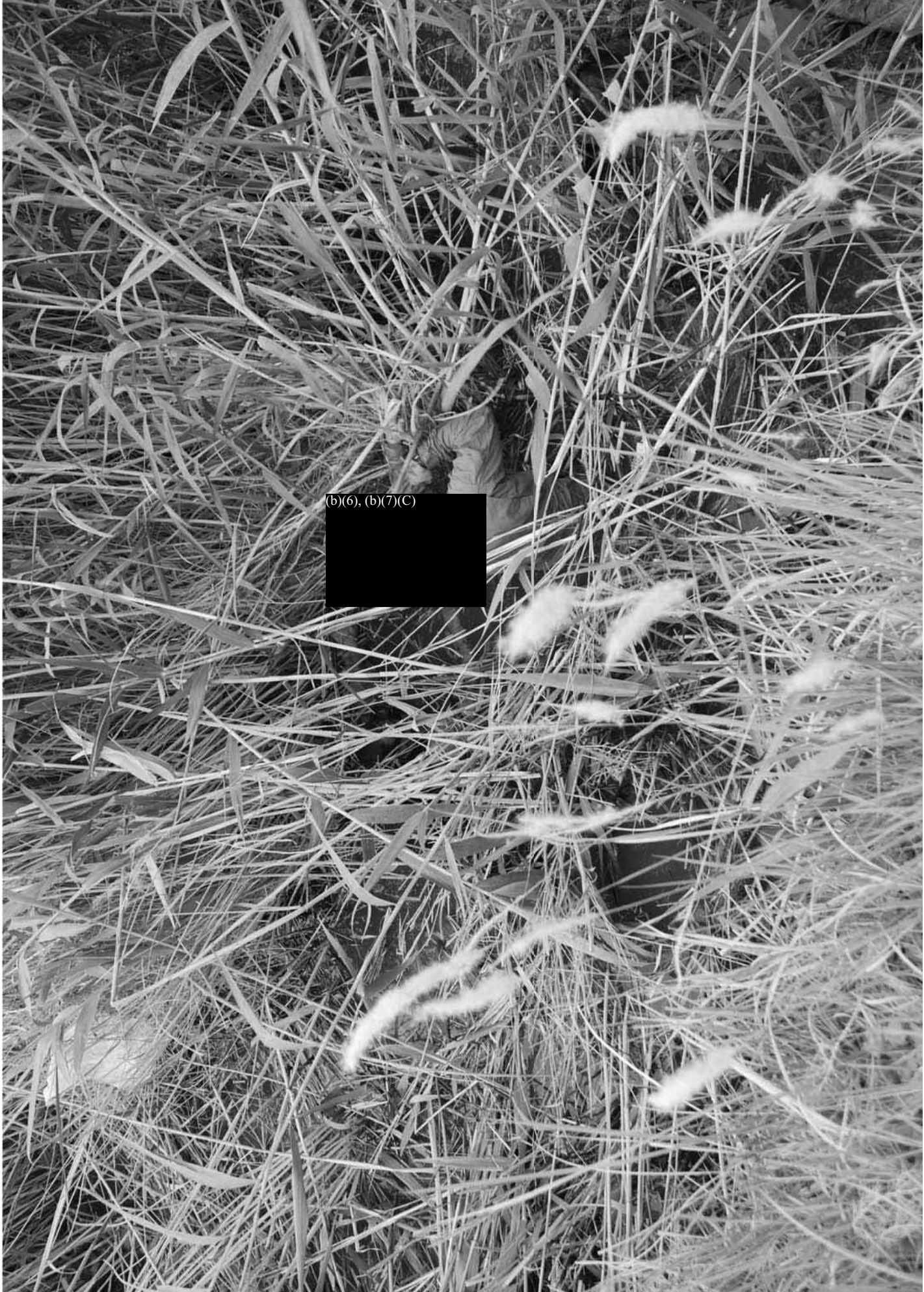
b(6), b(7)(C)



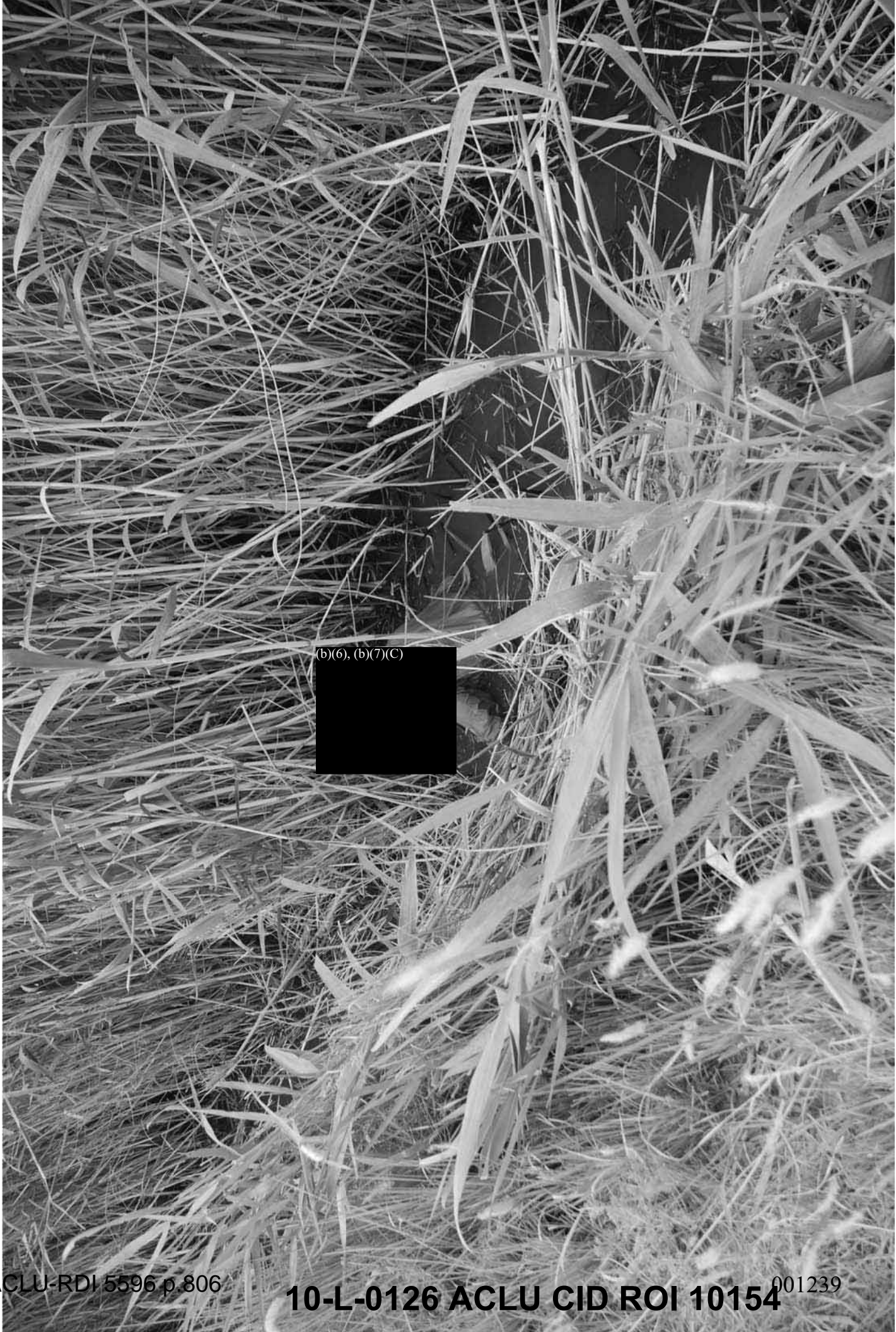
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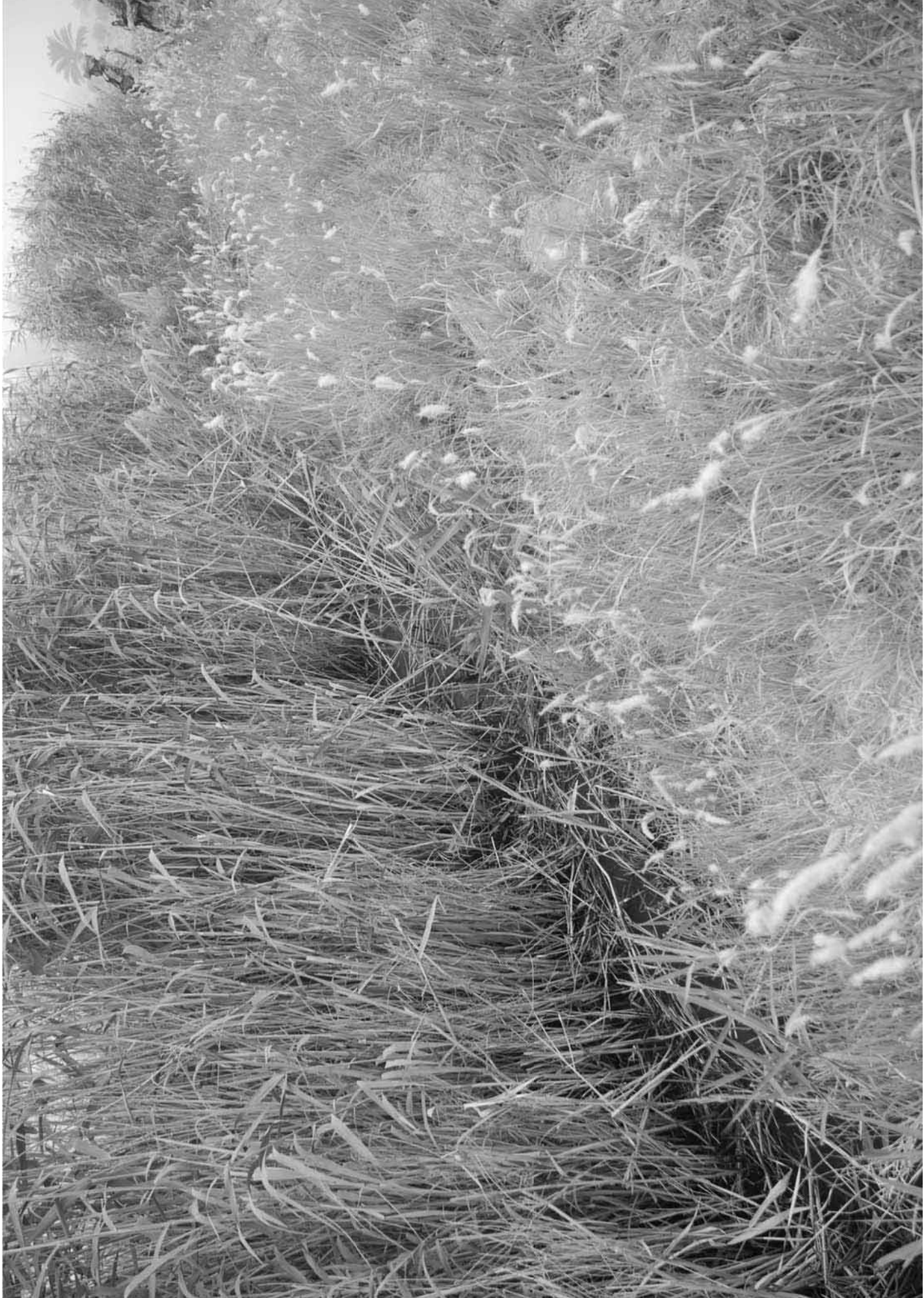
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(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)

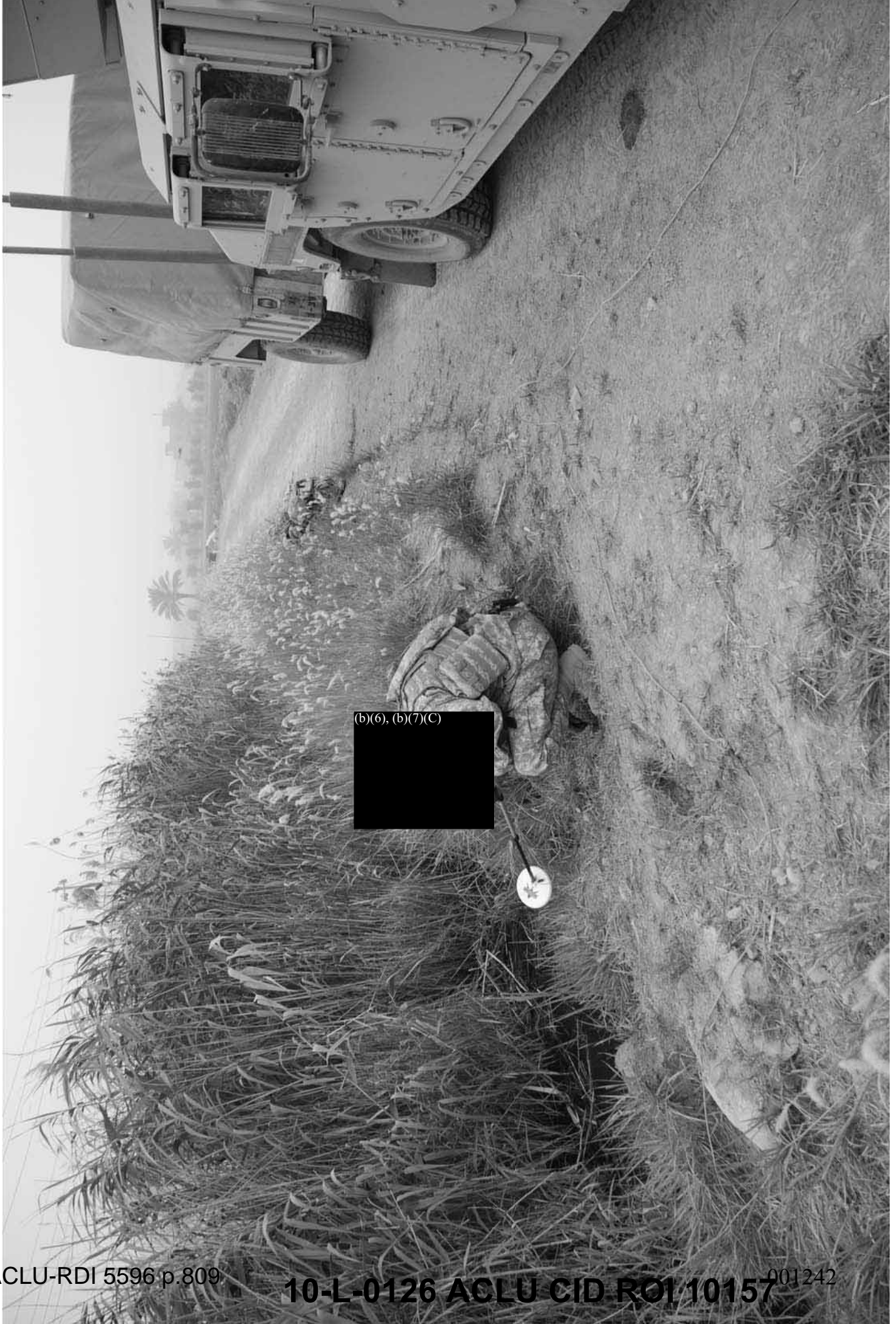




(b)(6), (b)(7)(C)

(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)

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)

b(6), b(7)(C)

b(6), b(7)(C)

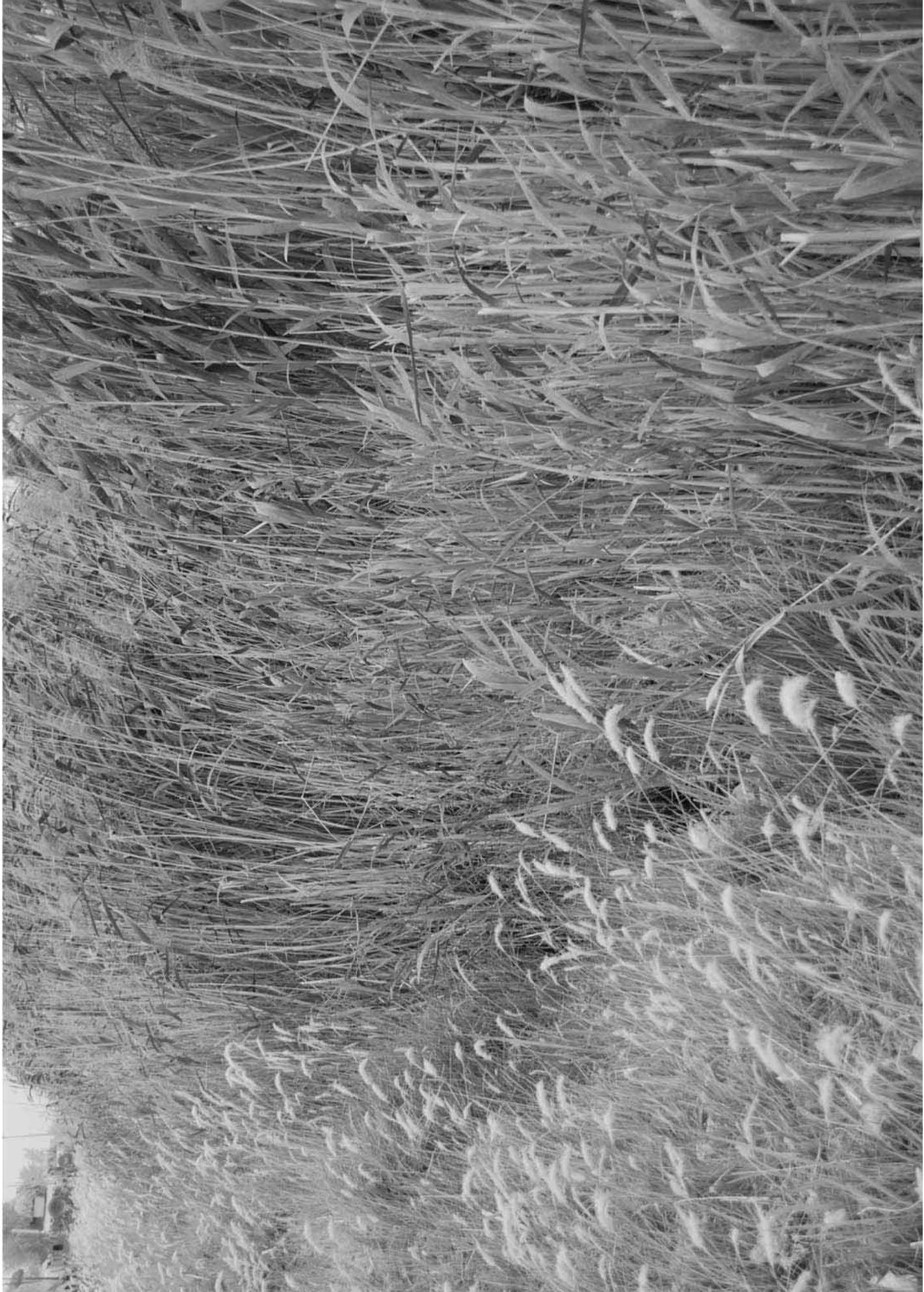




(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



(b)(6), (b)
(7)(C)

A RDI 5596 p.839

10-L-0126 ACLU CID ROI 10193

001277



(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)































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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1200, 3 Jul 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Military Magistrate, Schweinfurt Law Center, CBSG, and provided her a Affidavit Supporting Request For Authorization To Search and Seize (DA Form 3744), which pertained to the collection of DNA evidence from SGT (b)(6), (b)(7)(C) for comparison to DNA identified by the United States Army Criminal Investigation Laboratory (USACIL) on the uniforms and equipment previously collected by this office from the on-post quarters of SGT (b)(6), (b)(7)(C) (See Affidavit Supporting Request For Authorization To Search and Seize (DA Form 3744) for details)

About 1400, 3 July 08, CPT (b)(6), (b)(7)(C) authorized the Search and Seizure of a DNA sample to be taken from the inside of SGT (b)(6), (b)(7)(C) mouth. (See Search and Seizure Authorization (DA Form 3745) for details)

/// Last Entry ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Schweinfurt CID Office, CMR 457
APO AE 09033

SIGNATURE
(b)(6), (b)(7)(C)

DATE

3 Jul 08

EXHIBIT

224

CID FORM 94

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LAW ENFORCEMENT SENSITIVE

ACLU-RED 5596 p.857

10-L-0126 ACLU CID ROI 10211 001295

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, SA (b)(6), (b)(7)(C), Schweinfurt CID Office
(Name) (Organization or Address)

CMR 457, Ledward Barracks, Schweinfurt, Germany, APO AE 09033

having been duly sworn, on oath depose and state that:

I am a Special Agent of the United States Army Criminal Investigation Command (USACIDC) and have been employed as such since July 2007. I am currently assigned to the Schweinfurt CID Office, 1002nd Military Police Battalion (CID), Schweinfurt, Germany, APO AE 09033, and in that capacity, have investigated allegations involving felony level offenses, and serious or sensitive investigations wherein the United States Army has an interest, to include Homicides and allegations of Detainee Abuse. I have been duly sworn on oath depose, and state that I am a Federal Law Enforcement Officer that has received training in Military and Civilian Law Enforcement Techniques. I have been designated by law as a Federal Law Enforcement Officer authorized to receive and serve federal civilian search warrants and military search authorizations.

2. The affiant further states that:

On 10 Jan 08, the Schweinfurt CID Office was notified by CPT (b)(6), (b)(7)(C), Trial Defense Services (TDS), Conn Barracks, Schweinfurt, Germany, APO AE 09226 (CBSG), that his client witnessed the murder of Iraqi prisoners in the Spring of 2007 by Soldiers of A Company (CO), 1-18th Infantry Battalion (IN BN), CBSG during their recent deployment to Iraq. In addition, the client later identified as SSG (b)(6), (b)(7)(C) A CO, 1-18th IN BN, also reported a second separate incident of murder which occurred in Jan 08, wherein 1SG (b)(6), (b)(7)(C) A CO, 1-18th IN BN, CBSG allegedly shot and killed a wounded detainee.

On 3 Jan 08, an Explosively Formed Projectile (EFP) damaged one of the Company Commander's protective service detail's Bradley Fighting Vehicles (BFV) during a patrol in West Baghdad. 1SG (b)(6), (b)(7)(C) led a Quick Reaction Force (QRF) to lend support after the EFP strike. The suspected EFP trigger man was shot in the engagement and suffered a near amputation of his right leg. He was loaded into a Bradley, where the Senior Medic, SGT (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 1-18th IN BN, attended to his wounds. A three vehicle convoy, which included the BFV with the wounded detainee and 1SG (b)(6), (b)(7)(C) High Mobility Multipurpose Wheeled Vehicle (HMMWV), departed the EFP scene en route to the Combat Support Hospital (CSH). About ten minutes later 1SG (b)(6), (b)(7)(C) instructed the convoy to stop, and then inquired about the deteriorating condition of the detainee. SGT (b)(6), (b)(7)(C) informed 1SG (b)(6), (b)(7)(C) the detainee would probably die. Both 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) then carried the detainee from the BFV into a ditch on the side of the road, where the detainee was subsequently shot twice in the chest. SGT (b)(6), (b)(7)(C) thought 1SG (b)(6), (b)(7)(C) shot the wounded detainee with a Glock 9mm he carried as a spare weapon. 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) then placed the dead detainee in a body bag and dropped him off at a nearby Iraqi Police station.

On 18 Jan 08, SGT (b)(6), (b)(7)(C) was advised of his rights and rendered a sworn statement wherein he implicated 1SG (b)(6), (b)(7)(C) as the shooter of the wounded detainee. SGT (b)(6), (b)(7)(C) stated he checked the detainee's pulse after 1SG (b)(6), (b)(7)(C) shot him, and confirmed he was dead. SGT (b)(6), (b)(7)(C) further admitted he helped place the bod of the detainee into a body bag, which was then traporated to the Iraq Police station.

On 22 Feb 08, SPC (b)(6), (b)(7)(C) A CO, 1-18th IN BN, was advised of his rights; which he waived and rendered a sworn statement wherein he related he was the gunner of 1SG (b)(6), (b)(7)(C) HMMWV on 3 Jan 07, and was aware the detainee was shot on the side of the road by 1SG (b)(6), (b)(7)(C) after the convoy was instructed to stop. SPC (b)(6), (b)(7)(C) denied he saw the incident occur, but related he heard both gun shots. In addition, SPC (b)(6), (b)(7)(C) stated after the detainee ws placed into a body bag, SGT (b)(6), (b)(7)(C) returned to his vehicle and complained about getting blood on his uniform.

On 26 Feb 08, SSG (b)(6), (b)(7)(C) A CO, 1-18th IN BN, was advised of his rights; which he waived and rendered a sworn statement wherein he related he was the driver of 1SG (b)(6), (b)(7)(C) HMMWV on 3 Jan 07, and witnessed 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) carry the wounded detainee from the Bradley into a ditch on the side of the road, after which he could no longer see them. SSG (b)(6), (b)(7)(C) stated he subsequently heard two gunshots and saw indirect light from the muzzle flashes. SSG (b)(6), (b)(7)(C) did not see who shot the detainee, but related after the body was placed back into the Bradley, SGT (b)(6), (b)(7)(C) got into his vehicle and complained about getting blood on his uniform.

On 6 Mar 08, this office searched SGT (b)(6), (b)(7)(C) on-post quarters pursuant to a signed search and seizure authorization and subsequently collected as evidence numerous articles of military uniforms and military equipment.

////////////////////////////////////CONTINUED ON PAGE 2////////////////////////////////////

The items were sent to the United States Army Criminal Investigation Laboratory (USACIL) for identification of any blood to be present on the items previously collected from SGT (b)(6), (b)(7)(C) quarters. Preliminary results of the examination have identified several blood stains and indicate three DNA samples of male individuals. An additional DNA sample was identified by USACIL on the uniforms which could be used to identify the wearer of the uniforms.

Attempts to identify the deceased are ongoing by CID in Iraq. Based on my training and experience, and the corroborating statements obtained during this investigation, it is probable SGT (b)(6), (b)(7)(C) was the wearer of the military uniforms and equipment collected from his on-post quarters. A forensic comparison of SGT (b)(6), (b)(7)(C) DNA to the wearer DNA sample obtained can confirm that SGT (b)(6), (b)(7)(C) was in fact wearing the military uniforms and equipment which the blood stains were identified on.

3. In view of the foregoing, the affiant requests that an authorization be issued for a search of

SGT (b)(6), (b)(7)(C)

(the person) (and)

inside cheeks of his mouth

(the quarters or billets) (and)

//////////
(the automobile) ()

and (seizure) (apprehension) of

a DNA sample

(items/persons searched for)

TYPED NAME AND ORGANIZATION OF AFFIANT

(b)(6), (b)(7)(C)
Special Agent
Schweinfurt CID Office

SIGNATURE OF AFFIANT

(b)(6), (b)(7)(C)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 3rd DAY OF July 2008 AT 1200 hrs.

TYPED NAME, ORGANIZATION AND OFFICIAL CAPACITY OF AUTHORITY ADMINISTERING THE OATH

CPT (b)(6), (b)(7)(C)
Military Magistrate
Schweinfurt Law Center, APO AE 09226

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)

Schweinfurt CID office and any laboratory affiliated with the Schweinfurt CID office for purposes of obtaining and maintaining DNA samples

(An affidavit) (A (sworn) or (unsworn) oral statement) having been made before me by SA (b)(6), (b)(7)(C)

(Name of Affiant)

Schweinfurt CID office, CMR 457, APO AE 09033

(Organization or Address of Affiant)

(which affidavit is attached hereto and made a part of this authorization), and as I am satisfied that there is probable cause to believe that the matters mentioned in the affidavit are true and correct, that the offense set forth therein has been committed, and that the property to be seized is located (on the person) (at the place) to be searched, you are hereby ordered to search the (person) (place) known as

SGT (b)(6), (b)(7)(C)

for the property described as a DNA sample taken from the inside of his cheek

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:

Schweinfurt CID office, CMR 457, APO AE 09033

(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 3rd day of July, 2008.

TYPED NAME AND GRADE OF AUTHORIZING OFFICIAL

(b)(6), (b)(7)(C)

CPT, JA

DUTY POSITION OF AUTHORIZING OFFICIAL

Part-time Military Magistrate

ORGANIZATION OF AUTHORIZING OFFICIAL

Schweinfurt Law Center, OSJA,
7th JMTG, APO AE 09226

SIGNATURE OF AUTHORIZING OFFICIAL

(b)(6), (b)(7)(C)

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 0900 30 Jul 08, SA (b)(6), (b)(7)(C) received a United States Army Criminal Investigation Laboratory (USACIL) Final Report (2008-CID131-0464-R1); which stated numerous blood stains were present on the uniforms and equipment submitted for examination. Four Unknown Male, NFI, DNA profiles were identified from the blood stains. (See USACIL Final Report for details)

/// Last Entry ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Schweinfurt CID Office, CMR 457
APO AE 09033

SIGNATURE

(b)(6), (b)(7)(C)

DATE

30 Jul 08

EXHIBIT

226

CID FORM 94

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LAW ENFORCEMENT SENSITIVE

ACLU-RED 75596 p.861

10-L-0126 ACLU CID ROI 10215

001299

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): Serology / DNA	2. FROM: Special Agent in Charge Schweinfurt CID Office CMR 457 APO AE 09033 3. RETURN EVIDENCE TO: Special Agent in Charge Schweinfurt CID Office CMR 457 APO AE 09033	4. EXAM PRIORITY <input checked="" type="radio"/> ROUTINE <input 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 type="checkbox"/> Other (Specify in Block 13) *Date _____	5. LAB USE ONLY a. LAB CASE # b. METHOD OF RECEIPT c. RECEIVED BY/DATE
---	--	---	--

6. SUBMITTING AGENCY CASE NUMBER 0010-08-CID847-34682	7. TYPE OF OFFENSE Murder; Conspiracy
---	---

8. PREVIOUS EVIDENCE SUBMITTED DATE: 2008-02-28	MAIL METHOD: Registered Mail	LAB CASE #: 2008-CID131-0464	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)] Unknown Iraqi Male
--	---

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)

Investigation initiated on 10 Jan 08 determined between Mar 07 and May 07, 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) of A-1/18th Infantry Battalion, shot and killed four restrained prisoners in an isolated area at a canal near Hamdani village, Baghdad, Iraq. 15 other soldiers either witnessed or were involved to varying degrees in the execution of the 4 detainees, and failed to stop or report the crime.

Investigation further determined on 3 Jan 07, 1SG (b)(6), (b)(7)(C) shot and killed a wounded insurgent as he was being transported to a Combat Support Hospital in the back of a Bradley Fighting Vehicle. 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) carried the Iraqi Male to a ditch, where he was subsequently shot. Several witnesses reported SGT (b)(6), (b)(7)(C) complained that the blood of the deceased victim got on his uniform.

SGT (b)(6), (b)(7)(C) military uniforms and equipment were collected as evidence. CID elements in Iraq are attempting to recover any physical evidence.

12. EVIDENCE SUBMITTED	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
1	ACU Trousers, Item 1, Voucher Number 0047-08
2	ACU Coat, Item 2, Voucher Number 0047-08
3	Body Armor, Back panel, Item 3, Voucher Number 0047-08
4	Body Armor, Left front panel, Item 4, Voucher Number 0047-08
5	Body Armor, Right front panel, Item 5, Voucher Number 0047-08
6	Body Armor, Groin Protector, Item 6, Voucher Number 0047-08
7	Insert ESAPI, Item 7, Voucher Number 0047-08
8	Insert ESAPI, Item 8, Voucher Number 0047-08
9	Boots, Item 9, Voucher Number 0047-08
10	ACU Trousers, Item 10, Voucher Number 0047-08
11	ACU Coat, Item 11, Voucher Number 0047-08
12	ACU Coat, Item 12, Voucher Number 0047-08
13	ACU Coat, Item 13, Voucher Number 0047-08
14	ACU Trousers, Item 14, Voucher Number 0047-08
15	Body Armor, Groin Protector Outer Shell, Item 15, Voucher Number 0047-08
16	Body Armor, Base Vest Carrier, Item 16, Voucher Number 0047-08

12. EVIDENCE SUBMITTED (Continued)

a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
17	Magazine Pouch, Item 17, Voucher Number 0047-08
18	Magazine Pouch, Item 18, Voucher Number 0047-08
19	Hand Grenade Pocket, Item 19, Voucher Number 0047-08
20	First Aid Pouch, Item 20, Voucher Number 0047-08
21	Improved First Aid Kit Pouch with Insert, Item 21, Voucher Number 0047-08
22	First Aid Pouch, Item 22, Voucher Number 0047-08
23	ACU Trousers, Item 23, Voucher Number 0047-08
24	ACU Coat, Item 24, Voucher Number 0047-08
25	Vest, MOLLE, Item 25, Voucher Number 0047-08
26	MOLLE II Magazine Pouch, Item 26, Voucher Number 0047-08
27	Neck Guard, Item 27, Voucher Number 0047-08
28	MOLLE II Magazine Pouch, Item 28, Voucher Number 0047-08
29	Body Armor, Throat Protector Outer Shell, Item 29, Voucher Number 0047-08
30	Boots, Item 30, Voucher Number 0047-08
31	ACU Trouser, Item 31, Voucher Number 0047-08
32	Boots, Item 32, Voucher Number 0047-08
33	MOLLE II Pocket, Item 33, Voucher Number 0047-08
34	MOLLE II Waist Pack, Item 34, Voucher Number 0047-08
35	MOLLE II One Quart Canteen Pouch, Item 35, Voucher Number 0047-08
36	MOLLE II One Quart Canteen Pouch, Item 36, Voucher Number 0047-08
37	One Quart Canteen / Utility Pocket, Item 37, Voucher Number 0047-08
38	Flash Bang Pouch, Item 38, Voucher Number 0047-08
39	M4 Three Magazine Pouch, Item 39, Voucher Number 0047-08
//////	///Continued on Page 3///

13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)

Serology and DNA Branch: Please examine Exhibits 1 thru 49, examine for blood, conduct DNA analysis, and hold for future comparison.

Please conduct any additional investigative activities deemed necessary.

**SENT TO USACIL
FOR EXAM**

MAR 13 2008

REGISTERED MAIL

RR 389 805 075 US Box 1

REGISTERED MAIL

RR 389 805 084 US Box 2

REGISTERED MAIL

RR 389 805 098 US Box 3

14.a. INVESTIGATOR AND ALTERNATE POC
(Typed or Printed) (Mandatory Information)

SA (b)(6), (b)(7)(C) / SA (b)(6), (b)(7)(C)
011-49-9721-96-6627

b. TELEPHONE (Primary/Alt): 011-49-9721-96-6867

c. DSN (Primary/Alt): 314-354-6627

d. Fax: 314-354-6866

e. E-Mail: (b)(6), (b)(7)(C)@eur.army.mil

15. I CERTIFY EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE

2008-03-

b. TYPED/PRINTED NAME OF REQUESTOR

SA (b)(6), (b)(7)(C)

d. TELEPHONE (Primary/Alt): 011-49-9721-96-6867 / 6627

e. DSN (Primary/Alt): 354-6867 / 6627

f. Fax: 354-6866

g. E-Mail: (b)(6), (b)(7)(C)@eur.army.mil

16. LAB USE ONLY

LAB CASE #

EXHIBIT

DESCRIPTION OF EXHIBIT

- 40 MOLLE II Magazine Pouch, Item 40, Voucher Number 0047-08
 - 41 Paper Bag containing patches, Item 41, Voucher Number 0047-08
 - 42 Pouch, Item 42, Voucher Number 0047-08
 - 43 ACU Trousers, Item 43, Voucher Number 0047-08
 - 44 ACU Coat, Item 44, Voucher Number 0047-08
 - 45 ACU Coat, Item 45, Voucher Number 0047-08
 - 46 ACU Trousers, Item 46, Voucher Number 0047-08
 - 47 ACU Coat, Item 47, Voucher Number 0047-08
 - 48 Paper Bag containing patches, Item 48, Voucher Number 0047-08
 - 49 ACU Trousers, Item 49, Voucher Number 0047-08
- ////////// ///LAST ITEM///



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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-DNA

3 July 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, SCHWEINFURT CID OFFICE,
1002D MILITARY POLICE BATTALION (CID), CMR 457, BLDG 296 LEDWARD
BARRACKS, APO AE 09033

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-0464-R1
Submitter Case Number 0010-08-CID847-34682

EXHIBITS:

- 4 - Trousers (Item 1, Doc 0047-08).
- 5 - Coat (Item 2, Doc 0047-08).
- 6 - Body armor (Item 3, Doc 0047-08).
- 7 - Body armor (Item 4, Doc 0047-08).
- 8 - Body armor (Item 5, Doc 0047-08).
- 9 - Body armor (Item 6, Doc 0047-08).
- 10 - Insert ESAPI (Item 7, Doc 0047-08).
- 11 - Insert ESAPI (Item 8, Doc 0047-08).
- 12 - Boots (Item 9, Doc 0047-08).
- 13 - Trousers (Item 10, Doc 0047-08).
- 14 - Coat (Item 11, Doc 0047-08).
- 15 - Coat (Item 12, Doc 0047-08).
- 16 - Coat (Item 13, Doc 0047-08).
- 17 - Trousers (Item 14, Doc 0047-08).
- 18 - Body armor (Item 15, Doc 0047-08).
- 19 - Body armor (Item 16, Doc 0047-08).
- 20 - Magazine pouch (Item 17, Doc 0047-08).
- 21 - Magazine pouch (Item 18, Doc 0047-08).
- 22 - Hand grenade pocket (Item 19, Doc 0047-08).
- 23 - First aid pouch (Item 20, Doc 0047-08).
- 24 - First aid kit pouch (Item 21, Doc 0047-08).

 AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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1 of 4

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CILA-DNA

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-0464-R1
Submitter Case Number 0010-08-CID847-34682

- 25 - First aid pouch (Item 22, Doc 0047-08).
- 26 - Trousers (Item 23, Doc 0047-08).
- 27 - Coat (Item 24, Doc 0047-08).
- 28 - Vest with pouch (Item 25, Doc 0047-08).
- 29 - Magazine pouch (Item 26, Doc 0047-08).
- 30 - Neck guard (Item 27, Doc 0047-08).
- 31 - Magazine pouch (Item 28, Doc 0047-08).
- 32 - Body armor (Item 29, Doc 0047-08).
- 33 - Boots (Item 30, Doc 0047-08).
- 34 - Trousers (Item 31, Doc 0047-08).
- 35 - Boots (Item 32, Doc 0047-08).
- 36 - Medic pocket (Item 33, Doc 0047-08).
- 37 - Waist pack (Item 34, Doc 0047-08).
- 38 - Canteen pouch (Item 35, Doc 0047-08).
- 39 - Canteen pouch (Item 36, Doc 0047-08).
- 40 - Canteen/Utility pocket (Item 37, Doc 0047-08).
- 41 - Flash bang pouch (Item 38, Doc 0047-08).
- 42 - Magazine pouch (Item 39, Doc 0047-08).
- 43 - Magazine pouch (Item 40, Doc 0047-08).
- 44 - Bag containing patches (Item 41, Doc 0047-08).
- 45 - Pouch (Item 42, Doc 0047-08).
- 46 - Trousers (Item 43, Doc 0047-08).
- 47 - Coat (Item 44, Doc 0047-08).
- 48 - Coat (Item 45, Doc 0047-08).
- 49 - Trousers (Item 46, Doc 0047-08).
- 50 - Coat (Item 47, Doc 0047-08).
- 51 - Bag containing patches (Item 48, Doc 0047-08).
- 52 - Trousers (Item 49, Doc 0047-08).

FINDINGS:

1. Blood was identified on the magazine pouch (Exhibit 31), canteen pouch (Exhibit 39), and the magazine pouch (Exhibit 43).
2. A chemical indication of blood was obtained on the magazine pouch (Exhibit 20), the vest with pouch (Exhibit 28), and the magazine pouch (Exhibit 29).
3. No blood was detected on the magazine pouch (Exhibit 21), hand grenade pocket (Exhibit 22), first aid pouch (Exhibit 23), first aid kit pouch (Exhibit 24), trousers (Exhibit 26), coat (Exhibit 27), neck guard (Exhibit 30), throat protector (Exhibit 32), boots (Exhibit 33), boots (Exhibit 35), medic pocket

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CILA-DNA

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(Exhibit 36), waist pack (Exhibit 37), canteen pouch (Exhibit 38), canteen pocket (Exhibit 40), flash bang pouch (Exhibit 41), or the magazine pouch (Exhibit 42).

4. No stains of apparent evidentiary value were observed on the first aid pouch (Exhibit 25) or the trousers (Exhibit 34).

5. No examinations were performed on exhibits 4-19 or 44-52.

6. DNA (deoxyribonucleic acid) was extracted from the magazine pouch (Exhibit 20), vest with pouch (Exhibit 28), magazine pouch (Exhibit 29), magazine pouch (Exhibit 31, stains 3 and 4), throat protector (Exhibit 32, swabbing for possible wearer DNA), canteen pouch (Exhibit 39, stains 1 and 2), and the magazine pouch (Exhibit 43, stains 8 and 16).

7. DNA profiles were obtained using PCR (polymerase chain reaction) technology on the following 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 magazine pouch (Exhibit 20) is consistent with originating from an unknown individual that genetically types as male (UNKNOWN MALE #1).

9. The DNA profile obtained from the vest with pouch (Exhibit 28), magazine pouch (Exhibit 29), magazine pouch (Exhibit 31, stains 3 and 4), and magazine pouch (Exhibit 43, stains 8 and 16) is consistent with originating from an unknown individual that genetically types as male (UNKNOWN MALE #2).

10. The DNA profile obtained from the canteen pouch (Exhibit 39, stains 1 and 2) is consistent with originating from an unknown individual that genetically types as male (UNKNOWN MALE #3). Additional genetic typing information was detected in stain 2 that is consistent with originating from UNKNOWN MALE #4 (see paragraph 11).

11. The DNA profile obtained from the throat protector (Exhibit 32) is consistent with originating from an unknown individual that genetically types as male (UNKNOWN MALE #4). Additional

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DNA typing was detected a one locus but cannot be conclusively interpreted.

12. The DNA results may be compared to potential contributors when suitable standards are submitted to this laboratory.

13. The above listed exhibits are being returned to the submitting agency upon the completion of laboratory testing.

14. 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 Division, 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 DNA Examiner

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AGENT'S INVESTIGATION REPORT	ROI NUMBER: 0010-07-CID847-34682 RFA NUMBER: 0019-08-CID259
CID Regulation 195-1	PAGE 1 OF 10 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0900, 31 Jan 08, the Schweinfurt CID Office, CMR 457, APO AE 09033, requested assistance from this office in fully identifying four Iraqi local nationals males who were taken into custody and later shot and killed by 1SG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) between 17 Mar 07 and 16 Apr 07, by a canal located near Hamdani village, and to fully identify an Iraq local national male who was captured and injured after he was identified as a EFP trigger man on 3 Jan 07 but later was shot and killed by 1SG (b)(6), (b)(7)(C) who directed his remains to be dropped of at the nearest IP station. The Schweinfurt CID Office requested this office attempt to also locate the remains of the five Iraqi local nationals in addition to conducting other investigative leads pertaining to the allegation of murder.

About 1400, 16 Feb 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed MAJ (b)(6), (b)(7)(C) Executive Officer, 1-28th IN BN, 4th Brigade Combat Team (4BCT), 1st Infantry Division (1ID), FOB Falcon, Iraq, who related his Battalion assumed operational control over A Co, 1-18th IN, on 17 Mar 07. According to MAJ (b)(6), (b)(7)(C), CPT (b)(6), (b)(7)(C) was on leave during when their BN assumed control over the company. MAJ (b)(6), (b)(7)(C) indicated he would check the BN records (maintenance, RTO, and Patrol) pertaining to the Mar-Apr canal shooting incident. However, his BN had no information or records pertaining to 3 Jan 07 as they arrived in Iraq nor had assumed operational control over A CO, 1-18th IN prior to 17 Mar 07. He advised that during that time frame and prior, A Co, 1-18th IN BN was being supported by their organic BN (1-18th IN) for all maintenance support and personnel actions. MAJ (b)(6), (b)(7)(C) related since 1-28th IN BN was a light infantry battalion, they did not have the Bradley mechanics or part necessary to repair any Bradleys belonging to A CO, 1-18th IN. MAJ (b)(6), (b)(7)(C) stated all Bradleys requiring maintenance or repairs were sent back to 1-18th IN BN. MAJ (b)(6), (b)(7)(C) related pertaining to HMMWV maintenance, A CO, 1-18th IN, had the capability to fix minor problems such as flat tire at Joint Security Station (JSS) Jihad (formerly COP Angry Dragon and COP Black Lions) but larger problems would required the HMMWV to be taken back to FOB Falcon for further maintenance. MAJ (b)(6), (b)(7)(C) related all historical records prior to 17 Mar 07 and all Bradley maintenance records should be maintained by the 1-18th IN BN during that time frame. MAJ (b)(6), (b)(7)(C) related there is no Standing Operational Procedure (SOP) pertaining to the maintenance of historical mission records or logs and that his own BN will shred/burn all hard copies of historical documents pertaining to past missions and save a digital copy on a SIPR external hard drive prior to their Relief in Place/Transfer of Authority (RIP/TOA), which they will take back with them. According to MAJ (b)(6), (b)(7)(C), all deployed BN's are authorized to take on SIPR hard drive containing a digital record of their missions. MAJ (b)(6), (b)(7)(C) further related the other two platoons which were attached to A CO, 1-18th IN since 17 Mar 07 are still at JSS Jihad. MAJ (b)(6), (b)(7)(C) related D CO, 4-64th Armor (AR), 3rd Infantry Division (3ID), conducted a RIP/TOA with A CO, 1-18th IN. MAJ (b)(6), (b)(7)(C) related CPT (b)(6), (b)(7)(C) Commander, D CO, 4-64th AR, 4BCT, 1ID, JSS Jihad, was briefed on this investigation and would be coordinating with (b)(6), (b)(7)(C) (known by the name (b)(6), (b)(7)(C) Hamdani Village, West Rasheed, Baghdad, Iraq, who was the Iraqi local national who acted as the community liaison of Hamdani Village. MAJ (b)(6), (b)(7)(C) related prior to the increase in troops in early spring 07, A CO, 1-18th IN, had the difficult mission of patrolling and conducting stability support operations the northern portion of the 1-28th IN BN battle space, which back then, consisted of half of

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C)		Camp Slayer CID Office, 20 th /1149 th MP Det (CID), 11 th MP BN (CID), Unit 42232, APO AE 09342	
SIGN	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	31 Jul 08	229	

AGENT'S INVESTIGATION REPORT <i>CID Regulation 195-1</i>	ROI NUMBER: 0010-07-CID847-34682 RFA NUMBER: 0019-08-CID259
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DETAILS

consisted of half of the BN's area of operation. MAJ (b)(6), (b)(7)(C) related for one infantry company to control the sector, they had to be aggressive, especially when the sector was known to be one of the most dangerous areas in Baghdad at that time. MAJ (b)(6), (b)(7)(C) related upon his battalion assuming the mission and after the redistribution of assets, JSS Jihad was augmented by additional units, vehicles and personnel and the area of responsibility of A CO, 1-18th IN, decreased in size as 2007 progressed. However, MAJ (b)(6), (b)(7)(C) related it was common in Mar 07 through Jun 07, prior to the surge, about 90% of all patrols which left JSS Jihad to receive small arms fire (SAF) and he wouldn't not be surprised if A CO, 1-18th IN didn't report the SAF during their patrols during that time frame. MAJ (b)(6), (b)(7)(C) related due to the significant conflict between the Sunnis and Shias in West Rasheed during that time frame, it was very common to find the bodies of extra judicial killing (EJK) along the streets or areas in West Rasheed. MAJ (b)(6), (b)(7)(C) related at one point during the summer 07, A CO, 1-18th IN, ran out of body bags. MAJ (b)(6), (b)(7)(C) further related during that time period and the amount of patrol the S-3, 1-28th IN, was tracking, it was reasonable to assume any suspicious movement or the turning off the blue force tracker would not have been notices. MAJ (b)(6), (b)(7)(C) also related weapons caches recovered by patrols were supposed to be turned over to the BN at FOB Falcon. MAJ (b)(6), (b)(7)(C) further related he noticed on 18 Mar 07, after the RIP/TOA, 1SG (b)(6), (b)(7)(C) had a Glock pistol in his leg holster and immediately made on the spot correction in which he directed 1SG (b)(6), (b)(7)(C) to stop carrying it. MAJ (b)(6), (b)(7)(C) related after he made his correction, he only observed 1SG (b)(6), (b)(7)(C) carrying his government issued M9 Berretta in this thigh holster.

About 1613, 16 Feb 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 1-28th IN, 4BCT, 1ID, FOB Falcon, Iraq, who stated he was assigned as a Platoon Leader for A Co, 1-18th IN, JSS Jihad from 20 Feb 07 until he was transferred to HHC on 1 Oct 07. 1LT (b)(6), (b)(7)(C) stated when he moved into Iraq in Feb 07, A Co, 1-18th IN was reorganized. One platoon of A Co, 1-18th IN was transferred to Combat Company and replaced by a light infantry platoon and a second platoon of A Co, 1-18th IN was transferred to Battle Company and replaced by another new light infantry platoon. The original elements of A Co, 1-18th IN which were left after the transfers were White platoon (1SG (b)(6), (b)(7)(C) platoon) and Black platoon (Commander's Protective Service Detail (PSD)). 1LT (b)(6), (b)(7)(C) stated White platoon was the platoon 1SG (b)(6), (b)(7)(C) usually went on patrol with because he knew the Soldiers personally and were veteran Soldiers of the area for the neighborhoods in Baghdad which the battalion was tasked to cover. 1LT (b)(6), (b)(7)(C) stated the battle space in West Rasheed which A Co, 1-18th IN covered was very chaotic. 1LT (b)(6), (b)(7)(C) denied it was the "wild west" and anything went, by did stated A Co, 1-18th IN saw a lot of combat and in the spring of 2007, every time A Co, 1-18th IN went on patrol, they were engaged by enemy elements. 1LT (b)(6), (b)(7)(C) further stated most captured enemy combatants were detained during targeted raids. Through most of spring 2007, it was hard to catch individual enemy insurgents because of the density of housing and because of how often A Co, 1-18th IN was engaged by random individuals. Most often insurgents would be killed or run off before they could be captured. 1LT (b)(6), (b)(7)(C) then stated, if an insurgent were captured, the insurgent would be taken to a Detainee Housing Area (DHA) and processed for intelligence value. 1LT (b)(6), (b)(7)(C) stated there were no "unwritten

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C)		Camp Slayer CID Office, 20 th /1149 th MP Det (CID), 11 th MP BN (CID), Unit 42232, APO AE 09342	
SIGN		DATE	EXHIBIT
		31 Jul 08	229

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DETAILS

rules” about killing or harming insurgents. 1LT (b)(6), (b)(7)(C) further stated A Co, 1-18th IN was very aware of which neighborhoods all captured detainees came from because to release a Shia detainee in a Sunni neighborhood would almost ensure that detainee were killed by the local populace. Thus, A Co, 1-18th IN would ensure detainees were released to neighborhoods that were friendly to the Iraqi being released. 1LT (b)(6), (b)(7)(C) did relate it was a common joke among Soldiers of A Co, 1-18th IN that to release a Shia or Sunni fighter in the wrong neighborhood would save them the trouble of detaining or fighting them later, but he denied ever having witnessed or heard of this actually happening. 1LT (b)(6), (b)(7)(C) stated he never saw anything that would amount to detainee abuse among Soldiers of A Co, 1-18th IN. 1LT (b)(6), (b)(7)(C) was next asked what the local populace would do if they were to find a body in their neighborhood or in a canal, and how would it be reported. 1LT (b)(6), (b)(7)(C) stated most Iraqis would not care unless it was a family member. 1LT (b)(6), (b)(7)(C) stated when his unit first arrived in the area they would collect the bodies of those Iraqis killed by EJK's. Within their first month in Iraq though, they ran out of body bags and had to switch to plastic trash bags. Soon after, 1LT (b)(6), (b)(7)(C) said they would just cordon off the area around a newly discovered body and call the Iraqi Police (IP) and have them come and pick up the body. Finally, EJK bodies became so prevalent that his unit would merely photograph them, document the grid location of the body, and send a message to the Iraqi National Police about the sighting. 1LT (b)(6), (b)(7)(C) stated if a family were to take interest in a body though, they would generally take the body to the Hi-Amle Iraqi Police station, also known as 577, because there was a mortuary there. 1LT (b)(6), (b)(7)(C) did not know if death certificates were issued at the police station or not. 1LT (b)(6), (b)(7)(C) was asked about the dynamics and relationships within White and Black platoons of A, 1-18th IN. 1LT (b)(6), (b)(7)(C) stated 1SG (b)(6), (b)(7)(C) and the company commander, CPT (b)(6), (b)(7)(C) communicated well. However, part of that was because the two stayed in different “realms”. 1LT (b)(6), (b)(7)(C) stated CPT (b)(6), (b)(7)(C) had roughly twenty seven different meetings and gatherings with local neighborhood officials and sheiks to attend every week outside of his duties which kept him very busy. Meanwhile, 1SG (b)(6), (b)(7)(C) went on patrols and took control of the day to day operations of A Co, 1-18th IN. 1LT (b)(6), (b)(7)(C) stated SFC (b)(6), (b)(7)(C) was the PLT SGT for White platoon and was basically a quiet person who got along well with 1SG (b)(6), (b)(7)(C). 1LT (b)(6), (b)(7)(C) described SGT (b)(6), (b)(7)(C) as 1SG (b)(6), (b)(7)(C) medic and stated SGT (b)(6), (b)(7)(C) went with 1SG (b)(6), (b)(7)(C) on every patrol. 1LT (b)(6), (b)(7)(C) recalled 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were best friends. 1LT (b)(6), (b)(7)(C) stated the canal where the incident occurred had only a slow drift to the south with very little current. The depth of the canal varied between just two or three feet deep in some places and five or six feet deep in others. 1LT (b)(6), (b)(7)(C) stated the canal was not maintained by the local population and was very overgrown with reeds. In the shallow areas of the canal, reeds grew across the entire width of the canal. In the deeper areas of the canal, the weeds grew very thick along both banks but the middle of the canal would be free of vegetation. The water itself was muddy and thick with very little or no visibility through it. 1LT (b)(6), (b)(7)(C) stated he knew the area of the canal in question and it was part of the farm of a (b)(6), (b)(7)(C) who was a local Sunni sheik and a well respected member of that neighborhood. 1LT (b)(6), (b)(7)(C) further stated he patrolled through that area on a number of occasions and had some digital images of the area which he provided.

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)	Camp Slayer CID Office, 20 th /1149 th MP Det (CID), 11 th MP BN (CID), Unit 42232, APO AE 09342
SIG	DATE
(b)(6), (b)(7)(C)	31 Jul 08
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DETAILS

About 0945, 27 Feb 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) conducted canvass interviews of Soldiers from 3rd Platoon (3PLT), A CO, 1-28th IN, 4BCT, 1ID, JSS Jihad, and 2nd Platoon (2PLT), B CO, 1-28th IN, 4BCT, 1ID, JSS Jihad. The following Soldiers were members of 3PLT, A CO, 1/28 BN, 4BCT, 1ID:

SPC (b)(6), (b)(7)(C)
SGT
CPL
PFC
SPC
SPC
SPC
SPC
SPC
SPC
SPC
SSG
SSG
SGT
SSG
PFC
SPC
SGT
SGT
SGT

The following Soldiers were members of 2PLT, BCO, 1/28th IN, 4BCT, 1ID:

SPC (b)(6), (b)(7)(C)
SPC
SPC
SPC
SGT
SPC
SPC
SFC
SGT
SPC
SPC

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

SIGNATURE

ORGANIZATION

Camp Slayer CID Office, 20th/1149th MP Det (CID),
11th MP BN (CID), Unit 42232, APO AE 09342

DATE

31 Jul 08

EXHIBIT

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0126 ACLU CID ROI 10226

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DETAILS	
SPC (b)(6), (b)(7)(C)	
SPC	
CPL	
SPC	
SGT	
SPC	
PFC	
SSG	
SSG	
SSG	
SPC	
SGT	
SPC	
SPC	
SPC	
SPC	
1LT	
SPC	
PFC	
CPL	
PFC	
SSG	
SGT	

Only a few Soldiers could recall seeing 1SG (b)(6), (b)(7)(C) with a Glock pistol and no one knew what 1SG (b)(6), (b)(7)(C) did with the weapon before he left theater. None of the Soldiers canvassed heard anything about the shooting of prisoners at the canal or about the 3 Jan 07 incident. A few Soldiers heard members of 1SG (b)(6), (b)(7)(C) platoon mention how easy it would be to release a Sunni insurgent in a Shia (or the other way around) neighborhood but no one witnessed it actually happen. Furthermore, it was assumed to be something which was said in jest.

Between 1300 and 1530, 27 Feb 08, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) who related he had no previous knowledge of the canal shooting or the 3 Jan 08 EFP attack. CPT (b)(6), (b)(7)(C) related he coordinated with the Hy Al Amil IP station located at Routes Vernon and Steelers which reported 8 Iraqi's corpses were dropped off on 3 Jan 07. According the IP Station, records on 5 of the dead Iraqi's documented the cause of death as Gun Shot Would (GSW) to the head. CPT (b)(6), (b)(7)(C) related he would coordinate with (b)(6), (b)(7)(C) who owns the area located by the canal and may have more information. He indicated (b)(6), (b)(7)(C) had tight control of the canal area and the area could be safely secured for about 3 hours. When

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SA (b)(6), (b)(7)(C), (b)(7)(F)	Camp Slayer CID Office, 20 th /1149 th MP Det (CID), 11 th MP BN (CID), Unit 42232, APO AE 09342	
SIGN	DATE	EXHIBIT
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asked about the disposition of A Co, 1-18 IN BN, vehicles, CPT (b)(6), (b)(7)(C) indicated their HMMWV's were signed over to A CO, 4-64 AR, at FOB FALCON and COP WARFIGHTER, but that all the A CO, 1-18th IN, Bradleys went back with A Co, 1-18th IN when they redeployed to Germany. CPT (b)(6), (b)(7)(C) further identified the interpreter, (b)(6), (b)(7)(C) as Mr (b)(6), (b)(7)(C) who CPT (b)(6), (b)(7)(C) fired a month ago, and who currently lives somewhere in Baghdad. CPT (b)(6), (b)(7)(C) conducted a search for reports on 3 Jan 07 and identified a Spot Report which related an IED attack occurred around 2000, 3 Jan 07 at 38S MB (b)(6), (b)(7)(C) in which the triggerman was caught in a house and received a GSW to the leg. According to the report, the patrol medic attempted to evacuate the casualty to the nearest combat support hospital, but the individual died of his wounds and was taken to the nearest IP Station. CPT (b)(6), (b)(7)(C) further took an aerial satellite photograph of JSS Jihad from 2006 and annotated the facilities within the JSS as it would have appeared in spring 2007.

Between 1410 and 1510, 27 Feb 08, SA (b)(6), (b)(7)(C) collected as evidence the following items from CPT (b)(6), (b)(7)(C) on an Evidence Property Custody Document (EPCD), Voucher Number (VO) 0256-08: eleven documents consisting of 10 Trip Tickets, 56 documents consisting of 30 Daily Staff Journal or Duty Officer's Logs for Mar 07, and 106 documents consisting of 54 Daily Staff Journal or Duty Officer's Logs for Apr 07. A review of the documents revealed there are some days missing from Mar 07 daily logs as documented on the evidence voucher. A study of the activities records in the Mar 07 and Apr 07 logs, revealed two days which had timelines which fit the events of the shooting at the canal: 26 Mar 07 and 9 Apr 07. Coincidentally, one of the ten trip tickets collected was for 26 Mar 07, and listed the names of the personnel involved in the incident at the canal. Further, the Daily Staff journal has (b)(6), (b)(7)(C) (also known as (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) PLT) calling in two seizure of weapons caches in the vicinity of the grid coordinate where the house were the capture was approximately located. However, there is no records of what they did with the personnel they "detained". The first instance has them detaining 4 personnel while the second incident has 5. After the incident, (b)(6), (b)(7)(C) returns to JSS JIHAD but later leaves in the evening (around the time frame of the canal shootign) and returns. On 9 Apr 07, there is no documentation as to what (b)(6), (b)(7)(C) did, but there patrol activity and timeline in terms of coming in and out of the JSS JIHAD also fit the timeline of the date of the canal shooting. A review of the other days in Mar and Apr did not identify any other record which showed the same activity/timeline. A review of the records revealed no HMMWV was ever called in to have problems starting after driving in a ditch during Mar/Apr. The daily log for 26 Mar 07 listed (b)(6), (b)(7)(C) made two detentions and seized two weapon cache which none of the personnel interviewed mentioned. Further, after finding the first weapons cache, (b)(6), (b)(7)(C) received small arms fire (SAF) and later finds a second cache. A review of the Daily Staff Journals for 1 Apr 07 and 2 Apr 07 identified two significant events: on 1 Apr 07, 1SG (b)(6), (b)(7)(C) driver injured his ankle and had to be taken to the Combat Support Hospital and on 2 Apr 07, one of their Bradleys had to be recovered.

About 1552, 27 Feb 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed 1SG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) D CO, 4-64th AR, 4BCT, 1ID, who described how he knew 1SG (b)(6), (b)(7)(C) and worked with him

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION Camp Slayer CID Office, 20 th /1149 th MP Det (CID), 11 th MP BN (CID), Unit 42232, APO AE 09342	
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regularly while transitioning his unit into the JSS and phasing 1SG (b)(6), (b)(7)(C) unit out. 1SG (b)(6), (b)(7)(C) described the relationship 1SG (b)(6), (b)(7)(C) had with Soldiers from A CO, 1-18th IN. 1SG (b)(6), (b)(7)(C) also stated he never saw a Glock pistol on 1SG (b)(6), (b)(7)(C) but remembered hearing something about him giving a Glock to one of the interpreters. 1SG (b)(6), (b)(7)(C) related they no longer retained any of the interpreters which A CO, 1-18th IN, had because they chose to quit as their unit had a stricter work policy and vacation policy than A A CO, 1-18th IN, had. 1SG (b)(6), (b)(7)(C) stated Dennis no longer worked for their unit. 1SG (b)(6), (b)(7)(C) stated he heard Soldiers talk about dropping insurgents off in the wrong neighborhoods after capture but never witnessed it and assumed it was the dark humor of some of the Soldiers. 1SG (b)(6), (b)(7)(C) did state 1SG (b)(6), (b)(7)(C) Soldiers carried three or four unmarked AK-47s in the back of one of their HMMWVs and would trade out rifles that could be converted easily for sniping, that ordinary Iraqis on the street had, for the AKs. 1SG (b)(6), (b)(7)(C) stated his Soldiers did not continue this practice for risk of a weapon being planted at the scene of a shooting. 1SG (b)(6), (b)(7)(C) stated he knew nothing about the canal shooting or the 3 Jan 07 incident.

About 0900, 4 Mar 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who provided a copy of the Hy Al Amil IP Station Death Reports, all dated 3 Jan 08, pertaining to 8 Iraqi's remains which were brought to their Mortuary Affairs section. A review of the reports revealed all 8 Iraqi's were shot in the head and were brought to the IP Station between 1245 and 1640, which was prior to the 3 Jan 07 EFP attack which occurred later in the evening. CPT (b)(6), (b)(7)(C) also related he coordinated with (b)(6), (b)(7)(C) who related he did not recover any bodies near the canal area of his farm which was located immediately south of where the incident occurred.

About 0900, 8 Mar 08, SA (b)(6), (b)(7)(C) coordinate with CPT (b)(6), (b)(7)(C) who provided a copy of Mortuary Affair Reports from 29 Dec 06 through 10 Jan 07 which were written in Arabic.

About 1500, 18 Mar 08, SA (b)(6), (b)(7)(C) reviewed the translated Mortuary Affairs Reports. All of the reports indicated all the deaths resulted from a gunshot wounds to the heads. There are two reports filed on 4 Jan 08 which could fit the scenario except for the deaths resulted from a gunshot wound to the head. Both reports indicated the body of the male victim was found in the same area as the EFP attack. One report indicated an unidentified body was found near Muhallah 805, and was wearing a maroon sweater with blue track suit and maroon sweater and was shot in the head and chest and was 30-35 years in age. The second report on 4 Jan 08 indicated the body of an unidentified male was brought in by the American MP's and who was found in Muhallah 891, was 30 years in age, and was wearing a dark gray track suit.

AGENT'S COMMENT: A review of the photograph provided by the Schweinfurt CID office indicated the Iraqi male who was shot by 1SG (b)(6), (b)(7)(C) was wearing either a dark blue or dark grey track suit. However, no maroon sweater was present. Further, it was also plausible Soldiers from A Co, 1-18th IN; were mistaken for American MP's, especially as the body was dropped off at approximately 2230 on the evening of 4 Jan 07, which was not within the normal duty hours of Military Police Transition Teams, which also worked at IP stations.

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SA	(b)(6), (b)(7)(C), (b)(7)(F)	Camp Slayer CID Office, 20 th /1149 th MP Det (CID), 11 th MP BN (CID), Unit 42232, APO AE 09342	
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About 1720, 20 Mar 08, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) who confirmed the area of the EFP was just west of Muhallah 891 and the shooting was south of the Muhallah as well. CPT (b)(6), (b)(7)(C) related the 2230 Mortuary Affairs report fit the incident.

About 1815, 29 Apr 08, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) and TSGT (b)(6), (b)(7)(C) both of Detachment 3, 732nd Expeditionary Security Forces, U.S. Air Force, Sather Air Base, IZ, who related their security forces conducted duties as the Police Transition Team for Hy Al Amil IP Station. TSGT (b)(6), (b)(7)(C) conducted a search of the Found Corpse Reporting system and located a U.S. report which corresponded to the Mortuary Affairs Report pertaining to the remains of the Iraqi Male reported to the IP station at 2230, 3 Jan 08.

About 1120, 30 Apr 08, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) pertaining to his knowledge of this investigation. (b)(6), (b)(7)(C) related he was notified by CPT (b)(6), (b)(7)(C) of 4 Iraqi males who were shot in the head near the canal located at his residence in the spring of 07 but related he had no knowledge of 4 bodies ever being found near his residence. (b)(6), (b)(7)(C) related there was one other residence nearby but the residents had long since left due to the violence in the area.

About 0840, 1 May 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, escorted SGT (b)(6), (b)(7)(C) to the Muhallah 879, West Rasheed, Baghdad, Iraq. SGT (b)(6), (b)(7)(C) located a store front which he believed was the location where the 4 Iraqi males were captured. However, SGT (b)(6), (b)(7)(C) could absolutely confirm the store was the one from the incident but related he observed not other along the road which fit his recollection. SGT (b)(6), (b)(7)(C) further related he was certain the store was located along the current route but did not observe any other store which fit his recollection during examination of the stores along the road.

Between 0845 and 0910, 1 May 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) conducted a cursory examination of the store which was located at grid coordinate 38S MB (b)(6), (b)(7)(C). The store was two stories, tan, blue, red and white in color, brick, metal and glass in construction. The store consisted of 5 separate stores which had a metal gate covering the front entrance of the store. The front entrance of the store faced the main route which was flooded with water which was less than 1' deep and thick with mud. To the right of the front of the store was a narrow stair case which led to a living area. A search of the stores and living areas met with negative results for anything of evidentiary value. SA (b)(6), (b)(7)(C) recorded digital images of the store.

About 0915, 1 May 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) observed a Iraqi Security Forces safehouse located approximately 100 meters from the store. SA (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) Sewer Contractor, and Mr (b)(6), (b)(7)(C) Iraqi Security Forces Sub-supervisor, both of Muhallah 879, West Rasheed, Baghdad, Iraq. Both related they lived in 879 during the time of the incident but had not knowledge of the incident. Mr (b)(6), (b)(7)(C) related he knew only of one incident which occurred at midnight a year ago in which 4 Iraqi males were captured by U.S. Forces, one of which was his village Pharmacist.

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C)	ORGANIZATION Camp Slayer CID Office, 20 th /1149 th MP Det (CID), 11 th MP BN (CID), Unit 42232, APO AE 09342
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However, Mr. (b)(6), (b)(7)(C) related all 4 Iraqi's were taken from their individual residences, not from one residence or store building.

About 1600, 3 May 08, SA (b)(6), (b)(7)(C) coordinated with TSGT (b)(6), (b)(7)(C) who related he had no Found Corpse Reports to document 4 bodies of Iraqi males found in the Canal site anytime between Mar 07 or Apr 07.

About 1800, 3 May 08, SA (b)(6), (b)(7)(C) coordinate with MAJ (b)(6), (b)(7)(C) who related he contacted MAJ (b)(6), (b)(7)(C) Commander, Hay Al Amil IP Station, West Rasheed, Baghdad, Iraq, pertaining to the disposition of remains which were turned over to the Mortuary Affairs section. MAJ (b)(6), (b)(7)(C) related MAJ (b)(6), (b)(7)(C) stated all bodies were taken to Yarmouk Hospital, Yarmouk, Baghdad, Iraq. According to MAJ (b)(6), (b)(7)(C) if the body was identified it would have been taken by the family; however, if the remains were not, it would have been buried in the city cemetery in Karbala with the location of the burial site documented.

About 1500, 3 Jun 08, SA (b)(6), (b)(7)(C) coordinated with Msgt (b)(6), (b)(7)(C) Detachment 3, 732nd Expeditionary Security Forces, U.S. Air Force, Sather Air Base, IZ, who related only Iraqi personnel assigned to the Hay Al Amil IP Station would be able to coordinate with Yarmouk Hospital to obtain the medical records pertaining to the disposition of the remains of the unknown Iraqi male which was dropped off at the IP station by U.S. forces. Msgt (b)(6), (b)(7)(C) related it would be difficult for his patrols to motivate the Iraqi IPs to conduct the records check at Yarmouk Hospital as they had no direct interest in the matter. Msgt (b)(6), (b)(7)(C) recommended this office coordinate with the Ministry of Health to obtain a better point of contact to obtain any records from Yarmouk Hospital.

About 1400, 9 Jun 08, SA (b)(6), (b)(7)(C) this office, coordinated with Mr. (b)(6), (b)(7)(C) Site Manager, Central Region, Linguist Operations & Technical Support, L3 Titan Communications, Camp Slayer, Iraq, APO AE 09342, who related his organization did not maintain contact records of local Iraqi nationals who are hired as interpreters. Mr. (b)(6), (b)(7)(C) related his organization would have no records pertaining to Mr. (b)(6), (b)(7)(C)

About 1330, 19 Jul 08, SA (b)(6), (b)(7)(C) contacted Dr. (b)(6), (b)(7)(C) US Embassy Health Attaché, International Zone, IZ (IZIZ), and requested assistance in obtaining needed documents. Dr. (b)(6), (b)(7)(C) related he would work on the request of this office.

About 1500, 7 Jul 08, SA (b)(6), (b)(7)(C) contacted Dr. (b)(6), (b)(7)(C) (NFI), who related he would attempt to contact personnel to go to Yarmouk Hospital to obtain the records pertaining to the remains of the unknown Iraqi male who was brought to the IP Station in West Rasheed.

About 1030, 22 Jul 08, SA (b)(6), (b)(7)(C) coordinated with Dr. (b)(6), (b)(7)(C) who stated no paperwork matching the request of this office was found in the Yarmouk Hospital. Dr. (b)(6), (b)(7)(C) stated he wanted to check surrounding hospitals and would contact this office when completed.

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)	Camp Slayer CID Office, 20 th /1149 th MP Det (CID), 11 th MP BN (CID), Unit 42232, APO AE 09342	
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About 1000, 25 Jul 08, SA (b)(6), (b)(7)(C) coordinated with Dr. (b)(6), (b)(7)(C) who stated a check of surrounding hospitals were negative for the documents this office requested.

About 1430, 31 Jul 08, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) who stated no additional investigative activity was requested of this office and the file could be closed.

STATUS: Between 6 Mar 08 and 28 Apr 08, numerous attempts were made to contact Mr (b)(6), (b)(7)(C) also known as (b)(6), (b)(7)(C) the interpreter. All attempts met with negative results. This investigation is closed in the files of this office as all requested investigative activity has been completed and no further assistance is anticipated.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

SIGNATURE

ORGANIZATION

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CANVASS INTERVIEW WORKSHEET ROI# _____

Conducted By: _____

Date: 27 Feb Time: _____

Name: (b)(6), (b)(7)(C) Rank: SPL SSN: (b)(6), (b)(7)(C)

Unit Address: B Co 1/28 2nd Plt

Residence Address: JSS Jihad

Home# _____ Work _____

Remarks: _____

Early March arrived here Nothing about the Canal

156 (b)(6), (b)(7)(C) worked with Nothing about Sunni/Shia

Equipment - No

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: Sgt SSN: (b)(6), (b)(7)(C)

Unit Address: B Co 1/28 2nd Plt

Residence Address: JSS Jihad

Home# _____ Work _____

Remarks: _____

Arrived in Beginning of June Nothing about the canal

Worked w/ 156 (b)(6), (b)(7)(C) Nothing about Sunni/Shia

Equipment - No

Hide System

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: CPL SSN: (b)(6), (b)(7)(C)

Unit Address: B Co 1/28 2nd Plt

Residence Address: _____

Home# _____ Work _____

Remarks: _____

Arrived 25 Feb? Nothing about the Canal

Worked w/ 156 (b)(6), (b)(7)(C) Nothing about Sunni/Shia

Equipment - NO Only M-4 on mission

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: PFC SSN: (b)(6), (b)(7)(C)

Unit Address: B Co 1/28 2nd

Residence Address: _____

Home# _____ Work _____

Remarks: _____

Arrived around 20 Feb Nothing about the Canal

Worked w/ 156 (b)(6), (b)(7)(C) Nothing about Sunni/Shia

Equipment - NO

Feb 27, 2008

SPL (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Bco 1/20th 2nd Plt.

Arrived in 20-25 Feb 11 March @ JIS jihad

Worked w/ ISG (b)(6), (b)(7)(C)

Equipment - NO

Nothing about the Canal
Nothing about Sunni/Shia

Feb 27, 2008

PFC (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Bco 1/28 2nd Plt

Arrived in Oct 2007

Feb 27, 2008

CPL (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Bco 1/28 2nd Plt 2nd Sgd

Sept 2007 arrived in Baghdad.

Worked w/ ISG (b)(6), (b)(7)(C)

Equipment - No

Nothing about the canal.
Heard about Sunni/Shia but never seen it
could have been anyone

Feb 27, 2008

PFC (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Bco 1/28 2nd Plt

Sept 2007 arrived in Baghdad

Knows ISG (b)(6), (b)(7)(C)

Equipment - No

Nothing about the canal
Nothing about Sunni/Shia

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CANVASS INTERVIEW WORKSHEET ROI# _____

Conducted By: SA (b)(6), (b)(7)(C) _____

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: SPL SSN: (b)(6), (b)(7)(C)

Unit Address: Aco 1/26 Inf 4TH BCT

Residence Address: JSS JIHAD

Home# (b)(6), (b)(7)(C) (This Company) Work

Remarks: 3rd PIT

Arrived March 2007 Nothing about the canal

Did work w/ IS6 (b)(6), (b)(7)(C) Nothing about release of Sunni/Shite

Were attached to IS6's company Equipment - No

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: SPL SSN: (b)(6), (b)(7)(C)

Unit Address: Aco 1/28 Inf 4TH BCT

Residence Address: JSS JIHAD

Home# _____ Work

Remarks: 3rd PIT Nothing about the canal

Arrived March 2007 Nothing about release of Sunni/Shite

Did work w/ IS6 (b)(6), (b)(7)(C) Equipment - No

Were attached to IS6's company

Date: Feb 27 Time: _____

Name: (b)(6), (b)(7)(C) Rank: SPL SSN: (b)(6), (b)(7)(C)

Unit Address: Aco 1/28 Inf 4 BCT 3rd PIT

Residence Address: JSS JIHAD

Home# _____ Work

Remarks:

Arrived in end of Feb beginning of March Nothing About the canal

Worked w/ IS6 (b)(6), (b)(7)(C) Nothing About release of Sunni/Shite

Was attached to IS6 (b)(6), (b)(7)(C) Equipment - No

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: SPL SSN: (b)(6), (b)(7)(C)

Unit Address: Aco 1/26 Inf 3rd PIT

Residence Address: JSS Jihad

Home# _____ Work

Remarks:

March 2007 arrived here Nothing About the Canal

Did work w/ IS6 (b)(6), (b)(7)(C) Nothing w/ release of Sunni/Shite

Was bus IS6 Equipment - No

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CANVASS INTERVIEW WORKSHEET FROM

Conducted By: (b)(6), (b)(7)(C)

Date: 27 Feb 07 Time: 0912

Name: (b)(6), (b)(7)(C) Rank: E-5 SSN: (b)(6), (b)(7)(C)

Unit Address: A Co, 1-28 IN BN (3PLT)

Residence Address: JSS Jihad (Fort Riley KS (FRKS))

Home# Work

Remarks: Assigned to A Co 1-18 in MAR 07; Arrived in Feb 07 @ FOB FALCON

Date: Time:

Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: A Co, 1-28 IN BN (3PLT)

Residence Address: JSS Jihad, FRKS

Home# Work

Remarks: Arrived @ JSS at end of Mar. 07

Date: Time: 0930

Name: (b)(6), (b)(7)(C) Rank: O-3 SSN:

Unit Address:

Residence Address:

Home# Work

Remarks:

Date: Time: 0941

Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: A Co, 1-28 IN BN (3PLT)

Residence Address:

Home# Work

Remarks:

(b)(6), (b)(7)(C)

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1-4-69 - 11114 - A-7
FOB Falcon
Brailley's back to Germany
COP

CANVASS INTERVIEW WORKSHEET ROI# _____

Conducted By: SA (b)(6), (b)(7)(C) _____

Date: 27 Feb 07 Time: 0945
Name: (b)(6), (b)(7)(C) Rank: E-6 SSN: (b)(6), (b)(7)(C)

Unit Address: 3PL7, A Co, 1-28 IN

Residence Address: JSS Jihad

Home# _____ Work _____

Remarks: 1SG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SFC (b)(6), (b)(7)(C) someone from their platoon about dropping of Sunni Shia in the "wrong" neighborhood.

Date: _____ Time: _____
Name: (b)(6), (b)(7)(C) Rank: E-3 SSN: (b)(6), (b)(7)(C)

Unit Address: 3PL7 A Co 1-28 IN

Residence Address: JSS Jihad - attached to A, 1-18 in Mar (b)(6), (b)(7)(C)

Home# _____ Work _____

Remarks: _____

Date: (b)(6), (b)(7)(C) Time: _____
Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: 3PL7 A Co, 1-28 IN (FRKS)

Residence Address: JSS Jihad.

Home# _____ Work _____

Remarks: _____

Date: _____ Time: _____
Name: (b)(6), (b)(7)(C) Rank: E-5 SSN: (b)(6), (b)(7)(C)

Unit Address: 3PL7 A Co, 1-28 IN FRKS

Residence Address: _____

Home# _____ Work _____

Remarks: _____

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CANVASS INTERVIEW WORKSHEET ROI#

Conducted By: SA (b)(6), (b)(7)(C)

Date: 27 Feb 08 Time: 1003

Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: 3 PLT A Co, 1-28 IN FRES

Residence Address: JSS JIHAD

Home# Work

Remarks:

9 mm - (b)(6), (b)(7)(C)

Date: Time:

Name: (b)(6), (b)(7)(C) Rank: E-7 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT B Co, 1-28 IN (FRES)

Residence Address: JSS Jihad

Home# Work

Remarks: Arrived in Feb 07 @ Falcon, Arrived @ JSS Jihad of 14 MAR 07

Attached to A Co 1-18 IN in MAR 07

ISG - MA Patel/MY; wishfull thinking about picking up Sunni/Shia and dropping off in "wrong neighborhood"

Date: 27 Feb 08 Time: 1030

Name: (b)(6), (b)(7)(C) Rank: E-5 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT B Co 1-28 IN FRES

Residence Address: JSS Jihad

Home# Work

Remarks: ISG - MA Beretta

Date: Time:

Name: (b)(6), (b)(7)(C) Rank: E-4 SSN:

Unit Address: 2 PLT, B Co, 1-28 IN (FRES)

Residence Address: JSS Jihad

Home# Work

Remarks:

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CANVASS INTERVIEW WORKSHEET ROI#

Conducted By: SA (b)(6), (b)(7)(C)

Date: 27 Feb 06 Time: 1040 Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: 2PLT, B Co, 1-28 IN (FRKS)

Residence Address: JSS Jihad

Home# Work

Remarks:

Date: Time: Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: 2PLT B Co, 1-28 IN

Residence Address: JSS Jihad

Home# Work

Remarks: Didn't associate w other platoons

Date: Time: Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT, B Co 1-28 IN

Residence Address: JSS Jihad

Home# Work

Remarks:

Date: Time: Name: (b)(6), (b)(7)(C) Rank: E-4 (CPL) SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT B Co 1-28 IN

Residence Address: JSS Jihad

Home# Work

Remarks: 156 - Beretta

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Conducted By: SA (b)(6), (b)(7)(C)

Date: 27 Feb 18 Time: 1056
Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT B Co 1-28 IN

Residence Address: 355 Jihad

Home# Work

Remarks:

Date: Time:
Name: (b)(6), (b)(7)(C) Rank: E-5 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT B Co 1-28 IN

Residence Address: 355 Jihad

Home# Work

Remarks: 1SG - carried Glock in early Mar but switched to 9 mm Beretta after week or two
Joked about dropping off Sunni Shia in wrong neighborhood.

Date: Time:
Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT B Co 1-28 IN (PKS)

Residence Address: 355 Jihad

Home# Work

Remarks:

Date: Time:
Name: (b)(6), (b)(7)(C) Rank: E-3 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT B Co 1-28 IN

Residence Address: 355 Jihad

Home# Work

Remarks:

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

Conducted By: SA (b)(6), (b)(7)(C)

Date: 27 Feb 08 Time: 11:02

Name: (b)(6), (b)(7)(C) Rank: E-6 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT, B Co, 1-28 IN

Residence Address: JSS Jihad

Home# _____ Work _____

Remarks: 156-M9 Pistol (arrived in Jan 27)

Date: _____ Time: _____

Name: (b)(6), (b)(7)(C) Rank: E-6 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT, B Co, 1-28 IN

Residence Address: JSS Jihad

Home# _____ Work _____

Remarks: _____

Date: _____ Time: _____

Name: (b)(6), (b)(7)(C) Rank: E-6 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT, B Co, 1-28 IN

Residence Address: J.S.S JIHAD

Home# _____ Work _____

Remarks: _____

Date: _____ Time: _____

Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PLT, B Co, 1-28 IN

Residence Address: JSS Jihad

Home# _____ Work _____

Remarks: _____

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

CANVASS INTERVIEW WORKSHEET ROI#

Conducted By: SA [redacted] b(6), (b)(7)(C)

Date: 27 Feb 09 Time: 11:15
Name: [redacted] b(6), (b)(7)(C) Rank: E-5 SSN: [redacted] b(6), (b)(7)(C)

Unit Address: 2 PLT, B Co 1-28 IN

Residence Address: JSS Jihad
Home# _____ Work _____

Remarks: ISG [redacted] b(6), (b)(7)(C) made a pke to 1LT [redacted] b(6), (b)(7)(C) about taking
"immigrants" to "wrong" neighborhood around May/June 07.

Date: _____ Time: _____
Name: [redacted] b(6), (b)(7)(C) Rank: E-4 SSN: [redacted] b(6), (b)(7)(C)

Unit Address: 2 PLT B Co 1-28 (FRKS)

Residence Address: JSS Jihad
Home# _____ Work _____

Remarks: _____

Date: _____ Time: _____
Name: [redacted] b(6), (b)(7)(C) Rank: E-4 SSN: [redacted] b(6), (b)(7)(C)

Unit Address: 2 PLT B Co 1-28 IN (FRKS)

Residence Address: JSS Jihad
Home# _____ Work _____

Remarks: _____

Date: _____ Time: _____
Name: [redacted] b(6), (b)(7)(C) Rank: E-4 SSN: [redacted] b(6), (b)(7)(C)

Unit Address: 2 PLT B Co 1-28 IN

Residence Address: JSS Jihad
Home# _____ Work _____

Remarks: _____

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CANVASS INTERVIEW WORKSHEET R01#

Conducted By: SA (b)(6), (b)(7)(C)

Date: 27 Feb 08 Time: 1130

Name: (b)(6), (b)(7)(C) Rank: E-4 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PL7 B Co 1-28 IN

Residence Address:

Home# Work

Remarks:

Date: Feb 27 2008 Time: 12:32

Name: (b)(6), (b)(7)(C) Rank: D-2 SSN: (b)(6), (b)(7)(C)

Unit Address: 2 PL7 B Co, 1-28 IN

Residence Address:

Home# Work

Remarks: Sep 07 - arrived JSS School

Date: Time: Rank: SSN:

Name: Rank: SSN:

Unit Address:

Residence Address:

Home# Work

Remarks:

Date: Time: Rank: SSN:

Name: Rank: SSN:

Unit Address:

Residence Address:

Home# Work

Remarks:

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CANVASS INTERVIEW WORKSHEET ROI# 0019-08-C10259

Conducted By: _____

Date: 27 Feb 06 Time: _____
Name: (b)(6), (b)(7)(C) Rank: SPL SSN: (b)(6), (b)(7)(C)
Unit Address: A Co 1/28th INF 32D
Residence Address: JSS JIHAD
Home# _____ Work _____

Remarks: _____
Feb 07 arrived on station Nothing about the canal
Did work w/ ISG (b)(6), (b)(7)(C) Nothing about Sunni/Shia
Did Bands w/ him Extremely Professional Equipment - No (to include vehicles)
maybe tankers

Date: 27 Feb 08 Time: _____
Name: (b)(6), (b)(7)(C) Rank: SPL SSN: (b)(6), (b)(7)(C)
Unit Address: A Co 1/28th Inf 3rd Plt
Residence Address: JSS JIHAD
Home# _____ Work _____

Remarks: _____
Beginning March 2007 here @ JIHAD Nothing about the canal
Did work w/ ISG (b)(6), (b)(7)(C) Nothing about Sunni/Shia
Went on a few missions w/ him Equipment - No

Date: 27 Feb 08 Time: _____
Name: (b)(6), (b)(7)(C) Rank: SSG SSN (b)(6), (b)(7)(C)
Unit Address: A Co 1/28 3rd
Residence Address: JSS JIHAD
Home# _____ Work _____

Remarks: _____
March / April 2007 here Nothing about Canal Treze Safe House
Did work with ISG (b)(6), (b)(7)(C) Nothing about dropping Sunni/Shia
Was his acting ISG Delta Force X-4
Most of the time a Berretta/Glocks - No

Date: 27 Feb 08 Time: _____
Name: (b)(6), (b)(7)(C) Rank: SSG SSN (b)(6), (b)(7)(C)
Unit Address: A Co 1/28 3rd Plt
Residence Address: JSS JIHAD Battle has a Plt here @ JIHAD
Home# _____ Work _____

Remarks: _____
Early March here in Baghdad? Heard a little about the DHA
Did work w/ ISG (b)(6), (b)(7)(C) Nothing about Canal
Was directly under ISG (b)(6), (b)(7)(C) Nothing about Sunni/Shia
Equipment - No
pretty sure Berretta

27 Feb 08

Ssg (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

B^{co} 1/28th 2 plt
In Baghdad 2 wk in Feb
Knows ISG (b)(6), (b)(7)(C)
Equipment ~ Berretta
Alo Glocke

Nothing about the canal
Nothing about Sunni/Shia
They were strict about the rules,
He was very professional
Never anything illegal → always by the book.

27 Feb 08

Sgt (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(HHC) B^{co} 1/28 2 plt
FEB 2007
Worked with ISG (b)(6), (b)(7)(C)
Equipment ~ NO

Nothing about the canal
Nothing about Sunni/Shia

27 Feb 08

Sgt (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

A^{co} 1/28 3rd Plt
Late Feb or Early March 2007 arrived
Knew ISG (b)(6), (b)(7)(C)
Equipment - NO

Nothing about the canal
Nothing about Sunni/Shia

27 Feb

Sgt (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

A^{co} 1/28 3rd
Feb or March 2007
ISG (b)(6), (b)(7)(C) worked with
Equipment - NO

Nothing about the canal
Nothing about Sunni/Shia
They stayed separate. Only a
working relationship with 1/10

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CANVASS INTERVIEW WORKSHEET ROI# 0019-08-CID259

Conducted By: _____

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: SPC SSN: (b)(6), (b)(7)(C)

Unit Address: Aco 1/2B 3rd Plt

Residence Address: _____

Home# _____ Work _____

Remarks: _____ Nothing about the Canal

Arrived near end of Feb 07 Heard it as a joke about Sunni/Shia Never saw it

Knew ISG (b)(6), (b)(7)(C)

Equipment - NO

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: SPC SSN: (b)(6), (b)(7)(C)

Unit Address: Aco 1/2B 3rd Plt

Residence Address: _____

Home# _____ Work _____

Remarks: _____ Nothing about the Canal

Feb 07 arrived Nothing about Sunni/Shia

Knew ISG (b)(6), (b)(7)(C)

Equipment - NO

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: SPC SSN: (b)(6), (b)(7)(C)

Unit Address: Aco 1/2B 3rd Plt

Residence Address: _____

Home# _____ Work _____

Remarks: _____ Nothing about the Canal

Feb 07 arrived here Nothing about Sunni/Shia

Knew ISG (b)(6), (b)(7)(C)

Equipment - NO Not much contact with 1/10 guys

Date: 27 Feb 08 Time: _____

Name: (b)(6), (b)(7)(C) Rank: SPC SSN: (b)(6), (b)(7)(C)

Unit Address: Aco 1/2B 3rd Plt

Residence Address: _____

Home# _____ Work _____

Remarks: _____ Nothing about the canal.

Sept 07 arrived in Iraq Nothing about Sunni/Shia

Knows ISG (b)(6), (b)(7)(C)

Equipment - NO Not much contact between 1/10 & 1/20

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27 Feb 08

S6T (b)(6), (b)(7)(C)

Aco 1/28 3rd PIT

Feb 2007 arrived in Iraq

Met IS6 (b)(6), (b)(7)(C)

Did see IS6 (b)(6), (b)(7)(C) w/ a Glock

Lp Doesn't know what happened to it

1 March Birthday and at Falcon

Nothing about the canal
Nothing about the Sunni/Shia

27 Feb 08

SSG (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

B^{co} 1/28th 2 plt
In Baghdad 2 wk in Feb
Knows 1SG (b)(6), (b)(7)(C)
Equipment ~ Berretta
Alo Glock

Nothing about the Canal
Nothing about Sunni/Shia
They were strict about the rules,
He was very professional
Never anything illegal → always by the book.

27 Feb 08

SGT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(HHC) B^{co} 1/28 2 plt
FEB 2007
Worked with 1SG (b)(6), (b)(7)(C)
Equipment ~ NO

Nothing about the canal
Nothing about Sunni/Shia

27 Feb 08

SGT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

A^{co} 1/28 3rd Plt
Late Feb or Early March 2007 arrived
Knew 1SG (b)(6), (b)(7)(C)
Equipment - NO

Nothing about the canal
Nothing about Sunni/Shia

27 Feb

SGT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

A^{co} 1/28 3rd
Feb or March 2007
1SG (b)(6), (b)(7)(C) worked with
Equipment - NO

Nothing about the canal
Nothing about Sunni/Shia
They stayed separate. Only a
working relationship with 1/10

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ORCA OR INSTALLATION

LOCATION

PERIOD COVERED

FROM

TO

HOUR

DATE

HOUR

DATE

1100

26 MAR 07

2300

26 MAR 07

Angry Dragon

A Co 1-16

ITEM NO.	TIME	OUT	INCIDENTS, MESSAGES, ORDERS, ETC	ACTION TAKEN	INL
1	1100		PK (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) Assume TOC.	Logged	(b)(6), (b)(7)(C)
2	1102		Black takes SAF at grid MB 41169 80140 and are clearing houses.	Logged	
3	1335		B26 RP AD	Logged	
4	1345		(b)(6), (b)(7)(C) reports Detained 4 LW at Grid MB 3513 8015 and Confiscated 2 Grenades 3 Full AK Mags and getting info on possible homes of JAM members and Cache Sites	Logged	(b)(6), (b)(7)(C)
5	1412		(b)(6), (b)(7)(C) reports at Grid MB 3513 8015 took SAF from South, Marigon Loc.	Logged/told	
6	1451		(b)(6), (b)(7)(C) reports 5 more Detainees 1 PKC and 2 more weapons found at Grid MB 35316 791659	Logged	
7	1500		(b)(6), (b)(7)(C) SE AD	Logged	
8	1505		Towers report Explosion to SAF 310° boom	Logged	
9	1515		(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	Logged	
10	1520		027 SE AD	Logged	
11	1527		(b)(6), (b)(7)(C) reports Searching houses MB 3542 7972 Found 1 PKC 1 AK and 2 Sniper rifles without scopes		

TYPE AND GRADE OF OFFICER OR OFFICIAL ON DUTY

SIGNATURE

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ACLU-RDI 5596 p.895

10-L-0126 ACLU CID ROI 10262

1445 27 001841 (b)(6), (b)(7)(C)

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ORGANIZATION OR INSTALLATION

LOCATION

FROM

TO

HOUR

DATE

HOUR

DATE

ITEM NO

TIME

IN

OUT

INCIDENTS, MESSAGES, ORDERS, ETC

ACTION TAKEN

INL

12	1540	(b)(6), (b)(7)(C)	No detainees. RP AD	Logged	(b)(6), (b)(7)(C)
13	1600		B27 RP Liberty	Logged	
14	1715		Black SP AD	Logged	
15	1735		Sent updates on all elements to Blx	Logged	
16	1740	(b)(6), (b)(7)(C)	RP Falcon	Logged	
17	1755	(b)(6), (b)(7)(C)	RP AD	Logged	
18	1820	(b)(6), (b)(7)(C)	SP AD	Logged	
19	1920	(b)(6), (b)(7)(C)	RP AD	Logged	
20	2035		B27 SP Liberty	Logged	
21	2040	(b)(6), (b)(7)(C)	RP AD	Logged	
22	2100		B 2-7 RP AD	Logged	
23	2130		Towers report SAE 164° 500m	Logged	

TYPE NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

SIGNATURE

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EXHIBIT

232

ACLU-RDI 5596 p.896

10-L-0126 ACLU CID ROI 10263

11/5/22 001346

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ORGANIZATION OR INSTALLATION

LOCATION

A. Co. 1-18 INF

Site 14

FROM TO
HOUR DATE HOUR DATE
2309 31 MAR 07 0809 01 APR 07

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL	
	IN	OUT				
1	2300		SSG (b)(6), (b)(7)(C) assign to combat	Logged	(b)(6), (b)(7)(C)	
2	2300		Black I Hit By IED at Verman foot bridge	mentioned Ba		
3	2320		(b)(6), (b)(7)(C) taking small arms	↓		
4	2325		(b)(6), (b)(7)(C) orders a house here			
			command wire ends one guy in house			(b)(6), (b)(7)(C)
5	2341		(b)(6), (b)(7)(C) SP site 14 to falcon w/ leader		working CO	
6	2349		(b)(6), (b)(7)(C) attack links up with attack			
			with attack co for for cordons and search			
7	0005		(b)(6), (b)(7)(C) RP site 14	reported CO	(b)(6), (b)(7)(C)	
8	0129		Attack RP site 14	mentioned CO		
9	0239		(b)(6), (b)(7)(C) heading to COP			
			Attack	announced	(b)(6), (b)(7)(C)	
10	0305		(b)(6), (b)(7)(C) RP site 14	announced		
11	0500		Attack 37 + 1st crew SP site 14	Told Tac NCO		
12	0812		Attack 37 AT 3467 795a	Told Tac NCO		
13	0819		(b)(6), (b)(7)(C) Reports that his driver hopped off the humvee might have a broken ankle talked him to cash battle Roster # BAR 9475	Told CO	(b)(6), (b)(7)(C)	

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY
(b)(6), (b)(7)(C) Eto TORNEO

EXHIBIT 232

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ORGANIZATION OR INSTALLATION
Aco. 1-18 IN.

LOCATION
COP
ANGRY DRAGON

PERIOD COVERED
FROM 0019-08-CID 259

HOUR
2300

DATE
31 MAR 07

HOUR
1045

DATE
1 APR 07

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
	IN	OUT			
14	0900		BLX reported that hijacking in AL Jihad area noted that 40 some people were on a bus	announced	(b)(6), (b)(7)(C)
15	0910		(b)(6), (b)(7)(C) will send a patrol out to investigate MB 34916 79205, MB 35016 78900	announced	(b)(6), (b)(7)(C)
16	1000		PSID SP site 14 enroute to M883	announced	(b)(6), (b)(7)(C)
17	1015		(b)(6), (b)(7)(C) is at the camp due to drivers injury nothing further		
18	1021		PSID site 26 SP site 14	old Tac Uca	(b)(6), (b)(7)(C)
19	1045		IED @ CP 540 has detonated on some IP trucks	let (b)(6), (b)(7)(C)	
20					

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

(b)(6), (b)(7)(C)

E-L TAP NCO

(b)(6), (b)(7)(C)

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ORGANIZATION OR INSTALLATION
Aco. 1-18 IN.

LOCATION
COP
ANGRY DRAGON

PERIOD COVERED
0019-08-CID-259

FROM

HOUR

DATE

HOUR

DATE

1:00

02 APR 07

2300

02 APR 07

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
	IN	OUT			
			PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) Assume Tac	Logged	(b)(6), (b)(7)(C)
2	1335		(b)(6), (b)(7)(C) SP ADVICE to COP ELLIS	Logged	
3	1425		AG makes SAF + IRBG AMB 37C 625		
			No BPA or CAS	Logged	(b)(6), (b)(7)(C)
4	1400		(b)(6), (b)(7)(C) SP AD	Logged	
5	1505		AG reports at 374 624 they engaged and killed enemy in fire fight.	Logged	(b)(6), (b)(7)(C)
6	1530		(b)(6), (b)(7)(C) reports Brad broke down on Aeros at MB 3769 2008.	Informed OIX sent + White7 to report	
7	1550		(b)(6), (b)(7)(C) SP AD to recover Brad	Logged	
8	1700		(b)(6), (b)(7)(C) white recover Brad, Black En route to COP Attack	Logged	(b)(6), (b)(7)(C)
9	1710		(b)(6), (b)(7)(C) RP AD	Logged	
10	1730		(b)(6), (b)(7)(C) RP slayer	Logged	
11	1809		B27 SP AD	Logged	
12	1825		Towers report explosion 1 1/2 K to the south	Logged	(b)(6), (b)(7)(C)
13	1900		Heavy SAF + explosion boom west of COP in n 665	Logged	(b)(6), (b)(7)(C)
14	1907		(b)(6), (b)(7)(C) RP Falcon	Logged	
15	1910		sent B27 + 26 to n 665	Logged	
16	1935		OIX reports at MB 35045 80799 a Police		

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

SIGNATURE

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ORGANIZATION OR INSTALLATION
Aco. 1-18 IN.

LOCATION
COP
ANGRY DRAGON

PERIOD COVERED

FROM

TO

HOUR

DATE

HOUR

DATE

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
	IN	OUT			
			CHIEFS house was raided by AIF		(b)(6), (b)(7)(C)
			and one of his guards was killed	Coast B27	(b)(6), (b)(7)(C)
19	2000		CPT (b)(6), (b)(7)(C) Sign Defense Well	Logged	(b)(6), (b)(7)(C)
20	2001		(b)(6), (b)(7)(C) SP Shaver	Logged	(b)(6), (b)(7)(C)
21	2005		(b)(6), (b)(7)(C) RP AD	Logged	(b)(6), (b)(7)(C)
22	1955		B27 reaches site where AIF raided Police CHIEFS house. said it appeared a bomb motor had struck there	Logged	(b)(6), (b)(7)(C)
23	2035		B27 reports cleared 3 houses MB 3509 8076 but did not find anything.	Logged	(b)(6), (b)(7)(C)
24	2105		B26 reports that it looks like a IP are conducting a raid in vicinity of Grid MB 356 806 with approx 30-40 men	Informed them to check it out	(b)(6), (b)(7)(C)
25	2115		B27 reports the IP have written orders to conduct the raid but it seems fishy so they will watch them conduct it. It is a bakery	Logged	(b)(6), (b)(7)(C)
26	2145		Received phone call from SF re: (b)(6), (b)(7)(C) # 01901315059 that is on leave lives in apt building in 877. He seen		(b)(6), (b)(7)(C)

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

SIGNATURE

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DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG

For use of this form, see AR 220-15: the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO.

NO. OF PAGES

ORGANIZATION OR INSTALLATION
Aco. 1-18 IN.

LOCATION
COP
ANGRY DRAGON

PERIOD COVERED
0019-08-CID 259- .48

FROM

HOUR

DATE

HOUR

DATE

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
	IN	OUT			
			the same Green Kia van that passed IED on service road last week trying to plant another one but scared them off. He says they cruise that area often in the evening. He will try to get the license plate # and call us back.		
29	2200		SFC (b)(6), (b)(7)(C) brings Det's keys	Logged	(b)(6), (b)(7)(C)
28	2210		Bab reports that IP wire given mission to clear houses to protect Sunni commander in m877. The IP cleared, found nothing and are moving out.	Logged	(b)(6), (b)(7)(C)
29	2220		(b)(6), (b)(7)(C) SF Falcon	Logged	(b)(6), (b)(7)(C)
30	2240		(b)(6), (b)(7)(C) SF (b)(6), (b)(7)(C)	Logged	(b)(6), (b)(7)(C)

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

SIGNATURE

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Law Enforcement Sensitive**

PAGE NO. **0019-08-CID 259-** NO. OF PAGES **116**

DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG <small>For use of this form, see AR 220-15: the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans</small>		PERIOD COVERED	
ORGANIZATION OR INSTALLATION Aco 1-18	LOCATION Site 14 COP Angry Dragon	FROM HOUR: 1100 DATE: 9 Apr 07	TO HOUR: 2300 DATE: 9 Apr 07

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
	IN	OUT			
1	1100		PFC (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) ASSUME TAC	Logged	(b)(6), (b)(7)(C)
2	1200		(b)(6), (b)(7)(C) SPAD	Logged	(b)(6), (b)(7)(C)
3	1230		Dennis + Black report EOD has placed spare charge on P/BLED out MB343 to and getting ready to Blowit.	Logged	(b)(6), (b)(7)(C)
4	1435		B26 SP Falcon	Logged	(b)(6), (b)(7)(C)
5	1445	1635	SPC (b)(6), (b)(7)(C) Key to Chew hat	Logged	(b)(6), (b)(7)(C)
6	1505		(b)(6), (b)(7)(C) AD	Logged	(b)(6), (b)(7)(C)
7	1510		(b)(6), (b)(7)(C) RPAD	Logged	(b)(6), (b)(7)(C)
8	1510		B26 RPAD	Logged	(b)(6), (b)(7)(C)
9	1515		(b)(6), (b)(7)(C) reports INP will be conducting CP's from ECF1 to CP544 on (b)(6), (b)(7)(C) from now until 2000.		(b)(6), (b)(7)(C)
			117 Pax 17 Vic	Logged	(b)(6), (b)(7)(C)
10	555		Pest man reports P/TED (Tire with Nics + Det Cal) out MB37601 81708	Logged	(b)(6), (b)(7)(C)
11	1620		(b)(6), (b)(7)(C) SPAD	Logged	(b)(6), (b)(7)(C)
12	1700	1710	CPL (b)(6), (b)(7)(C) signs out Chad Key	Logged	(b)(6), (b)(7)(C)
13	1835		(b)(6), (b)(7)(C) RPAD	Logged	(b)(6), (b)(7)(C)
14	1840		(b)(6), (b)(7)(C) requests ORF to relieve (b)(6), (b)(7)(C) at Corinne P/TED at MB4013 81534	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY	SIGNATURE
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DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG

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ORGANIZATION OR INSTALLATION
Aco 1-18

LOCATION
Site 14
COP Angry Dragon

PERIOD COVERED
FROM 0019-08-CID 259- v:64

HOUR	DATE	HOUR	DATE
------	------	------	------

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
	IN	OUT			
15	1850		(b)(6), (b)(7)(C) S/AD	Logged	(b)(6), (b)(7)(C)
16	1945		PIED D. Semifinal	Logged	
17	2005		Battle 26 sp site 14	Logged	
18	2010		(b)(6), (b)(7)(C) Re AD	Logged	
19	2040	2220	(b)(6), (b)(7)(C) takes key	Logged	
20	2105		One soldier at COP Battle got hit in face with stray 7.62 mm. Entered under left eye, exited right cheek. Conscious and en route to CH	Logged	(b)(6), (b)(7)(C)
21	2155		AG receives RPG fire at MB 37628 81629. I+ missel No BDA	Logged	
22	2300		B26 reports at MB 359 749 they found 9 AK mags 3 AKS 3 AKS and a bunch of ammo. It is clear they are guards for the General	Logged	(b)(6), (b)(7)(C)

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY	SIGNATURE
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In the name of God, most Gracious and Merciful

To: Baghdad Police Dept. – Al Karkh Branch

From: Hai Al-'Amil Police Station

Report # 46

Date: January 3, 2007

Subject: Special Report

On the above date at 1245, we received an intel report from the city police patrol regarding an IED explosion inside a residential home in the area of HAI AL-'AMIL. Police were dispatched to the area, and it was confirmed an explosion had taken place inside one of the homes. Another explosive device was found, intact, and when it was picked up (checked out) it was found to be a mortar along with a mixture of dough with (TNT); this was control detonated.

The house belongs to the complainant **b(6), b(7)(C)** We have investigated the scene and the incident; a full report will follow.

b(6), b(7)(C)
Colonel – Legal Dept.
Officer-in-charge

Time: 1245

Paragraph# 5

File# 12

Investigative Officer – Captain **b(6), b(7)(C)**

In the name of God, most Gracious and Merciful

To: Baghdad Police Dept. – Al Karkh Branch

From: Hai Al-'Amil Police Station

Report # 49

Date: January 3, 2007

Subject: Special Report

On the above date, at 1300 hours, one of our police patrol units picked up the dead body of an unknown person in the (uk) area. The victim was not carrying any identification papers, approximately 30-35 years of age, wearing blue striped pants, shot in the head, hands cuffed and eyes blindfolded. No one to claim the body, victim is unidentifiable.

A full investigation was conducted, and a detailed report will follow.

b(6), b(7)(C)

Colonel – Legal Dept.

Officer-in-charge

Time: 1300

Paragraph# 6

File# 13

Investigative Officer – Captain **b(6), b(7)(C)**

Cc: AL-RASHEED Police Station.

In the name of God, most Gracious and Merciful

To: Baghdad Police Dept. – Al Karkh Branch

From: Hai Al-'Amil Police Station

Report # 56

Date: January 3, 2007

Subject: Special Report

On the above date, we were informed, by the AL-Yarmook Hospital Police Squad, of the discovery of a dead person. Victim is identified as AHMAD MAJID 'ELAIWY, approximately 25-30 years old. The Victim was shot in the left shoulder and in the head, in HAI AL-'AMIL by unknown assailants. A complaint is filed, by the relatives, against the culprits demanding justice.

An investigation of the crime scene and the body was conducted. A full report will follow.

b(6), b(7)(C)

Colonel – Legal Dept.

Officer-in-charge

Paragraph# 12

File# 19

Investigative Officer – Captain **b(6), b(7)(C)**

Cc: AL-RASHEED Police Station .

In the name of God, most Gracious and Merciful

To: Baghdad Police Dept. – Al Karkh Branch

From: Hai Al-'Amil Police Station

Report # 57

Date: January 3, 2007

Subject: Special Report

On the above date at 1410, the city police patrol brought us the body of person who was killed in AL-'AMIL neighborhood. The victim was identified as HAMEED 'ABDUL-MAJEED HAMAD 'AL-'UGAIDY. He was an employee at the Ministry of Education, born in 1952. The victim was shot in the head by unknown armed assailants, right in front of his house in the AL-'AMIL area. This was stated by and according to the victim's son

b(6), b(7)(C) born 1988, and a self employed laborer. His residence address is **b(6), b(7)(C)** **b(6), b(7)(C)** His mother's name is **b(6), b(7)(C)** **b(6), b(7)(C)** He stated that his father was killed right in front of the house. We have investigated the incident and a full report will follow.

b(6), b(7)(C)

Colonel – Legal Dept.
Officer-in-charge

Time: 1410

Paragraph# 11

File# 18

Investigative Officer – Captain **b(6), b(7)(C)**

Cc: To AL-RASHID Police Station – FIO (for information only)

In the name of God, most Gracious and Merciful

To: Baghdad Police Dept. – Al Karkh Branch

From: Hai Al-'Amil Police Station

Report # 58

Date: January 3, 2007

Subject: Special Report

On the above date, at 1620 hours, **b(6), b(7)(C)**
b(6), b(7)(C) born 1978, self employed, who resides in **b(6), b(7)(C)**
b(6), b(7)(C) whose mother's name is **b(6), b(7)(C)**
b(6), b(7)(C) brought to our police station the body of his dead brother
'ADIL ISMA'EEL who was the shooting victim of unknown assailants, after
raiding his personal residence in HAI AL-'AMIL. The victim was born in
1970, also a self employed laborer.

A full investigation is underway. A detailed report will follow.

b(6), b(7)(C)
Colonel – Legal Dept.
Officer-in-charge

Time: 1620

Paragraph# 10

File# 17

Investigative Officer – Captain **b(6), b(7)(C)**

Cc: AL-RASHEED Police Station.

In the name of God, most Gracious and Merciful

To: Baghdad Police Dept. – Al Karkh Branch

From: Hai Al-'Amil Police Station

Report # 59

Date: January 3, 2007

Subject: Special Report

On the above date, at 1340 hours, the Baghdad/Karkh check point informed us of a shooting/killing of one 'ABDUL-RAHMAN RA'AD HAMEED, approximately 25 years old in HAI AL-'AMIL by unknown assailants; the victim is kept at AL-YARMOOK Hospital.

Police were dispatched to the hospital for a full investigation. A detailed report will follow.

b(6), b(7)(C)

Colonel – Legal Dept.

Officer-in-charge

Time: 1340

Paragraph# 9

File# 16

Investigative Officer – Captain **b(6), b(7)(C)**

Cc: AL-RASHEED Police Station.

In the name of God, most Gracious and Merciful

To: Baghdad Police Dept. – Al Karkh Branch

From: Hai Al-'Amil Police Station

Report # 60

Date: January 3, 2007

Subject: Special Report

On the above date, at 1310 hours, one of our Patrol Squads brought the dead body of an unidentified person near HAI AL-SALAM residential area. The victim was shot in the head. The victim was carrying no identification papers on him; he is approximately 30-35 years of age; wearing black pants, and a black, white and orange striped shirt. We were unable to identify neither the victim nor any of his relatives to take any statement.

We have kept the body here, a full investigation is underway. A detailed report will be submitted at a later date.

b(6), b(7)(C)

Colonel – Legal Dept.
Officer-in-charge

Time: 1310

Paragraph# 8

File# 15

Investigative Officer – Captain **b(6), b(7)(C)**

Cc: AL-RASHEED Police Station.

In the name of God, most Gracious and Merciful

To: Baghdad Police Dept. – Al Karkh Branch

From: Hai Al-'Amil Police Station

Report # 61

Date: January 3, 2007

Subject: Special Report

On the above date at 1335, the city police patrol informed us of a shooting incident in HAI AL-'AMIL, area# 813. An investigative team was dispatched to the scene of the crime. The identity of the victim was unknown, his age estimated between 25-30 years. Victim was wearing a beige colored track suit, and was shot in the head and the face. There are no witness accounts for this incident. A crime scene search and investigation was conducted and a full report will follow.

b(6), b(7)(C)

Colonel – Legal Dept.

Officer-in-charge

Time: 1335

Paragraph# 1

File# 14

Investigative Officer – Captain **b(6), b(7)(C)**

INCIDENTS ON DEC -29-2006

FILE NO# 1000a dead body found at HAY AL-A'MIL area, district no# 803. Belong to the victim JAMEEL YASEEN AABAS, born in 1960. Self employee, he got shot in the head.

FILE NO#1000a dead body found at HAY AL-A'MIL area district 805 streets 47. Belong to the victim HUSEN AABAS HAMAD. He got shot in the head and the stomach.

FILE NO# 1300 one of our police patrols brought dead body belong to the victim RASHID SHEHAB AHMED. Born on 1984, self employee lives in AL-MAHMUDIA neighborhood. He got shot in the head at HAY AL-A'MIL district 811.

FILE NO#1630 unidentified dead body found in HAY AL- SHOUHADA near AL-KOUBAYSI mosque. He got shot in the head, wearing brown dishdasha (Iraqi uniform); he is 27 years of his age.

INCIDENTS ON DEC-30-2006

FILE NO# 1100 unidentified body found at industrial zoon of HAY AL-A'MIL district. The victim was 28 years of age, wearing black and gray track suit. He was shot in the head.

FILE NO# 1210 two unidentified bodies were found in HAY AL-A'MIL district area. First body is a man in 40 years of age, wearing brown track suit; he was shot all over his body.

Second body is a man, about 38 years of age, wearing brown pants and blue shirt. And he was shot all over his body.

FILE NO#1330 A gray katyusha rocket landed in HAY AL-'JIHAD district 890 street 10. It did not explode, and then it was transferred and detonated by civil defense specialist with no harm and casualties.

FILE NO#1500 a dead body belongs to AHMED A'BID AL- HUSAYN AL-A'ZZAWI was born in 19452 found in HAY AL-A'MIL (Industrial zone) Batteries Street (this is the name of the street), He was shot in his head.

FILE NO#1800 unidentified body was found in HAY AL-A'MIL (Industrial zone), he was shot in his body,

he is bout 35 years of age, wearing brown track suit and red shirt.

INCIDENTS ON DEC-31-2006

FILE NO#1000 the American forces brought to us unidentified body. The victim was about 30 years of age, wearing black jacket with black and gray shirt and a pants. He was shot in the head.

FILE NO# 1410 A dead body of HAYDAR YASIR HUSAN, born in 1979. He was shot in the head at HAY AL-JEHAD near ALNUR mosque.

INCIDENTS ON JAN-1-2007

FILE NO#1000A dead body belong to ALI NAJIM A'BED born on 1989 at AL SALMANIA HAY AL-SH'ALA, he was a school students.

FILE NO#1430 three bodies found at HAY AL-'AMIL (Industrial zone) district 813.

- 1- The first body he is in age of 26, wearing red track suit. He got shot in the head.
- 2- The second body he is in age of 26, wearing black track suit. He got shot in the head.
- 3- The there'd body he is in age of 30, wearing white short and white under shirt, he got shot in the head.

FILE NO#1700 A dead body belong to HAYTHEM HUSAIN A'BID AL-JALEEL, born in 1957 was found in HAY AL-SHA'LA. He was police colonel in the Ministry of Interior lives at AL-SAYDIA district. And other dead body belong to SAMI MERSHAM born in 1985 at HAY AL-SHU'ALA (---- ------ ------ UK).

INCIDENTS ON JAN-2-2007

FILE NO# 1030 unidentified body found in HAY TABOOK district 875. He is 40 years of age. He was shot in the head and the chest.

FILE NO#1300 unidentified body found in HAY AL-'AMIM, he is 23 years of age. He got shot.

FILE NO#1330 unidentified body found in HAY AL-'AMIL, he is 30 years of age; he got shot in the head.

FILE NO #1230 a dead body belongs to the SAFA HUSAIN HUHAMED ALI was found and he got shot in the head.

FILE NO#1300 a dead body belongs to the A'TEIA SABAH NOORI, born in 1986, his job is a butcher at HAY AL- JEEHAD, he is 22years of age.

FILE NO# 1200 a dead body belongs to A'BAS FADHL JIMA'A, born in 1974 found at AL

YARMOUK hospital. He got killed in the front of his shop at HAY AL-JIHAD district 887.

INCIDENTS ON JAN-3-2007

FILE NO# 1500 a dead body belongs to AHMED MAJID A'LIWI, he is 30 years of age. He got shot in the head and left shoulder at HAY AL- A'MIL district.

FILE NO#1410 a dead body belongs to HAMEED A'BID AL- JALEEL HASN, he works at ministry of Education. Born in 1952, he got shot in the head.

FILE NO# 1620 a dead body belongs to A'DIL ASMA'EEL. He got killed during raiding his house at HAY AL-A'MIL, he born in 1970 and his is self employee.

FILE NO#1340 a dead body belongs to A'BID AL-RAHMAN RA'D HAMEED he is 25 years of age. He got shot by unknown persons at HAY AL-A'MIL.

File no#1300 unidentified body found at HAY AL-RIFAF, he is 30 years of age, wearing blue striped pants. He got shot in the head.

FILE NO#1335 unidentified bodies found at HAY AL-A'MIL district 813, he is 25 years of age, wearing beige track suit, he got shot in the face.

INCIDENTS ON JAN-4 2007

FILE NO#1300 unidentified body found in HAY AL-A'MIL district 805 street 30, he got shot in the head and the chest. He is in between 30-35 years of age, wearing maroon sweater with blue track suit and black jacket.

FILE NO# 830 a family got killed in the morning in HAY AL- A'MIL district 803, the victims name is SA'DYIA JWAID (FEMALE) and her kid's 1- HUSAIN 2- MUSTAFA 3- HUSAIN AL-TEMMI.

FILE NO#2230 the American military police (MP) brought to us unidentified dead body from HAY AL-JIHAD district 891, he got shot in the head. He is in 30 years of age, wearing dark gray track suit.

FILE NO#1500 unidentified dead bodies found in HAY AL-A'MIL, he is in 26 years of age, wearing blue jeans with green colored T-shirt., he got shot.

Translated by (b)(6), (b)(7)(C)

DATE: 3-18-08

Signed: (b)(6), (b)(7)(C)

FILE NO# 1310 unidentified body found at AL-HARBI street in HAY AL-SALAM, he is between 30-35 years of age, wearing black pants with a black, white and orange striped shirt, he got shot in the head.

NICIDENTS ON JAN-4 2007

FILE NO#1300 unidentified body found in HAY AL-A'MIL district 805 street 30, he got shot in the head and the chest. He is in between 30-35 years of age, wearing maroon sweater with blue track suit and black jacket.

FILE NO# 830 a family got killed in the morning in HAY AL- A'MIL district 803, the victims name is SA'DYIA JWAID (FEMALE) and her kid's 1- HUSAIN 2- MUSTAFA 3- HUSAIN AL-TEMMI.

FILE NO#2230 the American military police (MP) brought to us unidentified dead body from HAY AL-JIHAD district 891, he got shot in the head. He is in 30 years of age, wearing dark gray track suit.

FILE NO#1500 unidentified dead bodies found in HAY AL-A'MIL, he is in 26 years of age, wearing blue jeans with green colored T-shirt., he got shot.

INCIDENTS ON JAN-5- 2000

FILE NO#1630 a dead body belongs to HASHIM HUSEN HAMADI and wounded man his name is b(6), b(7)(C)

b(6), b(7)(C) The victim got transfer to AL YARMOUK HOSPITAL; they got shot by several bullets while sitting in the bus (KIA BUS).

FILE NO#2300 the nude body of an unidentified female approximately 50 years of his age, was found in HAY AL-SHOUHADA district 857, wearing dark blue track suit and cloak, she was shot in the head.

FILE NO#900 a dead body belongs to A'BID AL-LATEEF A'BIDALA JASIM, his rank is major at the Iraqi defense ministry. He got killed with his friend KHDYR HUSEN SHEEHAN while they where in the car. The license-plate NO# IS 7348 TOYOTA (CORONA), in the area of HAY AL-SHOHADA.

FILE NO #1030 a dead body belongs to RA'D MANSOUR HAMADA. His job is a police man at AL-YARMOUK patrol; He is 40 years of age, died in the neighborhood of HAY AL-JIHAD.

FILE NO# 1400 unidentified dead body found behind the police station. He is 35 years of age, wearing blue jeans with back gray shirt. He got shot in the head.

FILE NO# 1430 unidentified dead body found behind police parking lot area of HAY ALJHAD district 889 near ALBAYDA School. He got shot in the head, wearing black pants and beige, red, black striped sweater. with red and black stripes.

INCIDENTS ON JAN-10-2007

FILE NO#740 dead bodies belongs to

1-HARBI SALMAN MUHAMED ALJBOORI. He is 60 years of age.

2- ALI HARBI SALMAN MUHAMED ALJBOORI. He is 40 years of age.

3- MUHAMED HARBI SALMAN MUHAMED ALJBOORI. He is 35 years of age. All the bodies found at HAY AL-A'MIL.

FILE NO#930 unidentified dead body found in the area of HAY AL-A'MIL district 813. He is 50 years of age, wearing beige jacket. He got shot in the head.

FILE NO#1030 a dead body belongs to A'BID AL-AMEER. He works at AL-SALAM bread factory in HAY AL-RFAAF neighborhood. He is 35 years of age.

FILE NO#1100 a dead body belongs to AHMED JASIM KADHIM AL-JIBOORI. He born on 1973, works at national police headquarters. He got shot by several bullets all over his body.

LINE	ITEM FOUND CORPSE REPORTING - FOUO
	STATION/UNIT REPORTING: DATE/TIME BODY RECEIVED: DATE/TIME REPORTED:
	MGRS OF BODY (8-10 Digit) OR MUHALLA: DESCRIPTION OF SITE:
	NUMBER OF BODIES NAME - SEX - AGE
	HEIGHT: WEIGHT: CLOTHING:
	SECT SHIA - SUNNI - KURDISH - UNK
	CAUSE OF DEATH DESCRIBE EVIDENCE
	KILLING SITE or BODY DUMPING SITE:
	SIGNS OF TORTURE and DESCRIPTION BINDINGS:
	NAMES and STATEMENT FROM WITNESSES: CONFIRMED/UNCONFIRMED:

HY AL AMIL LOCAL POLICE STATION, MB 36860 80750
 DET 7/WILDCARD 2-2
 032230CJAN07
 REPORTED 041413CJAN07

MUH 891
 APPROX GRID 34 80

1 X LN MALE - UNKNOWN NAME - APPROX 25-30 YEARS OF AGE

UNKNOWN

SUNNI

1 X GSW TO THE HEAD

MUH 891

NONE

DET 7/WILDCARD 2-2 DID NOT CONFIRM THE BODY

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0234-08-CID093-RFA

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 1030, 4 Aug 08, this office received a Request For Assistance (RFA) from the Schweinfurt CID Office to interview PFC (b)(6), (b)(7)(C), USA MEDDAC, Fort Stewart, GA 31314 (FSGA) pertaining to his knowledge of the unlawful killing of an unarmed Iraqi insurgent. It was further requested to determine what SGT (b)(6), (b)(7)(C), HHC, 1-18th Infantry (Inf) Battalion (Bn), Conn Barracks, Schweinfurt, Germany, APO AE 09026, had said to a group of Soldiers in his unit to allegedly cover-up the murder.

About 0941, 5 Aug 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) who stated he was previously assigned to A Company, 1-18th Inf Bn, Conn Barracks, Schweinfurt, Germany, APO AE 09026 (Forward), after returning from R&R sometime in April of 06'. He stated it was common knowledge 1SG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A Company, 1-18th Inf Bn (NFI) and SGT (b)(6), (b)(7)(C) would track down Iraqis and kill them if they posed a threat to their convoys. (See Statement)

About 0300, 12 Aug 08, SA (b)(6), (b)(7)(C) received an email from SA (b)(6), (b)(7)(C) Schweinfurt CID Office, Schweinfurt, GE, which indicated his office required no further investigative assistance from this office.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

(b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

30th MP Det (DSE) (CID), 3rd MP GRP (CID), Fort Stewart, GA, 31314

DATE

12 Aug 08

EXHIBIT

238

0126 ACLU CID ROI 5331

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: Fort Stewart, GA 31314
2. DATE: 2008/08/05
3. TIME: 1235
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/AD
8. ORGANIZATION OR ADDRESS: USA MEDDAC, Fort Stewart, GA 31314

9. (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During January of 2007 while traveling on a road from Camp Falcon to COP Angry Dragon, which is a road we usually use the first Bradley was hit. After the call over the radio they said that everyone was ok. Directly following the IED explosion we started getting shot at. I am pretty sure that 1SG (b)(6), (b)(7)(C) said to fire back, which lasted for about 5-10 minutes. Everyone stopped shooting and we hung out until someone could come out to tow the Bradley back to Camp Falcon. We went back to Camp Falcon and stayed there for the night. The following morning around 0800 we drove back to COP Angry Dragon. The PSD had three vehicles plus the two Bradley's one in the front and rear of the convoy. My Team had a SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (Driver), SGT (b)(6), (b)(7)(C) (TC). The Commanders (CPT (b)(6), (b)(7)(C)) truck had SPC (b)(6), (b)(7)(C) (Gunner), SPC (b)(6), (b)(7)(C) (Driver). My vehicle was usually second to last in the convoy. We were in front of the last Bradley in the convoy.

Q: SA (b)(6), (b)(7)(C)
A: SPC (b)(6), (b)(7)(C)
Q: Is the above typed narrative an exact replication of the information provided to CID?
A: Yes.
Q: Which unit were you assigned to when your vehicle was hit by an IED in Jan of 07'?
A: A Company, 1/18th Infantry Battalion (Forward)
Q: The people named in your statement what unit were they assigned to?
A: They were also all assigned to my unit.
Q: Who is SGT (b)(6), (b)(7)(C) and what is your relationship with him?
A: SGT (b)(6), (b)(7)(C) Michael was the Alpha Company senior medic when I arrive at the unit.
Q: You stated during the interview that 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) would commonly talk about killing Iraqi's if they targeted the convoy. Can you explain that in more detail?
A: The Gunners in the unit would have kind of like a contest to see who could get more kills. They wouldn't go out looking for people, but if they had to they would keep count and would talk about it.
Q: You stated that SGT (b)(6), (b)(7)(C) spoke to you when first arrived at the unit. Specifically telling you about how he and 1SG (b)(6), (b)(7)(C) would kill Iraqi insurgents. What did you and he talk about?
A: I went into his AID station and he told me that I know you are new here to the company. He said that sometimes they would go out and people would shoot at the convoy. He said that they would hunt them down and kill them. He asked me if I had a problem with it and that if I did he would have me transferred out of the unit.
Q: How did this make you feel and how did you react to it?
A: I just let him know that I was not going to be a part of it. I told him that I would go help him out or anything.

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 1 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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LAW ENFORCEMENT SENSITIVE
10-10136-ACLU CID ROI 5332
EXHIBIT 239

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 FSGA DATED 2008/08/05 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

Q: Why didn't you request to leave the unit if you were bothered by it?

A: I never asked to leave because I thought it was a lost cause. The unit was undermanned and I did not think they would let me leave.

Q: When you returned to Camp Falcon after being hit with an IED where did everyone go?

A: Everyone kind of just went there separate ways. I went up to my room which was in a separate building. Since I was assigned to HHC before going to A Company and the companies were separated in different buildings I did not hang out with anyone that night.

Q: Did you talk to anyone that night about the IED going off?

A: No.

Q: What was said the following day before departing to COP Angry Dragon?

A: There wasn't a meeting or anything prior to leaving. We just hopped in the vehicles and left.

Q: Regarding the shooting on the 3rd of Jan 07 of the wounded insurgent, what do you know of that incident?

A: I don't know of any incident like that.

Q: After the IED went off and before you're returned to Camp Falcon did anyone in your convoy give aid to an insurgent or Iraqi civilian?

A: No

Q: Regarding the incident on the 3rd of Jan 07, did anyone tell you later that the insurgent was killed en route to the CSH?

A: We never picked up an insurgent that day and no one ever told me an insurgent died on the way back to the CSH. In fact, we never went to the CSH there was an AID station on Camp Falcon that we went to. We did not make any stops along the way. SPC

(b)(6), (b)(7)(C) had a cut on his leg and he was the only person taken to the AID station.

Q: Regarding the execution of 4 detainees at the canal near Hamdani Village, What do you know or have you heard about that incident?

A: Nobody ever told me that had happened.

Q: Did you ever witness anyone on the PSD intentionally engage non-combatants?

A: I never saw anyone fire unless they were being fired at.

Q: Did you ever hear SPC (b)(6), (b)(7)(C) brag about wantonly engaging non-combatants?

A: He never spoke to me about anything like that.

Q: What types of rumors were going around the unit as far as killing unarmed Iraqi insurgents?

A: The only ones that I personally heard were that 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) would take people behind a house and "pop" them.

Q: What do you mean by "pop" them?

A: Shoot them in the head.

Q: Did you ever report any of the rumors that were going around to anyone?

A: No I did not. Pretty much everyone already knew about it in the company.

Q: Did you think any of the rumors were true. If yes, why?

A: Yeah, just the kind of people they were.

Q: How would you describe 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)?

A: SGT (b)(6), (b)(7)(C) wanted everything done a certain way. If something did not go his way he yelled and screamed like a big kid. 1SG

(b)(6), (b)(7)(C) was liked by a lot of Soldiers in the company. He had a hardcore infantry type personality.

Q: Did anyone ever talk to you in confidence about what they had maybe seen or overheard regarding the killing of non-combatants?

A: No.

Q: Did anyone outside of the unit know about what 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were doing?

A: Not that I know of.

Q: Why did you not say anything to the senior leadership or someone close to you?

March of 06'.

A: Everyone already knew at the unit and I thought that if I told any of the senior leadership nothing would have happened anyways.

Q: When did you take R&R?

A: I took R&R right before I was transferred from HHC to A Company. I think I was transferred sometime in March of 06'.

Q: Were you offered breaks during the course of this interview?

A: Yes.

Q: Do you have anything else you would like to add to this statement?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 2 OF 3 (b)(6), (b)(7)(C) GES

FOR OFFICIAL USE ONLY
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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FSGA DATED 2008/08/05 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

A: No//End of Statement//

(b)(6), (b)(7)(C) 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 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:

Subscribed and sworn to before me, a person authorized by law to (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C), 2008

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C), (b)(7)(F) Social Agent, USACIDC (Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 3 OF 3 (b)(6), (b)(7)(C) ES

FOR OFFICIAL USE ONLY 10-0126 ACLU CID ROI 5334 LAW ENFORCEMENT SENSITIVE EXHIBIT 239

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS
About 1911, 16 Sep 08, SA (b)(6), (b)(7)(C) obtained consent to search from SPC (b)(6), (b)(7)(C) pertaining to the collection of a JVC Hard-Disk Digital Video Recorder, which is currently in the possession of his step-father Mr. (b)(6), (b)(7)(C) Civilian, (b)(6), (b)(7)(C) (See Consent to Search for details)

Agent's Comment: SPC (b)(6), (b)(7)(C) did not provide consent to search the contents of the Video Recorder.

About 1917, 16 Sep 08, SA (b)(6), (b)(7)(C) collected as evidence a power adapter from SPC (b)(6), (b)(7)(C) The power adapter was documented on an Evidence/Property Custody Document (EPCD), DA Form 4137. (See EPCD Voucher Number 0154-08 for details) /// Last Entry ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Schweinfurt CID Office, CMR 457
APO AE 09033

SIGN (b)(6), (b)(7)(C)

DATE

16 Sep 08

EXHIBIT

240

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Date: 16 Sep 08	Consent To Search (USACIDC Supplement 1 to AR 190-22)	Time: 19 11				
1. Name of person consenting to the search: SPC (b)(6), (b)(7)(C)		2. Organization and location: D Company, 1 st Battalion, 2 nd Infantry Regiment, 172d Infantry Brigade Conn Barracks, APO, AE 09226 Schweinfurt, Germany				
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE//						
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)						
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(Initial and sign applicable blocks)</i>						
a.	My Person	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%; text-align: center;">Initials</td> <td style="width:80%; text-align: center;">Signature</td> </tr> <tr> <td style="height: 40px;"></td> <td></td> </tr> </table>	Initials	Signature		
Initials	Signature					
b.	My Quarters	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%; text-align: center;">Initials</td> <td style="width:80%; text-align: center;">Signature</td> </tr> <tr> <td style="height: 40px;"></td> <td></td> </tr> </table>	Initials	Signature		
Initials	Signature					
Located At:						
c.	My Vehicle	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%; text-align: center;">Initials</td> <td style="width:80%; text-align: center;">Signature</td> </tr> <tr> <td style="height: 40px;"></td> <td></td> </tr> </table>	Initials	Signature		
Initials	Signature					
Located At:						
Described As:						
d.	Other	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%; text-align: center;">Initials</td> <td style="width:80%; text-align: center;">Signature</td> </tr> <tr> <td style="text-align: center;">(b)(6), (b)(7)(C)</td> <td style="text-align: center;">(b)(6), (b)(7)(C)</td> </tr> </table>	Initials	Signature	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)
Initials	Signature					
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)					
Located At: 1. JVC Hard- Disk Digital Video Recorder, silver in color with back and blue markings; currently in Mr. Rick Gibson's possession, 757 S. 9 th St., Salina, KS 67401 (785) 577-3873						
Described As: 2. Black Charger Plug to fit JVC Hard Disk Digital Video Recorder; currently in SPC Steven Ribordy possession						
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: I authorize Mr. (b)(6), (b)(7)(C) to release the above described camera to USACIDC personnel. At this time, it is my intent to only authorize the collection and transfer of the camera and adaptor. Nothing in this consent is meant to imply that I am authorizing any form of a search of my personal property to include the above described camera.						
6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind: (b)(6), (b)(7)(C)						
(b)(6), (b)(7)(C) _____ Signature of Person Granting Consent		(b)(6), (b)(7)(C) _____ Signature of Witness (If Available)				
(b)(6), (b)(7)(C) _____ Signature of USACIDC Special Agent SA (b)(6), (b)(7)(C)		556 (b)(6), (b)(7)(C)				

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0231-08-CID025-

PAGE 1 OF 1 PAGES

DETAIL

About 1000, 16 Sep 08, this office received a Request for Assistance (RFA), from the Schweinfurt CID office, Schweinfurt, Germany APO AE 09033, to fully identify and collect a digital camera from Mr. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), b(7)(C)

About 1700, 23 Sep 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) who stated he received the camera from his step-son, SPC (b)(6), (b)(7)(C) A CO, 1-18th Infantry Battalion, CONN Barracks, Schweinfurt, Germany, APO AE 09026, while he was home on leave sometime in June. Mr. (b)(6), (b)(7)(C) provided the JVC Camcorder, belonging to SPC (b)(6), (b)(7)(C)

About 1719, 23 Sep 08, SA (b)(6), (b)(7)(C) collected as evidence, one JVC brand digital camera, serial number 091F3982, from the hand of Mr. (b)(6), (b)(7)(C) The evidence collection was documented on an Evidence Property/Custody Document (EPCD), DA Form 4137, Voucher Number (VO) 0110-08 (See EPCD)

About 0900, 25 Sep 08, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) and briefed him regarding this investigation. SA (b)(6), (b)(7)(C) stated no further investigative assistance was required.//////Last Entry//////

TYPE AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C)

ORGANIZATION

78th Military Police Det (CID), 6th MP Group (CID)
USACIDC, Fort Riley, KS 66442

DATE

25 Sep 08

EXHIBIT

10-L-0126 ACLU CID ROI 5337 242

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001397

AGENT'S INVESTIGATION REPORT

0087-08-CID967

CID Regulation 195-1

Page 1 of 1

About 1541, 23 Oct 08, SA (b)(6), (b)(7)(C) received a Request For Assistance (RFA) from the Schweinfurt CID Office, Schweinfurt, Germany, to obtain consent from SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) an inmate at the United States Army Confinement Facility Europe (USACF-E), Coleman Barracks, MGM, to search his digital video camera which is located in the Schweinfurt CID Evidence Depository.

About 1239, 24 Oct 08, SA (b)(6), (b)(7)(C) obtained consent from SPC (b)(6), (b)(7)(C) to search his camcorder, JVC Brand, "EVER 10" Model, Hard Disk Camcorder, serial number #091F3982. CPT (b)(6), (b)(7)(C) Trial Defense Service (TDS), Office of the Staff Judge Advocate (OSJA), Kaiserslautern, Germany, witnessed and signed the signature of witness portion of the Consent To Search form.

About 1250, 24 Oct 08, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) Schweinfurt CID Office, Schweinfurt, Germany, who related no further investigative activity was required.

Requested investigative activity has been completed and no further activity is anticipated. This action is closed within the files of this office.///LAST ENTRY///

SA (b)(6), (b)(7)(C)

MANNHEIM CID OFFICE
5th MP BN (CID), UNIT 29901
APO AE 09086-5223

Signature:

Date:

Exhibit:

(b)(6), (b)(7)(C)

24 Oct 08

243

CID Form 94

FOR OFFICIAL USE ONLY- LAW ENFORCEMENT SENSITIVE

10-L-0126 ACLU CID ROI 5338

Date: 24 OCT 08		Consent To Search (USACIDC Supplement 1 to AR 190-22)		Time: 12 39	
1. Name of person consenting to the search: SPC (b)(6), (b)(7)(C)			2. Organization and location: D Company, 1 st Battalion, 2 nd Infantry Regiment, 172d Infantry Brigade Conn Barracks, APO, AE 09226 Schweinfurt, Germany		
3. I have been informed by the undersigned USACIDC Special Agent that an inquiry is being conducted in connection with the following possible violation(s) of law: MURDER, CONSPIRACY, MISPRISION OF A SERIOUS OFFENSE!!!					
4. I have been requested by the undersigned USACIDC Special Agent to give my consent to a search of my person, premises, or property as indicated below. I have been advised of my right to refuse a search of my person, premises, or property. (If you <u>do not</u> give your consent, do not sign this form.)					
5. I hereby authorize the undersigned USACIDC Special Agent and/or other Authorized Law Enforcement Officials assisting the undersigned USACIDC Special Agent to conduct a search of: <i>(Initial and sign applicable blocks)</i>					
a.	My Person	<i>Initials</i>	<i>Signature</i>		
b.	My Quarters	<i>Initials</i>	<i>Signature</i>		
Located At:					
c.	My Vehicle	<i>Initials</i>	<i>Signature</i>		
Located At:					
Described As:					
d.	Other	<i>Initials</i> (b)(6), (b)(7)(C)	<i>Signature</i> (b)(6), (b)(7)(C)		
Located At: Evidence Depository, Schweinfurt CID Office, Ledward Barracks, APO, AE 09033					
Described As: Camcorder, JVC Brand, "EVER10" Model, Hard Disk Camcorder, Serial Number: 091F3982					
I am authorizing the above search(s) for the following general types of property which may be removed by the authorized law enforcement personnel and retained as evidence under the provisions of Army Regulation 195-5, or other applicable laws or regulations: Pursuant to my grand of immunity, I authorize the search of any and all digital images and/or videos retained on my digital camera and storage media installed therein, described as listed above.					
6. This written permission is given to the undersigned USACIDC Special Agent freely, voluntarily and without threats or promises of any kind: (b)(6), (b)(7)(C) _____ Signature of Person Granting Consent					
(b)(6), (b)(7)(C) _____ Signature of USACIDC Special Agent			(b)(6), (b)(7)(C) _____ Signature of USACIDC Special Agent		

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0010-08-CID847-34682
0127-08-CID507

PAGE 1 OF 2 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0730, 5 Nov 08, this office received a Request for Assistance (RFA) from the Schweinfurt CID Office to examine digital video camera belonging to SPC (b)(6), (b)(7)(C), D Co, 1-2 Infantry Battalion for images of Iraqi detainees and or images of the detainees being executed.

Accompanying this report is an attached disk. This media is required to be viewed on a stand alone computer (not connected to any network) as it may contain disturbing information or contraband; dangerous software (viruses or Trojan horses) or may try to connect to outside computers through hyperlinks associated with web pages. To access the additional information within this report, click on the blue hyperlink.

IMAGE AND ANALYSIS OF EVIDENCE:

- Item Analyzed: Hitachi Travelstar Hard Disk Drive (HDD) PN# 08K1605 removed From a JVC brand digital video camera SN# 091F3982
- Originating Office Voucher# 0179-08 Item 1
- ESIFFO Voucher # 0133-08 Item 1

Between 1250- 1550, 5 Nov 08, SA (b)(6), (b)(7)(C) removed the Hitachi HDD from the digital video camera and connected it to a government computer via a write protection device. The write protection device was utilized to view the contents of the disk without editing any of the data contained therein. Once connected to the government computer a forensic copy of the drive was made using the software EnCase version 6.11.2.2 Upon completion of the imaging process the evidence was added to an EnCase file at which time a 128 bit HASH value of the forensic image was created and verified against the HASH value created during the imaging process. The HASH values verified completely with zero errors.

Between, 1300 5 Nov 08 and 1050, 6 Nov 08, SA (b)(6), (b)(7)(C) reviewed the active and discovered the following information:

Encase Acquisition Report:

Active images (430): Image data:

Active Movies (62): Movie data:

SA (b)(6), (b)(7)(C), (b)(7)(F)	European Special Investigation and Fraud Field Office, 202d MP GP CID APO AE 09102	
(b)(6), (b)(7)(C)	DATE 6 Nov 08	EXHIBIT 245

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0010-08-CID847-34682
-0127-08-CID507

PAGE 2 OF 2 PAGES

DETAILS

Additionally SA (b)(6), (b)(7)(C) reviewed all the images in an attempt to locate specific images which matched the scenario described in the RFA. SA (b)(6), (b)(7)(C) discovered images created on 26 Mar 07 that appear to most closely match the given scenario. SA (b)(6), (b)(7)(C) noted that the images appeared to be named in sequential number order however the images between PIC_076.jpg and PIC_0098 appeared to be missing. The same was true for Images between PIC_104.jpg and PIC_123.jpg. The later images may be more significant because the time between when the images were created was only approximately 5 minutes.

AGENT'S COMMENT: Attempts to recover and review any data in unallocated space using the Encase automated script were unsuccessful. SA (b)(6), (b)(7)(C) then manually reviewed the unallocated space and discovered that no files resided in the unallocated space. It is therefore possible that any images which may have been deleted have already been overwritten with other data.
 ////////////////////////////////////LAST ENTRY////////////////////////////////////

SA (b)(6), (b)(7)(C), (b)(7)(F)	European Special Investigation and Fraud Field Office, 202d MP GP CID APO AE 09102	
(b)(6), (b)(7)(C)	DATE 6 Nov 08	EXHIBIT 245

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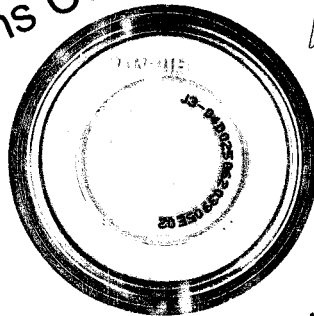
United States Army Criminal
Investigation Command



**COMPACT DISC CONTAINING ESIFFO
ROI (0127-08-CID507) – REQUIRED TO BE
VIEWED ON STAND ALONE COMPUTER**

Disk is Blank

*For Use Only - Law enforcement sen-
10-08-CID847-34682
0127-08-CID507
Contains Contraband*



*Insert CD in
standalone computer, it will
auto-start. If not,
double-click on
"indexing.htm" file.
Requires MS Office
and Adobe
Acrobat Reader to*

*Evidence Voucher Numbers: VO #
0179-08 Item 1*

For Use Only - Law Enforcement sen-

EXHIBIT 246

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE
10-L-0126 ACLU CID ROI 5342

AGENT'S INVESTIGATION REPORT

ROI: 0010-08-CID847-34682

0818-08-CID016

CID Regulation 195-1

PAGE 1 OF 1 PAGE

DETAILS

About 1100, 24 Oct 08, this office received a Request For Assistance (RFA) from the Schweinfurt CID Office, CMR 457, APO AE 09033, requesting this office to interview SGT (b)(6), (b)(7)(C) HHC, 1/17th Infantry Regiment, Fort Lewis, WA 98433 (FLWA) under a letter of immunity regarding his knowledge of a murder of an Iraqi civilian in Iraq.

About 1500, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C), B CO, 1/17th INF RGT, FLWA, and CPT (b)(6), (b)(7)(C) Defense Counsel, FLWA, was present for the entire interview. SSG (b)(6), (b)(7)(C) was not advised of his legal rights at the direction of CPT (b)(6), (b)(7)(C) due to the Grant of Testimonial Immunity, and a Memorandum for Record was prepared documenting such. SSG (b)(6), (b)(7)(C) provided a written statement wherein he stated he did not have any knowledge of the mistreatment, abuse or executions of any detainees while deployed to Iraq. Further, SSG (b)(6), (b)(7)(C) stated he had no knowledge regarding the indiscriminate killings of non-combatants while deployed. SSG (b)(6), (b)(7)(C) was provided two photographs and asked to identify who the wounded man in each photograph. On both photographs, SSG (b)(6), (b)(7)(C) identified the man as the "triggerman" who detonated the improvised explosive device which struck his convoy. SSG (b)(6), (b)(7)(C) was provided a map on which he sketched the location where his convoy was hit with the IED, where they engaged the insurgent and where the detainee died. SSG (b)(6), (b)(7)(C) provided a hand drawn sketch detailing the vehicle positions of the escort convoy transporting the detainee to the Combat Support Hospital.

Agent's Comment: Prior to the interview, SSG (b)(6), (b)(7)(C) was provided a copy of the Grant of Testimonial Immunity.///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

(b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

44TH Military Police Detachment (CID)
Fort Lewis, WA 98433

SIGN (b)(6), (b)(7)(C)

DATE
7 Nov 08

EXHIBIT

247

CID

1 FEB 08

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DEPARTMENT OF THE ARMY

**44TH MILITARY POLICE DETACHMENT (CID), 6TH MILITARY POLICE GROUP (CID)
UNITED STATES ARMY CRIMINAL INVESTIGATIONS COMMAND
P. O. BOX 339500, MS84
FORT LEWIS, WASHINGTON 98433-9500**

REPLY TO
ATTENTION OF

CIMPL-FL

7 Nov 08

MEMORANDUM FOR RECORD

SUBJECT: United States Army Criminal Investigation Division Command interview of SSG (b)(6), (b)(7)(C) under a Grant of Testimonial Immunity.

1. On 7 Nov 08, SSG (b)(6), (b)(7)(C) B Company, 1/17th INF RGT, FLWA was interviewed under a Grant of Testimonial Immunity at the Fort Lewis, WA CID office.
2. Prior to the interview, SSG (b)(6), (b)(7)(C) requested legal counsel and CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Defense Counsel, Fort Lewis, WA, was made available and present during the entire interview of SSG (b)(6), (b)(7)(C)
3. Should you require further assistance, the point of contact is the undersigned at DSN: 967-7335 or COM: (253) 967-7335.

(b)(6), (b)(7)(C), (b)(7)(F)

DISTRIBUTION:

- 1 – DIR, USACRC, Fort Belvoir, VA 22060
- 1 – CDR, USACIDC, ATTN: CIOP-CO, Fort Belvoir, VA 22060
- 1 – File

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Bldg 5183, Fort Lewis, WA 98433	DATE (b)(6), (b)(7)(C) 7 Nov 2008	TIME (b)(6), (b)(7)(C) 1855	FILE NUMBER 0818-08-CID016-
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SSG / AD	
ORGANIZATION OR ADDRESS B Company, 1/17 th Infantry Regiment, Fort Lewis, WA 98433			

(b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was doing a patrol with my psd element. There was three vehicles 1 bradley and 2 hummvees, The Bradley was in lead, then the commanders hummvee, then my hummvee in the rear of the formation. We were headed to check on IP checkpoints. We stop at a checkpoint on the intersection of rte North South steelers and rte steelers East West. We then were patrolling through jihad and was struck by and EFP. We then stopped and turn off all lights to prepare for an ambush. We tried to get radio contact with the Bradley that was struck. A triggerman presented his self about 10 min. after the attack. He was PID and engaged by SPC. (b)(6), (b)(7)(C) the commanders gunner. After he went down we reconsolidated back at the checkpoint. We then took around 10 to 20 min. to check for mobility of the Bradley and welfare of personal. We also called QRF. We then moved to the IED location, were we followed the blood trail on the ground to a house about 75m down the road. I entered a house with my dismount team and cleared the house took appox. 5 min. Once the house was clear I called for the psd medic boling to start doing first aid on the detainee. While he administered aid I X-sprayed the individual and he tested positive for explosives in which the color was bright pink. In between the time I went into the house and I was x-spraying the individual QRF had already showed up, and when I went outside to tell the commander that the detainee had tested positive. The QRF was doing TSE of the IED site. I got the order a little later that batt. Wanted us to take the detainee to the CASH, We then borrowed a Bradley from the QRF to go with us on patrol to the CASH. The detainee was loaded unto the Bradley along with the company medic SGT. (b)(6), (b)(7)(C) There were 4 vehicles in this convoy. There were 2 bradleys and 2 hummvees. The order of formation was a Bradley then 2 hummvees then the last Bradley. The detainee was in the rear Bradley. We then moved out to the CASH. Along the way to the CASH there was a security halt. There was also a firefight going on between local nationals ahead of us. There was a call that the detainee had died due to loss of blood from the detainee wounds he had taken early. I remember getting out and getting a body bag out of my trunk and taking it to the Bradley with the detainee, the detainee was on the ramp, myself and sgt. Leahy then loaded the detainee in the body bag and put him back into the Bradley. We returned back to the vehicles, and the medic went to 1sgt vehicle, and we went to the closest IP station and turned the body to the Officer in charge there.

- Q: SA (b)(6), (b)(7)(C)
- A: SSG (b)(6), (b)(7)(C)
- Q: Who typed the above narrative?
- A: I did.
- Q: Regarding the security halt, what vehicle were you in, and what position?
- A: I was in one of the HMWWVS, in the TC position, in between the Bradleys, I don't remember which HUMMWW I was in.
- Q: During the security halt, when you brought the body bag to the rear Bradley, could you see the detainee on the ramp?
- A: Yes.
- Q: Was there any blood from the detainee on the ramp of the Bradley?
- A: I don't remember (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Bldg 5183, Fort Lewis, WA 98433 DATED 7 November 2008

CONTINUED

Q: During the security halt, why did you not get out of your vehicle?

A: There was no need to at that point in time.

Q: Were the engines of all of the vehicles still turned on?

A: Yes, they were all running.

Q: During the security halt, you stated there was a fire fight between two local national groups, how far away was the fire fight from your location?

A: 300 meters to 900 meters away.

Q: How loud was the report of the weapons the local nationals were using?

A: Loud enough for you to keep focused on the area.

Q: Was the report from their weapons loud enough to muffle a conversation between two people standing next to each other?

A: Not inside the vehicle.

Q: Were your windows up or down inside the vehicle?

A: Up, it's SOP for us to keep the windows up.

Q: Did you hear any gunshots in close proximity to your vehicle.

A: I don't remember.

Q: Was the turret hatch in your vehicle opened or closed?

A: Open.

Q: Did you have a gunner in your vehicle?

A: Yes.

Q: What direction was he facing?

A: 9 o'clock to 10 or 11 o'clock position.

Q: Did your gunner make any reference to 1SG (b)(6), (b)(7)(C) exiting his vehicle, or conducting any activity near the rear Bradley?

A: I don't remember.

Q: Can you name all of the personnel in your vehicle?

A: I wasn't sure of the drivers rank, either Private or Specialist (b)(6), (b)(7)(C) and my gunner SPC (b)(6), (b)(7)(C)

Q: Did you see 1SG (b)(6), (b)(7)(C) shoot the detainee who was being transported by your element?

A: No, I did not.

Q: Do you remember the specific radio traffic regarding the bleeding out of the detainee?

A: It was either a call to the Company or to Battalion that the detainee had bled out.

Q: Who made the call to the Company or Battalion regarding the bleeding out of the detainee?

A: I'm not sure.

Q: What was the response to the radio traffic?

A: I didn't monitor the response, I just received further guidance we were to take him to the IP station.

Q: What unit were you assigned to while deployed regarding this incident?

A: A Company, 1/18th Infantry Regiment, Schweinfurt, Germany.

Q: Did anyone see the detainee detonate the IED?

A: No.

Q: Did you fire your weapon at the detainee before he was captured?

A: No.

Q: Can you identify the wounded individual in the provided photographs?

A: Yes.

Q: Who is he?

A: The trigger man.

Q: Was the detainee making any sounds or speaking while you were in the house?

A: I don't know.

Q: Who carried the detainee to the Bradley?

A: Me, and three other people, I can't remember who carried him.

Q: Where did 1SG (b)(6), (b)(7)(C) ride in regards to the convoy you were in. (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

EXHIBIT

249

10-L-0126 ACLU CID ROI 5346

FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Bldg 5183, Fort Lewis, WA 98433 DATED 7 November 2008
CONTINUED

(b)(6), (b)(7)(C): In his HMMWV.
Q: Where was 1SG (b)(6), (b)(7)(C) vehicle in regards to the convoy?
A: I'm not sure.
Q: Was 1SG (b)(6), (b)(7)(C) vehicle in front of yours, or behind it?
A: I'm not sure.
Q: Did you see 1SG (b)(6), (b)(7)(C) dismount his vehicle while you were stopped, to include walking around the convoy?
A: I'm not sure.
Q: Was it dark during the security halt?
A: Yes.
Q: Did you have any Night Vision Devices on?
A: Yes, I had 14s on, but I can't remember if I had them down or flipped up.
Q: Did anyone speak to you about 1SG (b)(6), (b)(7)(C) shooting the detainee while you were deployed?
A: No.
Q: Did you ever see 1SG (b)(6), (b)(7)(C) carrying or using a Glock pistol?
A: No.
Q: What type of pistol was 1SG (b)(6), (b)(7)(C) issued?
A: 9mm Beretta.
Q: Did 1SG (b)(6), (b)(7)(C) ever tell you he shot the detainee in the proximity of the Bradley?
A: No.
Q: What was your specific job in Iraq?
A: PSD NCOIC.
Q: What were the dates of your deployment regarding this incident?
A: Sep 06 through Nov 07.
Q: Were you present when 1SG (b)(6), (b)(7)(C) and a group of other soldiers shot and killed four detainees near a canal in Iraq?
A: No, I was on R and R.
Q: How do you know what time frame the executions took place?
A: I read it in a newspaper this past summer.
Q: Did anyone talk about the executions while you were in Iraq?
A: No.
Q: Do you have any knowledge of the possible mistreatment of detainees by members of your unit while in Iraq?
A: Through rumors.
Q: What were the rumors you have heard?
A: That someone shot a detainee with an Air Soft gun.
Q: Do you know what type of gun an Air Soft gun is?
A: It's a gun that shoots plastic balls.
Q: Who told you the rumors?
A: I'm not sure.
Q: Who shot the detainee with the Air Soft Gun?
A: I don't know.
Q: Could you describe what the following acronyms mean?
A: -IP: Iraqi Police.
-EFP: Explosive Formed Projectile.
-PID: Positive Identification.
-QRF: Quick Reaction Force.
-IED: Improvised Explosive Device.
-TSE: Tactical Site Exploitation.
-CASH: Combat Support Hospital.
-TC: Truck Commander. (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

EXHIBIT 249

10-L-0126 ACLU CID ROI 5347

CONTINUED:

STATEMENT (Continued)

Did you ever hear SPC (b)(6), (b)(7)(C) talking or bragging about killing non-combatants?

A: I remember him coming to me and talking to me about shooting a vehicle that ran a traffic control point, where a man and a woman were possibly killed after he engaged them, but he was distraught, not bragging. I don't know if it was a TCP or a road block.

Q: Did you ever hear of any incidents regarding the indiscriminant killings of non-combatants from the members of your unit?

A: No.

Q: Would you like to add anything to this statement?

A: I was contacted by a witness before my grant of immunity and before I knew anything about the case about the patrol. SGT.

(b)(6), (b)(7)(C) contacted me trying to ask me about this patrol, in which I didn't remember anything he was talking about, but he stated that since we were friends would I do him a favor, and he started stating things that I didn't know about and I didn't respond to him and told him that I didn't know or want to know what he was talking about. He was trying to lead me into testifying for him. I said sure I would be a character witness out of friendship if he needed me too, then he acted as he wanted me to say something else. I told him I would testify for him if needed. I just needed to know what he was talking about, but he was beading around the bush, with short questions trying to make me remember things. I told him that I left Iraq in Iraq so he would have to be more specific and I don't remember alot of things, this is when he started going into detail about things that I couldn't account for. When I told him that I didn't know what he was talking about and that I wouldn't testify about it. I then told him that I would appreciate for him not to talk to me anymore about Iraq. He then started crying and saying that I wasn't a friend and then he explained, he was going to jail for murder, and who was going to take care of his family, He then asked me if something happen to him was I going to take care of his Wife or family. I told him I would, but he said Yeah right, no you wont. He wanted me and was asking for me to testify against 1sgt Hatley that he shot someone on this patrol.

Q: Did SGT (b)(6), (b)(7)(C) ask you to lie about any portion of this investigation?

A: He called me and he was trying to replay the events to get me to understand the events as they happened from his point of view. He wanted me to believe the events as he remembered them. At the beginning of the conversation, he asked me to be a character witness, which led him to asking me if I would testify against 1SG (b)(6), (b)(7)(C) It felt like he was trying to coach me on what to believe and then what to tell people later.

Q: Would you like to add anything to this statement?

A: No. (b)(6), (b)(7)(C)

(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 UNLAW (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 7th day of November, 2008 at Bldg 5183, Fort Lewis, WA 98433

(b)(6), (b)(7)(C), (b)(7)(F)

th)

(Typed Name of Person Administering Oath)

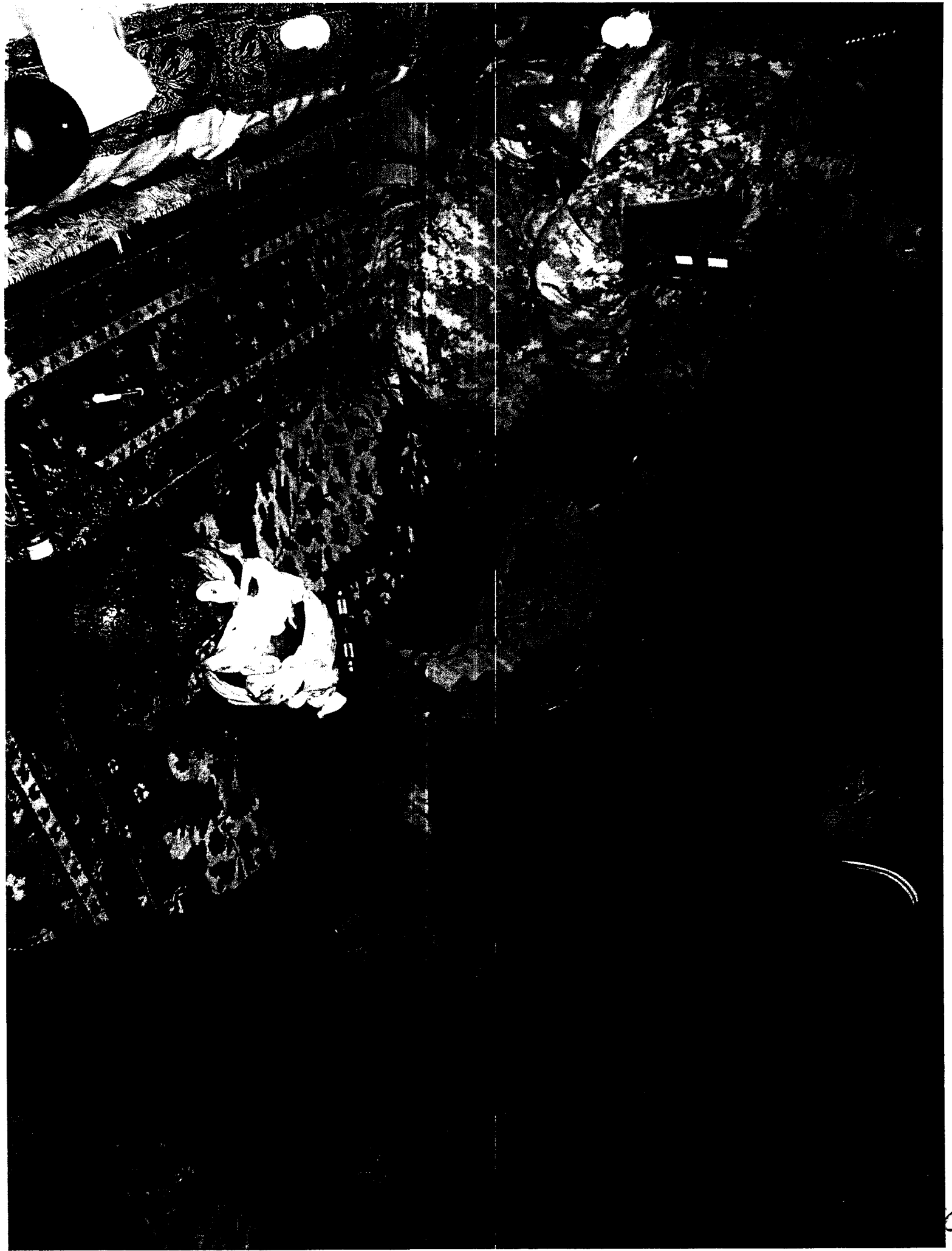
10 USC 936

(Authority To Administer Oaths)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES



0 550

Q: SA (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C)

Q: Who is the injured man on the reverse side of this document?

A: (b)(6), (b)(7)(C)

/// Nothing Follows ///

Witnessed by: (b)(6), (b)(7)(C)
Fort Lewis, CID

Identified by (b)(6), (b)(7)(C)



Q: SA (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C)

Q: Who is the injured man on the reverse side of this document?

A: (b)(6), (b)(7)(C)

/// Nothing Follows ///

Witnessed by:

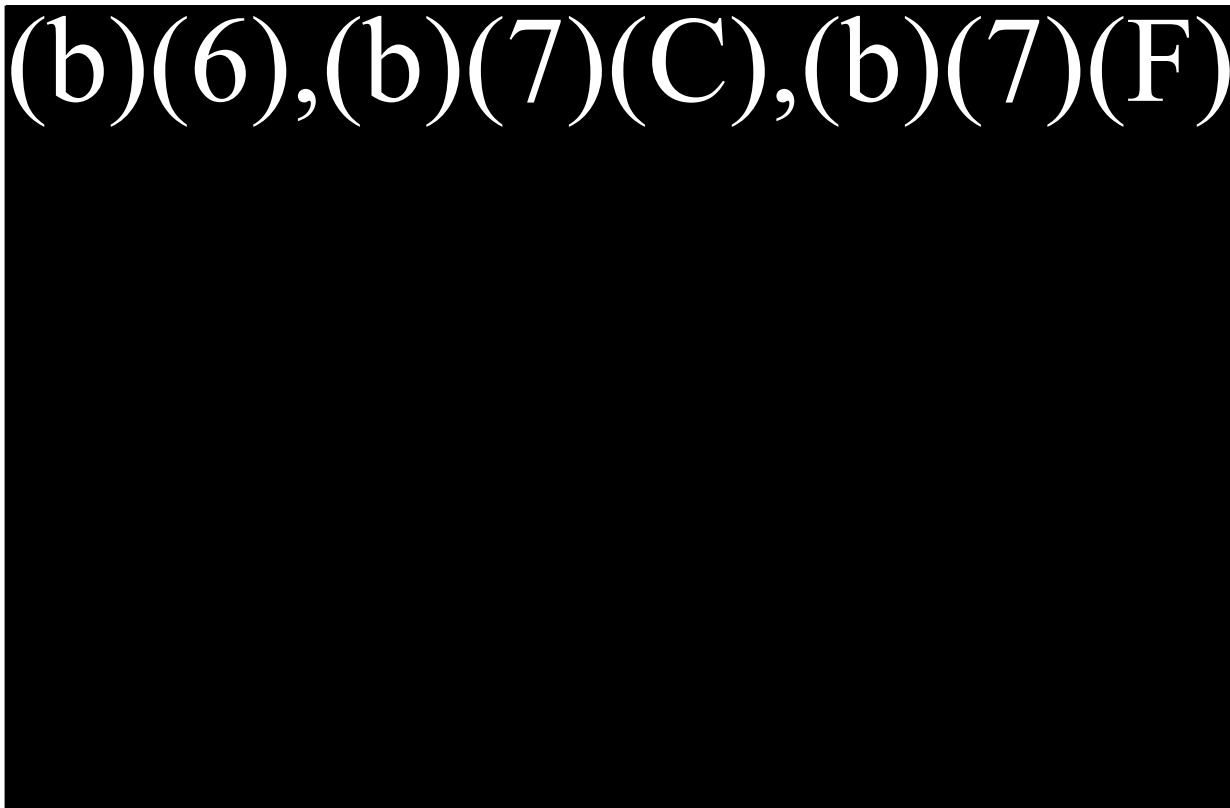
(b)(6), (b)(7)(C)

Fort Lewis, CID

Identified by:

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C), (b)(7)(F)



- 1. EFP Attack and engagement
- 2. Detainee found and X-sprayed
- 3. Detainee died

Black = To EFP attack and engagement.
To reconsolidate and call QRF. To house we found detainee in.

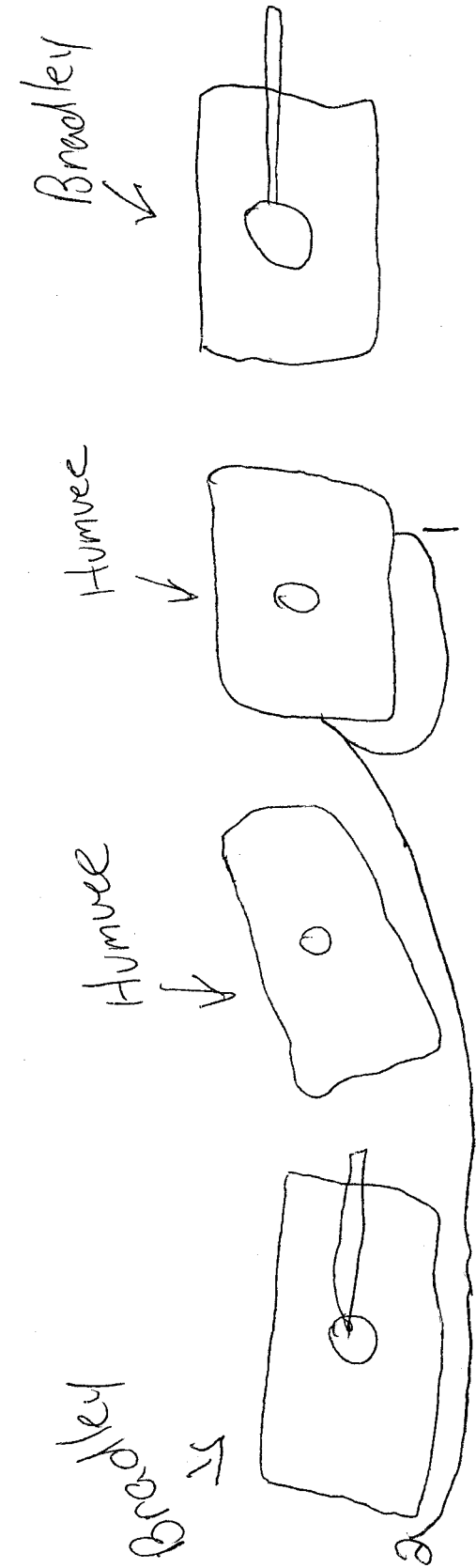
Blue = Cash RTE to where detainee died.

Drawn by: (b)(6), (b)(7)(C)

verified by: (b)(6), (b)(7)(C)

Security detainee
died
Halt position
when

50m to 75m interval



legend

(b)(6), (b)(7)(C)

1. ~~When~~ I would have taken to
the path I would have taken to
get to the truck. I'm not sure

(b)(6), (b)(7)(C)

witnessed by:

a. The path I think I would have
taken to get to the Bradley. I'm not sure

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

sketched by

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0010-08-CID847-34682
0916-2008-CID016

Page 1 of 1 Pages

DETAILS

BASIS FOR INVESTIGATION: About 0900, 14 Nov 08, this office was notified of a Request for Assistance (RFA) from the Schweinfurt, Germany CID Office to re-interview SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) B Company, 1/17th Infantry Regiment, Fort Lewis, WA 98433 (FLWA), regarding the murder of an Iraqi detainee.

About 1620, 4 Dec 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) while his attorney, CPT (b)(6), (b)(7)(C) Office of the Staff Judge Advocate, FLWA, was present. Prior to the interview, CPT (b)(6), (b)(7)(C) related advising SSG (b)(6), (b)(7)(C) of his legal rights, documented on a DA Form 3881 was not required due to his presence during the interview. SSG (b)(6), (b)(7)(C) provided a sworn statement detailing the events surrounding the death of the detainee. SSG (b)(6), (b)(7)(C) maintained he did not have any knowledge of how the detainee died or if anyone killed him. SSG (b)(6), (b)(7)(C) denied witnessing 1SG (b)(6), (b)(7)(C) executing the detainee. Prior to the interview, CPT (b)(6), (b)(7)(C) explained the letter of immunity to SSG (b)(6), (b)(7)(C) and he understood he was required to be truthful in his interview. SSG (b)(6), (b)(7)(C) maintained he was truthful during his statement taken on 7 Nov 08, and was truthful during the statement he provided on 4 Dec 08.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C)		ORGANIZATION 44 th Military Police Detachment (CID) Fort Lewis, WA 98433	
SIGNATURE (b)(6), (b)(7)(C)		DATE 4 Dec 08	EXHIBIT 253

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 Fort Lewis, WA 98433	2. DATE (YYYYMMDD) (b)(6), (b)(7)(C) 2008/12/04	(b)(6), (b)(7)(C) 1734	4. FILE NUMBER 0010-68-CID847-34682
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-6/SSG	
8. ORGANIZATION OR ADDRESS B Company, 1/17th Infantry Regiment, Fort Lewis, WA 98433			

9. (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: SA (b)(6), (b)(7)(C)
A: SSG (b)(6), (b)(7)(C)
Q: When you saw the wounded Iraqi in the house, what type of wounds did he have?
A: A gunshot wound to his leg.
Q: Was the detainee alive?
A: Yes.
Q: What steps were taken to save his life?
A: A medic was giving first aid to him. The medic was Doc (b)(6), (b)(7)(C)
Q: What kind of communication system did you have in your truck?
A: Either two ASIP radios or SINCGARS. I had an IMMBTR radio attached to my person. The radios were on company nets and most likely Battalion. My IMMBTR was on company net.
Q: Why did you stop for a security halt?
A: I didn't stop the convoy, so I don't know.
Q: Why are you the only one who remembers the firefight between the local nationals?
A: Because I was the patrol leader and I was paying attention.
Q: How did you know it was only local nationals involved?
A: It was our company's battle space, and incoming patrols would have had to call our company net and tell them they were entering into our area.
Q: At the security stop, when did you get out of your vehicle?
A: I'm not sure.
Q: Why did you get out of your vehicle?
A: To get a body bag and bring it to the back of the Bradley.
Q: Where was your HMMWV in the order of march when you were at the security halt?
A: In between the two Bradleys, it was either third or second in the order of march, I don't remember.
Q: Who helped you place the detainee in the body bag?
A: SGT (b)(6), (b)(7)(C)
Q: Where were you positioned when you placed the detainee in the body bag?
A: I don't remember, I remember the detainee on the ramp of the Bradley. I don't remember what part of him I picked up to put into the body bag.
Q: What did you do to assist in placing the detainee's remains in the body bag?
A: I helped put him in the body bag, but I don't remember what part of him I picked up.
Q: Did you ever see 1SG (b)(6), (b)(7)(C) out of his vehicle?

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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 Fort Lewis, WA DATED 2008/12/04

9. STATEMENT (Continued)

(b)(6), (b)(7)(C) A: Yes. Over by the Bradley when we were placing the remains in the body bag.
 Q: What did 1SG (b)(6), (b)(7)(C) do while he was standing by you?
 A: Nothing, he gave us orders like to put him in the Bradley and drive to the IP station to drop him off.
 Q: Who asked you to retrieve the body bag from your vehicle?
 A: I'm not positive, but I think it was the 1SG (b)(6), (b)(7)(C)
 Q: Were body bags in all of the vehicles?
 A: Not in the Bradleys, I don't know about the other HMMWV'S layout, but I knew I had them in my vehicle.
 Q: What was said over the radio to retrieve the body bag?
 A: I'm not positive but, I think I remember 1SG (b)(6), (b)(7)(C) or SGT (b)(6), (b)(7)(C) calling my call sign to bring them a body bag. If you were an E-5 or above team leader, you had an IMMBTR radio, but I'm not sure if SGT (b)(6), (b)(7)(C) had one because he was a medic. If he didn't have one, it would have been 1SG (b)(6), (b)(7)(C) calling.
 Q: What was the visibility like while you were loading the remains in the body bag?
 A: It was dark, I had my NVGS mounted, but I don't remember if they were down.
 Q: Were the lights on in the back of the Bradley?
 A: I think so.
 Q: What were the detainee's injuries at the time you were placing his remains in the body bag?
 A: He had is leg wrapped up with a Israeli bandage.
 Q: Did you see any bullet holes in the detainee's abdominal or chest area?
 A: No.
 Q: Did SGT (b)(6), (b)(7)(C) try to convince you to limit his involvement if you were asked about the events surrounding the detainee's death?
 A: No.
 Q: What are your feelings toward SGT (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C)?
 A: I respected SGT (b)(6), (b)(7)(C) because he knew a lot of medical information, and the First Sergeant because he taught me a lot of infantry stuff. I respected them both as soldiers because they took care of soldiers.
 Q: Would you like to add anything to this statement?
 A: No.// (b)(6), (b)(7)(C) // 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 Fort Lewis, WA DATED 2008/12/04

9. STATEMENT (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 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. I HAVE NOT BEEN PROMISED OR RECEIVED ANY BENEFIT OR REWARD, AND I HAVE NOT BEEN THREATENED WITH PUNISHMENT OR COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)
(Signature of Person Making Statement)

WITNESSED BY
(b)(6), (b)(7)(C)
CPT, JA
Trial Defense
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4 day of December, 2008 at Fort Lewis, WA 98433
(b)(6), (b)(7)(C)
(Typed Name of Person Administering Oath)
10 USC 936
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER: 0010-08-CID847-34682
0327-08-CID146

PAGE 1 OF 1 PAGES

DETAILS:

BASIS FOR INVESTIGATION: About 1200, 12 Dec 08, this office received a Request for Assistance: 0010-08-CID847-34862, from the Schweinfurt CID Office, Schweinfurt, Germany, APO AE 09033. The RFA requested this office coordinate with Mr. (former SPC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) to collect a set of prayer beads as evidence pertaining to a Murder.

About 1802, 12 Dec 08, SA (b)(6), (b)(7)(C) collected the prayer beads from Mr. (b)(6), (b)(7)(C) Evidence collection was annotated on a DA Form 4137, Evidence/Property Custody Document.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION:

Fort Irwin Resident Agency (CID)
Fort Irwin, CA 92310

DATE:

12 Dec 08

EXHIBIT

255

10-L-0126 ACLU CID ROI 5359

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United States Army Criminal
Investigation Command



**COMPACT DISC CONTAINING
IMAGES OF PRAYER BEADS**

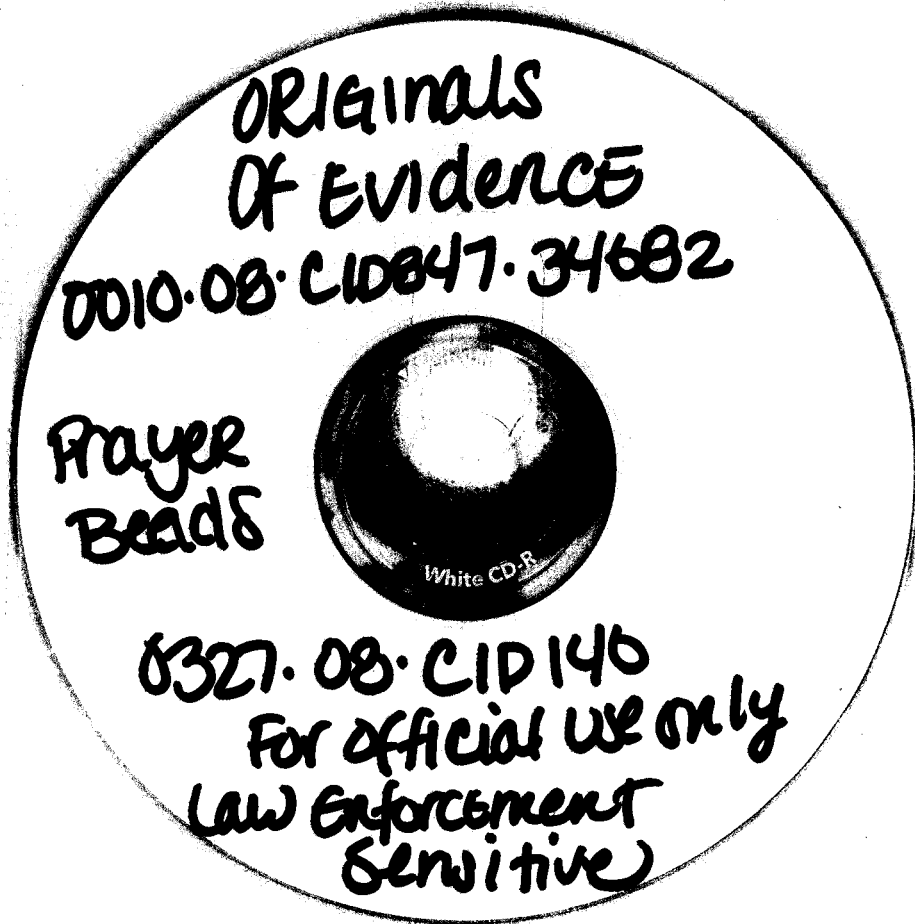


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10-L-0126 ACLU CID ROI 5362

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 2 PAGES

DETAILS

About 0900, 23 Jan 09, SA (b)(6), (b)(7)(C) reviewed a blog entry dated 22 Jan 09, 10:50:50 AM, on the website military.com. The user who created the blog entry was only known as "12596389". The user stated he was assigned to a Battalion in Baghdad which the company of SFC (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) was attached to. The user further stated his platoon pulled the bodies from the canal and the locals tried to tell them that it was Americans who had done the executions. The users profile on military.com only lists his location as Manhattan, Kansas and as being an Active Duty Soldier. (See **Blog Entry and Profile for user (b)(6), (b)(7)(C) for details**)/// Last Entry ///

About 1230, 26 Jan 09, SA (b)(6), (b)(7)(C) coordinated with Mrs. (b)(6), (b)(7)(C) Quality Assurance Manager, Military Advantage, 799 Market Street, Suite 700, San Francisco, CA 94103, who stated the user (b)(6), (b)(7)(C) listed on military.com had very limited registration information available. Mrs. (b)(6), (b)(7)(C) stated the users name was listed as (b)(6), (b)(7)(C) and the users e-mail address was listed as (b)(6), (b)(7)(C). The user was further listed as being an Active Duty, Army Service Member. No Internet Protocol (IP) Address information was maintained by military.com. There was no other indentifying information available.

About 1300, 26 Jan 09, SA (b)(6), (b)(7)(C) conducted a search of the Department of Defense Employee Interactive Data System (DEIDS), which revealed the following matches for (b)(6), (b)(7)(C) Active Duty Army:

SPC (b)(6), (b)(7)(C) C Co, 864th EN BN, Ft Richardson, AK 99505. One dependent listed as residing in Drexel Hill, PA

MSG (b)(6), (b)(7)(C) HHC, 111th MI BDE, Ft. Huachuca, AZ 85613. No listed dependents.

SPC (b)(6), (b)(7)(C) A Co, 5th EN BN, Ft. Leonard Wood, MO, 65473. No listed dependents.

CPT (b)(6), (b)(7)(C) C Co, 442nd SIGN BN, 15th SIG BDE, Ft. Gordon, GA 30905. Two listed dependents. Dependent child listed with address (b)(6), (b)(7)(C)

Agent's Comment: CPT (b)(6), (b)(7)(C) was the only listed Active Duty member who had a Manhattan, KS address listed.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Schweinfurt CID Office APO AE 09033	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	28 Jan 09	257	

CID FORM 94

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 2 OF 2 PAGES

DETAILS

About 1320, 26 Jan 09, SA (b)(6), (b)(7)(C) reviewed the Officer Record Brief (ORB) of CPT (b)(6), (b)(7)(C) which revealed he had deployed in support of Operation Iraqi Freedom for a period of 15 months which began in January of 2007. CPT (b)(6), (b)(7)(C) was assigned to 1-28th IN BN, which was known to be co-located on the same Combat Out Post as 1-18th IN BN.

Agent's Comment: A Request for Assistance was dispatched to the Fort Gordon CID Office, to interview CPT (b)(6), (b)(7)(C)

About 1500, 28 Jan 09, SA (b)(6), (b)(7)(C) reviewed the Enlisted Record Brief (ERB) of the other three enlisted Soldiers listed above, which revealed none appeared to have been deployed to Iraq during the time period of the alleged incident.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION
SA (b)(6), (b)(7)(C), (b)(7)(F)		Schweinfurt CID Office APO AE 09033
SIGNATURE	DATE	EXHIBIT
(b)(6), (b)(7)(C)	28 Jan 09	257

CID FORM 94

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10-L-0126 ACLU CID ROI 5364

Military.com | TODAY IN THE MILITARY

GI Faces Court-Martial Over Iraq Deaths

January 13, 2009

Associated Press

BERLIN - A U.S. Army sergeant will face a court-martial on murder charges for alleged involvement in the killing of four Iraqi prisoners who were found bound, blindfolded, shot and dumped in a Baghdad canal, the military said Tuesday.

Sgt. 1st Class Joseph P. Mayo, 27, will be court-martialed on charges of murder, conspiracy to commit murder and obstruction of justice stemming from the spring 2007 incident, the military said in a statement.

At a hearing last month, Mayo's attorney told a military panel there was not enough evidence to bring his client before a court-martial.

But the panel decided to recommend the case be taken to one, the military said. No date has been set for the proceeding.

Mayo is one of seven soldiers implicated in the case, and could receive a life sentence without parole if convicted.

Mayo has been implicated by other soldiers who were on the patrol. All soldiers involved were with the 1st Battalion, 18th Infantry Regiment, 2nd Brigade of the 1st Infantry Division in Iraq, which is now part of the Germany-based 172nd Infantry Brigade.

Two other soldiers, Sgt. Michael P. Leahy Jr., of Lockport, Illinois, and Sgt. John E. Hatley are said to have been directly involved in the shootings.

According to testimony, four Iraqis were taken into custody after a firefight sometime between March 10 and April 16, 2007.

The prisoners were then taken to the U.S. unit's operating base in Baghdad. Later that night, according to testimony, members of the patrol took the Iraqis to a remote location and killed them in retribution for attacks.

Other members of the patrol have already been sentenced or are awaiting their trials.

Spc. Steven Ribordy, 25, of Salina, Kansas, and Spc. Belmor Ramos, 23, of Clearfield, Utah, have pleaded guilty in the case and have been sentenced to prison.

Court-martials on charges of conspiracy to commit premeditated murder are planned at an unspecified date for two other soldiers, Staff Sgt. Jess Cunningham, 27, of Bakersfield, California, and Sgt. Charles Quigley, 28, of Providence, Rhode Island.

The hometowns of Mayo and Hatley were not released.

No date has been set for Leahy and Hatley's separate courts-martial on charges of murder, conspiracy to commit murder and obstruction of justice stemming from the incident.

Leahy and Hatley face additional charges of murder for a separate incident in January 2007. The Army has not provided details of that incident.

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Jan 13, 2009 3:02:30 PM

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The Army has not provided details of that incident.

Kind of says it all!!

PR2Homerdog

Jan 13, 2009 3:29:16 PM

It sounds like the story has more truth than I care to have heard.. I sometimes say the truth is painful but it will set you free!! My big problem is that no one stood and said hey wait a F'ing Second we are better than this!! We know better and maybe they will get away and that will suck but, WE CAN NOT DO THIS SARG (or whatever) We will more than likley have to battle with them again and let's see what happens then. FOR all the static Bush has taken this is what really P'S me off. this guys taking things like this into their hands. I know some rules of engagment suck but just outright EXECUTING PRISONERS is not RIGHT! It hurt like HELL when Sgt K. MATT MAUPIN was capured and then when he was found KILLED by the scum we are battling... We here in AMERICAN are supposed to KNOW BETTER.. I can not belive the break down in the CHAIN OF COMMAND in this UNIT! HOW MUCH MORE WE DONT KNOW ABOUT HAPPENED BEFROE THIS AND AFTER??? For these soldiers to even think that this was OK something had went wrong in their training and that is just the TIP of the IceBreg not the TIP of the SPEAR! What a shame....

art88

Jan 13, 2009 4:16:26 PM

doesn't seem right but i can see why he did it.

LineDoggie

Jan 13, 2009 11:25:19 PM

"IF" he is found Guilty, throw the book at him. He would have been a disgrace to the NCO corps for taking part in this action

SSGJHeinrich

Jan 14, 2009 11:25:44 AM

THE STANDARD OF CONDUCT HAS DEFINITELY DROPPED FROM WHEN I WAS IN FROM 1982-1991!

RonaldMoraca

Jan 14, 2009 11:33:13 AM

The U.S. Army is on a witch hunt for members of their establishment who committed "murder" in the heat of combat, where you don't leave enemies alive behind you to shoot you in the back.

2834639

Jan 14, 2009 12:25:33 PM

Enough of this holier than thou bullcrap. I for one am damn tired of the military brass nitpicking the fighting man to death. The Geneva Convention rules be damned as this is not a war being fought in conventional ways. I agree with Moraca don't leave the bstrds behind to shoot you in the back.

cybereyes

Jan 14, 2009 12:26:30 PM

Some of you must be remembering the good ole days of sitting back doing nothing aside from some casual training or taking turns making the young soldiers do pushups for fun. The new army fights and dies. We are expected to sit back and wait to be shot at and then ask permission to shoot back and tip toe around every little rule and boundary for fear of someone pointing a finger at us. All because of the countries enjoyment of bashing bush. Meanwhile the soldiers are being asked to watch their comrades be killed and do nothing because their enemy ran out of bullets. I don't blame these guys at all, war is tough and we asked them to do so much and then just forget, and then we take the side of the enemy forces just to appease politics. Do you really think that ALL those soldiers just decided at the same time to go out and execute a bunch of innocent civilians? No amount of training can prepare a person to simply lay down their heart and soul and watch as your fellow soldiers and friends are gunned down as the enemy laugh in

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10-L-0126-ACLU CID ROI 5366

ACLU-RDI 5596 p.958 LAW ENFORCEMENT SENSITIVE

http://www.military.com/news/article/gi-faces-court-martial-over-iraq-deaths.html?ESRC=... 001426 258 1/25/2009

your face for allowing them to do it. Thats what disgusting, that we ask our soldiers to do just that. Sometimes I wonder who really has our back as soldiers, the Politicians and lawyers certainly don't, and its obvious that some of their fellow soldiers don't either, otherwise this would have never came out.

3967866

Jan 14, 2009 1:55:19 PM

?

3967866

Jan 14, 2009 1:59:52 PM

I don't condone this, but how many troops were prosecuted for these same types of actions during WWII, when the US declared total "WAR" and went for total "VICTORY"?

How many pilots were prosecuted for dropping bombs (Japan and Berlin) that killed innocent civilians during that same period?

I think we should decide whether we want to win or just show up. Compare results of WWII to those of Korea, Vietnam and this current conflict. What are the differences?

Chief1183

Jan 14, 2009 2:31:59 PM

Some of you need to read the story again before you condone this execution as "in the heat of battle".

It says "four Iraqis were taken into custody after a firefight sometime between March 10 and April 16, 2007. The prisoners were then taken to the U.S. unit's operating base in Baghdad. Later that night, according to testimony, members of the patrol took the Iraqis to a remote location and killed them in retribution for attacks."

That is murder with revenge as the motive. And even if these Iraqis deserved to die, that could have been done by the courts...after these guys had been questioned for info on planned attacks, etc.

Killing these prisoners may have gotten other Americans killed.

18416379

Jan 14, 2009 3:41:46 PM

personally I would have just shot them fist. You can't kill a POW if you don't get a surrender first. I knew Sgt Mayo. This really bites.

SinePariDonster

Jan 14, 2009 9:42:25 PM

RonaldMoraca - "The U.S. Army is on a witch hunt for members of their establishment who committed "murder" in the heat of combat, where you don't leave enemies alive behind you to shoot you in the back."

Sorry to burst the bubble of certainty here, but bound and blindfolded indicates that this was not "in the heat of battle" or anything remotely similar.

IF this NCO is guilty of an execution (murder), then he should hang for it. The Laws of War, the Geneva and Hague Conventions and International Laws apply to us because we as a nation signed the conventions and treaties covering civilized behavior in time of war...no matter who our enemy is.

If he is not guilty, the Court Martial will decide that too.

Earthquake23

Jan 14, 2009 9:56:15 PM

Sounds like a simply case of post-traumatic stress disorder. I think they should get 100% disability and maybe some bronze stars. After all they could have completely lost it and taken out half the town. Walter Reed and then home and a job well done and America is proud of you guys. Closing what would you do if some one shot your brother in front of you. I say my finger would get stuck on an M-134.

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ACLU-RDI 5596 p. 959

http://www.military.com/news/article/gi-faces-court-martial-over-iraq-deaths.html?ESRC=...0014272009

250

0014272009

20082598

Jan 15, 2009 10:35:36 AM

Where were the commissioned officers when this was taking place?
Seems the NCO's and other enlisted personnel get dumped on while the brass always get a pass.
Guess they were all busy drinking booze in the Green zone, eating good food and sleeping in real beds while their underlings were assigned to do the dirty work.

reconmedik

Jan 15, 2009 6:45:16 PM

I love it when the press makes a huge deal out of American Soldiers doing horrific things like this but we usually get a little blurb about the Mad Dog Muslims who torture and SAW peoples heads off. Thats right they SAW them off from front to back so you feel it and know what is happening to you until they cut your spinal cord. Then after you dont feel it anymore you watch yourself bleed out until finally and thankfully you go unconscious from the loss of blood. These people are animals and need to be treated as such. But We are better than that ...right?
Apparently not. I aint saying that what they did was right and I wouldnt have handled it that way myself but I think people who have not been to Iraq cannot understand the context that these guy's are thrust into everyday. War is messed up in so many ways and I think that these guy's really thought they were doing the right thing based on the situation they were in at the time. BAAAADDD JUJUJUJU no matter how you look at it. The US will always be wrong in instances like this.

SFCSAMPSELL

Jan 16, 2009 7:20:54 AM

I won't say I that I don't understand how this happened. Fighting an enemy that you rarely see but that keeps killing your friends is the most frustrating experience one can endure. My issue with this whole thing is that lower ranking Soldiers are already serving time for their roles while the two senior leaders on the ground that day are still walking around. One of which still refuses to give any kind of statement to investigators. NCO's are supposed to take care of their Soldiers. That's what we do. These two did not take care of their Soldiers that day on the Euphrates or any day thereafter. That, and only that, is what I have a problem with.

ares17

Jan 21, 2009 12:27:02 AM

If these prisoners were in fact non-uniformed combatants, taken after a firefight, then they legally ceased to exist. They were subject to summary execution on the spot by the ranking soldier.

The purpose of this exclusion in the Geneva Conventions was to discourage combatants from concealing themselves in "civilian clothing." It was to compel non-uniformed combatants to take up another trade.

These soldiers did nothing wrong. The taking of non-uniformed prisoners is an exercise in futility. The keeping of non-uniformed combatants is wasteful. The summary execution of non-uniformed combatants will discourage this behavior once it becomes clear that this is the end result.

Release these soldiers, and call off the career-enhancing move by officers who want to apply civic virtues to a military, when the virtues of each are polar opposites.

MamLoui

Jan 21, 2009 7:29:07 PM

I think you would be better off killing your enemy in the fire fight. If they have a weapon you shoot them so they don't shoot you later. If you don't kill them in the fight then you have lost your moral justification to kill them at all. I think there are a lot of unanswered questions that need to be made clear. It fringes on a My Lai senrio. I guess Colin Powell isn't around to cover it up. You guys on patrol that did the right thing God Bless all of you.

Vietnam 69-70 Iraq 2004

daveng

Jan 21, 2009 9:27:32 PM

It's a wonder we've got people even enlisting in the military. This kind of thing happened all the time in Nam. We took no prisoners, orders from the top. Fine with us. They'd do the same to us that's for sure. They

were nothing but animals to us. This is a joke, a bad one. If you're sent to fight a war then everyone is fair game.

15145319 Jan 22, 2009 8:07:55 AM

THY WANT YOU TO FIGHT A WAR AND BE A NICE GUY TOO .

judy33 Jan 22, 2009 9:00:23 AM

I am not saying it was ok, but i can see why things like that happen. They are happen on each site. Every soldier knows if he lets an enemy go next time he could be killed by him.

12596389 Jan 22, 2009 10:50:50 AM

This company was attached to my Battalion in Baghdad. I've seen first hand how they operated and believe me, there are probably a dozen untold stories about these guys just like this one. My platoon pulled these bodies from the canal. What a dispicable sight. The locals tried to tell us that it was Americans who had done the executions. Of course we didn't believe them. Everytime I hear about this story I get sick to my stomach. 1SG Hatley was as foul as they come. He bragged about killing Iraqis like it was a sport. It was only a matter of time before this came to light. I'm suprised the Company Commander wasn't implicated because he was exactly the same. He let Wolf Company act this way. I refuse to believe that the 1SG could operate without the CO knowing. The reason no one stopped them is because they all volunteered to go on the patrol. They all wanted to kill these guys and they all should go down.

16975536 Jan 22, 2009 11:30:04 AM

My question is why is President Obama halting the trials of detainees at Guatanamo Bay, one of which murdered a US Soldier by throwing a fing grenade at him, but our soldiers get immediately put in front of a Court Martial, have the book thrown at them, have their entire lives ruined all because they killed people who didn't deserve the oxygen that God gave them!!!! I for sleep a little more peacefully at night knowing our wonderful men and women of the Armed Forces are protecting me and I don't care how they do it. I understand the rules of engagement but the enemies have no such thing, they don't care if they live or die anyway, they are taught from birth that it is an HONOR to die for their country, so I say just speed up the process for them.

16936148 Jan 22, 2009 11:40:48 AM

You send our men over to Bagdad, and elsewhere in the Middle East to fight as soldiers. Then, when they shoot the bastards you court martial them. Don't you think that they may have been suffering from PTSD from being over there in that war tom mess you call a war! They do their duties every day in hopes they don't get killed with an ICD as they walk or drive along the roadside. These people, are killers - and will kill without provocation. I don't blame the soldiers for killing them - a few more down in the dirt that they don't have to worry about.

16936148 Jan 22, 2009 11:49:18 AM

You send our men over to Bagdad, and elsewhere in the Middle East to fight as soldiers. Then, when they shoot the bastards you court martial them. Don't you think that they may have been suffering from PTSD from being over there in that war tom mess you call a war! They do their duties every day in hopes they don't get killed with an ICD as they walk or drive along the roadside. These people, are killers - and will kill without provocation. I don't blame the soldiers for killing them - a few more down in the dirt that they don't have to worry about.

15083680 Jan 22, 2009 11:56:36 AM

We are taking this crap way to serious, let the SFC go and continue his career. Like the fricken Iraqis havent blatantly killed US troops, thats

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258 001429

why its called WAR!!!! People die get over it. We need to wisen up here, start playing this game to be in it to win it. Something I think the powers that be have forgotten, there is no diplomacy in war. War is a means to an end, ie making your enemy to submit. If it means your enemy dieing well I guess thats what it means.

11581392

Jan 22, 2009 12:00:31 PM

A Counterinsurgency is a war with no doctrine. The Geneva convention only applies to the good guys, everyone else fights by their own rules. As a SOF soldier, I know firsthand how corrupt the Iraqi court system is. We jokingly have tagged it the "catch and release program". These soldiers were probably tired of all of the bulls#\$t politics and just experienced a couple of their friends being wounded or killed and their adrenaline was on full throttle. They should of done the right thing and terminated them on the objective. Once the EPWs were in U.S. captivity, you as a soldier have an obligation to prosecute them in the catch and release program.

14383607

Jan 22, 2009 12:49:17 PM

Dead enemy soldiers do not return to kill you or your buddies ! But the sgt should have used better judgement - like a staged escape . My uncle was a Marine in the Pacific in WWII . Each morning he took two Japanese prisoners down to the ocean to empty garbage . Each morning , the prisoners tried to escape and drowned in the ocean

viper5294

Jan 22, 2009 1:18:25 PM

The whole war is a big mistake,the rules of engagement have changed since I was in. Vietnam was a different ball of wax, The atrocities committed by the Viet Cong and North Vietnamese were real bad to the Prisoner's of War, same thing applies to how our troops who were captured and treated during the Korean Conflict and as a Prisoner of War. Someone has to be the fall guy and there is too much judging in the military today. They have to hold someone responsible. The whole thing is totally strange and mentally confused. Maybe have Mrs Obama step in she is Harvard Grad Lawyer, then the truth will come out and at least she can have her husband change the military law system, since he plans on making lots of changes.

infantryprivate

Jan 22, 2009 1:23:10 PM

maybe that Iraqi reporter had the right idea.everyone put away your weapons and start throwing your shoes at each other.but unfortunately terrorists dont play fair.but we are expected to fight fairly,there was not one thing fair about 9/11th those people who died were not involved in any way shape or form ,in these terrorists,so called holy war!!they died for no reason at all,and these soldiers are going to prison for 4 terrorists? what the hell is fair about that?

15083680

Jan 22, 2009 1:55:16 PM

I suffer from PTSD along with bad knees and back from being there in 2003, now I have to go through the medical process to see if the military is going to end my career or not after 10 years of service. I served in Kosovo 9 months prior to going to Bahgdad, Iraq. After being mortar and RPG'ed atleast twice a week sometimes more, and shot at you tend to get a little jaded and stressed out. Seeing explosions the leave only peices of what use to be human beings well to say the least that also leaves a mark. I dont think that Abu Grabi (spelling?) or the Marines in Falluja were not handle properly, the soldiers in Abu Grabi I am sure along with the rest of the folks that have been there or are there were stressed out, what happens when you are offered no way of relieving that stress? You come up with a way to do it yourself, get a little pay back if you will. The Marines in Falluja, please what a joke you have US Marines in a fight for their lives and then you want to charge them with murder? Well I say thats BS through and through, and this case right here is just another example of the same.

olwarior

Jan 22, 2009 5:54:36 PM

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AGLU-RDI 5596 p 962

NO 10-126 ACTIVE CID RPT 15370 258
<http://www.military.com/news/article/gi-faces-court-martial-over-iraq-deaths.html?ESRC=...> 001430 1/23/2009

I SAY TURN THEM A LOOSE THEY WERE SENT TO FIGHT HASNT ANYONE IN THIS COUNTRY LEARNED YET THAT YOU CANT FIGHT WU=ITH YOUR HANDS TIED YOU SEND A MAN TO FIGHT A WAR AND THEN TELL HIM HE IS NOT TO SHOOT WHEN SHOT AT WHAT THE HELL YOU CAN BET YOUR *** WHET SOME RAG OR **** SHOT AT ME I DID EVERYTHING IN MY POWER TO THKE HIS OR HER *** OUT PERMENTLY gO BOLTS!!!!

45G_REcon101

Jan 22, 2009 7:11:12 PM

that sux

Vanguard05208

Jan 22, 2009 7:41:27 PM

People like Homerdog say,(hey wait a F'ing Second we are better than this!) or(are supposed to KNOW BETTER). Guess what we are not, this is War not a college discussion group on the morality of man.You are in your most primal of situations, life or death. Your "Family" vs. theirs. These criminal's were guilty of other crimes that we did not know of until our guys brought them back to our COP for shooting at us. This was not their first rodeo just the one they got caught riding.We were trained by seasoned killers and became such, guess what we were 11B that is our job and we were very efficient.Our downfall was our our "Army" turned on us. The unit mentioned above describing us(I've seen first hand how they operated)and they were afraid of us. They were trained by "diplomats" and 17yr Senior Infantry NCO's with not even combat patches, much less CIB's.We were ratted out and are being dealt with like traitors. America likes to hold their ears but we are murderers by definition, we did horrible things to horrible people. And I will die with that on my head, but I regret nothing. If I was caught I would expect them to at least kill me quick like a warrior should.But they have shown the opposite.I am now a amputee from that deployment and am sitting in a hospital looking at how the media forms a lynch mob and demands a sacrifice for such behavior. Grow up! Ask grandpa about the "civility of War" or your dad about the "innocence of combatants".

14992908

Jan 22, 2009 7:52:50 PM

You should let those soldiers alone all the pressure there under trying to survive in that hell hoi.e. The Iraqi's have done worst things to U.S. personnel you can't leave behind enemies alive,that might shoot at you later, you shoot them in the back first.

viper5294

Jan 22, 2009 8:39:15 PM

I think we need another Harry S. Truman in office, he would clean those areas up real quick. Just like Hiroshima, when the mayor of that town came out of his hooch and said what the F was that. If your an 11 bang and your engaged in combat operations and the enemy fires on you first it's time to return fire, regardless who is on the other side. You need to hold those senior officer's responsible they are as much to blame for that crap. Obama who's the New Commander in Chief needs to have them Generals and Admirals walking a tight rope, if they don't fix the problem about engaging the enemy he needs to fire them and have someone else dictate the UCMJ and stop blaming the actual troops who are engaged in combat operations, they are ones putting there *** on the line.

jtk9682003

Jan 22, 2009 10:13:10 PM

as an NCO and having been to Iraq on three tours I can not help but think that the NCO's on the patrol did not think clearly but I also think senior leadership was not in tune to their soldiers. I agree with the former soldier that made a comment about this is not the same Army. I joined in 1986 and we have changed so much some for the better and some not as well. SFC J.K.

17585885

Jan 23, 2009 3:21:49 AM

Yes well... After reading a lot of comments, reading the article again and reading more comments I can only speak from experience:
15 Months in Diyala.
Stop lossed and extended.

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LAW ENFORCEMENT ACTIVE EXHIBIT

10-L-0126-AGLU CID ROI 5371

AGLU RDI 5596 p 963

<http://www.military.com/news/article/gi-faces-court-martial-over-iraq-deaths.html?ESRC=...>

00142009 1/23/2009 258

Went on leave my 4th month. (You guys know how much that sucks! LOL)

This situation smacks of the same garbage I thankfully will never deal with again. I don't care if I do spend life in prison. I watched as people were shot at, and then told not to return fire because the enemy had dropped their weapon and were running away. "They're no longer a threat." The officer said. Excuse me? You're telling me the man that has just shot at me with the intent to take my life is no longer a threat because he threw down his weapon? You have got to be kidding me!

But I sleep well at night know that I did the right thing by following orders like that. The retarded ones that tell me someone is no longer a threat when they drop their weapon and run to kill another day. Orders given by someone who has a degree and is younger than me, and who I LITERALLY have boots that have more time in service than he does. Yeah, I sleep awesome thanks to a regimen of NyQuil, Ambien and enough booze to kill a goat. Knowing I did the "right thing" by letting that rat escape to kill a brother I love more than most my family. Yep, you're right sir. I feel awesome. Next time I wont do the right thing. I wont listen when told to stop because we're "better than that" because that order didn't come from someone who's been there and someone who's lost. That order came from the same people who condemn me for doing my duty. For people who could never relate to me unless they were there. People who just smile and nod and say disgusting platitudes like "Well I support the troops but not the war." and "Oh, I understand but..." PTSD? Yeah got that along with the shirt.

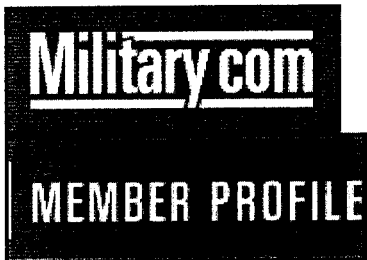
Another thing that disgusts me is these worthless TOC rat SFC's and SSG who get bronze stars for making coffee and kissing brass toosh while Soldiers who fight, die and get limbs blown off get ARCOM's and MACOM's? Seriously? Look up CPL Walters and CPL Labbon if you want to see what has to take place for someone to get a bronze star that isn't a figgin' TOC rat. 1st Cav you make me sick! And so do the rest of you officers that support this kind of crap because you want an OER that makes you look like a saint. Bite me! I've written your OER's for a SFC and I'm a friggin' SPC! I know the lies that go into those things "Show exceptional leadership abilities under pressure." Like the time you curled up in the fetal position and let the CPL run the platoon in a fire fight? You mean those exceptional leadership abilities? Or the time you lost PVS14s, a DGR, and a radio and blamed it on the Private? Which exceptional leadership skills were you referring to?

I am a product of failed leadership and I resent it. I could have been Audey Murphy but you lead me down a dark road that had no light at the end. I was a private, I had no idea what I was doing I looked to you in awe of your experience and knowledge, your dedication to duty, and your commitment. I got beat down because I didn't fit in with you. You told me that no matter what I did it would never ever be to your standard. I wish you nothing but what you deserve and that, in and of itself is more fury than hell in your back pocket.

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ACLU-RDI 5596 p.965

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001453
1/23/2009

258

Job Function Not available

Job Title Not available

Education Not available

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10-L-0126 ACU CID ROI 5374

EXHIBIT

254

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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ROI NUMBER (0010-09-CID847-34682)

0026-09-CID043

PAGE 1 OF 1 PAGE

DETAILS

About 1450, 26 Jan 09, this office received a Request for Assistance (RFA) from Schweinfurt CID Office, CMR 457, APO AE 09033, requesting this office interview CPT (b)(6), (b)(7)(C) Company, 442nd Signal Battalion, Fort Gordon, GA, concerning information surrounding the killing and disposing of Iraqi nationals by his platoon between April and May, 2007. C

About 1717, 28 Jan 09, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) who provided a statement wherein he detailed how he was notified of the four bodies in the canal and what he did after the notification.

About 1400, 3 Feb 09, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) pertaining to the location he obtained the four bodies from and where the bodies were dropped off.

About 1455, 3 Feb 09, SA (b)(6), (b)(7)(C) received an email from CPT (b)(6), (b)(7)(C) with the location he obtained the bodies from and where they were dropped off. CPT (b)(6), (b)(7)(C) also provided a list of the some of the members of his platoon who were present during the time the bodies were collected. SA (b)(6), (b)(7)(C) provided the information to SA (b)(6), (b)(7)(C) Schweinfurt CID Office, CMR 457, APO AE 09033.

About 0900, 6 Feb 09, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) who related no additional investigative activity was required.

STATUS: This case is closed in the files of this office. All investigative activity has been completed and no further investigative was requested.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

SA (b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C)

ORGANIZATION:

Fort Gordon CID Office
Fort Gordon, GA 30905

DATE:

6 Feb 09

EXHIBIT:

10-L-0126-ACLU CID ROI 53759

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001435

End 1

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SWORN STATEMENTLOCATION: Fort Gordon, GA 30905FILE NUMBER: 0026-09-CID043DATE: 28 Jan 09 (b)(6), (b)(7)(C)TIME: 1717 (b)(6), (b)(7)(C)NAME: (b)(6), (b)(7)(C) SSAN: (b)(6), (b)(7)(C) GRADE/STATUS: O-3/RAORGANIZATION OR ADDRESS: C Company, 442nd Signal Battalion, Fort Gordon, GA 30905

I, (b)(6), (b)(7)(C), want to make the following statement under oath:
 About the third or fourth week of March 2007, I'm not sure of the date, but we were already moved out to our Combat Outpost (COP). We were tasked to recover bodies out of a Canal. We recovered the bodies, bagged them and took them to the Iraqi National Police Headquarters Building. (b)(6), (b)(7)(C)

Q: SA (b)(6), (b)(7)(C)

A: CPT (b)(6), (b)(7)(C)

Q: What was your assigned position and rank, while in Iraq?

A: I was a First Lieutenant and I was the Platoon Leader for third Platoon, B Company, 1-28th Infantry.

Q: What FOB and/or COP were you stationed at?

A: Our Battalion operated out of FOB Falcon and my company, held out of COP Battle; I think the name was later changed to COP 889.

Q: What unit were you in?

A: I was in Battle 1-28 Infantry.

Q: Did you write the comment in question?

A: Yes.

Q: Is your e-mail address (b)(6), (b)(7)(C)@hotmail.com ?

A: It is.

Q: Was there an OPORD and/or Trip Ticket published for the mission?

A: There was a trip ticket, but I have no idea where that would be logged or obtained.

Q: Do you have a copy?

A: No, we are not allowed to take any secret material out of theatre.

Q: What are the standard operating procedures for recovering bodies?

A: We send up a report at the end of the patrol, with pictures, description of the bodies; any identifying features or marks, and if there were any signs of torture. I can't remember the name of the report.

Q: Describe the location where you observed and recovered the bodies.

A: We were on the east side of the canal that runs along Route Cypress, approximately 400 meters south of ECP 11 of Victory Base Complex (VBC).

Q: Describe the clothing of each of the bodies.

A: I believe one was wearing a white buttoned up shirt and dark pants, and the other was wearing a dark color running suit. I only saw two of the bodies. I saw a lot of bodies while in Iraq, so I may be wrong on the clothing, but this is what I remember.

Q: Was there any apparent wounds? Please describe.

A: Yes, both of the bodies I saw had gunshot wounds to the head, they were bruises and lacerations, but I don't think that was the cause of death.

Q: Did you find any weapons?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

DA Form 2823-E

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EXHIBIT 260

ACLU-RDI 5596 p.968

10-10126-AGLU CID ROI 5376

001436/ 3

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STATEMENT OF CPT (b)(6), (b)(7)(C) TAKEN AT Fort Gordon, GA 30905, DATED 28 Jan 09,
CONTINUED:

(b)(6), (b)(7)(C) A: No.
Q: Where did you take the bodies?
A: We bagged them and took them to what I believe was the Iraqi National Police Headquarters, we called it Four Castles, but it was at check point 540.
Q: How did you transport them?
A: HMMWV.
Q: Can you locate on the map, where you took the bodies?
A: Yes.
Q: Will this information be annotated in the OPORD and/or Trip Ticket?
A: It may have been, but I'm not sure.
Q: Who else was present on the patrol?
A: My platoon and first platoon.
Q: Do you have an alpha roster of your platoon from the deployment?
A: I don't, but I could give the name of the personnel I think was there.
Q: Where could we find an alpha roster of your platoon from the deployment?
A: I would assume if someone goes back to the Battalion, they may have records.
Q: How did they find out about the bodies?
A: We were told by our Battalion Tactical Operation Center (TOC) to retrieve them.
Q: How many bodies were pulled out of the canal?
A: I believe there were four, but I only saw two. The other platoon was doing some also.
Q: Who pulled them out?
A: I don't remember specifically, but my platoon sergeant SFC (b)(6), (b)(7)(C) was involved, not sure about anyone else.
Q: When did this occur?
A: It would have been the later part of March, but I can't be specific.
Q: Was anyone at the COP approached regarding the allegations?
A: Yes, but it was much later in the deployment.
Q: Do you know what was reported when they were approached?
A: It wasn't me; I wasn't approached, so I don't know what was said.
Q: While you were in Iraq, did you here anyone mention the bodies you recovered?
A: yes.
Q: What was being said about the bodies?
A: When we retrieved the bodies, we asked the locals in the immediate area and they informed us it was American military that killed them, we didn't believe it at the time. When the people came to inquire about it, that's when people started to inquire about it a lot more.
Q: Was anyone in your Battalion accused of committing these acts?
A: The Company was attached to my Battalion, but there weren't actually in our Battalion. We also had a Platoon that was imbedded in that company, that was from my company.
Q: Did anyone from that Platoon mention witnessing the deaths of the four bodies found?
A: I never had direct interaction with them other than the First Sergeant. The First Sergeant (b)(6), (b)(7)(C) never specifically mentioned that incident, but he did say "we go out and stir up shit to kill Iraqis." He made this comment during the first week of March in 2007. This was the day after

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

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STATEMENT OF CPT (b)(6), (b)(7)(C) TAKEN AT Fort Gordon, GA 30905, DATED 28 Jan 09,

CONTINUED:

(b)(6), (b)(7)(C) the 1SG lost a Soldier from his unit to small arms fire, I'm not sure of the guys name, but he was the TC for a Bradley.

Q: Do you have anything else to add to this statement?

A: I left the comment on the blog site because I got tired of hearing people defend their actions; because we were the ones who suffered the consequences being the new unit. We had to build back the trust with the surrounding people.

Q: Do you have anything else to add to this statement?

A: No.///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)

(Signature of Person Making Statement)

Witness #1:

Subscribed and sworn before me, a person authorized by law to administer oaths, this 28th day of Jan 2009, at Fort Gordon, GA 30905

(b)(6), (b)(7)(C)

Witness #2:

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

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0010-08-CID847-34682

0007-09-CID379-

PAGE 1 OF 1 PAGE

DETAILS

BASIS FOR INVESTIGATION: This Request For Assistance (RFA) was initiated based on a request from the Schweinfurt CID Office to locate, fully identify and interview SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) pertaining to the recovery of Iraqi deceased persons from a canal in Baghdad, Iraq.

About 2059, 10 Feb 09, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who provided a sworn statement detailing his recollection of his time in Iraq, but did not recall removing any bodies of Iraqi males from the canal near Route Cypress in Baghdad.

About 2102, 10 Feb 09, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who provided a sworn statement detailing his recollections of being a driver during the mission to remove the Iraqi bodies from the canal.

///LAST ENTRY///

(b)(6), (b)(7)(C), (b)(7)(F)

IZATION
ahar CID Office
ahar Airfield, Afghanistan, APO AE 09355

10 Feb 09

EXHIBIT

261

EU CID ROI 5379

SWORN STATEMENT**File Number:****Location:****Bagram CID Office**

(b)(6), (b)(7)(C)

Date:**10 Feb 09****Time:****2059****Statement of:**

(b)(6), (b)(7)(C)

UNMIK#:**Org/Address:****B Co, 1/4th Infantry (BCT), COP Mizan, Afghanistan, APO AE 09355**

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C), SPC **(b)(6), (b)(7)(C)** want to make the following statement under oath:

On or around 14th of February 2007 I SPC Lewis deployed to Iraq with B Co 1-28IN during OIF V. During my time in Iraq I was M240B gunner/Rifleman for 3rd platoon. In the beginning of my deployment I was one of the main gunners that went out on every mission that was given. About three months of being deployed we changed out jobs, one day I'll be a gunner then the next day I would be dismount and then I would be in the guard tower's. On the days that I wouldn't be on guard I would be out on mission such as, patrols, HVT'S, raid's or chow run's to FOB Slayer. LT. **(b)(6), (b)(7)(C)** now CAPT. **(b)(6), (b)(7)(C)** was my Platoon Leader. I used to be his gunner when it was my turn to go out on mission. On the 10th of FEB. 2009 I SPC **(b)(6), (b)(7)(C)** was question about an incident that happened in Iraq by an CID Agent of the murder's of LN's bodies being dumped in a canal by route Cypress. I do not recall being out on that mission with LT **(b)(6), (b)(7)(C)** fishing bodies out of the canal around route Cypress **(b)(6), (b)(7)(C)**

Q: What do you mean by HVT's

A: High-value target.

Q: Which platoon were you in?

A: 3rd Platoon, AKA Punishers or Ghostriders.

Q: What COP were you stationed at?

A: COP Battle was where we operated our missions at, and FOB Falcon was where we went back to rest and re-fit.

Q: How much did you split your time between the two places?

A: Once a month for about three days each time, we would go to FOB Falcon.

Q: Where is B Co, 1-28 IN BN stationed out of?

A: Fort Riley, Kansas.

Q: What date did you return from Iraq?

A: April 14th, 2008.

Q: Did you participate in any mission that removed bodies from a canal near Route Cypress?

A: No.

Q: If there was a mission that did conduct such a mission, would there be an OPORD, Trip Ticket or Patrol Debrief published for the mission to recover the bodies?

A: Yes. It should be located in out TOC.

Q: Do you know where those documents would be now?

A: If there are any left, 1SG **(b)(6), (b)(7)(C)** he should be the 1SG of B Co unless he left or got fired. CSM **(b)(6), (b)(7)(C)** might also have something.

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

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STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Bagram CID Office, DATED 10 Feb 09 CONTINUED:

Q: Have you ever heard about the bodies?

A: Yeah, there were always rumors going around about bodies being found all the time.

Q: What is the standard operating procedures for recovering bodies?

A: Vaguely, there was a worksheet kind of like a 9-line for bodies that were found. We would take photographs of the scene, and all the collected information. We would put them in body bags and take them to some designated area that we were told to take them to, after we received our orders over the radio.

Q: Where did you usually take the bodies?

A: Usually took them the Iraqi Army, or there was one time when we took the body to Slayer, so that forensics could be run on them. It was some other body that had been shot in the chest. If was normal stuff, that was for the IA's to handle.

Q: How did you transport them?

A: In the humvee's

Q: Will this information be annotated in the OPORD, Trip Ticket or Patrol Debrief?

A: Yeah, it should be, because we always reported back to the TOC what we were doing, where we were, etc.

Q: Do you have an alpha roster of your platoon from the deployment?

A: Negative.

Q: While you were at the COP was anything ever mentioned about the bodies found in the canal?

A: I had heard vague rumors about CIA or CID coming to our area to do an investigation that involved some 1SG or Commander who told his guys to go kill people, but nothing specific, and nothing about any bodies taken out of the canal near Route Cypress.

Q: Do you know why CPT (b)(6), (b)(7)(C) would mention you as being out on a mission with him to fish bodies out a canal?

A: Usually he liked it when I went out on missions with him because I was one of his favorite gunners. I went out a lot and liked going out.

Q: Do you know of anyone that may have gone out on a mission like this with CPT

(b)(6), (b)(7)(C)

A: Do not recall. There was rotation of people through squads and rotation of the squads themselves.

Q: Do you have anything to add to this statement?

A: No/// end of statement//

INITIALS OF PERSON MAKING STATEMENT

10-1-0126

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(b)(6), (b)(7)(C)

U-CONTROL 5381

EXHIBIT 01441

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Bagram CID Office, DATED 10 Feb 09 CONTINUED:

NOT USED

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) have read or 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)

(b)(6), (b)(7)(C)

(Signature)

(b)(6), (b)(7)(C)

law to administer oath, this
E 09354

(Typed Name of Person Administering Oath)

10 USC § 936
(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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(b)(6), (b)(7)(C)

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION Afghanistan CID Office, Bagram Airfield, Afghanistan	DATE 10 Feb 09	TIME 2102	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS E-4/AD
ORGANIZATION OR ADDRESS B Company, 1/4 Infantry Battalion			

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 3rd PLT received a mission to recover 4 dead bodies from the canal on route cypress. I was the driver for LT (b)(6), (b)(7)(C) We took 4 trucks to the canal. Our dismounts did the recovery but I did not dismount nor was I in a position to see the bodies. I really didn't receive any information or details concerning the bodies or any objects found on their person. I don't remember whether we transported them or if we just pulled security until the Iraqi Army arrived to take them. There wasn't any talk of it being irregular or strange at the time. We only recovered them and handed them over as far as I know.

Q: SA (b)(6), (b)(7)(C)
 A: SPC (b)(6), (b)(7)(C)
 Q: Did you write the above statement?
 A: Yes.
 Q: What was your assigned position and rank while in Iraq?
 A: Driver of an M1151 HMMWV and I was a PFC.
 Q: Which FOB and/or COP were you stationed at?
 A: COP Battle.
 Q: Which unit were you in?
 A: B CO, 1/28 Infantry.
 Q: Which date did you deploy to Iraq and which date did you return from Iraq?
 A: I deployed about 13 Feb 07 and returned about 15 Apr 08.
 Q: Was there an OPOD, trip ticket, or patrol debrief published for the mission to recover the bodies?
 A: As far as I know there was always a trip ticket for every mission. It was above my level and the lieutenant usually did that.
 Q: Did you author any of these documents?
 A: No.
 Q: Who did?
 A: The Platoon Leader, Platoon Sergeant, or occasionally a squad leader.
 Q: Who were your Platoon Leader and Platoon Sergeant?
 A: Lieutenant (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C)
 Q: Do you have a copy?
 A: No.
 Q: How did you find out about the bodies?
 A: My squad leader came and got me and said we had to go out on a mission. Then when we got in the trucks it was put out over the radio what we were doing.
 Q: Who was your squad leader?
 A: SSG (b)(6), (b)(7)(C)
 Q: Who put the mission out over the radio?
 A: I think it was Lieutenant (b)(6), (b)(7)(C)
 Q: How many bodies were pulled out of the canal?
 A: I think four, but I'm not sure.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED."
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Afghanistan CID Office, Bagram Airfield, Afghanistan APO, AE 09354
DATED 10 Feb 09 CONTINUED.

Q: Who pulled the bodies out?

A: I don't know. Other than it being our dismount squad.

Q: Which squad was the dismount squad at the time?

A: I don't know.

Q: Which date did this occur?

A: Not sure. I think it was in March of 2007.

Q: Did anyone expose photographs?

A: I think so, but I don't know who.

Q: Did you take any photographs?

A: No.

Q: Did you see the photographs which were taken?

A: No.

Q: Do you know where the photographs are located?

A: No.

Q: What was the SOP for recovering bodies?

A: You take a picture of the scene, then you search the body being careful for booby traps or harmful items. You use the belongings to try to figure out who it was and hopefully you could determine the cause of death. Usually we would then put the body in a body bag and call the Iraqi Army to come and take the body. We'd also send up a 9 line body report.

Q: Describe the location where you observed and recovered the bodies.

A: A canal with a dirt road on either side and one bridge toward the center of the canal. There was a lot of vegetation around the canal, and palm groves in the fields nearby. There weren't many houses in the area. It was really close to Camp Victory.

Q: Can you identify, on the map, the location where you recovered the bodies?

A: Not with any accuracy. I could show you where the canal road was.

Q: Describe the clothing on each of the bodies.

A: I didn't see them.

Q: Describe the bodies.

A: I didn't see them.

Q: Were there any apparent wounds?

A: I don't know.

Q: Were any weapons found at the scene?

A: I don't know.

Q: Were any zip ties or cloth that could have been used as a blindfold found?

A: I don't know.

Q: Were there any personal items collected from the bodies?

A: I don't know.

Q: Where were the bodies taken?

A: I'm not too sure about that.

Q: How were the bodies transported?

A: I don't know.

Q: Would this information be annotated on the OPORD, trip ticket, or patrol debrief?

A: I'm sure it probably would be.

Q: Who else was present on the patrol?

A: SFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) (the medic), and Lieutenant (b)(6), (b)(7)(C)

Q: Do you have an alpha roster of your platoon from the deployment?

A: No.

Q: While you were at the COP was anything ever mentioned about the bodies found in the canal?

A: Not that I'm aware of.

Q: As a driver on this mission, did you monitor radio traffic?

A: Yes.

Q: Did you hear anything about the bodies in the radio traffic during this mission?

A: Nothing of any particular interest that I can recall. I think Lieutenant (b)(6), (b)(7)(C) sent updates to Battle X-Ray (our TOC at the COP) on what we found.

Q: When you stated 3rd Platoon went on this mission, were you referring to 3rd Platoon of B CO, 1/28 Infantry?

A: Yes.

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Afghanistan CID Office, Bagram Airfield, Afghanistan APO, AE 09354 DATED 10 Feb 09 CONTINUED.

Q: Do you know Lieutenant (b)(6), (b)(7)(C) first name?

A: I think it was (b)(6), (b)(7)(C)

Q: Do you know SFC (b)(6), (b)(7)(C) first name?

A: I think it was (b)(6), (b)(7)(C) as well.

Q: Do you know PFC (b)(6), (b)(7)(C) first name?

A: I don't.

Q: Do you have anything you would like to add to this statement?

A: No. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR 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 INFULENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 10th day of February, 2009 at Afghanistan CID Office, Bagram Airfield, Afghanistan, APO,

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

Title 10 USC, § 936

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

Questions for interview:

What was your assigned position and rank, while in Iraq?

PFC / driver of 1151

What FOB and/or COP were you stationed at?

COP BATTLE

What unit were you in?

B, 1/28 IN

What date did you deploy to Iraq and what date did you return?

13 FEB 07 15 APR 08

Was there an OPORD, Trip Ticket or Patrol Debrief published for the mission to recover the bodies?

AS FAR AS I KNOW THERE WAS ALWAYS A TRIP TICKET

Did you author any of these documents yourself?

NO

Who did?

TH PL OR PVT SGT OR OCCASIONALLY A SQUAD LEADER

Do you have a copy?

NO

How did you find out about the bodies?

WE WERE BRIEFED BEFORE THE MISSION BY PL OR SQD

How many bodies were pulled out of the canal?

I'M NOT SURE

Who pulled them out?

ONE OF OUR DISMOUNT SQUADS, ROTATED

What date did this occur?

I DON'T KNOW

Did anyone expose photographs? Who?

I DON'T REMEMBER

Did you take any photographs?

NO

Where are they?

What is the standard operating procedures for recovering bodies? (i.e. what type of documentation and/or coordinations are completed)

I WOULD SAY YES. WE RECEIVED A STEP BY STEP CLASS ON THIS

Describe the location where you observed and recovered the bodies.

A CANAL WITH A DIRT ROAD ON EACH SIDE & LOTS OF PALM GROVES

Can you identify on the map the location where you recovered the bodies?

Describe the clothing of each of the bodies.

I DON'T REMEMBER

Describe the bodies (Age, scars, marks, tattoos, race, hair color, height, etc..) I DON'T REMEMBER

Was there any apparent wounds? Please describe.

I DON'T REMEMBER

Did you find any weapons?

I DON'T THINK SO

Did you find any zip-ties or cloth that could have been used as a blindfold?

I DON'T KNOW

Was there any personal items collected from the bodies? (i.e. identification, jewelry, watches, etc.)

I DON'T KNOW

Where did you take the bodies?

I DON'T REMEMBER

How did you transport them?

I DON'T THINK WE DID, WE DIDN'T HAVE ROOM

Can you locate on the map, where you took the bodies? (you may have to pull up google maps for this one...)

Will this information be annotated in the OPORD, Trip Ticket or Patrol Debrief?

I'M PRETTY SURE THE LTS WOULD WRITE OUT POST MORTEM

Who else was present on the patrol? (as many names as he can remember)

SFC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) P (b)(6), (b)(7)(C) MEDIC;

Do you have an alpha roster of your platoon from the deployment?

NO

While you were at the COP was anything ever mentioned about the bodies found in the canal? (i.e. did you hear any rumors about Soldiers killing the Iraqis?)

NO

What did you hear?

Please ask any additional questions you deem important...

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER:

0032-09-CID025-

PAGE 1 OF 2 PAGES

DETAIL

BASIS FOR INVESTIGATION: About 1100, 30 Jan 09, this office received a Request for Assistance (RFA) from the Schweinfurt CID Office, 202nd Military Police Group (CID), CMR 457, APO AE, 09033, requesting this office coordinate with LTC (b)(6), (b)(7)(C) Commander, 1/28th Infantry (INF), 4th Infantry Brigade Combat Team (IBCT), 1st Infantry Division (ID), Fort Riley, KS 66442 (FRKS), to provide any documentation regarding the recovery of Iraqi bodies and provide a brief regarding their investigation.

About 1145, 30 Jan 09, SA (b)(6), (b)(7)(C) coordinated with LTC (b)(6), (b)(7)(C) and briefed him on this investigation. LTC (b)(6), (b)(7)(C) stated all Secret Internet Protocol Router Network (SIPRNet) files from their deployment in 2007 was consolidated onto one hard drive. LTC (b)(6), (b)(7)(C) stated their S-2 is having difficulties accessing that information. LTC (b)(6), (b)(7)(C) stated he will notify this office once the files can be accessed.

About 1300, 4 Feb 09, SA (b)(6), (b)(7)(C) coordinated with 1LT (b)(6), (b)(7)(C) S-2, 1/28th INF, 4th IBCT, 1st ID, FRKS, who provided access to the unit's SIPRNet files for March 2007. A review of the Daily Staff Journal or Duty Officer's Log, DA Form 1594, did not reveal any recovery missions for dead bodies found in a canal. 1LT (b)(6), (b)(7)(C) provided a copy of the Alpha Roster for the unit's deployment in 2007. (See Alpha Roster)

Between 1315 and 1452, 10 Feb 09, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 1/28th INF, 4th IBCT, 1st ID, FRKS, who provided a sworn statement, wherein he stated he was present with CPT (b)(6), (b)(7)(C) during the recovery mission of 4 Iraqi bodies from a canal along Route Cypress, Iraq. SPC (b)(6), (b)(7)(C) stated he only observed 4 body bags that appeared to contain dead human remains. SPC (b)(6), (b)(7)(C) stated he did not evaluate the bodies because he was assisting with maintaining security. SPC (b)(6), (b)(7)(C) was provided a map of his unit's Area of Operations (AO) and indicated on the map where the bodies were recovered. (See Statement and Map)

Between 1330 and 1500, 10 Feb 09, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, who provided a sworn statement, wherein he stated he did not recall the recovery mission of 4 Iraqi bodies. SSG (b)(6), (b)(7)(C) stated he was on 3 deployments and cannot recall many events from the deployments. (See Statement)

About 1336, 11 Feb 09, SA (b)(6), (b)(7)(C) interviewed 1SG (b)(6), (b)(7)(C) C CO, 1/28th INF, 4th IBCT, 1st ID, FRKS. 1SG (b)(6), (b)(7)(C) stated he was assigned to 2nd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while he was in Iraq, but was not part of the recovery mission involving four Iraqi bodies in a canal, and he had no knowledge about the incidents involving the death of four Iraqi detainees.

About 1425, 11 Feb 09, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS. SSG (b)(6), (b)(7)(C) stated he was assigned to 2nd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while he was in Iraq, but was not part of the recovery mission involving four Iraqi bodies in a canal, and he had no knowledge about the incidents involving the death of four Iraqi detainees.

TYPE AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F) (b)(6), (b)(7)(C)

ORGANIZATION

78th Military Police Det (CID), 6th MP Group (CID) USACIDC, Fort Riley, KS 66442

SIGN

DATE

11 Feb 09

EXHIBIT

0126 ACLU CID ROI 5388 264

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER:

0032-09-CID025-

PAGE 2 OF 2 PAGES

DETAIL

About 1435, 11 Feb 09, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C), B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS. SSG (b)(6), (b)(7)(C) stated he was assigned to 3rd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while he was in Iraq, but was not part of the recovery mission involving four Iraqi bodies in a canal, and he had no knowledge about the incidents involving the death of four Iraqi detainees.

Between 1530 and 1626, 11 Feb 09, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) HHC, 1/28th INF, 4th IBCT, 1st ID, FRKS, who provided a sworn statement, wherein he stated he was assigned to 3rd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while he was in Iraq, but was not part of the recovery mission involving four Iraqi bodies in a canal, and he had no knowledge about the incidents involving the death of four Iraqi detainees. (See Statement)

About 1645, 11 Feb 09, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS. SSG (b)(6), (b)(7)(C) stated he was assigned to 3rd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while he was in Iraq, but was not part of the recovery mission involving four Iraqi bodies in a canal, and he had no knowledge about the incidents involving the death of four Iraqi detainees.

///LAST ENTRY///

TYPE AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)
(b)(6), (b)(7)(C)

ORGANIZATION

78th Military Police Det (CID), 6th MP Group (CID)
USACIDC, Fort Riley, KS 66442

SI

DATE

11 Feb 09

EXHIBIT

364

126 ACLU CID ROI 5389

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AC

SWORN STATEMENT

0032-09-CID025

FILE NUMBER : 0032-09-CID025-
LOCATION : Fort Riley, KS 66442
DATE : 10 Feb 09
NAME :
SSAN :
Grade/Status: SPC/ AD
ORG / ADDRESS: HHC, 1-28th INF, Fort Riley, KS 66442

TIME: 1452

(b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: In the April-May 07 time frame, I was Attached to 3rd PLATOON B Co 1-28, Our platoon was sent out to recover some bodies by the canal, which wasn't unusual because there had been bodies there before. I believe we took some fire and linked up with our 2nd PLATOON element which was attached to A Co 1-18. I know they recovered at least 4 bodies that were EJK or extra judicial killings/execution, but I did not get to evaluate the corpses because I was with the PSG who was taking charge of security while our PL was dealing with the bodies. August 08 I switch out with SGT so he can take over senior line medic and I would take his spot as the 2nd PLATOON medic. From my encounters with 1SG he seemed to be a pretty cool guy, He seem to care about his soldiers and was relaxed when ever I saw him. I had heard rumors about the 1SG and some EJK's and that when he first greeted 2nd PLATOON he walked right outside the cop wearing army physical fitness uniform and flip flops with a Kevlar and M4 in hand waving them to come in. I never observed any of his action's that were described in the rumors that I had heard during my time with 2nd PLATOON. I what I had observed that when we needed help we got it fast, and I know for a fact that it had saved our lives especially when on 11SEP07 one of our SKT's had gone wrong and we were black on ammo, the rest of the 2nd PLATOON element and White PLATOON with 1SG came in and lit up the targeted building with Bradley's and Humvee's. So from what I had observed was that he was a leader who did not hesitate to go into battle to save his fellow soldiers.

Q: Did you type the above statement?

A: Yes.

Q: What is a SKT?

A: Small Kill Team, they are inserted in an area to observe the enemy for high value targets.

Q: Did you ever witness 1SG acting against the UCMJ or any unit established Standard Operation Procedures (SOP) regarding Rules of Engagement (ROE)?

A: No.

Q: Are you aware of 1SG killing any Iraqi's for no reason?

A: No.

Q: Are you aware of any rumors about 1SG killing Iraqi's?

A: I have heard rumors that 1SG and his unit were executing detainees.

Q: Do you know who else besides 1SG was involved with executing detainees?

A: No.

Q: Are you aware of 1SG covering up any of his actions that would have resulted in Iraqi's being killed?

A: No.

Q: Were you present during the recovery mission with CPT to recover 4 bodies from a canal in your sector?

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 266

"Statement of: (b)(6), (b)(7)(C) Taken At: Fort Riley, KS 66442, Dated: 30 Jan 09 Continued:"

(b)(6), (b)(7)(C) Yes.

Q: Do you remember the time, date and location of that mission?

A: I know it was in the afternoon between april and march 2007, along route cypress.

Q: What did you see on the recovery mission?

A: body bags.

Q: What is your MOS?

A: 68W, Combat Medic.

Q: Could you tell if the body bags contained human remains?

A: Yes, we had body bags in one of our vehicles. I did not witness the body bags being filled but could tell they contained human remains.

Q: How many body bags did you see?

A: About 4.

Q: Do you recall the exact location of where the bodies were found?

A: No, it was along Route Cypress across from vegetation near the canal.

Q: Were you ever told how the bodies were found in the canal?

A: The bodies had gunshot wounds to the back of the head and were found by CPT

(b)(6), (b)(7)(C) platoon.

Q: Have you heard any rumors regarding the bodies that were recovered from the canal?

A: No.

Q: Have you spoken to CPT (b)(6), (b)(7)(C) at any time about the recover mission?

A: Nope.

Q: Do you know if a trip ticket was generated for the recovery mission?

A: It should have been.

Q: What platoon were you assigned to during the recovery mission?

A: 3rd Platoon, B CO 1-28 Infantry.

Q: Who is SGT (b)(6), (b)(7)(C)?

A: He is another medic stationed at Fort Campbell, currently. He was present during the recovery mission as the medic for 2nd Platoon, A CO 1-18 Infantry, under 1SG (b)(6), (b)(7)(C).

Q: Has SGT (b)(6), (b)(7)(C) spoke to you about 1SG (b)(6), (b)(7)(C) killing Iraqi's?

A: No.

Q: Is there anyone on Fort Riley that you know would have information regarding the recovery mission and/or killing of 4 Iraqi's?

A: SSG (b)(6), (b)(7)(C) he is now in 1st Platoon, B CO, 1-28 Infantry.

Q: Do you have anything further you wish 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

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EXHIBIT 266

“Statement of: (b)(6), (b)(7)(C) Taken At: Fort Riley, KS 66442, Dated: 30 Jan 09 Continued:”

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

(b)(6), (b)(7)(C) law

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

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EXHIBIT 266

SWORN STATEMENT

0032-09-013025

FILE NUMBER : 0032-09-CID025
LOCATION : 403 Holbrook Avenue, Fort Riley, Kansas 66442
DATE : 10 Feb 09 TIME: 1500
NAME : (b)(6), (b)(7)(C)
SSN : Grade/Status: SSG/AD
ORG/ADDRESS: B CO, 1-28th INF, Fort Riley, KS 66442

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER

OATH: that while in Iraq during OIF 5, I do not remember being apart of a recovery of four bodies from the canal in my company's area of operation, the canal bordering AL' Furat. I do recall the recovery of a single Iraqi male sometime in the month of April or May 2007. I at the time of that recovery do remember pulling local security on the ground with my platoon leader CPT (b)(6), (b)(7)(C) I at no time handled the body found, I also remember that the male recovered that night apered to be in his late teens to early twentys. His hands were tied behind his back and blindfolded. I did not see the body after it was pulled from the canal and did not see the type or placement of the wound that killed the young man. I have since my redeployment have heard rumors of the murders of Iraqis by 1SG (b)(6), (b)(7)(C) and his men. I have no way of knowing if the rumors are true or not, nor of any details of the rumors.

Q: Did you type the above statement?

A: Yes.

Q: How many deployments to Iraq have you had?

A: 3, one 7 month, one 12 month and one 15 month tours.

Q: During your last deployment, how many body recovery missions did you conduct?

A: 5 that I can remember.

Q: Do you remember a recovery mission with CPT (b)(6), (b)(7)(C) where 4 Iraqi bodies were recovered from a canal?

A: It is possible that I was present during the recovery mission, depending on how many people where there I would have stayed mounted and would not recall any activities conducted outside of my vehicle.

Q: What element conducted the recovery mission?

A: 2nd Platoon, B CO, and 3rd Platoon, B CO, 1-28 Infantry.

Q: What Battalion was responsible for monitoring all communication for 1-18 INF?

A: I believe it would have been ran through the tactical operation center, which was maintained by 1-28 Infantry.

Q: What rumors have you heard regarding 1SG (b)(6), (b)(7)(C)

A: Supposedly his personal crew from his humvee, had killed execution style, 4 Iraqi's and dump them within our area of operations.

Q: At any time, did you see 4 dead bodies on the side of Route Cypress at one time?

A: Not as I recall at this time.

Q: Is there anyone on Fort Riley that you know would have information regarding the recovery mission and/or killing of 4 Iraqi (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

Page 1 of 3

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EXHIBIT 267

“Statement of: (b)(6), (b)(7)(C)

Taken At: Fort Riley Kansas Dated: 10 Feb 09 Continued:”

(b)(6), (b)(7)(C): SSG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and 1SG (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) was the platoon sgt for 2nd platoon during the time of the recovery. Everyone except for SSG (b)(6), (b)(7)(C) is still in 1-28 Infantry.

Q: Do you have anything else you wish 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)

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 267

encl 5

“Statement of: (b)(6), (b)(7)(C) Taken At: Fort Riley Kansas Dated: 10 Feb 09 Continued:”

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)
(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION AND ADDRESS

(b)(6), (b)(7)(C) by law

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)

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EXHIBIT 267

encls

SWORN STATEMENT

0032-09-CID025-
0032-09-CID025-

FILE NUMBER : 0032-09-CID025
LOCATION : 403 Holbrook Avenue, Fort Riley, Kansas 66442
DATE : 11 Feb 09 (b)(6), (b)(7)(C) TIME: 16 26 (b)(6), (b)(7)(C)
NAME : (b)(6), (b)(7)(C)
SSN : (b)(6), (b)(7)(C) Grade/Status: SFC / AD
ORG/ADDRESS: HHC, 1-28th INF, 4th IBCT, 1st ID, Fort Riley, KS 66442

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was assigned to B co. 1-28IN, 3rd platoon, 4th sqd. Dureing Iraqi Freedom at COP Battle, we got word that there was a body recovery mission. For this mission, I had COP security. Where on certain days of 3rd sqd. pulling COP security, I would stay at the COP and get worked in to the SOG rotation along with SSG (b)(6), (b)(7)(C) and his sqd. However, I do have SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) who go on every mission as part of the platoon leader and platoon seargent's crews that were bassically permanent positions.

Q: Did you type the above statement?

A: Yes.

Q: What is a COP?

A: Combat Operation Post.

Q: What is a SOG?

A: Sergeant of the Guard.

Q: What is sqd?

A: Squad.

Q: Who is SPC (b)(6), (b)(7)(C)?

A: He was the platoon leader's gunner.

Q: What were his duties within the platoon?

A: He was the Radio Telephone Operator (RTO) and gunner.

Q: Did SPC (b)(6), (b)(7)(C) go on the recovery mission of 4 Iraqi bodies?

A: Yes, he would have been in charge of relaying radio traffic back to the COP.

Q: Where was the COP located?

A: COP Battle, its near Route Cedar.

Q: Did you go on the recovery mission with SPC (b)(6), (b)(7)(C)?

A: No.

Q: Why would someone say you were present during the recovery mission?

A: Because in the beginning of the deployment I was not on every mission but from the middle towards the end of the deployment I was on every mission.

Q: When did your deployment end?

A: In February 2008.

Q: Did you receive or hear any information regarding the recovery of 4 Iraqi bodies from the same recovery mission that SPC (b)(6), (b)(7)(C) went on?

A: I know on one recovery mission, I was told that dogs were eating on the bodies, but I don't remember which mission that was.

Q: How many recovery missions did you perform to recovery dead bodies?

A: I think about 1, the Iraqi Police handled the others. (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

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EXHIBIT 268

“Statement of: (b)(6), (b)(7)(C) Taken At: Fort Riley Kansas Dated: 10 Feb 09 Continued:”

(b)(6), (b)(7)(C) I think about 1, the Iraqi Police handled the others.

Q: Have you heard any rumors about how the recovered bodies were killed?

A: I heard that possibly the 1SG from Alpha Company, 1-18 Infantry, was the guy that shot the bodies that were recovered, I don't remember who told me that.

Q: Who is SPC (b)(6), (b)(7)(C)?

A: He was the platoon sergeants driver or the platoon leaders driver while we were deployed. He leaves PCS's tomorrow enroute to Fort Benning.

Q: What was your assigned position and rank, while in Iraq?

A: I was a Staff Sergeant then and I was the weapons squad leader and was utilized as a trail vehicle gunner.

Q: What day did you deploy and what day did you return?

A: I deployed around November 07 and returned February 08.

Q: Was there an OPORD, Trip Ticket or Patrol Debrief published for the mission to recover the bodies?

A: There has to be a trip ticket for every mission outside of the wire. If I wasn't going on that mission, then I wasn't too worried about it. I was more worried about getting guards on towers and getting my Soldiers where they needed to be.

Q: Did you author any of these documents yourself?

A: I have made them in the past, mostly that is a Platoon Leader responsibility.

Q: Where were the bodies recovered?

A: I think on Canal Road.

Q: What date did this occur?

A: I don't know.

Q: Did any expose photographs?

A: They take photographs for evidence, I don't know if photographs were taken or who took them.

Q: What is the standard operation procedure for recovering bodies?

A: Pictures would be taken, the bodies would be searched, send up a dead body report and placed in a body bad. I don't remember where bodies would be taken to be unloaded.

Q: While you were at the COP, was anything ever mentioned about the bodies found in the canal?

A: I don't remember what would have been mentioned.

Q: Have you heard any rumors about how the recovered bodies were killed?

A: I think they were shot in the head by the 1SG of Alpha Company, 1-18 Inf.

Q: Do you have anything else you wish 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

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 268

“Statement of: (b)(6), (b)(7)(C) Taken At: Fort Riley Kansas Dated: 10 Feb 09 Continued:”

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, WITHOUT COERCION, UNLAWFULLY PERMITTED.

WITNESSES:

ORGANIZATION AND ADDRESS

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

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)

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EXHIBIT 268

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0106-09-CID034-

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0800, 10 Feb 09, this office received an RFA from Schweinfurt Resident Agency for case number 0010-08-CID847-34682, requesting the interview of PVT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 1st Brigade Rear Detachment, 1CD, Fort Hood, TX 76544 (FHTX)

About 1300, 12 Feb 09, SA (b)(6), (b)(7)(C) interviewed PVT (b)(6), (b)(7)(C) who provided a sworn statement wherein he related he went on a mission while in Iraq and assigned to 3rd PLT, B Company, 1-28 Infantry Regiment, in which his platoon removed four bodies from a canal near the Victory base complex. PVT (b)(6), (b)(7)(C) related he saw four bodies removed from the canal. He further related three of the bodies were dressed in "Man dresses" and one was dressed in a blue Adidas track suit. All of the bodies were bloated and smelled bad.

AGENT'S COMMENT: PVT (b)(6), (b)(7)(C) was able to show the areas where the bodies were found and the area where the bodies were dropped off with the Iraqi Army on a map.///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Fort Hood CID Office, 6th MP GRP (CID), Fort Hood, TX 76544

SI (b)(6), (b)(7)(C)

DATE

12 Feb 09

EXHIBIT

269

CID FORM 94

(Automated)

ACLU-RDI 5596 p.991

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Protective Marking is Excluded From
Automatic Termination (Para 13, AR 34-16)

10-L-0126 ACLU CID ROI 10383

Cenc 11 001463

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

SWORN STATEMENT

LOCATION: Building 2200, Fort Hood, TX 76544

(b)(6), (b)(7)(C)

DATE: 12 Feb 09

(b)(6), (b)(7)(C)

TIME: 1354

NAME: (b)(6), (b)(7)(C)

SSAN: (b)(6), (b)(7)(C)

STATUS: PVT/AD

ORGANIZATION/ADDRESS: Special Troops BN, 1st Brigade, 1st Cavalry Division

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) want to make the following statement under oath: Sometime in May time frame of 2007, two platoons from my company were dispatched to find four bodies in a canal outside of our COB.

Q: SA (b)(6), (b)(7)(C)

A: PFC (b)(6), (b)(7)(C)

Q: What was your assigned position and rank while in Iraq?

A: On this mission I was a driver, and a SPC

Q: What FOB and/or COP were you stationed at?

A: We built COB Battle in March 17, 2007 and were based out of it. It was later renamed COB 881.

Q: What unit were you in?

A: 3rd Plt B co 1-28 Inf, 4th IBCT

Q: Were you part of group tasked to recover 4 bodies?

A: Yes, 1st and 3rd platoons from my company were sent.

Q: Are you sure about the date?

A: Not exactly, I know it was after we built the cob, and remember it was very hot.

Q: Describe the location where you observed and recovered the bodies

A: It was a palm grove next to a canal south on the route to the west of the "four castles" IA compound. We called the route canal road but I don't remember the official name.

Q: Describe the clothing the bodies were dressed in

A: Three of the bodies were wearing man dresses, one was wearing a track suit.

Q: What color were the clothes?

A: I don't remember what color the man dresses were, but the track suit was a blue Adidas track suit.

Q: Did the bodies sustain any wounds you could see?

A: I didn't get that close to them, they looked swollen and smelled really badly.

Q: Did you find any weapons?

A: Not that I know of.

Q: Where did you take the bodies?

A: To the four castles IA compound.

Q: How did you transport them?

A: In our humvees.

Q: Can you identify these locations on a map?

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

Page 1 of 2 Pages

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"Statement of (b)(6), (b)(7)(C) Continued:"

A: Yes.
Q: Were you told why you were going on this mission?
A: We were told someone had found four bodies in the canal.
Q: Did anyone tell you what happened to the bodies?
A: No
Q: How long were you out at the canal site recovering these bodies?
A: 2 or 3 hours.
Q: Is there anything else you would like to add to this statement?
A: No//End of Statement//(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ~~1 Day of Oct, 2008~~ 12 Feb 2009

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION AND ADDRESS

Special Agent (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)

withscad b1

(b)(6)
(b)(7)
(C)

(b)(6)
(b)(7)
(C)



Map of Body Recovery

Camp Sherman

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

(0010-08-CID847-34682)
0059-09-CID013-

PAGE 1 OF 1 PAGES

DETAIL

BASIS FOR INVESTIGATION: On 30 Jan 09, this office received a Request for Assistance from the Schweinfurt CID Office, CMR 457, APO AE 09033, to locate, fully identify, and conduct a witness interview of 1SG (b)(6), (b)(7)(C) F Company, 1-50th Infantry Battalion, Fort Benning, GA 31905 (FBGA). (b)(6), (b)(7)(C) was identified as being involved in the recovery of deceased Iraqi bodies from a canal that ran along Route Cypress, approximately 400 meters south of Entry Control Point (ECP) 11 of Victory Base Complex, in Iraq between the third and fourth week in March 2007.

About 1550, 30 Jan 09, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who related he did not witness the recovery of deceased Iraqi bodies from the canal. (b)(6), (b)(7)(C) related he once exited his vehicle and observed 1st Platoon, 1/28th Infantry Regiment, recovering an Iraqi body from the canal located along Route Cypress but could not recall the date or time. (b)(6), (b)(7)(C) further related he did not observe 1st Platoon bag or transport the body and had no further information on the incident. (b)(6), (b)(7)(C) also provided an estimated Google map grid location where the Iraqi body was recovered, but could not be certain of its accuracy. (See Sworn Statement and Google map coordinates for details)

About 1430, 17 Feb 09, SA (b)(6), (b)(7)(C) coordinated with (b)(6), (b)(7)(C), who provided a copy of his deployment orders #200-602 and Battle Company Deployment/Non-deployment roster. (b)(6), (b)(7)(C) also identified Soldiers that were in 3rd platoon by marking a "3" next to their names on the alpha roster provided by the requesting office. (See documents for details)

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

TYPE AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

86th Military Police Det (CID), 3rd MP Group (CID)
USACIDC, Fort Benning, GA 31905

SIGN (b)(6), (b)(7)(C)

DATE

17 February 2009

EXHIBIT

271

001467

AG
CID

SWORN STATEMENT

FILE NUMBER: 0059-09-CID013-
 LOCATION: 86th MP Det (CID), Fort Benning, GA 31905
 DATE: 30 Jan 09 (b)(6), (b)(7)(C) TIME: 18:13 (b)(6), (b)(7)(C)
 NAME: (b)(6), (b)(7)(C)
 SSN: [REDACTED] Grade/Status: E-8/RA
 ORG/ADDRESS: F Company, 1-50th Infantry Battalion, Fort Benning, GA 31905

(b)(6), (b)(7)(C)

want to make the following statement under oath:

I was deployed with the 1-28th Infantry Regiment from around 19 January 2007 to about 21 April 2008 from Fort Riley, Kansas. We arrived to Forward Operating Base (FOB) Falcon for about two weeks and then deployed south of Mahala 883 to establish our Combat Outpost (COP) for the duration of the deployment. Two platoons from our company and one platoon from 1/18th Infantry Battalion would patrol from this location. I don't remember any dates or a particular order but my Platoon helped recover a United States Soldier from a canal after his unit had been attacked by a land mine, located along Route Cypress in the northern portion of the canal, located near a checkpoint. My Soldiers were on the east side of the canal, jumped into the canal, pulled the Soldier out from the canal and they placed him on the west side into a HMMWV in which he was then medically evacuated to the hospital. The other incident was located on Mahala 887 which is east of Route Cypress and was not in the immediate area. We were doing regular daytime patrol and when we drove by a street my lead vehicle spotted two dead bodies on the side of the street near a T intersection on the south side of the road that we were traveling east on. By the time the information came through the radio I had already confirmed two bodies on the side of the road. They were being eaten by dogs and appeared to have been shot in the head because there were still 9mm cases on the ground. They appeared to be shot in the back of their heads and that is where the dogs were eating from. They were wearing western style clothing. 1LT (b)(6), (b)(7)(C) reported this to the Command Headquarters and began to recover the bodies in accordance with the unit SOP. I selected my Senior Non-Commissioned Officer's (NCO) who I knew could handle this particular situation to help recover the bodies. We then bagged bodies and put them in the front on top of the HMMWV and transported the bodies about 250 meters west to the Iraqi Army Checkpoint. After arguing with them for a while, we put the bodies in the back of one of their vehicles and left. We drove back through the area at some point and saw the bags we bagged them in on the side of the road and they were empty. After this incident, there were two more bodies on the same road but further south. We did the same thing, contacted Command, bagged them and took them to the same location. They both appeared to be shot in the head because there were 9mm casings on the ground again. I don't remember recovering deceased Iraqi bodies from a canal but I do remember getting out of my vehicle and seeing a dead body in the canal but 1st Platoon was already there when we arrived and was in process of recovering the bodies. I only saw one body but it was reported that there were more than one. This is the only time I remember seeing an Iraqi body begin recovered from a canal.

Q: SA (b)(6), (b)(7)(C)

A: 1SG (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

Page 1 of 3 Pages

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

EXHIBIT 272

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

Statement of 1SG (b)(6), (b)(7)(C) taken on 30 Jan 09 while at Fort Benning, GA Case No. 0059-09-CID013-

Q: What was your assigned position and rank while in Iraq?

A: I was a SFC and Platoon Sergeant of 3rd Platoon of 1/28th Infantry Regiment known as the "Punishers".

Q: What FOB and/or COP were you stationed at?

A: We were stationed out Falcon but operated out of COP Battle.

Q: Was there an OPORD, Trip Tickets or Patrol Debrief published for the recovery of the bodies you recovered?

A: There should have been but I didn't do the paperwork. The Platoon Leader did them. If there was a regular patrol to go on I did the Trip Ticket for it and the Battalion S-3 should have some sort of record for them.

Q: Can you identify on the map the location where you saw the deceased Iraqi body in the canal?

A: Yes, I can only point out where the canal is located but not an exact location. The canal is very long and I think it goes for miles.

Q: Can you describe what the body in the canal was wearing or how they were in the canal?

A: I can only remember seeing one body and it begin pale in color.

Q: Do remember seeing any wounds on the body?

A: No.

Q: Do you remember seeing any weapons in the canal or area?

A: No.

Q: Do you remember seeing any zip-ties or cloths that could have been used as a blindfold in the canal or area that the body was being recovered from?

A: No.

Q: Do you remember any personal items being collected from the body?

A: No.

Q: Did you collect the body from the canal, and if not, who did?

A: No and I am not sure who recovered the body. I know it was 1st Platoon area of operation and they were already there. I don't recall if our Platoon was called there to assist them or we just ended up there.

Q: Was anyone with you when you saw the deceased Iraqi body in the canal?

A: I don't think so. I didn't let any of my Soldier's to get out their vehicles. I asked my LT to come out to see the body but he didn't want to see any dead bodies.

Q: Who was your LT?

A: 1LT (b)(6), (b)(7)(C)

Q: Do you remember if 1LT (b)(6), (b)(7)(C) ever recovered bodies?

A: No. He never bagged a body when I was with him.

Q: Did 1LT (b)(6), (b)(7)(C) witness anybody recovering and bagging bodies?

A: He saw me bagging the bodies I recovered from Mahala 887.

Q: Did you ever recover bodies and transport them to Four Castles or check point 540?

A: Not that I recall.

Q: What were the standard operating procedures for recovering bodies?

A: At this moment I don't remember but the Battalion does have an SOP for how to recover bodies.

Q: Do you remember the dates of when you recovered the bodies you mentioned above or when you saw the deceased body in the canal?

A: No.

Q: Do you have an alpha roster of your platoon from this deployment?

A: I am not sure. I do have a plaque that I was awarded with all the names on it.

Q: Would you be willing to provide this office with a list of those names?

A: Yes.

Q: While you were at the COP was anything ever mentioned about the body found in the canal?

A: No.

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

Page 2 of 3 Pages

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

EXHIBIT 272

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

Statement of 1SG (b)(6), (b)(7)(C) taken on 30 Jan 09 while at Fort Benning, GA Case No. 0059-09-CID013-

Q: Is there anything else you would like to add to this statement?

A: No.///END OF STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

WITNESSES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of January 2009.

at 8th Street (CID) Fort Benning, GA 31905.

(b)(6), (b)(7)(C)

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

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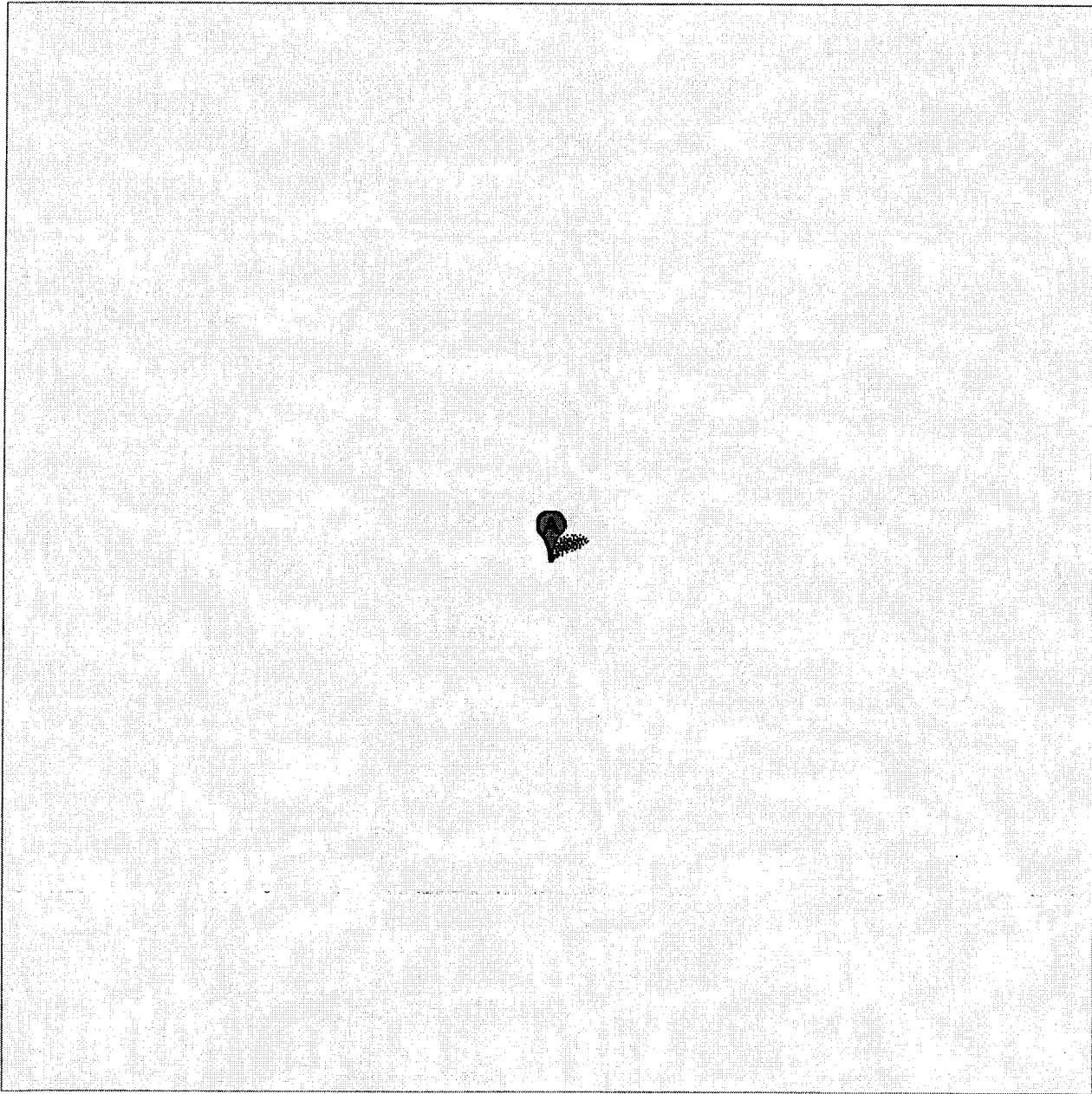
EXHIBIT

272



Address (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

Get Google Maps on your phone
Text the word "GMAPS" to 466453

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 272

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0104-09-CID013

PAGE 1 OF 1 PAGES

DETAIL

BASIS FOR INVESTIGATION: On 19 Feb 09, this office received a Request for Assistance from the Schweinfurt CID Office, CMR 457, APO AE 09033, to locate, fully identify, and conduct a witness interview of SPC (b)(6), (b)(7)(C) [REDACTED] A Company, 1-15th Infantry Battalion, Fort Benning, GA 31905 (FBGA). (b)(6), (b)(7)(C) was identified as being involved in the recovery of deceased Iraqi bodies from a canal that ran along Route Cypress, approximately 400 meters south of Entry Control Point (ECP) 11 of Victory Base Complex, Baghdad, Iraq between the third and fourth week in March 2007.

About 0900, 23 Feb 09, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who stated that he did not remember a specific mission to recover bodies from a canal while he was deployed to Iraq. (b)(6), (b)(7)(C) confirmed that he was assigned to 3rd PLT, B Co, 1-28th IN BN under CPT (b)(6), (b)(7)(C) while in Iraq.

About 0920, 24 Feb 09, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who stated that he was deployed with 3rd PLT, B Co, 1-28th IN BN from Feb 07 thru Mar 08. (b)(6), (b)(7)(C) stated that he took R & R at the end of May 07 and into Jun 07. (b)(6), (b)(7)(C) further stated that a SFC (b)(6), (b)(7)(C) was his Platoon Sergeant until July or Aug 07; at that time, SFC (b)(6), (b)(7)(C) was replaced by a SFC (b)(6), (b)(7)(C)

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

TYPE AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) [REDACTED] (b)(6), (b)(7)(C)		ORGANIZATION 86 th Military Police Det (CID), 3 rd MP Group (CID) USACIDC, Fort Benning, GA 31905	
SIGN for [REDACTED]	DATE 19 FEB 09	EXHIBIT 274	

ACE

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LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

0172-09-CID016-

CID Regulation 195-1

PAGE 1 OF 1 PAGES

BASIS FOR INVESTIGATION: This office received a Request for Assistance (RFA) from the Schweinfurt CID Office, CMR 457, APO AE 09033, requesting this office conduct witness interviews of SSG (b)(6), (b)(7)(C) C Team, 1st Battalion, 357th Infantry Regiment, Fort Lewis, WA 98433 (FLWA), to determine his knowledge of the remains of dead Iraqis they assisted in recovering from a canal and to where the remains were transported while assigned to 3rd Platoon, B Company, 1st Battalion, 28th Infantry Regiment, Iraq.

About 1300, 20 Feb 09, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) who provided his knowledge of the remains of an Iraqi man recovered from a canal around April-May 2007. SA (b)(6), (b)(7)(C) asked the questions sent with the RFA and determined that SSG (b)(6), (b)(7)(C) did assist in the recovery mission indicated in the RFA; however SSG (b)(6), (b)(7)(C) indicated he only saw one body recovered. SSG (b)(6), (b)(7)(C) stated he was only part of four recovery missions while in Iraq and this incident was the only recovery that involved remains in a canal. SSG (b)(6), (b)(7)(C) stated his platoon's primary mission was to conduct presence patrols. SSG (b)(6), (b)(7)(C) related on this particular incident his platoon was conducting a presence patrol when another platoon in his unit was conducting the recovery mission from the canal. SSG (b)(6), (b)(7)(C) stated his platoon was close and was called to assist in pulling security for the other platoon while they recovered the remains. SSG (b)(6), (b)(7)(C) stated he remembered the remains to be a medium built male in his mid to late thirty's with dark hair. SSG (b)(6), (b)(7)(C) also stated he remembered the body was wearing dark color slacks, a short sleeve button up shirt with vertical lines, and dark brown loafers. SSG (b)(6), (b)(7)(C) further indicated he remembered the back of the body's head was missing and he related he assumed the male was shot in the face due to the injury he observed. SSG (b)(6), (b)(7)(C) was further shown a colored up-close Google map and he indicated he could not point out the spot on the map as he could not remember, but stated he knew it was on a dirt road with buildings in the distance.

About 0020, 24 Feb 09, SA (b)(6), (b)(7)(C) received an email from SA (b)(6), (b)(7)(C) Schweinfurt CID Office, who stated no further investigative activity was required by this office. ///LAST ENTRY///

(b)(6), (b)(7)(C), (b)(7)(F)

44th Military Police Detachment (CID)
Fort Lewis, WA 98433

Signature:

(b)(6), (b)(7)(C)

Date:

24 Feb 09

Exhibit:

275

CID Form 94

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Bldg 5183, Fort Lewis, WA 98433	DATE (b)(6), (b)(7)(C) 20 Feb 2009	TIME (b)(6), (b)(7)(C) 1500	FILE NUMBER 0172-09-CID016
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL (b)(6), (b)(7)(C)	GRADE/STATUS E-6 / SSG	
ORGANIZATION OR ADDRESS C Team, 1 st Battalion, 357 th Infantry Regiment, Fort Lewis, WA 98433			

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 I deployed to Iraq on 10 Feb 2007, with 3rd Platoon, B Company, 1st Battalion, 28th Infantry regiment as the 1st Squad leader and was located on Command Out Post (COP) Battle, and later moved to 4th Brigade 1st Battle Support Troops Battalion (BSTB), Forward Operating Base (FOB) around 01 Aug 07. The reason I moved units was due to a conflict between me and another NCO in my unit and the other unit had a SSG that needed Squad leader time so we changed units. When I was in the 1/28th we primarily conducted presence patrols and raids from information gathered from the local nationals by my Commander. We did however conduct recovery missions sometimes although it was not our primary missions. When we conducted recovery missions we never brought the remains back, we just dropped the remains off at the nearest Iraqi Police (IP) Station, or just informed them of where remains were and ensued the collected the remains. All total I was only involved with about 4 recovery missions. When I moved to the 4/1 BSTB my primary job was the operations NCOIC. I remember one recovery that evolved remains in a canal and that was the only one involving water. This incident happened around April-May time frame but it was before Easter. My platoon was on a presence patrol and we received word that another platoon in our unit had found the remains of one Iraqi body in a canal and we were close so we went to their position to pull security while they conducted the recovery. (b)(6), (b)(7)(C)

Q: SA (b)(6), (b)(7)(C)

A: SSG (b)(6), (b)(7)(C)

Q: Did SA (b)(6), (b)(7)(C) type out the narrative portion of this statement as you dictated it to him?

A: Yes. (b)(6), (b)(7)(C)

Q: What was your assigned position and rank, while in Iraq?

A: First I was a SSG Squad Leader, and latter was an Operations NCOIC. (b)(6), (b)(7)(C)

Q: What FOB and/or COP were you stationed at?

A: With the 1/28th it was COP Battle, with the 4/1st BSTB it was FOB Falcon. (b)(6), (b)(7)(C)

Q: What date did you deploy to Iraq and what date did you return?

A: Deployed 10 Feb 07, changed units 1 Aug 07, and redeployed 10 April 08. (b)(6), (b)(7)(C)

Q: Was there an OPORD, Trip Ticket or Patrol Debrief published for the mission to recover the bodies?

A: There was no OPORD however, there was always a trip ticket and was sent thru the Blue Force Tracker (BFT). (b)(6), (b)(7)(C)

Q: Did you author any of these documents yourself?

A: No. (b)(6), (b)(7)(C)

Q: Who did?

A: The Platoon SGT or Platoon Leader always sent up the trip tickets. (b)(6), (b)(7)(C)

Q: Do you have a copy?

A: No. (b)(6), (b)(7)(C)

Q: How did you find out about the body?

A: Our Platoon leader was in communication with the Platoon leader of the other platoon. (b)(6), (b)(7)(C)

Q: What Platoon was it?

A: I can't remember, but it was either 1st or 2nd Platoon. (b)(6), (b)(7)(C)

Q: How many bodies were pulled out of the canal?

A: Only one that I am aware of. (b)(6), (b)(7)(C)

Q: Who pulled it out?

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 1 OF 3 PAGES

STATEMENT OF SSG (b)(6), (b)(7)(C) TAKEN AT Bldg 5183, Fort Lewis, WA 98433 DATED 20 February 2009 CONTINUED

A: I don't remember. (b)(6), (b)(7)(C)

Q: What date did this occur?

A: I can't remember the date. (b)(6), (b)(7)(C)

Q: Did anyone expose photographs?

A: No. (b)(6), (b)(7)(C)

Q: Did you take any photographs?

A: No. (b)(6), (b)(7)(C)

Q: What are the standard operating procedures for recovering bodies? (i.e. what type of documentation and/or coordination's are completed)

A: We would either bag them up and bring them to the nearest IP Station, or bag them up and have the nearest IP Station come and get them. (b)(6), (b)(7)(C)

Q: Describe the location where you observed and recovered the bodies.

A: It wasn't near a housing area, but it was within sight of buildings in the distance. There was a dirt road that ran parallel to the canal, and it was on the top of the canal that was about 7-8 feet down to the water. I also remember that there was not a lot of water; I would say less than 1 foot of water. (b)(6), (b)(7)(C)

Q: Can you identify on the map the location where you recovered the bodies?

A: SA (b)(6), (b)(7)(C) showed me a colored Google map of the area and I just cannot remember where it was, I know for sure that it was on a dirt road and there were buildings in the distance but the map just doesn't make me remember. (b)(6), (b)(7)(C)

Q: Describe the clothing of the body.

A: Dark color slacks, maybe Maroon color, and a short sleeve button up shirt with thin vertical stripes, and I remember a dark brown color loafers. (b)(6), (b)(7)(C)

Q: Can you describe the body?

A: It was a Medium built male, probably in his mid to late thirty's, with dark hair, and that is about all I remember. (b)(6), (b)(7)(C)

Q: Was there any apparent wounds? Please describe.

A: Yes, there was a gunshot wound to the head. (b)(6), (b)(7)(C)

Q: Where on the head?

A: When I saw the body it was face down in the canal and the back of his head was gone so I would assume he was shot in the front of the head. (b)(6), (b)(7)(C)

Q: Did you find any weapons?

A: No. (b)(6), (b)(7)(C)

Q: Did you find any zip-ties or cloth that could have been used as a blindfold?

A: His hands were bound with white zip-ties, but I don't remember any cloth. (b)(6), (b)(7)(C)

Q: Was there any personal items collected from the body? (i.e. identification, jewelry, watches, etc.)

A: Not that I remember. (b)(6), (b)(7)(C)

Q: Where did you take the body?

A: We didn't take it anywhere, once the body was removed the other platoon took it and we continued our presence patrol. (b)(6), (b)(7)(C)

Q: Will this information be annotated in the OPORD, Trip Ticket or Patrol Debrief?

A: I don't know. (b)(6), (b)(7)(C)

Q: Who else was present on the patrol?

A: LT (b)(6), (b)(7)(C) (PLTN LDR), SFC (b)(6), (b)(7)(C) (PLTN SGT), SSG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) CPL (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) and possibly PFC (b)(6), (b)(7)(C) but I can't remember for sure, and that's all I can remember. (b)(6), (b)(7)(C)

Q: Do you have an alpha roster of your platoon from the deployment?

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

PAGE 2 OF 3 PAGES

FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE

STATEMENT OF SSC (b)(6), (b)(7)(C) TAKEN AT Bldg 5183, Fort Lewis, WA 98433 DATED 20 February 2009 CONTINUED:

STATEMENT (Continued)

A: No. (b)(6), (b)(7)(C)

Q: While you were at the COP was anything ever mentioned about the body found in the canal?

A: No. (b)(6), (b)(7)(C)

Q: Did SA (b)(6), (b)(7)(C) type your answers provided in this statement as you dictated them to him?

A: Yes. (b)(6), (b)(7)(C)

Q: Do you have anything else to add to this statement?

A: No.//END OF STATEMENT//

(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)

(Signature)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of February, 2009 at Bldg 5183, (b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(Administering Oath)

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION OR ADDRESS

(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

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER:

0046-09-CID025

PAGE 1 OF 2 PAGES

DETAIL

BASIS FOR INVESTIGATION: About 0844, 19 Feb 09, this office received a Request for Assistance (RFA), from the Schweinfurt CID Office, 202nd Military Police Group (CID), CMR 457, APO AE, 09033, requesting this office determine what Soldiers of 1/28th Infantry (INF), 4th Infantry Brigade Combat Team (IBCT), 1st Infantry Division (ID), Fort Riley, KS 66442 (FRKS), were at Fort Sill, OK (FSOK), for training.

About 0845, 19 Feb 09, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) [REDACTED], Headquarters and Headquarters Company (HHC), 1st ID, FRKS, who stated he was assigned to 3rd Platoon, B Company (CO) 1/28th INF, 4th IBCT, 1st ID, FRKS, while in Iraq. SSG (b)(6), (b)(7)(C) stated he was not part of the recovery mission of the four Iraqi's from a canal along Route Cypress, Baghdad, Iraq (BIZ). SSG (b)(6), (b)(7)(C) stated he had no knowledge about the incidents involving the death of four Iraqi detainees.

About 0930, 19 Feb 09, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) [REDACTED], B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, who stated he was assigned to 3rd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while in Iraq. SPC (b)(6), (b)(7)(C) stated he was not part of the recovery mission of the four Iraqi's from a canal along Route Cypress, BIZ. SPC (b)(6), (b)(7)(C) stated he had no knowledge about the incidents involving the death of four Iraqi detainees.

About 1000, 19 Feb 09, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) [REDACTED], B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, who stated he was assigned to 3rd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while in Iraq. SPC (b)(6), (b)(7)(C) stated he was not part of the recovery mission of the four Iraqi's from a canal along Route Cypress, BIZ. SPC (b)(6), (b)(7)(C) stated he had no knowledge about the incidents involving the death of four Iraqi detainees.

About 1030, 19 Feb 09, SA (b)(6), (b)(7)(C) interviewed PVT (b)(6), (b)(7)(C) [REDACTED], B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, who stated he was assigned to 3rd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while in Iraq. PVT (b)(6), (b)(7)(C) stated he was not part of the recovery mission of the four Iraqi's from a canal along Route Cypress, BIZ. PVT (b)(6), (b)(7)(C) stated he had no knowledge about the incidents involving the death of four Iraqi detainees.

About 1045, 19 Feb 09, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) [REDACTED], B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, who stated he was assigned to 3rd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while in Iraq. SPC (b)(6), (b)(7)(C) stated he was not part of the recovery mission of the four Iraqi's from a canal along Route Cypress, BIZ. SPC (b)(6), (b)(7)(C) stated he had no knowledge about the incidents involving the death of four Iraqi detainees.

About 1700, 24 Feb 09, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) [REDACTED] (b)(6), (b)(7)(C) who stated he was assigned to 3rd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while in Iraq. Mr. (b)(6), (b)(7)(C) stated he was not part of the recovery mission of the four Iraqi's from a canal along Route Cypress, BIZ. Mr. (b)(6), (b)(7)(C) stated he had no knowledge about the incidents involving the death of four Iraqi detainees.

TYPE AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)
(b)(6), (b)(7)(C)

ORGANIZATION

78th Military Police Det (CID), 6th MP Group (CID)
USACIDC, Fort Riley, KS 66442

SI

DATE

24 Feb 09

EXHIBIT

277

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER:

0046-09-CID025

PAGE 2 OF 2 PAGES

DETAIL

About 1800, 24 Feb 09, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) 4/25th Transportation Company, Salina, KS 67401 (SKS), who stated he was assigned to 3rd Platoon, B CO, 1/28th INF, 4th IBCT, 1st ID, FRKS, while in Iraq. SSG (b)(6), (b)(7)(C) stated he was not part of the recovery mission of the four Iraqi's from a canal along Route Cypress, BIZ. SSG (b)(6), (b)(7)(C) stated he had no knowledge about the incidents involving the death of four Iraqi detainees./// LAST ENTRY///

TYPE AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C)

ORGANIZATION

78th Military Police Det (CID), 6th MP Group (CID)
USACIDC, Fort Riley, KS 66442

SIC

DATE

24 Feb 09

EXHIBIT

277

About 0900, 23 Feb 09, this office received a Request for Assistance (RFA) from the Schweinfurt CID Office, Schweinfurt, Germany, APO, AE 09033, requesting this office to locate, fully identify, and obtain a witness statement from MAJ (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Student Detachment, Command and General Staff College, Fort Leavenworth, KS 66027 (FLKS).

About 1300, 24 Feb 09, SA (b)(6), (b)(7)(C) interviewed MAJ (b)(6), (b)(7)(C) who provided a sworn statement documenting his knowledge of the incident. (See Sworn Statement for Details)
///LAST ENTRY///

(b)(6), (b)(7)(C), (b)(7)(F)

Fort Leavenworth CID Office
801 McClellan Avenue
Fort Leavenworth, KS 66027

Sig (b)(6), (b)(7)(C)

Date: (b)(6), (b)(7)(C) Exhibit:
24 ~~Jan~~ Feb 09

278

CID Form 94

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

Encl 1

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE
SWORN STATEMENT

File Number : 0028-09-CID055
Location : Building 79, Fort Leavenworth, KS 66027
Date : 24 Feb 09 (b)(6), (b)(7)(C) Time: 1427 (b)(6), (b)(7)(C)
Statement of: (b)(6), (b)(7)(C) SSN: (b)(6), (b)(7)(C)
Grade/Status: O-4/Active
Org/Address: CGSC Student Det, Ft. Leavenworth, KS 66027

(b)(6), (b)(7)(C), want to make the following statement under oath: I was the commander of Battle Company, 1-28 IN, 4 IBCT, 1 ID. On or about the end of March 2007, I assumed control of Jihad and Furat located in SW Rashid, Baghdad, Iraq. This AO was commonly referred to as AO BATTLE. 4th IBCT was a surge brigade and was moved into the AO during the height of sectarian fighting between Sunni and Shia Iraqis. AO BATTLE witnessed a tremendous amount of sectarian conflict as well as violence against U.S. forces. On or about mid-April 2007, we received intelligence about a white bongo truck which was potentially involved in some sort of illegal activity (mortar team, rocket team, or weapons smuggling). Based on this information, an AH-64 or UAV was used as an ISR platform to direct CF to the bongo truck to further investigate. I remember this mission because it was one of our first. We had no electricity at the time so we used radio transmissions relayed from BN HQ or directly to the AH-64 pilot to direct our efforts. I ordered my first platoon (led by 1LT (b)(6), (b)(7)(C)) which was already in sector to the location vicinity M897. Realizing I needed more combat power to cordon an area, I directed my third platoon (led by 1LT (b)(6), (b)(7)(C)) in sector as well. Once the bongo truck was located, searched and released, I ordered all combat troops back to Coalition Outpost (COP) BATTLE. I recall a radio transmission from 1LT (b)(6), (b)(7)(C) stating that a local national in the area wanted to show them the location of a body. Since sectarian violence in the area was rampant, this was not an unusual report unfortunately. I ordered third platoon to recover the body and ordered first platoon to secure the area. I then received a report that the body was floating in the Cypress canal on the fringe of M897. A body in the Cypress canal was also not an unusual report since the terrain feature was a micro sectarian fault line. I remember that the Extra-Judicial Killing (EJK) took a long time to recover and that 1LT (b)(6), (b)(7)(C) played a direct role in recovering the body from the canal. When the body was recovered, I believe it was transported to a nearby Iraqi police station as per SOP. When the patrols returned to

INITIALS (b)(6), (b)(7)(C)

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

STATEMENT OF MAJ (b)(6), (b)(7)(C) TAKEN AT Building 79, Fort Leavenworth, KS 66027, DATED 24 Feb 09, CONTINUED:

COP BATTLE, 1LT (b)(6), (b)(7)(C) filled out a complete patrol report with pictures of the body and a description of events in detail. I read the report, filed it electronically, and sent it forward to 1-28 IN HQ. I did not notice anything out of the ordinary with the report. (b)(6), (b)(7)(C)

Q: SA (b)(6), (b)(7)(C)

A: MAJ (b)(6), (b)(7)(C)

Q: Did you type the above narrative?

A: Yes.

Q: What is an ISR?

A: Intelligence Surveillance and Reconnaissance.

Q: What was your assigned position and rank, while in Iraq?

A: I was a company commander as Captain until Mar 08 and then was still company commander as a Major until Jul 08. We redeployed in April of 2008.

Q: What FOB and/or COP were you stationed at?

A: My Company was out of COP Battle which was located in Jihad, South West Rashid, Baghdad.

Q: What unit were you in?

A: Battle Company, 1-28 IN BN, 4th IBCT, 1 ID, Fort Riley, KS

Q: What date did you deploy to Iraq and what date did you return?

A: Deployed in Beginning of Mar 07 but did not move into that area until the end of Mar 07. I redeployed in middle of Apr 08.

Q: Was there an OPORD, Trip Ticket or Patrol Debrief published for the mission to recover the remains?

A: There was a debrief and pictures taken of the recovery operation. A trip ticket was completed and then adjusted as operation changed, ie bongo truck search and later discovery of body in the canal. A patrol brief was conducted which is the OPORD prior to their departure for normal patrol mission.

Q: Do you have a copy of the OPORD, trip ticket, or debrief?

A: No, all hard drives were erased and hard copies were destroyed as directed by our higher headquarters prior to departing theater.

Q: A search of 1-28 IN BN SIPR drive did not find any OPORD, Trip Tickets or patrol debriefs pertaining to a mission to recover remains from a canal. Was B Co, 1-28 IN BN assigned under any other battalion who may have received these documents?

A: No, we were instructed by higher HQ to destroy all hard copy documents and erase all hard drives prior to departing theater. We took them to the BN S-6 and they erased them. We wanted to save the operational logs, debriefs, and trip tickets but higher

INITIALS (b)(6), (b)(7)(C)

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

STATEMENT OF MAJ (b)(6), (b)(7)(C) TAKEN AT Building 79, Fort Leavenworth, KS 66027, DATED 24 Feb 09, CONTINUED:

headquarters made it difficult to do so and required all the data and records to be destroyed. Certain documents could be saved with exceptions which were required to be approved by higher headquarter. These operations were all completed on local computers prior to internet connections and networking which meant hard copies had to be hand carried to higher headquarters. Higher headquarters means at least above brigade level when mentioned above.

Q: How did you find out about the remains?

A: Radio transmission came across from 3rd Platoon that a local national approached the patrol and identified a body in the canal.

Q: How many remains were recovered from the canal?

A: One military aged male maybe older, hands were bound, but unknown how long the body had been in the canal.

Q: Who recovered them?

A: I believe 1LT (b)(6), (b)(7)(C) his platoon sergeant (SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and his medic (SPC (b)(6), (b)(7)(C) .

Q: What date did this occur?

A: I cannot remember the exact date, but we were there at the end of March 2007, so I would say this happened around mid April 2007.

Q: Did anyone expose photographs?

A: Yes, lots of pictures were taken and they were in the debrief.

Q: What is the standard operating procedure for recovering remains?

A: Request Iraqi security force assistance, go to the site, allow Iraqi security force to recover the body and bring it to the local Police station to be claimed by the families. These operating procedures were established after this time period since security forces in the beginning were afraid to work with coalition forces. During this time period, we would get the security forces only if we received a call before hand about a body location. This body was found during another operation so it did not make sense for us to leave the site, retrieve security forces, and bring them back to the site to retrieve the body. All bodies during this time period were brought to the AAMEL police station.

Q: Who was the battle captain assigned to the TOC?

A: It was a company level TOC so the shift NCO was 1 of 3 people and not a Battle Captain. The 3 possible shift NCO's were SSG (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) or SSG (b)(6), (b)(7)(C)

INITIALS (b)(6), (b)(7)(C)

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

STATEMENT OF MAJ (b)(6), (b)(7)(C) TAKEN AT Building 79, Fort Leavenworth, KS 66027, DATED 24 Feb 09, CONTINUED:

Q: Who was the Platoon Leader and Platoon Sergeant for 1st Platoon?

A: 1LT (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C)

Q: Who was the Platoon Leader and Platoon Sergeant for 3rd Platoon?

A: 1LT (b)(6), (b)(7)(C) and SFC (b)(6), (b)(7)(C)

Q: While you were at the COP was anything ever mentioned about the remains found in the canal?

A: Yes, it was one of the first bodies recovered so we discussed importance of putting mature soldiers on the recovery of the body and integrating Iraqi security forces so we do not violate Iraqi traditions and culture regarding the treatment of the remains.

Q: Do you believe the body recovered was one of the victims of unlawful US military executions?

A: The thought never crossed my mind and nobody, Iraqi, US, or otherwise, certainly said anything that would make me think it was. I would have reported it if I believed it was an unlawful execution. At that time we were not aware that these unlawful US military executions even happened. We found out about these unlawful executions after 1SG (b)(6), (b)(7)(C) redeployed roughly 6 months later.

Q: How were you treated here today?

A: Great.

Q: Do you have anything you would like to add to this Statement?

A: No. ///END STATEMENT/// (b)(6), (b)(7)(C)

AFFIDAVIT

INITIALS (b)(6), (b)(7)(C)

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

EXHIBIT 279

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE
STATEMENT OF MAJ (b)(6), (b)(7)(C) TAKEN AT Building 79, Fort
Leavenworth, KS 66027, DATED 24 Feb 09, CONTINUED:

I, MAJ (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)
[Redacted Signature]

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 24th day of February 2009 at Building 79,
Fort Leavenworth, KS 66027.

(b)(6), (b)(7)(C)
[Redacted Signature]

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C), (b)(7)(F)
[Redacted Name]

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

INITIALS (b)(6), (b)(7)(C)

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

0043-09-CID024

CID Regulation 195-1

Page 1 of 2 pages

DETAILS:

BASIS FOR INVESTIGATION: About 0930, 20 Feb 09, this office received a Request for Assistance (RFA) from the Schweinfurt CID Office, Schweinfurt, Germany, APO AE 09033, which requested this office interview SSG (b)(6), (b)(7)(C), A Battery, 1/22nd Field Artillery (FA) Battalion (BN), Fort Sill, OK 73503 (FSO); SPC (b)(6), (b)(7)(C) B Company, 1/28th Infantry (IN) BN, Fort Riley, KS (FRKS), SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 1/28th IN BN, FRKS; SPC (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 1/28th IN BN, FRKS; SPC (b)(6), (b)(7)(C) B Co, 1/28th IN BN, FRKS; and SPC (b)(6), (b)(7)(C) B Co, 1/28th IN BN, FRKS, pertaining to their knowledge of the recovery of the remains of four Iraqi nationals.

About 0950, 23 Feb 09, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) who provided a sworn statement wherein he stated in March 2007, he was not in the platoon assigned to CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) C Co, 442nd Signal BN, 15th Signal Brigade, Fort Gordon, GA. SFC (b)(6), (b)(7)(C) stated he heard about the recovery of some remains by one of the other platoons in his unit, but he was not involved and was uncertain of any details.

About 1040, 23 Feb 09, Inv (b)(6), (b)(7)(C) this office, interviewed SPC (b)(6), (b)(7)(C) who provided a sworn statement which detailed that some time in April or May, 2007, SPC (b)(6), (b)(7)(C) overheard radio transmissions which indicated members of his unit found an unknown number of human remains in their Area of Operations (AO). SPC (b)(6), (b)(7)(C) stated he was not involved in the recovery of the remains and the only other information concerning the remains which he obtained from an unknown member of his unit was that the remains appeared bloated as if they had lain in the place they were found for some time. (See Sworn Statement)

About 1045, 23 Feb 09, SA (b)(6), (b)(7)(C) this office, interviewed SPC (b)(6), (b)(7)(C) who denied any knowledge of a mission to recover the remains of four Iraqis. (See Sworn Statement)

About 1100, 23 Feb 09, SA (b)(6), (b)(7)(C) this office, interviewed SPC (b)(6), (b)(7)(C) who provided a sworn statement detailing he was not involved in a mission to recover the remains of four Iraqi nationals from a canal. SPC (b)(6), (b)(7)(C) stated he thought he remembered hearing about the mission but was unable to provide any details.

About 1110, 23 Feb 09, SA (b)(6), (b)(7)(C) this office, interviewed SPC (b)(6), (b)(7)(C) who provided a sworn statement indicating he did not remember being on a mission to recover the remains of four Iraqi nationals while he was deployed.

TYPE: SA (b)(6), (b)(7)(C), (b)(7)(F) SIC (b)(6), (b)(7)(C)	ORGANIZATION 90 th Military Police Detachment (CID) Fort Sill, OK 73503
	DATE 24 Feb 09
	EXHIBIT 280

CID FORM 94-E

(Assigned)

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PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (Para 13, AR 34-16)

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0043-09-CID024

Page 2 of 2 pages

DETAILS:

About 1122, 23 Feb 09, SA (b)(6), (b)(7)(C) obtained a rough sketch from SPC (b)(6), (b)(7)(C) which detailed, on a printed map, the location he believed to be the canal where members of his unit recovered the remains of one Iraqi national. (See Rough Sketch)

About 0934, 24 Feb 09, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) Schweinfurt CID Office, Schweinfurt, Germany, APO AE 09033, who stated no further investigative activity was required from this office.

////////////////////////////////////LAST ENTRY////////////////////////////////////

TYPED NAME, SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)
(b)(6), (b)(7)(C)

ORGANIZATION

90th Military Police Detachment (CID)
Fort Sill, OK 73503

SIGNATURE

DATE

EXHIBIT

27 Feb 09

280

CID FORM 94-E

(Automated)

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AUTOMATIC TERMINATION (Para 13, AR 34-16)

ACLU-RDI 5596 p.1014

10-L-0126 ACLU CID ROI 10410

5001489

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: Building 2635, Miner Road, Fort Sill, OK 73503
2. DATE: 2009/02/23
3. TIME: 0950
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-7 / AD
8. ORGANIZATION OR ADDRESS: 40th Military Police Detachment, Ft Sill, OK 73503

9. I, SFC (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Q: Were you stationed at COP near Camp Liberty, Iraq?
A: Yeah, we called it COP Battle.
Q: What unit were you in while you were there?
A: B Company, 1/28th Infantry Battalion, out of Fort Riley, KS.
Q: When were you there?
A: From late March 2007 to early April 2008.
Q: Which platoon were you in?
A: Originally, I was in 1st Platoon, then I became 3rd Platoon's Platoon Sergeant.
Q: When did you become 3rd Platoon's Platoon Sergeant.
A: About the 1st of August, 2007.
Q: Were you in the same platoon as 1LT (b)(6), (b)(7)(C) in March, 2007?
A: No.
Q: Were you ever given orders to recover remains from a irrigation canal in that area?
A: No.
Q: Do you know of 1LT (b)(6), (b)(7)(C) platoon receiving a mission to recover remains?
A: I don't know if they received a mission or not, but I heard them talk about recovering some bodies.
Q: Do you know any details concerning the recovery?
A: No.
Q: Did you hear how many bodies they recovered?
A: No.
Q: Did the soldiers talk about how they thought the individuals died?
A: No. They were a different platoon so when they did that, we were on different schedules so it would have been like "Hey, what did you all do today?" and they'd answer, "We recovered some bodies" no details were asked for anything like that.
Q: Generally, did your company publish OPORD's for your patrols?
A: Yes.
Q: Were records of those documents kept?
A: You'd have to ask individuals who worked at the TOC. We just went in there, got the orders, and left. Whatever they did to record them or keep them, I don't know.
Q: Did your platoon take a camera on patrols?
A: Yes.

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 SFC (b)(6), (b)(7)(C) TAKEN AT Fort Sill, OK DATED 2009/02/23

9. STATEMENT (Continued)

Q: If you were given a mission to recover bodies, would you have taken photos of them?
A: Yes.
Q: Referring again, to the recovery of the bodies by 1LT (b)(6), (b)(7)(C) Platoon, do you know if anyone exposed photographs?
A: No, I don't know.
Q: Do you know what date that occurred?
A: No.
Q: Is there an SOP for recovering bodies?
A: I know we had our Platoon SOP's. It was informal SOP, not a prescribed method. If possible, we would call the national police or Iraqi army and they would come and assist. We made sure any soldier or Iraqi national who touched the bodies wore gloves and that the bodies were placed in a body bag and taken to the nearest Iraqi police station or mortuary.
Q: Do you know where 1LT (b)(6), (b)(7)(C) platoon recovered the bodies from?
A: No, I don't.
Q: Did they say if there were any apparent wounds?
A: They didn't discuss that with me.
Q: Did they mention finding any bindings or blindfolds?
A: No.
Q: Do you know if any personal items were taken from the bodies?
A: No, I don't.
Q: Do you know how they transported them?
A: No.
Q: Do you have an Alpha Roster of your Platoon during that deployment?
A: I think I have stuff that I kept on my thumb drive, I don't know if I deleted the names or not.
Q: Could you search through that and inform this office if you find those names?
A: Sure.
Q: Do you have anything you would like to add to your statement at this time?
A: No.///End of Statement/// (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)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of February, 2009 at Building 2635, Miner Road, Fort Sill, OK 73503

(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 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 Fort Sill CID Office	2. DATE (YYYYMMDD) 2009/02/23	3. TIME 1040	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/AD	
8. ORGANIZATION OR ADDRESS B Company, 1/28th, Fort Riley, KS 66442			

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(6), (b)(7)(C) In late April or early May 2007, I was in a guard tower and I heard over the radio that patrol had found some bodies and they called it up over the chain of command. That day I remember that 3rd squad, 3rd Platoon, Bravo Company, 1/28th Infantry was the dismount squad and they were advised to bag the bodies and contact the Iraqi's to dispose of the bodies however they did so. After that radio transmission they came back in and had a meeting with the platoon sergeant and leader and the company commander and ISG. After that my platoon buddy whom I saw at the smoking barrel said that was the first time he had seen a dead body, I never saw any pictures or anything else.

Q: (b)(6), (b)(7)(C)

A: (b)(6), (b)(7)(C)

Q: Did you make the above statement typed by INV (b)(6), (b)(7)(C)

A: Yes

Q: What mission were you on during the time when that a patrol that found the bodies?

A: COB security

Q: Did you ever see any photographs of the bodies that were found or any activities that occurred?

A: No

Q: Were you ever told of any activities that occurred when the bodies were picked up?

A: No

Q: Do you recall when the vehicles of 3rd Squad came back after their mission of recovering the bodies?

A: Yes

Q: Do you recall seeing any blood on the vehicles or anything suspicious?

A: No, myself and two other guys are in charge of the mechanics on the vehicles and making sure they run ok and I did not see any suspicious.

Q: Do you recall seeing any soldiers returning with blood on their uniform?

A: No

Q: Did your buddy you talked to at the smoking barrel mention anything about the condition of the bodies?

A: He only stated that they had been there a while because they were bloated.

Q: Do you have anything to add to this statement?

A: No//END OF STATEMENT// (b)(6), (b)(7)(C)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	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.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Fort Sill CID Office	DATE 23 Feb 2009	TIME 104 (b)(6), (b)(7)(C)	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS SPC/AD
ORGANIZATION OR ADDRESS B Company, 1/28 th Infantry Battalion, Fort Riley, KS 66442			

(b)(6), (b)(7)(C)

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was deployed to Iraq from February 9th 2007 until around the 14th of April, 2008. While in Iraq, I was assigned to B Company, 1/28th Infantry as a 203 gunner. I was stationed at COP Battle but I think they changed the name right before we left to COP 881.

Q: SA (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C)

Q: What was your assigned rank while in Iraq?

A: I started off as a PFC and was promoted to SPC on 11 August 2007.

Q: While in Iraq, were you assigned to any missions involving the recovery of Iraqi bodies?

A: No.

Q: Did you ever write any OPORDs?

A: No.

Q: Did you ever write any Trip Tickets?

A: No.

Q: Did you ever write any Patrol Debriefs?

A: No.

Q: Who wrote these documents for your section?

A: CPT (b)(6), (b)(7)(C) our platoon leader wrote these documents.

Q: Do you have any copies of these documents?

A: No.

Q: Were you aware of any missions by others in your unit to recover Iraqi bodies?

A: No.

Q: Did anyone in your unit ever tell you about a recovery mission they were on involving bodies of Iraqis?

A: No.

Q: Are you aware of any photographs depicting dead Iraqis?

A: No.

Q: Are you aware of an SOP involving the recovery of bodies?

A: No.

Q: Do you have an alpha roster of your platoon from the deployment?

A: No.

Q: Do you have anything to add to this statement?

A: No.///End of Statement (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE
INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE
LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823
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ACLU-RDI 5596 p.1019

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10-L-0126 ACLU CID ROI 10415

EXHIBIT 283
001494

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Fort Sill CID Office DATED 23 February 2009 CONTINUED:

STATEMENT (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 WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of February, 2009 at Fort Sill CID Office

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA (b)(6), (b)(7)(C)

(Typed Name of Person Administering Oath)

10 USC 936 Art 136, UCMJ (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 may be use 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.

LOCATION: Bldg 2635 Miner Road, Fort Sill, OK 73503	Date 23 Feb 09	TIME 1100	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		RANK/STATUS SPC/AD
ADDRESS/ORGANIZATION Bravo Company 1/28 th INF, Fort Riley, KS			

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I was in 3rd platoon, Battle company, 1/28 IN, in Iraq from February 07 to April 08. I don't remember being on any recovery mission dealing with dead bodies in a canal. I remember hearing about it but cannot remember the details of that mission, i.e., who was on it, how many bodies, and who did what. (b)(6), (b)(7)(C)

Q. SA (b)(6), (b)(7)(C)

A. SPC (b)(6), (b)(7)(C)

Q. Did you type the above statement?

A. Yes

Q. Is everything in the statement true and correct to the best of your knowledge?

A. Yes

Q. What do you remember hearing about the canal recovery mission?

A. There were some bodies in the canal that were going to be recovered. I don't know any specifics about the mission. At the time, whatever the mission was didn't seem like a big deal. I didn't pay that much attention to it.

Q. Did you ever hear anyone else talk about the specifics of the canal recovery mission?

A. No. At the time it was just a mission.

Q. Just to clarify what you have stated, everything you know about the canal mission is hearsay and you don't have any personal knowledge of the mission?

A. Right.

Q. Do you know of any photographs, artifacts, or any other items that may have been obtained during the canal recovery mission?

A. No.

Q. Prior to today's interview, did you have any knowledge about why you were reporting to this office?

A. No, just speculation.

Q. What did you think was going to be asked about?

A. I just heard that it had something to do with dead bodies.

Q. Who gave you the information about dead bodies?

A. Lots of soldiers in the company have already been interviewed by CID and it is common knowledge around the company area.

Q. Has anyone directed you on what to say if ever questioned about the canal recovery mission?

A. No.

Q. Were you threatened or coerced in anyway concerning any information about the canal recovery mission and today's interview?

A. No

Q. Do you have anything to add to your statement?

A. No (b)(6), (b)(7)(C)

EXHIBIT	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 _____ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER

STATEMENT OF:

TAKEN AT: Fort Sill, OK 73503

DATE: STATEMENT (Continued)

NOT USED

(b)(6), (b)(7)(C)

AFFIDAVIT

I, _____ HAVE READ OR 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFULENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this _____ day of _____

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)

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 Ft. Sill, OK 90th MP DET 2. DATE (YYYYMMDD) 20090223 3. TIME 1110 4. FILE NUMBER (b)(6), (b)(7)(C) 7. GRADE/STATUS E-4 / Active
8. ORGANIZATION OR ADDRESS B. Co. 1-28 IN, 413ct, 1st ID Ft. Riley, KS

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I deployed with B. Co. 1-28 IN in Feb of 07, got to Kuwait, was there for a few days, then got shipped north in to Iraq, stayed at Fob Falcon till mid march, moved to are COP (combat out post) out in are sector, stayed there till april of 08, then moved back to Fob Falcon, stayed a few days there, then got shipped back to Kuwait, and back to home station a few days later, only worked with the 5th company once while I was deployed, and that was for a massive raid we did in early summer, around late may to early June, the 5th company was located about 3 to 4 miles away from my company, and I only seen

10. EXHIBIT 11. INITIALS (b)(6), (b)(7)(C) NG STATEMENT 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 1110 **(b)(6), (b)(7)(C)** DATED 20090223 **(b)(6), (b)(7)(C)**

9. STATEMENT (Continued)

The sum once in my whole time deployed the sum company was attached to ave Battalion from march to late fall of 07, I didn't know anything about the incidents that happen regarding the SM until I have had return to the States and home station from deployment via news & media. I never remember being on a mission to recover 4 bodies in ave a.o. (area of operation) **(b)(6), (b)(7)(C)**

Q: **(b)(6), (b)(7)(C)**

A: **(b)(6), (b)(7)(C)**

Q: Did you physically hand write the above narrative in your own words?

A: yes I did

Q: Do you have any first hand knowledge that would assist in identifying information about the recovery mission?

A: NO I dont

(b)(6), (b)(7)(C)

Q: ~~Do~~ do you know who was involved in the mission?

A: NO

Q: Do you know any details about the recovery missions?

A: NO I dont

Q: what does "SM" mean?

A: Subject matter meaning the person or persons regarding this sworn statement

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 4 PAGES

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 1110 **(b)(6), (b)(7)(C)** DATED 2009 02 23
(b)(6), (b)(7)(C)

9. STATEMENT (Continued)

Q: If you had knowledge would you provide it pertaining to the recovery mission?

A: Yes I would

Q: Is all the knowledge you have surrounding this incident from the news and hearsay?

A: yes It is

Q: Is there anyone you think could assist this office in providing info surrounding the recovery mission?

A: Spc. **(b)(6), (b)(7)(C)**, **(b)(6), (b)(7)(C)** the reason's why I think he ~~would~~ would know is because for most of the tour he was the PL (Platoon Leader's) driver or gunner.

Q: What is his first name?

A: **(b)(6), (b)(7)(C)**

Q: ~~Were~~ were you ever detailed to go out on a recovery mission to collect your Iraqi bodies?

A: no I wasent.

Q: Do you have anything further to add?

A: NO I have not /// END of Statement ///

INITIALS OF PERSON MAKING STATEMENT **(b)(6), (b)(7)(C)** PAGE 3 OF 4 PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

USED

NOT

(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 **(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 23 day of Feb, 2009 at Rt 16, 2635 Amherst Road FSD

(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

SA **(b)(6), (b)(7)(C)**
(Typed Name of Person Administering Oath)

10 USC SEC 936

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE 4 OF 4 PAGES



more

L-0126 AGL

285 End 7

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: Building 2635, Miner Road, Fort Sill, OK 73503
2. DATE: 2009/02/23
3. TIME: 1352
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 / AD
8. ORGANIZATION OR ADDRESS: B Company, 1/28th Infantry Battalion, Fort Riley, KS 66442

(b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During my deployment to Iraq I was on a mission of unclere intent. The only information I had was that a body had been found near FOB Slayer, south of Frarott. When my convoy arrived at the loaction another platoon was allreddy on site. We then postered ourselves to provide security and overwatch insupport of there current activities. Members of third platoon B-Co then dissmounted to link-up with there on ground ledership. I saw the departed from about ten to fifhteen meaters face down in the chanell, facing away from FOB Slayer. From that distance it appered as if the hands where behind his back, and legs where close together. I could not determen if they where bound. At that time the body was not obstructed from view other then the depth of the chanell. The body was a few inches under water, haveing been there less then twenty four hours it is likely the body was anchored. From that distance i could not see any wounds. People cross the chanell every day, severell times, and there is allot of activety on the banks of this chanell on a dayly bases on the FOB Slayer side. It would apere to me that the intent was for this body to be found by the locales. This is a tatic i have seen used, but the first time I saw a body discarded in a chanell.

Q: SA (b)(6), (b)(7)(C)
A: SPC (b)(6), (b)(7)(C)
Q: When did you deploy to Iraq?
A: Feb 2007, I did a 15 month deployment.
Q: What was your assigned positioned and rank in Iraq?
A: Our positons rotated through driver, gunner and dismount. My rank was E-3, I was promoted to E-4 in January 2008.
Q: What COP (Company Outpost) were you located on?
A: COP 881
Q: What unit were you assigned?
A: 1/28 Infantry.
Q: Did you have an OPORD for the mission you went out on?
A: No, as I recall, we had a WARNO enroute.
Q: Did you know if a trip ticket was fill out for this mission?
A: It's SOP to fill out ticket, not sure if one was for this mission.
Q: When did you find out about the body?
A: After we left the COP, my Platoon SGT informed me that a body had been found.
Q: How many bodies did you find?
A: I was present for the recovery of 4 bodies. One on the one day, on another day two others and another one later.
Q: Who is SSG (b)(6), (b)(7)(C)
A: He was my team leader at the time, I am uncertain whether or not he was there for the first body that was found, but he was there for the other two.
Q: Did you take any photographs of the bodies that were recovered?

10. EXHIBIT
11. INITIALS (b)(6), (b)(7)(C) MAKING STATEMENT
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. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF **(b)(6), (b)(7)(C)** TAKEN AT Fort Sill, OK 73503 DATED 2009/02/23

9. STATEMENT (Continued)

(b)(6), (b)(7)(C) Yes, i took a few a photos of the recovery of the two bodies, but was later informed that they were not needed. I then deleted all photos involving that mission as per OPSEC SOP.

Q: Who told you to delete the photos?

A: We are not allowed to have photos of the deceased. They were not mission essential so I just deleted them on my own.

Q: When did you delete the photos?

A: A couple days later.

Q: Describe the area were you found the two bodies?

A: In clear view if a Iraq Police Safe House, between Muhalla 887 and 885, I believe.

Q: Describe the two bodies that you found?

A: One was a young skinny kid, the other was older and husky.

Q: Were their any apparent wounds?

A: All i can say is that they were eaten by dogs, the younger guy had his hand ate off.

Q: Did you find any weapons?

A: No

Q: Do you remember anything else about the two bodies?

A: No

Q: Did you find any zip-ties and cloth that could have been used as a blindfold near any of the bodies?

A: No.

Q: Where were the bodies taken after they were recovered?

A: I don't remember.

Q: How were the bodies transported?

A: I don't know.

Q: Who else was present on the patrol?

A: Sections of 3rd Platoon. 1st Squad was main effort during the recovery of the double homicide.

Q: While you were at the COP was anything ever mentioned about the bodies found in the canal?

A: No, not that I recall.

Q: Can you describe the body you found in the canal?

A: Hands and feet were close together as if he was bound. He was under a few inches of water.

Q: What kind of clothing was the deceased wearing?

A: I couldn't tell you. I know he was clothed. I would want to say dark colored pants and a white shirt, but i'm not sure.

Q: Did you find any bindings or cloth that could have been used as a blindfold near the body that was in the canal?

A: I didn't participate in the recovery of that body.

Q: Did you notice any apparent wounds to the body found in the canal?

A: No. I was too far away.

Q: Do you know if any personal items or jewelry were recovered from the body?

A: Our platoon did not handle the recovery of that body. It could have been 1st or 2nd Platoon who handled the recovery.

Q: If the body was transported by your unit, would the location where the body was taken be annotated on the trip ticket?

A: On no patrol that I was ever on, did we ever transport a body ourselves. The trip ticket would not have included that, but if we had transported a deceased, we would have called it up to the TOC and it would have been logged.

Q: Who else was present on that patrol?

A: I think maybe SSG **(b)(6), (b)(7)(C)** the platoon sergant and the LT would have definitely been on the patrol. I don't remember who else.

Q: Who is SSG **(b)(6), (b)(7)(C)**

A: 1st Squad Squad leader at the time, his first name is **(b)(6), (b)(7)(C)**

Q: Did you hear about anyone in your unit conducting a patrol to recover 4 bodies from a canal?

A: To my knowledge, the only multiple body recovery my platoon conducted was a mass grave.

Q: Did you associate with anyone in 1/18th Infantry while you were deployed.

A: Only the platoon that was on our COB.

Q: Did anyone in that unit make statements concerning conduct which you thought was illegal or immoral?

A: No.

Q: During this interview, you indicated you heard rumors concerning soldiers in 1/18th Infantry. Can you explain what the rumors were? **(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 Fort Sill, OK DATED 2009/02/23

9. STATEMENT (Continued)

(b)(6), (b)(7)(C)

Do you know where you heard those rumors?
 A: By the water cooler, smoking area. There was a group of 10 or more people smoking and talking about it, I couldn't tell you who.
 Q: When you say "by the water cooler" is that a figure of speech?
 A: Yes, it means random conversation, word of mouth, rumors.
 Q: At the time you heard those rumors, did you feel there was any validity to them?
 A: The story sounded believable, but there was no truth to be seen. I had no evidence or first hand accounts of it.
 Q: How did the iraqis in your area of responsibility seem to feel about your unit?
 A: They really liked us, actually, for the most part. We worked with the people not against them and we had success with them. We didn't get engaged alot and I think that was because of our commanding officer's rapport with the senior leadership. The mulhalla to the west of the canal where the body was recovered, which was not our sector showed alot of animosity toward americans.
 Q: Did any Iraqi civilians, to your knowledge, make any complaints against american soldiers, concerning wrongful death?
 A: Not within our Mulhalla, to my knowledge.
 Q: How far away from your AO was 1/18th's AO?
 A: The northern part of their sector bordered the southern part of our sector.
 Q: Do you have anything you would like to add to your statement at this time?
 A: No, not at this time.///End of Statement/// (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 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 IN (b)(6), (b)(7)(C)

WITNESSES:

 ORGANIZATION OR ADDRESS _____

 ORGANIZATION OR ADDRESS _____

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of February, 2009 at Building 2635, Miner Road, Fort Sill, OK 73503

(b)(6), (b)(7)(C)

 (Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C), (b)(7)(F)

 (Type Name)

10 USC, 936
 (Authority To Administer Oaths)

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 0025-09-CID899

PAGE 1 OF 4 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0945, 10 Feb 09, SA (b)(6), (b)(7)(C) received RFA 0010-08-CID847-34682 from the Schweinfurt CID Office requesting the collection of any documentation and conduct any interviews regarding a law of war violation and murder of detainees by 1SG (b)(6), (b)(7)(C) A CO, SGT (b)(6), (b)(7)(C) HHC and (b)(6), (b)(7)(C) A CO, all assigned to 1/18th IN BN, Conn Barracks, Schweinfurt, GE, while part of a patrol, deployed to Iraq.

About 1400, 12 Feb 09, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with SFC (b)(6), (b)(7)(C) Provost Marshal's Office (PMO), 1st CAV DIV, for MP support for an investigation outside the wire. SFC (b)(6), (b)(7)(C) referred Agents to the 8th MP BDE, S3 for coordination. , SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) 8th MP BDE, S3 who advised he could easily arrange MP support for our mission outside the wire. However, due to an Iraqi pilgrimage travel was restricted throughout the area of operation (AO) until 17 Feb 09.

About 0830, 14 Feb 09, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) who advised the 8th MP BDE Commander had given initial approval of CID's request for MP support for an investigation outside the wire.

About 1515, 15 Feb 09, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) 8th MP BDE, Chief of Operations. MAJ (b)(6), (b)(7)(C) advised MAJ (b)(6), (b)(7)(C) 8th MP BDE, Provincial Police Transition Team (PTT) OIC would assist and coordinate with the 93rd MP BN.

About 1000, 16 Feb 09, SA (b)(6), (b)(7)(C) received 8th MP BDE Mission Update package with satellite imagery and additional information pertaining to the mission.

About 1500, 18 Feb 09, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) who advised MSG (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 8th MP BDE, PTT NCOIC, would be the point of contact.

About 1315, 19 Feb 09, SA (b)(6), (b)(7)(C) coordinated with 1LT (b)(6), (b)(7)(C) 1-22IN 1BCT, 4ID, who stated the Four Castles safe-house was located at the intersection of Route Irish and Route Cypress. LT (b)(6), (b)(7)(C) advised to contact personnel at the Furat Police Station to facilitated obtaining information from the National Police.

About 0915, 20 Feb 09, SA (b)(6), (b)(7)(C) coordinated with MSG (b)(6), (b)(7)(C) regarding the upcoming mission. MSG (b)(6), (b)(7)(C) advised 8th MP BDE would provide 4 MRAPs and approximately eighteen personnel to support the request. 8th MP BDE would provide convoy support and on the ground security during the conduct of the investigation.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		CAMP LIBERTY CID OFFICE CAMP LIBERTY, IRAQ, APO AE 09342	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	25 Feb 09	287	

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0025-09-CID899

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DETAILS

About 1015, 22 Feb 09, SA (b)(6), (b)(7)(C) coordinating with MAJ (b)(6), (b)(7)(C) Battle Major for Det 3-732 ESFS, who related the National Police shut down the Headquarters Building, located in the vicinity of the intersection of Route Irish and Route Cedar, sometime in 2008. MAJ (b)(6), (b)(7)(C) confirmed the headquarters building was also known as Four Castles. MAJ (b)(6), (b)(7)(C) stated the building was empty and he had no idea which units were stationed there in 2007 or where any of the historical data could have gone. MAJ (b)(6), (b)(7)(C) stated he would try to coordinate with the National Police and attempt to obtain any available information.

About 1327, 22 Feb 09, SA (b)(6), (b)(7)(C) coordinated with 1LT (b)(6), (b)(7)(C) DET 3-372 ESFS, who related his AO included the area of the canal where the four Iraqis were found. LT (b)(6), (b)(7)(C) agreed to meet the convoy in the vicinity of Route Irish and Route Cedar to facilitated coordination with the local Iraq police.

About 0815, 23 Feb 09, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and Linguist (b)(6), (b)(7)(C) departed VBC, with support from 8th MP BDE, enroute to the Iraq National Police Headquarters Building, reportedly located in the vicinity of the intersection of Route Irish and Route Cedar.

About 0900, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) arrived at the above location and requested assistance from the Iraq Police in locating the HQ Building. The Iraq Police were unaware of a National Police HQ Building anywhere in the general area. The Iraq Police appeared confused as to the exact location of any element of the National Police in their AO.

About 0920, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) were escorted by Iraq Police to a building suspected of housing an element of the National Police, however, the building housed a local college.

About 1000, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) were escorted by Iraq Police to the AL FORAT AL JEHAD Police Station, where SA (b)(6), (b)(7)(C) spoke with Iraq Police Colonel, (b)(6), (b)(7)(C) and Lieutenant (b)(6), (b)(7)(C). According to (b)(6), (b)(7)(C) he recalled the incident and stated all reports and information could be obtained at the AL AMIL Police Station. (b)(6), (b)(7)(C) declined to provide any specifics of what he recalled and insisted reports and information could be obtained at the AL AMIL Police Station.

About 1100, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) were escorted by Iraq Police to the AL AMIL Police Station, where SA (b)(6), (b)(7)(C) spoke with Iraq Police Major (b)(6), (b)(7)(C) Chief of Hay-Al A'Amil Police Station, Baghdad Police Directorate, Al Karkh District. (cell # (b)(6), (b)(7)(C) MAJ (b)(6), (b)(7)(C) stated he could not recall any specific event where four Iraqis had been found in the canal with gunshot wounds to the head. MAJ (b)(6), (b)(7)(C) stated the fact the individuals were shot in the head was a very common occurrence in the area. MAJ (b)(6), (b)(7)(C) stated it was not proper procedure for bodies to be brought to any location other than area "Four" at Baghdad International Airport (BIAP). The bodies would then be brought to

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		CAMP LIBERTY CID OFFICE CAMP LIBERTY, IRAQ, APO AE 09342	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	25 Feb 09	287	

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DETAILS

the local police station and then to the forensic hospital, approximately 160 km away. At the forensic hospital the bodies would be processed in attempts to identify them and contact family members. If the bodies could not be identified they would be buried at a common location. If any of the bodies were later identified from records at the forensic hospital, the remains would be returned to the family. MAJ **(b)(6), (b)(7)(C)** also stated he would need a court order to obtain any type of reports from the forensic hospital concerning bodies examined at that location. MAJ **(b)(6), (b)(7)(C)** stated he was in charge of the area and reviewed log books and reports pertaining to events occurring in Feb-April 2007. MAJ **(b)(6), (b)(7)(C)** identified an entry which pertained to the deaths of three Iraqi on April 1, 2007, who were found with gunshot wounds. MAJ **(b)(6), (b)(7)(C)** stated the bodies had been picked up at BIAP and then brought to the forensic hospital as was proper procedure. MAJ **(b)(6), (b)(7)(C)** placed a telephone call to the local Mayor in efforts to obtain any community knowledge of the incident in question. No information was available at the time of the call. MAJ **(b)(6), (b)(7)(C)** stated the Major's office would attempt to ascertain if there was any local knowledge of the incident. MAJ **(b)(6), (b)(7)(C)** stated Colonel **(b)(6), (b)(7)(C)** Chief of HAY- AL SUA'LA Police Station, had been the Chief of the Hay-AI A'Amil Police Station prior to him. MAJ **(b)(6), (b)(7)(C)** placed a telephone call to COL **(b)(6), (b)(7)(C)** however, no pertinent information was available at the time of his call. When asked for the location of the Iraq National Police Headquarters Building, MAJ **(b)(6), (b)(7)(C)** could not provide any information of the HQ building or the presence of the National Police in the area.

AGENT'S NOTE: The reports and log entries were contained in a hard covered journal style book. Due to the lack of photo copy equipment at the police station it was necessary to photograph the entries of the aforementioned three Iraqi deaths for documentation purposes. It was noted the book was relatively thin and entries were minimal despite the existing conditions over the last couple of years in the area.

About 1345, 23 Feb 09, SA **(b)(6), (b)(7)(C)** SA **(b)(6), (b)(7)(C)** and SA **(b)(6), (b)(7)(C)** returned to Camp Liberty CID office.

About 1515, 23 Feb 09, SA **(b)(6), (b)(7)(C)** and SA **(b)(6), (b)(7)(C)** coordinated with CPT **(b)(6), (b)(7)(C)** 1LT **(b)(6), (b)(7)(C)** **(b)(6), (b)(7)(C)** SSG **(b)(6), (b)(7)(C)** SFC **(b)(6), (b)(7)(C)** and SSG **(b)(6), (b)(7)(C)** all of 8th MP BDE, regarding further investigative activity at the West Al-Rashid neighborhood of Baghdad. CPT **(b)(6), (b)(7)(C)** related that he performed liaison functions with the Iraqi Criminal Investigative Division which handled Iraqi criminal prosecutions, and the Criminal Evidence Division, which conducted forensic examinations of evidence. He would be going to the Iraqi Divisional headquarters in Baghdad on 28 Feb 09, for other investigative and liaison functions. He would have both organizations review their files to see if there was information from the January 2007 to April 2007 timeframe pertaining to this investigation. He would collect any material available and turn it over to CID. Also, **(b)(6), (b)(7)(C)** squad conducted daily patrols at the vicinity of the canal and would inquire from the locals if they had information that might provide additional leads towards locating family members and/or documents pertaining to the investigation. **(b)(6), (b)(7)(C)** and

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		CAMP LIBERTY CID OFFICE CAMP LIBERTY, IRAQ, APO AE 09342	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	25 Feb 09	287	

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AGENT'S INVESTIGATION REPORT

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DETAILS

(b)(6), (b)(7)(C) team conducted daily patrols in other areas of the West Al-Rashid neighborhood and would be contacting their sources and Iraqi law enforcement personnel for information pertaining to the investigation.

About 1515, 25 Feb 09, SA (b)(6), (b)(7)(C) coordinated with Linguist (b)(6), (b)(7)(C) who translated photographs of documents from the Hay-Al A'Amil Police Station log book and the names of the police officials who agents spoke with on 23 Feb 09. According to Linguist (b)(6), (b)(7)(C) Iraq Police Colonel (b)(6), (b)(7)(C) and Lieutenant, (b)(6), (b)(7)(C) were located at the AL FORAT AL JEHAD Police Station and Iraq Police Major (b)(6), (b)(7)(C) Chief of Hay-Al A'Amil Police Station, Baghdad Police Directorate, Al Karkh District. (cell # (b)(6), (b)(7)(C) located at the AL AMIL Station. Translated log entries photographed on 23 Feb 09 were reviewed and it was determined the entries did not pertain to the current investigation.///Nothing Follows///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

CAMP LIBERTY CID OFFICE
CAMP LIBERTY, IRAQ, APO AE 09342

SIGNATURE

(b)(6), (b)(7)(C)

DATE

25 Feb 09

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AGENT'S INVESTIGATIVE REPORT

ROI NUMBER:

0010-08-CID847-34682/0054-09-CID146

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS:

BASIS FOR INVESTIGATION: About 1300, 23 Feb 09, this office received a Request for Assistance (RFA) 0010-08-CID847-34682 from the Schweinfurt CID Office, CMR 457, APO AE 09033, to conduct a witness interview of SGT (b)(6), (b)(7)(C) C Company, 1-17th Infantry Battalion (IN BN), 5-2 Infantry Brigade (IN BDE), Fort Lewis, WA 98433, to determine the extent of his knowledge of the events pertaining to the mission to recover the bodies of four males located near the Route Cypress canal near Victory Base Complex, Iraq, sometime near the 3rd or 4th week of March 2007. Further, the RFA requested SPC (b)(6), (b)(7)(C) map the route taken to and from the location of the recovered bodies.

About 0900, 25 Feb 09, SA (b)(6), (b)(7)(C) verbally interviewed SGT (b)(6), (b)(7)(C) who stated he only took part in two corpse recovery missions. SGT (b)(6), (b)(7)(C) elaborated that one took place in the Spring of 2007 and the other in the Winter of 2007. SGT (b)(6), (b)(7)(C) stated in the Spring of 2007 his team was on patrol, and happened to notice two bodies lying dead in the street. SGT (b)(6), (b)(7)(C) stated the street on which the two dead males were found was not the Route Cypress canal. SGT (b)(6), (b)(7)(C) identified the approximate location of the street, where the two dead males were found, and also the approximate location of the Route Cypress canal.

On 26 Feb 09, SA (b)(6), (b)(7)(C) Schweinfurt CID office, CMR#457, APO AE 09033, related no further investigative activity was requested or required by this office.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

(b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION:

Fort Irwin Resident Agency (CID)
Fort Irwin, CA 92310

DATE:

26 February 2009

EXHIBIT

288



Cypress canal approx.

location of spring recovery 28 of 07

LOCATIONS MARKED & IDENTIFIED BY

WITNESSED BY

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

SKETCH OF SPRING 2007 RECOVERY MISSION

BUILDINGS



BUILDINGS



Director of Travel

WITNESSED BY

(b)(6), (b)(7)(C)

WITNESSED BY

(b)(6), (b)(7)(C)

25 FEB 09

Handwritten signature in a box: [Signature]

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0010-08-CID847-34682

0067-09-CID108-

PAGE 1 OF 1 PAGE

DETAILS

BASIS FOR INVESTIGATION: This office received a Request for Assistance from the Schweinfurt CID Office to locate, fully identify and obtain a witness statement from MSG (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Headquarters and Headquarters Company, USARPAC, Fort Shafter, HI (FSHI), regarding his knowledge of a mission to recover four bodies from a canal while deployed in support of Operation Iraqi Freedom from Feb 07 to Apr 08.

About 1030, 23 Feb 09, SA (b)(6), (b)(7)(C) interviewed 1SG (b)(6), (b)(7)(C) who related he was assigned to B Company, 1-28 Infantry Battalion, 1st Infantry Division, in Iraq. He was assigned to COP Battle from 9 Feb 07 to 23 Apr 08. 1SG (b)(6), (b)(7)(C) related there was no Trip Ticket or OPORD to recover the bodies. 1SG (b)(6), (b)(7)(C) related he was not aware of the recovery mission and to his knowledge his platoons did not participate in the recovery of four bodies pulled from the canal. 1SG (b)(6), (b)(7)(C) agreed to return to this office to provide further information.

About 1138, 26 Feb 09, SA (b)(6), (b)(7)(C) interviewed 1SG (b)(6), (b)(7)(C) who provided a sworn statement wherein he stated he did not receive, nor was he aware of, any order by the Battalion Tactical Operations Center to recover four bodies from the canal in his sector. (See Sworn Statement) /// LAST ENTRY ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

102nd Military Police Detachment (CID),
Schofield Barracks, HI 96857-5455

SIGNATURE (b)(6), (b)(7)(C)

DATE

26 Feb 09

EXHIBIT

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(When Data is Entered)

Encl 1

ACLU-RDI 5596 p.1038

10-L-0126 ACLU CID ROI 10434

001513

SWORN STATEMENT

File Number : 0067-09-110108
Location : Hawaii Field Office, Schofield Barracks, HI 96857
Date : 26 Feb 08 (b)(6), (b)(7)(C)
Time : 1138 (b)(6), (b)(7)(C)
Name : (b)(6), (b)(7)(C)
Grade/Status : MSG/AD
SSN : (b)(6), (b)(7)(C)
Org/Address : G-3 USARPAC, FSHI

(b)(6), (b)(7)(C)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was deployed to Iraq from 9 Feb 07-23 Apr 08 to COP BATTLE. The only time I was not at COP BATTLE was the three weeks during the train up. On 16 Mar 07 we went out and set the COP up. I was assigned as the First Sergeant to B Co, 1-28th Infantry, 1st Infantry Division. I had three platoons. First and Third Platoon were with me on COP Battle and Second Platoon was at JSS Black Lion, which was in the southern section of our sector. I also had a tank platoon attached to the company who were also at the COP. To my knowledge, there was never an order issued by my BN TOC to recover four remains from the canal. I was personally involved in one recovery of one body approximately the beginning of April. I was patrolling with 3rd PLT and we were notified by a local of a body (not from that area) in the canal. One of my soldiers cut the body loose from the canal. I think he was tied hands behind his back with rope. That was the only recovery I was personally involved in out of the canal.

Q. SA (b)(6), (b)(7)(C)

A. MSG (b)(6), (b)(7)(C)

Q. Was there an OPORD, Trip Ticket or Patrol Debrief published for the mission to recover the remains?

A. I personally never heard an order to recover four bodies or any bodies for that matter from the Cyprus Canal that were allegedly executed by American soldiers.

Q. Do you have a copy of the OPORD, etc, or do you know where they would be maintained?

A. There was never an OPORD for this mission. The caveat to that is going to be all records, DD 1594's for all company missions were brought back to the U.S. and at least as of 31 Jul 08 (the date I left) they were still in the company. Any Trip Tickets, OPORDS or mission summary sheets were stripped off of our hard drives and were maintained on a hard drive by the Battalion S2 upon our departure from Iraq.

Q. How did you find out about the remains of the four bodies from the canal?

A. I heard about them back home in the news media. From that the report I thought it happened south of our sector. I did not hear about the remains while down range (b)(6), (b)(7)(C)

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

PAGE OF PAGES

EXHIBIT

STATEMENT OF: (b)(6), (b)(7)(C) ; TAKEN AT: Schofield Barracks, HI; DATED: February 26, 2009
CONTINUED:

(b)(6), (b)(7)(C)

Do you know who recovered the remains?

A. No.

Q. What is the SOP for recovering remains?

A. The SOP for recovering remains of noncombatants found in sector is first to try to get the Iraqi Army or National Police to try to recover the bodies. And when they would not due to sectarian violence issues or just not willing to, we would put them in body bags and take them to the Iraqi Army or National Police. Prior to picking them up, we would photograph them in place. If they were a combatant, we would do an intelligence search. Otherwise, we photographed, bagged them and dropped them off.

Q. How did you document the recoveries for Army reporting requirements?

A. All of the recoveries were reported over the radio to battalion. When the platoon leader returned to the COP, they were required to conduct a debrief and turned it in to 1LT (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) received the debriefs for the entire deployment.

Q. Who were the battle captains assigned to the TOC?

A. SSG (b)(6), (b)(7)(C) (I don't remember his full last name, he went by (b)(6), (b)(7)(C) because his name was very long). The other one was SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C), SSG (b)(6), (b)(7)(C)

Q. Who were the 1st and 3rd PLT Leaders?

A. 1st PLT Leader was 1LT (b)(6), (b)(7)(C) He's a CPT by now. 3rd was 1LT (b)(6), (b)(7)(C) 1st PSG was SFC (b)(6), (b)(7)(C) 3rd PSG was SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Both (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) left at the same time in October.

Q. While you were stationed at the COP did you hear any rumors about the above mentioned remains in the canal?

A. No.

Q: Is there anything else you wish to add to this statement?

A: No. ///End of Statement/ (b)(6), (b)(7)(C)

EXHIBIT
Encl 2
391
0015151

STATEMENT OF: (b)(6), (b)(7)(C) ; TAKEN AT: Schofield Barracks, HI; DATED: February 26, 2009
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 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)

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 10th Day of January 2006 at Hawaii Field Office USACIDC, HI.

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C)
102nd MP DETACHMENT (CID)
USACIDC, Schofield Barracks, HI 96857

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

WITNESS:

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE _____ OF _____ PAGES

FOR OFFICIAL USE ONLY- LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

0082-09-CID044-

CID Regulation 195-1

Page 1 of 1

Details:

About 1030, 26 Feb 09, this office received a Request for Assistance (RFA) from the Schweinfurt CID Office, CMR 457, APO AE 09033, to conduct a witness interview of Mr (Former SPC) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

About 1447, 2 Mar 09, SA (b)(6), (b)(7)(C) interviewed Mr (b)(6), (b)(7)(C) who rendered a sworn statement wherein he stated he was never tasked to recover any bodies while he was deployed to Iraq.

About 1115, 3 Mar 09, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) Schweinfurt CID Office, who stated no further investigative activity was required from this office.///LAST ENTRY

SA (b)(6), (b)(7)(C), (b)(7)(F)

FORT SAM HOUSTON CID OFFICE
1490 WILSON STREET, BUILDING 268
FORT SAM HOUSTON, TX 78234

(b)(6), (b)(7)(C)

Date:
3 Mar 09

Exhibit:

292

CID Form 94

FOR OFFICIAL USE ONLY- LAW ENFORCEMENT SENSITIVE

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

File Number: 0082-09-CID044-
 Location : Fort Sam Houston, Texas 78234
 Date : MARCH 2ND 2009 (b)(6), (b)(7)(C) Time: 2:47 PM (b)(6), (b)(7)(C)
 Statement Of: (b)(6), (b)(7)(C)
 SSN : (b)(6), (b)(7)(C) Grade/Status: CIV
 Org/Address: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT

UNDER OATH: I got to Iraq in the middle of Feb 07. I was in Baghdad Iraq with my unit the 1st Infantry Division, 4th Brigade, Bravo Company 1-28th Infantry. When we first got there we had to build up our Command Out Post (COP). I was put on security detail patrolling the area while the COP was being constructed. Building up the COP took about a week; after the COP was done we would go out on patrol. When I was wasn't out on patrol I would be on the tower pulling guard duty. From the time after the COP was finished until I got hurt in middle May 07 that's pretty much all I did was patrol and pull tower duty. After I got hurt I got flown to Germany then to Walter Reed and then to Fort Sam Houston. Towards the end of May 07 was when I arrived at Fort Sam Houston I can't really remember an exact date because I was heavily medicated.

- Q: SA (b)(6), (b)(7)(C)
- A: Mr (b)(6), (b)(7)(C)
- Q: Did you provide this statement of your own free will?
- A: Yes.
- Q: What was your MOS when you were in Iraq?
- A: 11B, Infantryman.
- Q: What was your rank and job duties while in Iraq?
- A: I was PFC, my duties was go on patrol and be on tower duty.
- Q: What was your job when you went on patrol?
- A: I was a saw gunner and driver when we would go out on vehicles and the last guy on foot patrol because I had the M249.
- Q: How would you all go out on patrol?
- A: We would go out by squads, we would take turns.
- Q: What platoon were you assigned to?
- A: 3rd platoon 3rd squad.
- Q: How many squads were in 3rd platoon?
- A: Four.
- Q: How many soldiers were in a squad?
- A: About nine.
- Q: Who was your squad leader?
- A: SSG (b)(6), (b)(7)(C) I don't know his first name.
- Q: Who was you platoon sergeant?
- A: SFC (b)(6), (b)(7)(C) I don't know his first name.
- Q: Who was your platoon leader?
- A: 1LT (b)(6), (b)(7)(C) I don't know his first name (b)(6), (b)(7)(C)

EXHIBIT _____ INITIALS: (b)(6), (b)(7)(C) PAGE 1 OF 3 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FORT SAM HOUSTON, TEXAS 78234, MARCH 2ND 2009. CONTINUED

(b)(6), (b)(7)(C)

Q: Who was your 1SG?

A: 1SG (b)(6), (b)(7)(C), I don't know his first name?

Q: Who was your Commander?

A: CPT (b)(6), (b)(7)(C) don't know his first name?

Q: How did you get hurt in Iraq?

A: I was shot in the right leg on 17 May 09 while on foot patrol.

Q: While in Iraq were you tasked to recover any bodies?

A: No.

Q: Were any members of your company tasked to recover any bodies?

A: Not that I know of.

Q: Did you hear of any bodies being recovered?

A: Yes, I heard a rumor that soldiers from another unit found a couple of dead by the canal and was said that the bodies were kids.

Q: When did you hear this?

A: Around the beginning of Mar 08/7 (b)(6), (b)(7)(C)

Q: Who was saying that they found bodies by the canal?

A: I don't know they weren't in my unit.

Q: Was it mentioned if the bodies had any wounds?

A: No, nothing else was mentioned except that a couple of bodies were found by the canal.

Q: Do you know what happened to the bodies?

A: No.

Q: Were the bodies recovered?

A: I'm not sure.

Q: Did you see the bodies?

A: No.

Q: Did you hear any rumors about Soldiers killing Iraqis?

A: Yes.

Q: When did you hear this?

A: About a few months ago?

Q: How did you hear this?

A: My unit flew me down to Fort Riley, KS to meet up with them, that's when I heard that some soldiers from another platoon were investigated for wrongful killings of Iraqis.

Q: Who was saying this?

A: I can't recall, but it was people in my platoon, we were all in a group talking.

Q: Did you hear who was being investigated?

A: No.

Q: Were you afforded the opportunity to look over this statement and make corrections?

A: Yes.

Q: Were you afforded the opportunity to take breaks during this interview?

A: Yes.

Q: How were you treated by CID today?

A: Good. (b)(6), (b)(7)(C)

EXHIBIT _____

INITIALS: (b)(6), (b)(7)(C) _____

PAGE 2 OF 3 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FORT SAM HOUSTON, TEXAS 78234, MARCH 2ND 2009. CONTINUED

(b)(6), (b)(7)(C): Do you have anything else to add to this statement?
A: No.///END OF STATEMENT///(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, on MARCH 2ND 2009 at Fort Sam Houston, Texas 78234.

(b)(6), (b)(7)(C)

(Signature)

SA (b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oaths)

EXHIBIT _____ INITIALS: (b)(6), (b)(7)(C) PAGE 3 OF 3 PAGES

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0029-09-CID617-

PAGE 1 OF 1 PAGES

DETAILS

About 1320, 20 Feb 09, SA (b)(6), (b)(7)(C) received RFA from the Schweinfurt CID office requesting this office to locate, fully identify and interview SGT (b)(6), (b)(7)(C) 2/503rd INF BN, 173rd ABCT, Caserma Ederle, Vicenza, Italy 09630 (CEVI), in reference to witnessing the recovery of four detainees who were apparently killed by gunshot to the head.

About 0935, 24 Fe 09, SA (b)(6), (b)(7)(C) coordinated with 1LT (b)(6), (b)(7)(C) XO, D CO, 2/503rd INF BN, CEVI, who stated that SGT (b)(6), (b)(7)(C) is a member of his unit, which is in Rome Italy, training until 6 Mar 09. 1LT (b)(6), (b)(7)(C) was made aware of this offices need to speak with SGT (b)(6), (b)(7)(C) and informed that he would be contacted with an intended course of action.

About 0930, 11 Mar 09, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) who provided a sworn statement detailing he recount and involvement of the mission to recover bodies from the canal in Iraq. SGT (b)(6), (b)(7)(C) was a gunner and had minial involvement as he was performing security duty.

AGENT'S COMMENT: SGT (b)(6), (b)(7)(C) annotated on a aerial photo of the approximate location of where his unit removed the body from the canal. SGT (b)(6), (b)(7)(C) also related that he believed he had an alpha roster and would contact me once he returned to his barracks room to check.

About 1630, 11 Mar 09, SGT (b)(6), (b)(7)(C) contacted SA (b)(6), (b)(7)(C) and related that he does not possess an alpha roster of his unit. //////////////////////////////////////Last Entry////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F) (b)(6), (b)(7)(C)		Vicenza CID Office Caserma Ederle, APO AE 09630	
		DATE	EXHIBIT
		11 Mar 09	294

OFFICIAL USE ONLY
FORCEMENT SENSITIVE

Inc 001521

SWORN STATEMENT

FILE NUMBER : 0029-09-CID617-
LOCATION : Caserma Ederle, Vicenza, Italy 09630
DATE : 11 Mar 09 [REDACTED] ME: 1040 [REDACTED]
NAME : [REDACTED]
SSAN : [REDACTED] Grade/Status: E5/AD
ORG/ADDRESS : D Co, 2/503rd INF BN, Caserma Ederle, Vicenza, Italy 09630

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q. SA [REDACTED]

A. SGT [REDACTED]

Q. What was your assigned position and rank, while in Iraq?

A. The first 4 months I was a gunner as a PFC, and then I was promoted to CPL and became a Team Leader for the remaining time.

Q. What date did you deploy to Iraq and what date did you return?

A. February 07 until April 08.

Q. What FOB and/or COP were you stationed at?

A. COP Battle.

Q. What unit were you in?

A. B Company 1/28th Infantry, out of Ft. Riley KS.

Q. Were you ever tasked to retrieve dead bodies?

A. No, we just ran across them.

Q. How many incidents of retrieving dead bodies occurred during your deployment for you?

A. There were about three incidents where we found dead bodies. Generally we would call the Iraqi Police who would come get them.

Q. Did you ever participate in the recovery of any bodies from a canal?

A. Me personally, no.

Q. Did your unit participate in the recovery of any bodies from a canal?

A. Yes.

Q. Where were you and what were you doing while the bodies were being recovered from the canal?

A. I was in the lead vehicle as a gunner, pulling security.

Q. So, you were present during your Platoons recovery mission?

A. Yes.

Q. What Platoon were you assigned to?

A. 3rd Platoon, led by 1LT [REDACTED]

Q. Was there an OPORD, Trip Ticket or Patrol Debrief published for the mission to recover the bodies?

A. No, I think we just ran across them.

Q. How did you find out about the bodies?

A. We just ran across them.

Q. How many bodies were pulled out of the canal?

A. I only remember one.

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 295

“Statement of: (b)(6), (b)(7)(C)

Taken At: CEVI, 09630 Dated: 11 Mar 09

Continued.”

(b)(6), (b)(7)(C)

Who pulled them out?

A. I can't say, I don't know for sure.

Q. What date did this occur?

A. I don't know. It had to have been within the first four months because I was still a gunner. I believe it was some time after March 07 because we just had the COP built.

Q. Did anyone expose photographs?

A. I don't think so.

Q. Did you take any photographs?

A. No.

Q. What is the standard operating procedures for recovering bodies?

A. We would just get them and call the Iraqi Police or Iraqi Army to come get them.

Q. What procedures were taken during this recovery?

A. I want to say we called the Iraqi Army, I don't think we took them ourselves.

Q. Can you describe the body that was recovered?

A. It was really white, I only saw it while it was in the water, I don't remember what he was wearing or anything of that nature. I only remember he was pasty white.

Q. Did you hear anyone say anything unique about the body after he was pulled from the water?

A. No, I just remember seeing him in the murky water and can only remember that he was pasty white. I saw the body as we drove up along the canal, I did not exit my vehicle.

Q. Describe the location where you observed and recovered the bodies.

A. It would have been the canal by route Cypress. There is route Cypress that parallels the canal and on the opposite side of the canal there is a dirt road that also parallels the canal. We were on the dirt road.

Q. Can you identify on the map the location where you recovered the bodies?

A. Yes, a general location.

Q. Describe the clothing of each of the bodies.

A. I don't remember.

Q. Describe the bodies (Age, scars, marks, tattoos, race, hair color, height, etc..)

A. I only recall the one, I don't know anything other than he was pasty white, bloated and had dark hair. That's all I remember.

Q. How long did this recovery take?

A. It took a while, we were there for a while, at least 45 minutes.

Q. How big was your convoy that day?

A. I think there was just the four HMMWV's.

Q. What type of security did you establish?

A. With our trucks, 360 degrees. We all stayed on the same side of the canal.

Q. How far was your vehicle from the site your team members removed the bodies?

A. I was in the lead vehicle at least 40 meters away, I was pulling security so I was looking away from where my team members were.

Q. What did the rest of the members from your vehicle do during this?

A. The driver stayed in the vehicle, I don't know if the TC stayed in or got out.

Q. Who was in your vehicle with you?

A. The TC was SGT (b)(6), (b)(7)(C) the driver was either PFC (b)(6), (b)(7)(C) of PFC (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT: _____

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 295

File Number:

“Statement of: (b)(6), (b)(7)(C)

Taken At: CEVI, 09630 Dated: 11 Mar 09

Continued:”

(b)(6), (b)(7)(C)

Who was in the other vehicles?

A. I know 1LT (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SSG

(b)(6), (b)(7)(C) I don't know who else was there.

Q. Was there any apparent wounds?

A. I don't know

Q. Did you find any weapons?

A. Nobody said anything.

Q. Did you find any zip-ties or cloth that could have been used as a blindfold?

A. Not that I am aware of.

Q. Were there any personal items collected from the bodies? (i.e. identification, jewelry, watches, etc.)

A. Not that I am aware of.

Q. Where did you take the bodies?

A. I can't remember if we took it, or if they came and got it.

Q. Is there a possibility that there was more than one body there once your team members got down to the canal?

A. There was room in the canal, there were a lot of weeds, I didn't hear anything in particular about there being more bodies.

Q. Can you locate on the map, where you took the bodies?

A. I honestly can't remember. We either went back to the COP or to the Iraqi Army HQ.

Q. Will this information be annotated in the OPORD, Trip Ticket or Patrol Debrief?

A. I do not recall doing a debrief.

Q. Do you have an alpha roster of your platoon from the deployment?

A. I think I do somewhere.

Q. While you were at the COP was anything ever mentioned about the bodies found in the canal?

A. No.

Q. What did you hear?

A. This particular day I didn't hear anything.

Q. Do you have anything further you wish to add to this statement?

A. No.//END OF STATEMENT//

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT:

Page 3 of 4

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 295

File Number:

“Statement of: (b)(6), (b)(7)(C) [redacted]”

Taken At: CEVI, 09630 Dated: 11 Mar 09

Continued:”

AFFIDAVIT

I, (b)(6), (b)(7)(C) [redacted] HAVE OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE ____ . I FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

(b)(6), (b)(7)(C) [redacted]

Subscribed and sworn to before me, a person authorized by law
To administer oaths, this 11th day of March, 2009
at Caserma Ederle, Vicenza, Italy 09630

(b)(6), (b)(7)(C), (b)(7)(F) [redacted]

(Typed Name of Person Administering Oath)

ORGANIZATION AND ADDRESS

10 USC 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT: [redacted]

(b)(6), (b)(7)(C) [redacted]

Page 4 of 4

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LAW ENFORCEMENT SENSITIVE**

EXHIBIT **295**

Recovered Body in canal
Somewhere between these
points

Illustrated by S. T. [redacted]
witnessed by [redacted]
11 Mar 09



(b)(6), (b)(7)(C)
[redacted]

FOR OFFICIAL
USE ONLY

0029-2009-000617-

295
EXHIBIT
ENCLOSURE 3

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0056-09-CID369-

PAGE 1 OF 1 PAGE

DETAILS

Basis for Investigation: About 1200, 27 Feb 09, this office received a Request for Assistance (RFA) from the Schweinfurt, CID Office, Schweinfurt, Germany, requesting a witness interview of SPC (b)(6), (b)(7)(C) B Co. 1/178th Infantry, Forward Operating Base (FOB) Metharlam, AF.

About 1415, 14 Mar 09, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who stated he remembered his platoon finding the bodies of deceased local nationals in a ravine. SPC (b)(6), (b)(7)(C) stated could not recall the exact date and location of the recovery. SA (b)(6), (b)(7)(C) requested SPC (b)(6), (b)(7)(C) respond to a questioner provided by the Schweinfurt CID Office regarding the discovery of the bodies.

About 1420, 17 Apr 09, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who provided a statement pertaining to his knowledge regarding the matter under investigation.

STATUS: All requested investigative activity was completed and no further activity is anticipated. The request was closed within the files of this office.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C)

ORGANIZATION

Afghanistan CID Office
Bagram Airfield, Afghanistan, APO AE 09354

SIGNATURE

(b)(6), (b)(7)(C)

DATE

17 Apr 09

EXHIBIT

296

CID FORM 94 FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

ACLU-REF 75596 p.1052

10-L-0126 ACLU CID ROI 10448

001527

(b)(6), (b)(7)(C)

SWORN STATEMENT

File Number: 0056-09-CID369
Location: Forward Operating Base Meterlam, Afghanistan
Date: 17 Apr 09 Time: 1420
Statement of: (b)(6), (b)(7)(C)
SSN: (b)(6), (b)(7)(C)
Org/Address: A Company, 1/178th INF, Afghanistan, APO AE 09354

(b)(6), (b)(7)(C)

want to make the following statement under oath:

BACK AROUND JULY-AUGUST TIME FRAME OUR SQUAD WAS ON A PATROL WHEN A GUNNER THOUGHT TO HAVE SEEN A HAND OR A ARM DOWN A CANOW WE THEN STOPED TO INVESTGATE AND FOUND 4 BODYS THERE WAS RADIO TRAFFIC I DID NOT LEAVE THE VECHIAL I TRIED TO SEE AS MUCH AS I COULD THROUGH THE MIRROR MY TRUCK COMMANDER DISSMOUNTED TO HELP THEY HAD IP'S COME OUT TO HELP I THEN SEE THE IP'S CARRY A BLACK BODY BAG UP FROM THE BOTTOM OF THE CANOW WE WERE THERE FOR A COUPLE OF HOURS THEN COUNTIONED ON OUR PATROL (b)(6), (b)(7)(C)

Q. SA (b)(6), (b)(7)(C)

A. SPC (b)(6), (b)(7)(C)

Q. Did you type the above statement?

A. Yes.

Q. Who was your platoon leader?

A. LT (b)(6), (b)(7)(C)

Q. What was your rank?

A. I was a PFC.

Q. What Combat-Out Post were you assigned to?

A. COP BATTLE

Q. What unit were you in?

A. I was in B Company 1-28th IN.

Q. What date did you deploy to Iraq and what date did you return?

A. I deployed about February, 2007.

Q. What was your job in the vehicle?

A. I was a driver.

Q. What type of a vehicle did you drive?

A. An 1151.

Q. How many vehicles were in the patrol?

A. Four.

Q. About how many people were in the patrol?

A. 17 or 18.

Q. What position was your vehicle in?

A. I was in the lead vehicle.

Q. What was the average distance between each vehicle?

A. About 50 to 75 meters.

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGE 1 OF 4 PAGES

EXHIBIT

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT Afghanistan CID Office,
DATED 4/17/2009 CONTINUED:

0056-09-01D369

- Q. Who else was in your vehicle?
- A. My TC (SGT (b)(6), (b)(7)(C)) and my Gunner (PVT (b)(6), (b)(7)(C))
- Q. Was there an OPFORD, Trip Ticket or Patrol Debrief published for the mission to recover the bodies?
- A. I'm not really sure if we were sent to get bodies, or if it was just a routine patrol.
- Q. While you were in Iraq did you ever see a Trip Ticket, or ever hear of a Trip Ticket?
- A. No.
- Q. How did you find out about the bodies?
- A. While we were on patrol I heard someone on the radio say they thought they saw a hand or an arm. We stopped immediately after that. After we stopped the TC and PL and some of the dismounts went down in the canal.
- Q. Did you get out of the vehicle to see what was going on?
- A. I tried but I was told to get back in the vehicle by my TC.
- Q. Do you know the names of the Dismount Soldiers that went to see the bodies?
- A. SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C) I can't remember who else.
- Q. How many bodies did you see get pulled out of the canal?
- A. I was sitting in my vehicle watching through the side mirror and saw Iraqi Police carrying one black body bag up the side of the canal. I didn't see any others.
- Q. How do you know they were Iraqi Police?
- A. From their uniforms and their trucks.
- Q. When did they show up at the scene?
- A. About 15, or 20 minutes after we got there.
- Q. About how long were you at the scene?
- A. About 2, or 2 1/2 hours.
- Q. What date this occur?
- A. Not sure of the exact date, the end of July or the beginning of August.
- Q. Did anyone expose photographs? Who?
- A. I'm not sure if anyone did.
- Q. Did you take any photographs?
- A. No.
- Q. Did you ever hear anyone use the word "execution" over the radio?
- A. Yes. I heard Lt. (b)(6), (b)(7)(C) tell the CO that is what it appeared to be.
- Q. Who was the CO?
- A. CPT (b)(6), (b)(7)(C)
- Q. What is the standard operational procedure for recovering bodies?
- A. There was no SOP that I know of.
- Q. Describe the location where you observed and the bodies?
- A. We were on a hard ball road, the canal was to our left and there were houses to our right. There were more houses on the other side of the canal.
- Q. About how far from the COP did you recover the bodies?
- A. We had been on the road for about 15 minutes. I have no clue how much distance.
- Q. Can you identify on a map the location where you recovered the bodies?
- A. Probably not.
- Q. Describe the clothing of each of the bodies?
- A. I never saw the bodies. I was in the truck the whole time.
- Q. Did anyone in your unit describe the bodies or the wounds to you?

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

EXHIBIT

PAGE 2 OF 4 PAGES

(b)(6), (b)(7)(C)

STATEMENT OF SPC [REDACTED] TAKEN AT Afghanistan CID Office,
DATED 4/17/2009 CONTINUED:

0056-09-CID369-

A. Just that there was gunshots to the heads, like an execution and they had been tied up from cuts on their wrists.

Q. Who told you this?

A. PFC (b)(6), (b)(7)(C) I remember he was also one of the dismounts down there.

Q. Did you find any weapons?

A. I heard there were no weapons.

Q. From who?

A. I heard that over the radio.

Q. Did you find any zip-ties or cloth that could have been used as a blind fold?

A. I didn't see anything like that, and I never heard anything like that.

Q. Were there any personal items collected from the bodies?

A. Not that I know of.

Q. What happened to the bodies?

A. The Iraqi Police took them.

Q. How did they transport them?

A. In the back of the trucks.

Q. Can you locate on the map, where you took the bodies?

A. I don't know where they took them.

Q. Would this information be annotated in the OPFORD, Trip Ticket or Patrol; Debrief?

A. I don't know, at the time I had never heard of a Trip Ticket.

Q. Can you remember anyone else on the patrol we have not mentioned?

A. SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) I can't really think of anyone else's name.

Q. While you were at the COP was anything ever mentioned about the bodies found in the canal?

A. There was some, we just talked about the same stuff, that they had appeared to be executed and they had cuts on their arms.

Q. Do you have any thing else you would like to add to this statement?

A. No///End of Statement/// (b)(6), (b)(7)(C)

I (b)(6), (b)(7)(C) have read or had read to me this statement which begins on page 1 and ends on page 4. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, on 17 April 2009, at Forward Operating Base Meterlam, Afghanistan APO, AE 09354

(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]
PAGE 3 OF 4 PAGES

EXHIBIT

STATEMENT OF SP^U (b)(6), (b)(7)(C) TAKEN AT Afghanistan CID Office,
DATED 4/17/2009 CONTINUED:

0056-09-CID369-

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

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0044-09-CID899

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 1657, 1 Apr 09, SA (b)(6), (b)(7)(C) received Request For Assistance 0010-08-CID847-34682 from 286th MP Detachment (CID), Schweinfurt, Germany, to coordinate with the SJA liaison at the Central Criminal Court of Iraq (CCC-I) and obtain a search warrant to obtain the records from the Forensic Hospital, to re-coordinate with CPT (b)(6), (b)(7)(C) 8th MP BDE, and find out the results of their search at the Iraqi Divisional Headquarters and obtain CID Form 44 information on the Soldiers who assisted in the 23 Mar 09 mission.

From 2 Apr 09 through 21 Apr 09, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) SJA MND-B Senior Trial Counsel & DSTB Trial Counsel, Military Justice Section 1st Cavalry Division & Multi-National Division - Baghdad (MND-B), CPT (b)(6), (b)(7)(C) SJA, Trial Counsel, 8th Military Police Brigade, Camp Liberty, Iraq, CPT (b)(6), (b)(7)(C) HHC 8th MP BDE, Staff Judge Advocate, Camp Liberty, Iraq, MAJ (b)(6), (b)(7)(C) APER, 8th MP BDE, Police Transition Team (PTT) Team Chief, Camp Liberty, Iraq, MSG (b)(6), (b)(7)(C) 8th MP BDE PTT NCOIC, Camp Liberty, Iraq, CPT (b)(6), (b)(7)(C) 8th MP BDE Company Commander, Camp Liberty, Iraq, CPT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) Operational Law Attorney, 1st Cavalry Division, Camp Liberty, Iraq, CPT (b)(6), (b)(7)(C) Multi-National Forces Iraqi, Central Criminal Court of Iraq, Baghdad, Iraq, LTC (b)(6), (b)(7)(C) BOCAT Legal Advisor, Baghdad, Iraq, MAJ (b)(6), (b)(7)(C) 1st TSC, Theater Mortuary Affairs Officer (TMAO), Baghdad International Airport, Iraq and others and was advised the requested records might be accessible at the Medical City Hospital, Bab Al Muathum, Baghdad, Iraq. Further information identified MG DIA, Iraq CID, who was said to be able to coordinate CID Liberty's access to the Medical City Hospital in order to conduct a review.

About 1530, 7 Apr 09 SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) Mortuary Affairs, Baghdad International Airport (BIAP) and learned unclaimed or unidentified remains found in the West Al Rashid District of Baghdad in 2007 would have been brought to the BIAP Morgue. BIAP Morgue provided a list of 11 known Iraqi remains and 10 identified Iraqi remains brought to the morgue in early 2007.

About 1036, 21 Apr 09, SA (b)(6), (b)(7)(C) coordinated with the 286th MP Detachment (CID), Schweinfurt, Germany who advised to terminate the RFA.

STATUS: This action is closed within the files of this office and no further investigative activity is anticipated
///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		CAMP LIBERTY CID OFFICE CAMP LIBERTY, IRAQ, APO AE 09342	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	21 Apr 09	298	

CID FORM 94 FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE
(Automated) Termination of protective markings is exempt in accordance with AR 380-5

ACLU-RDI 5596 p.1057

10-L-0126 ACLU CID ROI 10453

001532

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0010-08-CID847-34682

PAGE 1 OF 1 PAGES

DETAILS

About 1413, 11 May 09, SA (b)(6), (b)(7)(C) coordinated with CPT (b)(6), (b)(7)(C) Trial Counsel, Grafenwoehr, Germany, APO AE 09114, who provided a written legal opine pertaining to each subject of this investigation. CPT (b)(6), (b)(7)(C) opined probable cause existed to believe MSG (b)(6), (b)(7)(C) SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) committed the offenses of Murder and Conspiracy when they agreed to kill four Iraqi detainees, executed them, and subsequently pushed their bodies into a canal to conceal their actions. Additionally, probable cause existed to believe MSG (b)(6), (b)(7)(C) committed an additional offense of murder when he killed a wounded insurgent en route to a Combat Support Hospital. CPT (b)(6), (b)(7)(C) opined that probable cause existed to believe SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) committed the offense of Conspiracy because they knew of the plan to kill the detainees and subsequently joined the patrol which took the detainees to the canal to be executed. CPT (b)(6), (b)(7)(C) opined probable cause existed to believe CPL (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) committed the offense of Failure to Report when they became aware of the murders and failed to alert civilian or military authorities afterwards. CPT (b)(6), (b)(7)(C) opined probable cause existed to believe SSG (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) committed the offense of False Official Statement when they provided false statements in which they denied any knowledge of the murders. CPT (b)(6), (b)(7)(C) opined probable cause existed to believe SPC (b)(6), (b)(7)(C) committed the offense of Obstruction of Justice when he contacted SPC (b)(6), (b)(7)(C) and instructed him not to cooperate with this investigation. CPT (b)(6), (b)(7)(C) opined probable cause did not exist to believe SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) committed the offense of Failure to Report as there were no indications SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) knew anything regarding the murder of detainees, and SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) knowledge of the murders were based on rumor and supposition. (See Written Opine for details) //LAST ENTRY//

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

ORGANIZATION

Schweinfurt CID Office
CMR 457, APO AE 09033

DATE

11 May 09

EXHIBIT

299

OFFICIAL USE ONLY

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see AR 27-10, Chapter 3; the proponent agency is OTJAG-CL.

NAME & SSN (b)(6), (b)(7)(C)	GRADE E-4	UNIT & LOCATION Alpha Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09226	MONTHLY BASE PAY \$1,848.90
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct:

In that you, who knew of your duties at or near Baghdad, Iraq, between on or about 17 March 2007 and 16 April 2007, were derelict in the performance of those duties in that you, having knowledge of other U.S. Army personnel wrongfully shooting with a firearm, four (4) male detainees of apparent Middle-Eastern descent whose names are unknown, willfully failed to promptly report said abuse to military authorities as it was your duty to do. This is in violation of Article 92, UCMJ.

In that you, knowing that at or near Baghdad, Iraq, between on or about 17 March 2007 and 16 April 2007, SFC (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) had committed an offense punishable by the Uniform Code of Military Justice, to wit: murder, did, at or near Baghdad, Iraq, between on or about 17 March 2007 and 16 April 2007, in order to hinder the apprehension and punishment of the said SFC (b)(6), (b)(7)(C) 1SG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) by cleaning blood from the interior of a Bradley Fighting Vehicle and burning the zipties used as handcuffs and cloth used as blindfolds on the victims of the murder. This is in violation of Article 78, UCMJ.

(End)

2. Page three of this form lists your rights and the maximum punishment that may be imposed. In deciding what to do, you have the right to consult with legal counsel located at Building 30 Conn Barracks, Schweinfurt, Germany APO AE 09226. You now have 48 hours to decide what to do.

DATE 1736 31 MAR 08	(b)(6), (b)(7)(C)	ORGANIZATION OF COMMANDER LTC, HQ, 1-2 IN	(b)(6), (b)(7)(C)
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3. Having been afforded the opportunity to consult with counsel and understanding my rights listed on page three of this form, my decision is as follows: (Initial appropriate blocks, date, and sign)

- a. I demand trial by court-martial.
- b. I do not demand trial by court-martial and in the Article 15 proceedings:
- (1) I request the hearing be Open. Closed.
 - (2) A person to speak in my behalf Is not requested.
 - (3) Matters in defense, extenuation, and/or mitigation: are not presented. Are attached. Will be presented in person.

DATE 29-Apr-08	NAME AND RANK OF SERVICE MEMBER (b)(6), (b)(7)(C) CPL	SIGNATURE (b)(6), (b)(7)(C)
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4a. In a(n) Open Closed hearing considering all matters presented, I hereby find you:

Guilty of All Specifications. Guilty of Some Specifications (line out Not Guilty Specifications). Not Guilty of All Specifications (line out all Specifications and sign below).

Based on my findings, I impose the punishments that are officially recorded in Item 6 of this form.

4b. I direct that this DA Form 2627 be filed in the:

Performance fiche of the OMPF. Restricted fiche of the OMPF. NA as Soldier was an E-4 or below at start of proceedings.

4c. You are advised of your right to appeal to the next superior authority: Cdr, 172nd IN BDE within five (5) calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated in Item 6.

DATE 29 APR 08	NAME, RANK, AND ORGANIZATION OF COMMANDER (b)(6), (b)(7)(C) LTC, HQ, 1-2 IN	(b)(6), (b)(7)(C)
-------------------	--	-------------------

5. (Initial appropriate block, date, and sign)

I do not appeal. I appeal but do not submit additional matters. I appeal and submit additional matters.

DATE 29-Apr-08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)
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DA FORM 2627 NOV 04 Page 1

NAME & SSN (b)(6), (b)(7)(C)		GRADE E4	UNIT & LOCATION A Co, 1-2 IN, APO AE 09226
6. The following punishment is imposed: Reduction to Private First Class (E3); Forfeiture of \$422 pay per month for two months; Extra duty For 45 days; Restriction to the limits of A Co, 1-2 IN company area, living area, dining and medical Facilities, and place of worship for 45 days.			
7. I have considered the appeal and it is my opinion that:			
DATE	NAME, RANK, AND ORGANIZATION OF REVIEWING JUDGE ADVOCATE		SIGNATURE
8. After consideration of all matters presented in the appeal, the appeal is: <input type="checkbox"/> Denied. <input type="checkbox"/> Granted as follows:			
DATE	NAME, RANK, AND ORGANIZATION OF COMMANDER		SIGNATURE
9. I have seen the action taken on my appeal.			
DATE	NAME OF SERVICE MEMBER		SIGNATURE
10. ALLIED DOCUMENTS AND/OR COMMENTS : DA Form 2823, dtd 17 Jan 08 (Sworn Statement-CPL (b)(6), (b)(7)(C) W/M DA Form 3881, dtd 17 Jan 08 (Rights Warning-CPL (b)(6), (b)(7)(C) DODDI 2310.01E, dtd 5 Sep 06 DODDI 3115.09, dtd 3 Nov 05 ERB FLAG			

DA FORM 2627 NOV04 Page

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see AR 27-10, Chapter 3; the proponent agency is OTJAG-CL.

NAME & SSN (b)(6), (b)(7)(C)	GRADE E-4	UNIT & LOCATION Alpha Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09226	MONTHLY BASE PAY \$1,848.90
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct:

In that you, who knew of your duties at or near Baghdad, Iraq between on or about 17 March 2007 and 16 April 2007, were derelict in the performance of those duties in that you, having knowledge of other U.S. Army personnel wrongfully shooting with a firearm, four (4) male detainees of apparent Middle-Eastern descent whose names are unknown, willfully failed to promptly report said abuse to military authorities as it was your duty to do. This is in violation of Article 92, UCMJ.

(End)

2. Page three of this form lists your rights and the maximum punishment that may be imposed. In deciding what to do, you have the right to consult with legal counsel located at Building 30 Conn Barracks, Schweinfurt, Germany APO AE 09226. You now have 48 hours to decide what to do.

DATE 1731 31 MAR 08	NAME, RANK, AND ORGANIZATION OF COMMANDER (b)(6), (b)(7)(C) LTC, HQ, 1-2 IN	(b)(6), (b)(7)(C)
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3. Having been afforded the opportunity to consult with counsel and understanding my rights listed on page three of this form, my decision is as follows: *(Initial appropriate blocks, date, and sign)*

a. I demand trial by court-martial.
 b. I do not demand trial by court-martial and in the Article 15 proceedings:
 (1) I request the hearing be Open. Closed.
 (2) A person to speak in my behalf Is not requested.
 (3) Matters in defense, extenuation, and/or mitigation:
 Are not presented. Are attached. Will be presented.

DATE 29 April 08	NAME AND RANK OF SERVICE MEMBER (b)(6), (b)(7)(C) SPC	(b)(6), (b)(7)(C)
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4a. In a(n) Open Closed hearing, having considered all matters presented, I hereby find you Guilty of All Specifications. Guilty of Some Specifications (line out Not Guilty Specifications). Not Guilty of All Specifications (line out all Specifications and sign below).
 Based on my findings, I impose the punishments that are officially recorded in Item 6 of this form.

4b. I direct that this DA Form 2627 be filed in the:
 Performance fiche of the OMPF. Restricted fiche of the OMPF. As Soldier was an E-4 or below at start of proceedings.

4c. You are advised of your right to appeal to the next superior authority: Cdr, 172nd IN BDE within five (5) calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated in Item 6.

DATE 1702 29 APR 08	NAME, RANK, AND ORGANIZATION OF COMMANDER (b)(6), (b)(7)(C) LTC, HQ, 1-2 IN	(b)(6), (b)(7)(C)
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(Initial appropriate block, date, and sign)
 I do not appeal. I appeal but do not submit additional matters. I appeal and submit additional matters.
 28 APR 08

NAME & SSN (b)(6), (b)(7)(C)	GRADE E4	UNIT & LOCATION A Co, 1-2 IN, APO AE 09226
6. The following punishment is imposed: Reduction to Private First Class (E3); Forfeiture of \$422 pay per month for two months; Extra duty For 45 days; Restriction to the limits of A Co, 1-2 IN company area, living area, dining and medical Facilities, and place of worship for 45 days.		
7. I have considered the appeal and it is my opinion that :		
DATE	NAME, RANK, AND ORGANIZATION OF REVIEWING JUDGE ADVOCATE	SIGNATURE
8. After consideration of all matters presented in the appeal, the appeal is: <input type="checkbox"/> Denied. <input type="checkbox"/> Granted as follows:		
DATE	NAME, RANK, AND ORGANIZATION OF COMMANDER	SIGNATURE
9. I have seen the action taken on my appeal.		
DATE	NAME OF SERVICE MEMBER	SIGNATURE
10. ALLIED DOCUMENTS AND/OR COMMENTS : DA Form 2823, dtd 17 Jan 08 (Sworn Statement-SPC (b)(6), (b)(7)(C)) DA Form 3881, dtd 17 Jan 08 (Rights Warning-SPC (b)(6), (b)(7)(C)) DODDI 2310.01E, dtd 5 Sep 06 DODDI 3115.09, dtd 3 Nov 05 ERB FLAG		

W/M

DA FORM 2627 NOV04 Page

RECORD PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see AR 27-10, Chapter 3; the proponent agency is OTJAG-CL.

NAME & SSN (b)(6), (b)(7)(C)	GRADE E-4	UNIT & LOCATION Alpha Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09226	MONTHLY BASE PAY \$1,848.90
---------------------------------	--------------	--	--------------------------------

I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct:
 In that you, who knew of your duties at or near Baghdad, Iraq, between on or about 17 March 2007 and 16 April 2007, were derelict in the performance of those duties in that you, having knowledge of other U.S. Army personnel wrongfully shooting with a firearm, four (4) male detainees of apparent Middle-Eastern descent whose names are unknown, willfully failed to promptly report said abuse to military authorities as it was your duty to do. This is in violation of Article 92, UCMJ.

In that you, knowing that at or near Baghdad, Iraq, between on or about 17 March 2007 and 16 April 2007, SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) had committed an offense punishable by the Uniform Code of Military Justice, to wit: murder, did, at or near Baghdad, Iraq, between on or about 17 March 2007 and 16 April 2007, in order to hinder the apprehension and punishment of the said SFC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) by cleaning blood from the interior of a Bradley Fighting Vehicle and burning the zip ties used as handcuffs and cloth used as blindfolds on the victims of the murder. This is in violation of Article 78, UCMJ.

(End)

2. Page three of this form lists your rights and the maximum punishment that may be imposed. In deciding what to do, you have the right to consult with legal counsel located at Building 30 Conn Barracks, Schweinfurt, Germany APO AE 09226. You now have 48 hours to decide what to do.

DATE 1541 31 MAR 08	NAME, RANK AND ORGANIZATION OF COMMANDER (b)(6), (b)(7)(C) LTC, HQ, 1-2 IN (b)(6), (b)(7)(C)
---------------------------	---

3. Having been afforded the opportunity to consult with counsel and understanding my rights listed on page three of this form, my decision is as follows: (Initial appropriate blocks, date, and sign)

a. I demand trial by court-martial.
 b. I do not demand trial by court-martial and in the Article 15 proceedings:
 (1) I request the hearing be Open. Closed.
 (2) A person to speak in my behalf Is not requested.
 (3) Matters in defense, extenuation, and mitigation: Are not presented, Are attached. Will be presented in person.

DATE 1 May 2008	NAME AND RANK OF SERVICE MEMBER (b)(6), (b)(7)(C) PC (b)(6), (b)(7)(C)
--------------------	---

4a. In a(n) Open Closed hearing, having considered all matters presented, I hereby make the following findings:
 Guilty of All Specifications. Guilty of Some Specifications (line out Not Guilty Specifications). Not Guilty of All Specifications (line out all Specifications and sign below).
 Based on my findings, I impose the punishments that are officially recorded in Item 6 of this form.

4b. I direct that this DA Form 2627 be filed in the:
 Performance fiche of the OMPF. Restricted fiche of the OMPF. DA as Soldier was an E-4 or below at start of proceedings.

4c. You are advised of your right to appeal to the next superior authority: Cdr, 172nd IN BDE within five (5) calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately. (b)(6), (b)(7)(C)

DATE 1 MAY 08	NAME, RANK AND ORGANIZATION OF COMMANDER (b)(6), (b)(7)(C) LTC, HQ, 1-2 IN (b)(6), (b)(7)(C)
------------------	---

5. (Initial appropriate block, date, and sign)
 I do not appeal. I appeal but do not submit additional matters. I appeal and submit additional matters. (b)(6), (b)(7)(C)

DATE 1 May 2008	(b)(6), (b)(7)(C)
--------------------	-------------------

(b)(6), (b)(7)(C)	GRADE E-4	UNIT & LOCATION Alpha Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09226
6. The following punishment is imposed: Reduction to Private First Class (E3), suspended, to be automatically remitted if not vacated before 30 October 2008; extra duty for 45 days; and restriction to the limits of A Co. 1-2 IN Company area, living area, dining and medical facilities, and place of worship for 45 days.		
7. I have considered the appeal and it is my opinion that:		
DATE	NAME, RANK, AND ORGANIZATION OF REVIEWING JUDGE ADVOCATE	SIGNATURE
8. After consideration of all matters presented in the appeal, the appeal is:		
<input type="checkbox"/> Denied. <input type="checkbox"/> Granted as follows:		
DATE	NAME, RANK, AND ORGANIZATION OF COMMANDER	SIGNATURE
9. I have seen the action taken on my appeal.		
DATE	NAME OF SERVICE MEMBER	SIGNATURE
10. ALLIED DOCUMENTS AND/OR COMMENTS : W/M 1 - DA Form 2823, dtd 17 Jan 08 (Sworn Statement - SPC (b)(6), (b)(7)(C)) 1 - DA Form 2823, dtd 19 Jan 08 (Sworn Statement - SGT (b)(6), (b)(7)(C)) 1 - DA Form 2823, dtd 17 Jan 08 (Sworn Statement - SGT (b)(6), (b)(7)(C)) 1 - DODDI 2310.01E, dtd 5 Sep 06 1 - DODDI 3115.09, dtd 3 Nov 05 1 - ERB 1 - FLAG		

DA FORM 2627 (Test) NOV 04 Page 2

Unit

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see AR 27-10, Chapter 3; the proponent agency, JTJAG-CL

NAME OF SERVICEMEMBER (b)(6), (b)(7)(C)	GRADE E-4	UNIT & LOCATION Alpha Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09026	MONTHLY BASE PAY \$1,848.90
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct:

In that you, who knew of your duties at or near Baghdad, Iraq, between on or about 17 March 2007 and on or about 16 April 2007, were derelict in the performance of those duties in that you, having knowledge of other U.S. Army personnel wrongfully shooting with a firearm, four (4) male detainees of apparent Middle-Eastern descent whose names are unknown, willfully failed to report the said abuse to military authorities as it was your duty to do. This is in violation of Article 92, UCMJ.

~~In that you did, at or near Schweinfurt, Germany, on or about 17 January 2008, with intent to deceive, make to Special Agent (b)(6), (b)(7)(C) an official statement, to wit: that the first time you knew about the plan kill four (4) male detainees of apparent Middle-Eastern descent whose names are unknown was on the trip between COP Angry Dragon and the canal, or words to that effect, which statement was totally false, and was then known by you to be so false. This is in violation of Article 107, UCMJ.~~

(End)

2. Page three of this form lists your rights and the maximum punishment that may be imposed. In deciding what to do, you have the right to consult with legal counsel located at Building 30 Conn Barracks, Schweinfurt, Germany APO AE 09026. You may also consult with legal counsel to do.

DATE 1152 29 MAY 08	(b)(6), (b)(7)(C)	POSITION OF COMMANDER LTC, HQ, 1-2 IN	(b)(6), (b)(7)(C)
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3. Having been afforded the opportunity to consult with counsel and understanding my rights listed on page three of this form, my decision is as follows: (Initial appropriate blocks, date, and sign)

I demand trial by court-martial.
 I do not demand trial by court-martial and in the Article 15 proceedings, I request that:

(1) I request the hearing be Open. Closed.
 (2) A person to speak in my behalf Is Is not requested.
 (3) Matters in defense, extenuation, and/or mitigation: Are not presented. Are attached to this form. Will be presented by person (b)(6), (b)(7)(C)

DATE 10 July 2008	(b)(6), (b)(7)(C)	MEMBER PC	(b)(6), (b)(7)(C)
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4a. In a(n) Open Closed hearing, having considered all matters presented, I hereby make the following findings:

Guilty of All Specifications. Guilty of Some Specifications (line out Not Guilty Specifications). Not Guilty of All Specifications (line out all Specifications and sign below).

Based on my findings, I impose the punishments that are officially recorded in Item 6 of this form.

4b. I direct that this DA Form 2627 be filed in the:

Performance fiche of the OMPF. Restricted fiche of the OMPF. NA as Soldier was an E-4 or below at start of proceedings.

4c. You are advised of your right to appeal to the next superior authority: Cdr, 172nd IN BDE within five (5) calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated in Item 6.

DATE 10 JUL 08	(b)(6), (b)(7)(C)	POSITION OF COMMANDER LTC, HQ, 1-2 IN	(b)(6), (b)(7)(C)
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5. (Initial appropriate block, date, and sign)

I do not appeal. I appeal but do not submit additional matters. I appeal and submit additional matters.

DATE 10 July 08	(b)(6), (b)(7)(C)	NAME OF SERVICE MEMBER (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)
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NAME & SSN (b)(6), (b)(7)(C)		GRADE E-4	UNIT & LOCATION Alpha Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09226
6. The following punishment is imposed: Reduction to the grade of Private First Class (E-3), suspended, to be automatically remitted if not vacated before 9 October 2008; forfeiture of \$462.00 pay per month for two months; extra duty for 45 days; and restriction to the limits of Alpha, 1-2 IN Company Area, living area, dining and medical facilities, and place of worship for 45 days.			
7. I have considered the appeal and it is my opinion that:			
DATE	NAME, RANK, AND ORGANIZATION OF REVIEWING JUDGE ADVOCATE		SIGNATURE
8. After consideration of all matters presented in the appeal, the appeal is:			
<input type="checkbox"/> Denied. <input type="checkbox"/> Granted as follows:			
DATE	NAME, RANK, AND ORGANIZATION OF COMMANDER		SIGNATURE
9. I have seen the action taken on my appeal.			
DATE	NAME OF SERVICE MEMBER		SIGNATURE
10. ALLIED DOCUMENTS AND/OR COMMENTS: W/M 1. DA Form 3881, dtd 17 Jan 08 (Rights Warning - SPC (b)(6), (b)(7) 1. DA Form 2823, dtd 22 Jan 08 (Sworn Statement - SPC (C) 1. DA Form 3881, dtd 5 Feb 08 (Rights Warning - SPC 1. DA Form 2823, dtd 5 Feb 08 (Sworn Statement - SPC 1. DODDI 2310.01E, dtd 5 Sep 06 1. DODDI 3115.09, dtd 3 Nov 05 1. ERB 1. FLAG			

DA FORM 2627 NOV 04 Page 2

Unit

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see AR 27-10, Chapter 3; the proponent agency is OTJAG-CL.

NAME & SSN (b)(6), (b)(7)(C)	GRADE E-5	UNIT & LOCATION Alpha Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09026	MONTHLY BASE PAY \$2,047.20
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct:

In that you, who knew of your duties at or near Baghdad, Iraq, between on or about 10 April 2007 and on or about 1 May 2007, were derelict in the performance of those duties in that you, having knowledge of other U.S. Army personnel wrongfully shooting with a firearm, four (4) male detainees of apparent Middle-Eastern descent whose names are unknown, willfully failed to report the said abuse to military authorities as it was your duty to do. This is in violation of Article 92, UCMJ.

(End)

2. Page three of this form lists your rights and the maximum punishment that may be imposed. In deciding what to do, you have the right to consult with legal counsel located at Building 30 Conn Barracks, Schweinfurt, Germany APO AE 09226. You now have 48 hours to decide what to do.

DATE 1155 29 MAY 07	(b)(6), (b)(7)(C)	IZATION OF COMMANDER LTC, HQ, 1-2 IN	(b)(6), (b)(7)(C)
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3. Having been afforded the opportunity to consult with counsel and understanding my rights listed on page three of this form, my decision is as follows: (Initial appropriate blocks, date, and sign)

- a. demand trial by court-martial.
- b. do not demand trial by court-martial and in the Article 15 proceedings:
 - (1) I request the hearing be Open Closed.
 - (2) A person to speak in my behalf Is requested Is not requested.
 - (3) Matters in defense, extenuation, and/or mitigation: Are not presented. Are attached Are presented in person.

DATE 10 July 08	(b)(6), (b)(7)(C)	MEMBER GT	(b)(6), (b)(7)(C)
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4a. In a(n) Open Closed hearing, having considered all matters presented, I hereby make the following findings:

- Guilty of All Specifications.
 - Guilty of Some Specifications (line out Not Guilty Specifications).
 - Not Guilty of All Specifications (line out all Specifications and sign below).
- Based on my findings, I impose the punishments that are officially recorded in Item 6 of this form.

4b. I direct that this DA Form 2627 be filed in the:

- Performance fiche of the OMPF.
- Restricted fiche of the OMPF.
- NA as Soldier was an E-4 or below at start of proceedings.

4c. You are advised of your right to appeal to the next superior authority: Cdr. 172nd IN BDE within five (5) calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated in Item 6.

DATE 10 JUL 08	(b)(6), (b)(7)(C)	IZATION OF COMMANDER LTC, HQ, 1-2 IN	(b)(6), (b)(7)(C)
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5. (Initial appropriate block, date, and sign)

- I do not appeal.
- I appeal but do not submit additional matters.
- I appeal and submit additional matters.

DATE 10 July 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)
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NAME & SSN (b)(6), (b)(7)(C)	GRADE E-5	UNIT & LOCATION Alpha Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09226
6. The following punishment is imposed: Reduction to the grade of Specialist (E-4), suspended, to be automatically remitted if not vacated before 9 December 2008; forfeiture of \$510.00 pay per month for two months, suspended, to be automatically remitted if not vacated before 9 December 2008; extra duty for 45 days, suspended, to be automatically remitted if not vacated before 9 December 2008; and restriction to the limits of Alpha, 1-2 IN Company Area, living area, dining and medical facilities, and place of worship for 45 days, suspended, to be automatically remitted if not vacated before 9 December 2008.		
7. I have considered the appeal and it is my opinion that:		
DATE	NAME, RANK, AND ORGANIZATION OF REVIEWING JUDGE ADVOCATE	SIGNATURE
8. After consideration of all matters presented in the appeal, the appeal is: <input type="checkbox"/> Denied. <input type="checkbox"/> Granted as follows:		
DATE	NAME, RANK, AND ORGANIZATION OF COMMANDER	SIGNATURE
9. I have seen the action taken on my appeal.		
DATE	NAME OF SERVICE MEMBER	SIGNATURE
10. ALLIED DOCUMENTS AND/OR COMMENTS : W/M 1. DA Form 3881, dtd 19 Jan 08 (Rights Warning - SGT (b)(6), (b)(7)(C)) 1. DA Form 2823, dtd 19 Jan 08 (Sworn Statement - SGT (b)(6), (b)(7)(C)) 1. DODDI 2310.01E, dtd 5 Sep 06 1. DODDI 3115.09, dtd 3 Nov 05 1. ERB 1. FLAG		

RECORD PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see AR 27-10; the proponent agency is TJAG.

See Notes on Reverse Before Completing Form

NAME (b)(6), (b)(7)(C)	GRADE SPC	SSN (b)(6), (b)(7)(C)	UNIT WTC, USA MEDDAC, Fort Irwin, CA 92310	PAY (Basic & Sea/Foreign) \$1848.90
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct: ^{1/} In that you, who knew, or should have known, of your duties at or near Baghdad, Iraq, between on or about 17 MAR 07 and 16 APR 07, were derelict in the performance of those duties in that you, having knowledge of other U.S. Army personnel wrongfully shooting with a firearm, four male detainees of apparent Middle-Eastern descent whose names are unknown, willfully failed to report said abuse to military authorities as it was your duty to do. THIS IS IN VIOLATION OF ARTICLE 92, UCMJ. (SEE CONTINUATION SHEET)

2. You are not required to make any statements, but if you do, they may be used against you in this proceeding or at a trial by court-martial. You have several rights under this Article 15 proceeding. First I want you to understand that I have not yet made a decision whether or not you will be punished. I will not impose any punishment unless I am convinced beyond a reasonable doubt that you committed the offense(s). You may ordinarily have an open hearing before me. You may request a person to speak on your behalf. You may present witnesses or other evidence to show why you shouldn't be punished at all (*matters of defense*) or why punishment should be very light (*matters of extenuation and mitigation*). I will consider everything you present before deciding whether I will impose punishment or the type and amount of punishment I will impose. ^{2/} If you do not want me to dispose of this report of misconduct under Article 15, you have the right to demand trial by court-martial instead. ^{3/} In deciding what you want to do you have the right to consult with legal counsel located at Trial Defense Services, Bldg 288, Ext 3282. You now have 48 hours to decide what you want to do. ^{4/}

DATE 30 Jun 08	NAME AND GRADE OF SERVICE MEMBER (b)(6), (b)(7)(C)	ORGANIZATION OF COMMANDER COL, USA MEDDAC	(b)(6), (b)(7)(C)
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3. Having been afforded the opportunity to consult with counsel, my decision are as follows: (*Initial*)
 a. I demand trial by court-martial.
 b. I do not demand trial by court-martial and in the Article 15 proceedings:
 (1) I request the hearing be Open Closed. (2) A person to speak in my behalf Is Is not requested.
 (3) Matters in defense, mitigation, and/or extenuation: Are not presented Will be presented in person Are attached.

DATE 1 July 2008	NAME AND GRADE OF SERVICE MEMBER (b)(6), (b)(7)(C)	ORGANIZATION OF COMMANDER SPC	(b)(6), (b)(7)(C)
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4. In a(n) Open Closed ^{(b)(6), (b)(7)(C)} matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: ^(C) reduction to the grade of PFC and forfeiture of \$843.00 pay per month for 2 months, both suspended, to be automatically remitted if not vacated on or before 5 NOV 08; and extra duty for 30 days.

5. I direct the original DA Form 2627 be filed in the Performance file Restricted file of the OMPF. ^{1/N/A}

6. You are advised of your right to appeal to the Cdr, NTC & Ft Irwin within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE 8 July 08	NAME AND GRADE OF SERVICE MEMBER (b)(6), (b)(7)(C)	ORGANIZATION OF COMMANDER COL, USA MEDDAC	(b)(6), (b)(7)(C)
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7. (*Initial appropriate block, date, and sign*)
 a. I do not appeal b. I appeal and do not submit additional matter ^{(b)(6), (b)(7)(C)} I appeal

DATE 10 July 08	NAME AND GRADE OF SERVICE MEMBER (b)(6), (b)(7)(C)	ORGANIZATION OF COMMANDER PC	(b)(6), (b)(7)(C)
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8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGE ADVOCATE	SIGNATURE
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9. After consideration of all matters presented in appeal, the appeal is:
 Denied Granted as follows: ^{10/}

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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10. I have seen the action taken on my appeal.	DATE	SIGNATURE OF SERVICE MEMBER
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11. ALLIED DOCUMENTS AND/OR COMMENTS ^{11/12/13} (b)(6), (b)(7)(C)
 1. DA F15-6 Investigation
 2. DODDI 2310.01E, dtd 5 SEP 06
 3. DODDI 3155.09, dtd 3 NOV 05 Flag
 4. FLAG
 5. ERB

DA FORM 2627 AUG 84 (FG)

EDITION OF NOV 82 IS OBSOLETE

ORIGINAL

CONTINUATION SHEET, DA Form 2627, Pertaining to:

Specialist (b)(6), (b)(7)(C) WTC, USA MEDDAC, Fort Irwin, California 92310

Item 1 Continued:

In that you, who knew, or should have known, of your duties at or near Baghdad, Iraq, between on or about 17 MAR 07 and 16 APR 07, were derelict in the performance of those duties in that you, willfully failed to protect four male detainees of apparent Middle-Eastern descent whose names are unknown, from being physically harmed by other U.S. Army personnel on the same patrol, as it was your duty to do. THIS IS IN VIOLATION OF ARTICLE 92, UCMJ.

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see AR 27-10, Chapter 3; the proponent agency is OTJAG-CL.

NAME & SSN (b)(6), (b)(7)(C)	GRADE E-5	UNIT & LOCATION Delta Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09226	MONTHLY BASE PAY \$2,405.10
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct:

In that you, who knew of your duties at or near Baghdad, Iraq between on or about 17 March 2007 and on or about 16 April 2007, were derelict in the performance of those duties in that you, having knowledge of other U.S. Army personnel wrongfully shooting with a firearm four (4) male, unarmed and bound detainees of apparent Middle-Eastern descent, willfully failed to promptly report said shooting to the proper military authorities as it was your duty to do. This is in violation of Article 92, UCMJ.

(End)

2. Page three of this form lists your rights and the maximum punishment that may be imposed. In de(b)(6), (b)(7)(C) consult with legal counsel located at Building 30 Conn Barracks, Schweinfurt, Germany APO AE 09 to do.

DATE (b)(6), (b)(7)(C)	ORGANIZATION OF COMMANDER BG, 7th USA JMTC
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3. Having been afforded the opportunity to consult with counsel and understanding my rights listed on page three of this form, my decision is as follows: (Initial appropriate blocks, date, (b)(6), (b)(7)(C))

a. I demand trial by court-martial. (C)

b. (b)(6), (b)(7)(C) do not demand trial by court-martial and in the Article 15 proceeding, (b)(6), (b)(7)(C)

(1) I request the hearing be Open. Closed. (b)(6), (b)(7)(C)

(2) A person to speak in my behalf (b)(6), (b)(7)(C) Is Is not requested. (b)(6), (b)(7)(C)

(3) Matters in defense, extenuation, (b)(6), (b)(7)(C) mitigation: Are not presented. Are attached. (b)(6), (b)(7)(C) All be presented in person. (b)(6), (b)(7)(C)

DATE 24 Feb 09	NAME AND RANK OF SERVICE MEMBER (b)(6), (b)(7)(C) SGT
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4a. In a(n) Open (b)(6), (b)(7)(C) Closed hearing, having considered all matters presented, I hereby find (b)(6), (b)(7)(C)

Guilty of All Specifications. Guilty of Some Specifications (line out Not Guilty Specifications). Not Guilty of All Specifications (line out all Specifications and sign below).

Based on my findings, I impose the punishments that are officially recorded in Item 6 of this form.

4b. I direct that this DA Form 2627 (b)(6), (b)(7)(C) be:

Performance fiche of the OMPF. (C) NA as Soldier was an E-4 or below at start of proceeding. (b)(6), (b)(7)(C)

4c. You are advised of your right to appeal to the next superior authority: DCG, USAREUR within (b)(6), (b)(7)(C)
An appeal made after that time may be rejected as untimely. Punishment is effective immediately

DATE 24 Feb 09	ORGANIZATION OF COMMANDER (b)(6), (b)(7)(C) BG, 7th USA JMTC
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5. (b)(6), (b)(7)(C) (Initial appropriate block, date, and sign)

I appeal. I appeal but do not submit additional matters. I appeal (b)(6), (b)(7)(C)

DATE 24 Feb 09	NAME OF SERVICE MEMBER (b)(6), (b)(7)(C)
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10-L-0126 ACLU CID ROI 5320

NAME & SSN (b)(6), (b)(7)(C)	GRADE E-5	UNIT & LOCATION Delta Company, 1-2 Infantry Regiment, 172nd Infantry Brigade APO AE 09226
6. The following punishment is imposed: Reduction to Specialist (E-4), suspended, to be automatically remitted if not vacated on or before 23 August 2009; Forfeiture of \$1109.00 pay per month for 2 months; Extra Duty for 45 Days; and Restriction for 45 Days, suspended, to be automatically remitted if not vacated on or before 23 August 2009.		
7. I have considered the appeal and it is my opinion that :		
DATE	NAME, RANK, AND ORGANIZATION OF REVIEWING JUDGE ADVOCATE	SIGNATURE
8. After consideration of all matters presented in the appeal, the appeal is: <input type="checkbox"/> Denied. <input type="checkbox"/> Granted as follows:		
DATE	NAME, RANK, AND ORGANIZATION OF COMMANDER	SIGNATURE
9. I have seen the action taken on my appeal.		
DATE	NAME OF SERVICE MEMBER	SIGNATURE
10. ALLIED DOCUMENTS AND/OR COMMENTS :		
1 - DA Form 2823, dtd 17 Jan 08 (Sworn Statement - SGT (b)(6), (b)(7)(C))		W/M
1 - DA Form 3881, dtd 17 Jan 08 (Rights Warning - SGT (b)(6), (b)(7)(C))		
1 - DODDI 2310.01E, dtd 5 Sep 06		
1 - DODDI 3115.09, dtd 3 Nov 05		
1 - ERB		
1 - FLAG		

DA FORM 2627 (Test) NOV 04 Page 2

10-L-0126 ACLU CID ROI 5321

LAW ENFORCEMENT SENSITIVE

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER

For use of this form see Ar 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

0010-08-CID847
34682
CRD REPORT/CID ROI NUMBER

RECEIVING ACTIVITY Schweinfurt CID Office	LOCATION CMR 457 Leonard Barracks, APO AE 09005
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER <input type="checkbox"/> OTHER SGT (b)(6), (b)(7)(C)	ADDRESS (Include Zip Code) Alpha Company, 1-18th Infantry Battalion Conn Barracks, APO AE 09226
LOCATION FROM WHERE OBTAINED From the hands of SGT (b)(6), (b)(7)(C) in the parking lot adjacent Building 997A Conn Barracks, APO AE 09226	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1342/13 Jan 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)
1	1	Digital Camera, Brandname CASIO EXILIM, Serial Number 4110946F, metal and plastic type construction, silver and black in color, 2 1/4" L x 3 1/2" W x 1/2" T and in dirty and scratched condition. The camera contained a rechargeable Lithium ION battery, brand name CASIO EXILIM black red, white, and silver in color plastic and metal type construction, 2" x 1/4" x 1/8" bearing manufacturer's markings "CAUTION... MAKE IN CHINA" on the back. The battery was in poor condition. The camera also contained a memory card blue plastic type construction, 1 1/4" L x 1/2" W. Affixed to the front of the memory card was a label white, red, black, and green color bearing the manufacturer's markings "home... Card". On the back of the memory card was the manufacturer's markings "CE... 3000" and "06371V99J00". Camera and battery were in poor condition. MPR ID (b)(6), (b)(7)(C) with 1342 (b)(6), (b)(7)(C) 13 Jan 08, 1342 appears on the bottom of camera. (From the hands of SGT (b)(6), (b)(7)(C))
2	1	USB cable brand name SANNABRAND plastic and metal type construction, black in color, 27" L x 1/4" L. Located on the bottom of the cable was manufacturer's markings "CASIO... CHINA" and "1032145". Cable was a 1.8" and 1.25" corded condition. MPR ID with 1342 (b)(6), (b)(7)(C) 13 Jan 08, 1342 appears on the bottom of the cable (from the hands of SGT (b)(6), (b)(7)(C))
3	1	USB Cable Brand name SANNABRAND plastic and metal type construction, black and gold in color, approximately 65" L. Cable contained manufacturer's markings "USB 2.0 Compact Gold cable" and was in dirty and scratched condition. MPR ID with 1342 (b)(6), (b)(7)(C) 13 Jan 08, 1342 appears on both ends of cable. (From the hands 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 thru 3	13 JAN 08	SIGNATURE (b)(6), (b)(7)(C) NAME, GRADE OR TITLE SGT	(b)(6), (b)(7)(C)	Evaluation as Evidence
1 thru 3	14 JAN 08	(b)(6), (b)(7)(C)	SI (b)(6), (b)(7)(C)	Released to Evidence Custodian
		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	

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

0010-08 C10847

CRD REPORT/CID ROI NUMBER

34682

RECEIVING ACTIVITY SchwemFurt CID Office	LOCATION SchwemFurt, Germany, APO AE 09033
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER Sgt (b)(6), (b)(7)(C) <input type="checkbox"/> OTHER (b)(6), b(7)(C) b(6), (b)(7)(C)	ADDRESS (Include Zip Code) A Company 1/18th INF Bn APO AE 09226
LOCATION FROM WHERE OBTAINED From the hands of SGT (b)(6), (b)(7)(C) while in Bldg 296 Ledward Barracks SchwemFurt, Germany, APO AE 09033	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 2255/17Jan08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)
1	1	Laptop computer, grey, blue, and black in color, plastic, metal, and glass type construction. The bottom of the laptop has a label which bears "product: Pavilion ZV5000" and "s/n: CND5080D3X" and "p/n: PT276UA#ABA". The laptop was used, scratched, and dusty in condition. The top of the laptop bore a "HP" symbol. The laptop was approximately 14" w x 12" L. The laptop was marked for identification with 2255/17Jan08 (b)(6), (b)(7)(C) as to appear on the bottom of the laptop. (Hands of (b)(6), (b)(7)(C) Last Item

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	17 Jan 08	(b)(6), (b)(7)(C)	SIGN (b)(6), (b)(7)(C)	Collection as evidence
1	23 JAN 2008	SIGN (b)(6), (b)(7)(C)	NAME SA SIGNATURE RR113 62596 VSD NAME, GRADE OR TITLE REGISTERED MAIL	Sent to ESIEFO for exam
1	22 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Transport to ESIEFO
1	23 JAN 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
1	23 JAN 2008	(b)(6), (b)(7)(C)	EVIDENCE CUSTODIAN NATURE (b)(6), (b)(7)(C)	RELEASED FOR ANALYSIS

ACLW-RDI 5596 p.1074 EVIDENCE CUSTODIAN NO-L

ROI 5321 001565

CHAIN OF CUSTODY (Continued)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	13 FEB 08	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	CHANGE OF EVIDENCE CUSTODIAN
1	21 FEB 2008	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	RECEIVED BY EVIDENCE CUSTODIAN
1	11 MAR 2008	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	SIGNATURE RB 938 936 881 US NAME, GRADE OR TITLE REGISTERED MAIL	RETURN TO CONTROLLING OFFICE
1	MAR 17 2008	SIGNATURE RB 938 936 881 US NAME, GRADE OR TITLE REGISTERED MAIL	(b)(6), (b)(7)(C)	RETURNED FROM CRIME LAB
		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	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

FINAL DISPOSAL ACTION

RELEASE TO OWNER OR OTHER (Name / Unit) _____

DESTROY _____

OTHER (Specify) _____

FINAL DISPOSAL AUTHORITY

ITEM(S) _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ (Grade)

(Name)

(Organization)

(IS) (ARE) NO LONGER

REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate correspondence.)

(Typed / Printed Name, Grade, Title)

(Signature)

(Date)

WITNESS TO DESTRUCTION OF EVIDENCE

THE ARTICLE(S) LISTED AT ITEM NUMBER(S) _____ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE.

(Typed / Printed Name, Organization)

(Signature)

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER

0010-08-CID847

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

34682

RECEIVING ACTIVITY Schweinfurt CID	LOCATION Schweinfurt Germany APO AE 09033
NAME, GRADE AND TITLE <input checked="" type="checkbox"/> OWNER SPC (b)(6), (b)(7)(C) <input type="checkbox"/> OTHER	ADDRESS (Include Zip Code) A Co 1118th Inf Bn APO AE 09226
LOCATION FROM WHERE OBTAINED From hands of SPC (b)(6), (b)(7)(C) Rm 126, Bld 169 Conn Bks APO AE 09226	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 23 35-2350 17 Jan 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>
1	1	Beads, prayer beads commonly called various shades of green colored beads, green string, white string with metal brass colored piece, used condition, protected for trace evidence, placed in clean brown paper bag (wall) and sealed with paper tape.
2	1	Computer, used condition, scratched, dented "ACER Model 2L3 serial LXTAH060085340 DAF8EM00 Laptop, silver+black color, plastic and metal construction complete with power cord Serial # F, remainder is illegible (desk) Marked for ID 2350 17 Jan 08 (b)(6), (b)(7)(C)
Last Item		
		MFR: Password for computer (b)(6), (b)(7)(C)
		MFR: Item 1 was marked for identification with 2335 17 Jan 08 so as to appear on the tape and bag (b)(6), (b)(7)(C)

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-2	17 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Evidence
1-2	17 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to evidence custodian Item 1 SCRCMI
2 only	22 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Sent to ESFFO For exam
2 only	22 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Transport TO ESFFO
		(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	

ACLU-RDI 5530 p.1070

ROI 5323 001567

CHAIN OF CUSTODY (Continued)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		SIGNATURE (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	
		NAME, GRADE OR TITLE		
2 only	23 JAN 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
2 only	23 JAN 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RELEASED FOR ANALYSIS
		EVIDENCE CUSTODIAN		
1-2 only	19 FEB 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	CHANGE OF EVIDENCE CUSTODIAN
		EVIDENCE CUSTODIAN		
2 only	21 FEB 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
		EVIDENCE CUSTODIAN		
2 only	1 MAR 2008	(b)(6), (b)(7)(C)	SIGNATURE RB 938 936 881 US	RETURN TO CONTROLLING OFFICE
		NAME, GRADE OR TITLE (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE REGISTERED MAIL	
		EVIDENCE CUSTODIAN		
2 only	MAR 17 2008	SIGNATURE RB 938 936 881 US	(b)(6), (b)(7)(C)	RETURNED FROM CRIME LAB
		NAME, GRADE OR TITLE REGISTERED MAIL	NAME, GRADE OR TITLE Cmb	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

FINAL DISPOSAL ACTION

RELEASE TO OWNER OR OTHER (Name/Unit)

DESTROY

OTHER (Specify)

FINAL DISPOSAL AUTHORITY

ITEM(S) _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ (Grade)

(Name)

(Organization)

(IS) (ARE) NO LONGER

REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate correspondence.)

(Typed/Printed Name, Grade, Title)

(Signature)

(Date)

WITNESS TO DESTRUCTION OF EVIDENCE

THE ARTICLE(S) LISTED AT ITEM NUMBER(S) _____ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE.

(Typed/Printed Name, Organization)

(Signature)

FOR OFFICIAL USE ONLY- LAW ENFORCEMENT SENSITIVE

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER		
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 0010-08-CID847-34682		
RECEIVING ACTIVITY Schweinfurt Resident Agency (CID)		LOCATION Schweinfurt, GM APO AE 09033		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER N/A		ADDRESS (Include Zip Code) N/A		
LOCATION FROM WHERE OBTAINED From the tape deck of Citation 20, Receiver, and Recorder, Located in Building 296, Ledward Barracks, Schweinfurt, Germany, APO AE 09033		REASON OBTAINED Evaluation as Evidence	TIME/DATE OBTAINED 2330 17 Jan 08	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	2	Tape, plastic and metal type construction, blue, white, and black in color, with an affixed label containing the words "CERTRON D90, INSTANT START DICTATION CASSETTE, 45 MIN, THIS SIDE", used in condition, contained in a plastic type construction case, transparent in color. The tape and case was Marked for ID with 2330, 17 Jan 08 (b)(6), (b)(7)(C) so as to appear on the tape and the case. //LAST ITEM//		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	17 Jan 08	SIGNATURE <i>N/A</i>	(b)(6), (b)(7)(C)	Evaluation as Evidence
		NAME, GRADE OR TITLE <i>(CITATION) 20 Receiver / Recorder</i>	<i>Inv</i> (b)(6), (b)(7)(C)	
1	18 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to evidence custodian
		NAME, GRADE OR TITLE <i>Inv</i> (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE <i>SA</i> (b)(6), (b)(7)(C)	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE <i>SA</i> (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	

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

0010-08-010847

CID REPORT/CID ROI NUMBER

34652

RECEIVING ACTIVITY

Schweinfurt Resident Agency (C10)

LOCATION

Schweinfurt, Germany

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED

OWNER SFC (b)(6), (b)(7)(C)
 OTHER (b)(6), (b)(7)(C)

ADDRESS (Include Zip Code)

ACC, 1/18 INF BN
 Conn Barracks, Schweinfurt Germany
 APO, AE 09226

LOCATION FROM WHERE OBTAINED

From the hands of SFC (b)(6), (b)(7)(C) while in Apartment R-3, Building 532, Askron Manor Schweinfurt, Germany

REASON OBTAINED

Evidence

TIME/DATE OBTAINED

1515/18Jan08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>
1	1	laptop computer, gray and black in color, plastic and metal type construction, bearing the brand name "Sony Vaio" on the top and a tag affixed on the bottom bearing "Model PCG-951L" and "US: C57BR001-D480." The laptop was scratched and dusty in condition. There is no logon name required and the password is "(b)(6), (b)(7)(C)". The laptop was marked for identification with 1515/18Jan08 (b)(6), (b)(7)(C) as to appear on the bottom of the laptop. Hands of SFC (b)(6), (b)(7)(C)
2	1	power cord, plastic and rubber type construction, black in color, with a tag affixed to the top bearing "Sony... Made in China" and "A/S: 02-3273-2000" and barcode "147839081 0071692". The power cord was used and scratched in condition. The power cord was marked for identification with 1515/18Jan08 (b)(6), (b)(7)(C) as to appear on the top of the power cord. Hands of SFC (b)(6), (b)(7)(C)
Last Item		

CHAIN OF CUSTODY

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-2	18 Jan 08	SIGNATURE (b)(6), (b)(7)(C)	SIGNATURE (b)(6), (b)(7)(C)	Collection as evidence
1-2	23 Jan 2008	SIGNATURE (b)(6), (b)(7)(C)	SIGNATURE (b)(6), (b)(7)(C)	Sent to GSAFE for exam
1-2	JAN 22 2008	SIGNATURE (b)(6), (b)(7)(C)	SIGNATURE (b)(6), (b)(7)(C)	Released to GSAFE for exam
1-2	JAN 23 2008	SIGNATURE (b)(6), (b)(7)(C)	SIGNATURE (b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
1-2	JAN 23 2008	SIGNATURE (b)(6), (b)(7)(C)	SIGNATURE (b)(6), (b)(7)(C)	RELEASED FOR ANALYSIS

AGL RDI 5506 01070 EVIDENCE CUSTODIAN 10-L-0126 APO AE 09226 CID ROI 5326 001570

CHAIN OF CUSTODY (Continued)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-2	13 FEB 08	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	CHANGE OF EVIDENCE CUSTODIAN
1-2	21 FEB 2008	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	RECEIVED BY EVIDENCE CUSTODIAN
1-2	11 MAR 2008	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	SIGNATURE RB 938 936 881 US REGISTERED MAIL	RETURN TO CONTROLLING OFFICE
1-2	MAR 17	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN RB 938 936 881 US REGISTERED MAIL	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN Cm Inv (b)(6), (b)(7)(C)	RETURNED FROM CRIME LAB
		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	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

FINAL DISPOSAL ACTION

RELEASE TO OWNER OR OTHER (Name / Unit)

DESTROY

OTHER (Specify)

FINAL DISPOSAL AUTHORITY

ITEM(S) _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ (Grade)

(Name)

(Organization)

(IS) (ARE) NO LONGER

REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate correspondence.)

(Typed / Printed Name, Grade, Title)

(Signature)

(Date)

WITNESS TO DESTRUCTION OF EVIDENCE

THE ARTICLE(S) LISTED AT ITEM NUMBER(S) _____ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE.

(Typed / Printed Name, Organization)

(Signature)

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

0010-08-CID847

CRD REPORT/CID ROI NUMBER

34652

RECEIVING ACTIVITY Schweinfurt CID office (Edward)	LOCATION Schweinfurt Germany APO AE09033
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER Spc (b)(6), (b)(7)(C) <input type="checkbox"/> OTHER (b)(6), b(7)(C) b(6), (b)(7)(C)	ADDRESS (Include Zip Code) A CO 1-18 th INF BN APO AE 09226

LOCATION FROM WHERE OBTAINED (b)(6), (b)(7)(C) Hands of Spc while in Rm (b)(6), b(7)(C) bldg 169 Conn Barracks, APO, AE 09226	REASON OBTAINED Evidence	TIME/DATE OBTAINED 1424/19 Jan 08
--	-----------------------------	--------------------------------------

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>
✓ 1	1	Laptop, grey and black in color, plastic and metal type construction, Toshiba brand, with a tag affixed to the bottom bearing "Toshiba... 4001" and "Model No. PTA70U-0014005" and "Serial No. 26208359Q". The computer is used, dusty, and scratched in condition. The screen attached is inoperational and was broken prior to collection. The password is "Saw17". The laptop was MFID with 1424/19 Jan 08 (b)(6), (b)(7)(C) on the bottom of the computer. Spc (b)(6), (b)(7)(C)
✓ 2	1	Harddrive, silver, blue, and gold in color, metal and plastic type construction, with a tag affixed to the top bearing "Toshiba... 516" and "S/N 36DQ1953S 763 E.C.A". The harddrive was scratched and dusty in condition. The harddrive was MFID with 1424/19 Jan 08 (b)(6), (b)(7)(C) on the top of the harddrive. Spc (b)(6), (b)(7)(C)
		Last Item

CHAIN OF CUSTODY				
ITEM NO.	DATE	NAME, GRADE OR TITLE	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-2	19 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Collection as Evidence
1-2	JAN 20 2008	(b)(6), (b)(7)(C) SPC	JA (b)(6), (b)(7)(C)	Sent for CSIFFO For exam
1-2	JAN 22 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to CSIFFO For exam
1-2	JAN 23 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
1-2	JAN 23 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RELEASED FOR ANALYSIS

CHAIN OF CUSTODY (Continued)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-2	13 FEB 08	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	CHANGE OF EVIDENCE CUSTODIAN
1-2	21 FEB 08	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	RECEIVED BY EVIDENCE CUSTODIAN
1-2	21 MAR 2008	(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	RB 938 936 881 US REGISTERED MAIL	RETURN TO CONTROLLING OFFICE
1-2	MAR 17 2008	RB 938 936 881 US REGISTERED MAIL	(b)(6), (b)(7)(C) REGISTERED MAIL	RETURNED FROM CRIME LAB
		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	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

FINAL DISPOSAL ACTION

RELEASE TO OWNER OR OTHER (Name / Unit)

DESTROY

OTHER (Specify)

FINAL DISPOSAL AUTHORITY

ITEM(S) 2-2 ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING SPC (Grade)

(b)(6), (b)(7)(C) (Name)

AW 1-18th Inf (Organization)

(IS) (ARE) NO LONGER

REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate correspondence.)

(b)(6), (b)(7)(C) (Typed/Printed Name, Grade, Title)

(b)(6), (b)(7)(C)

26 MAR 08 (Date)

WITNESS TO DESTRUCTION OF EVIDENCE

THE ARTICLE(S) LISTED AT ITEM NUMBER(S) (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE.

(Typed/Printed Name, Organization)

(Signature)

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 0010-08-CID847
CRD REPORT/CID ROI NUMBER 34682

RECEIVING ACTIVITY Schweinfurt Resident Agency (CID)	LOCATION Schweinfurt, Germany, APO AE 09033
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER Crime Scene	ADDRESS (Include Zip Code) NA
LOCATION FROM WHERE OBTAINED Barracks room Building 168 Conn Barracks, Schweinfurt, Germany APO AE 09226	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 0955-1015/20 Jan 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
✓ 1	1	Laptop, grey and silver in color, metal and plastic type construction, bearing the brand name Sony Vaio on the top. The laptop had a tag affixed to the bottom bearing "Model PCG-5J2L" and "US CXSMM01BRD02D330". The laptop was used, scratched, and dusty in condition. The laptop was Marked for Identification (MFID) with 0955/20Jan 08 (b)(6) on the bottom of the laptop. (Top of desk)
2	1	Power cord, black in color, rubber and plastic type construction, with a label affixed bearing "Sony...China" and "1479973210892809". The power cord was used and scratched in condition and MFID with 1000/20 Jan 08 (b)(6) on the bottom of the power cord. (Top of Desk)
✓ 3	1	Laptop, grey and black in color, metal and plastic type construction, bearing the brand name Compact on the top. The laptop had a tag affixed to the bottom bearing "2CA4380SQH" and "PM008UAR#ABAECMFG#2CA4380SQH". The laptop was used, scratched, and dusty in condition. The laptop keyboard was missing the "1" key and the keys were covered in dirt. The laptop was MFID with 1005/20Jan 08 (b)(6) on the back of the laptop. (Top of desk)
4	1	Power cord, black in color, rubber and plastic type construction, with a label affixed bearing "hp...120W" and "S/N: F3-0410006765A". The power cord was used and scratched in condition and MFID with 1007/20 Jan 08 (b)(6) on the bottom of the power cord. (Top of Desk)
✓ 5	1	Digital Camera, silver and black in color, metal and glass type construction, bearing the brand name "Fujifilm" on the back. There was a tag affixed to the bottom which bore "No. 6SA02984". The digital camera was used and scratched in condition. The digital camera was *****continued on page

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-9	20 Jan 08	SIGNATURE NA	S (b)(6), (b)(7)(C)	Collection as evidence
		NAME, GRADE OR TITLE CRIME SCENE (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	
1-9	Jan 23 2008	(b)(6), (b)(7)(C)	SIGNATURE R. B. [Signature] NAME, GRADE OR TITLE REGISTERED MAIL	Sent to ESIFFO For Exam
1-9	22 Jan 08	(b)(6), (b)(7)(C)	SIGNATURE (b)(6), (b)(7)(C)	Transport to ESIFFO
1-9	23 JAN 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
1-9	23 JAN 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RELEASED FOR ANALYSIS

DA FORM 4137

Replaces DA FORM 4137, 1 Aug 74 and

1 Jul 76

DA FORM 4137-R (Printed and Stamp)

ACLU-RDI 5596

26 Sep 05 Which are Obsolete.

10-L-0126 ACLU CID ROI 5330

DOCUMENT NUMBER 0010-08-0000374

For Official Use Only Law Enforcement Sensitive

CHAIN OF CUSTODY (Continued)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-9	13 FEB 08	(b)(6), (b)(7)(C)	SIG (b)(6), (b)(7)(C)	CHANGE OF EVIDENCE CUSTODIAN
		(b)(6), (b)(7)(C) INV	NAME (b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	
2-9	31 FEB 2008	(b)(6), (b)(7)(C)	SIG (b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
		(b)(6), (b)(7)(C)	NAME (b)(6), (b)(7)(C)	
1-9	11 MAR 2008	(b)(6), (b)(7)(C)	SIGNATURE RB 938 936 881 US	RETURN TO CONTROLLING OFFICE
		(b)(6), (b)(7)(C) EVIDENCE CUSTODIAN	NAME (b)(6), (b)(7)(C) REGISTERED MAIL	
1-9	MAR 17 2008	SIGNATURE RB 938 936 881 US	SIG (b)(6), (b)(7)(C)	RETURNED FROM CRIME LAB
		(b)(6), (b)(7)(C) REGISTERED MAIL	NAME, GRADE OR TITLE (b)(6), (b)(7)(C)	
1-9	31 MAR 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	FINAL DISPOSITION
		(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	
		NAME, GRADE OR TITLE (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SGT	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	

FINAL DISPOSITION ACTION

RELEASE TO OWNER OR OTHER (Name/Unit) _____
 DESTROY _____
 OTHER (Specify) _____

FINAL DISPOSITION AUTHORITY

ITEM(S) 1-9 ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ (grade)
 _____ (Name) _____ (Organization) (IS) (ARE) NO LONGER

(b)(6), (b)(7)(C) INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate
CPT, JA (b)(6), (b)(7)(C) MAR 26 2008
 (Typed/Printed Name, Grade, Title) (Date)

WITNESS TO DESTRUCTION OF EVIDENCE

THE ARTICLE(S) LISTED AT ITEM NUMBER(S) _____ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE
 _____ (Signature)

ITEM #	QUANTITY	DESCRIPTION OF ARTICLES
6	1	MFID with 1010/20 Jan 08 (b)(6), (b)(7)(C) the bottom of the digital camera. (Top drawer of desk) USB cable, black and silver in color, metal and plastic type construction, approximately 5' in length. The USB cable was used and dusty in condition. The USB cable was MFID with 1011/20 Jan 08 (b)(6), (b)(7)(C) on the end of the cable. (Top drawer of desk)
✓ 7	1	MP3 media device, black in color, metal and plastic type construction. The MP3 media device bore "SN 010826463710" and "FCC...1.4A" on the back of the MP3 media device. The MP3 media device was used and scratched in condition. The MP3 media device was MFID with 1013/20 Jan 08 (b)(6), (b)(7)(C) the back of the MP3 media device. (Top drawer of desk)
8	1	USB cable, black and silver in color, metal and plastic type construction, approximately 5' in length. The USB cable bore "ZUNE" on the end of the USB cable. The USB cable was used and dusty in condition. The USB cable was MFID with 1015/20 Jan 08 (b)(6), (b)(7)(C) the end of the cable. (Top drawer of desk)
✓ 9	1	USB storage device, blue, silver, and white in color, plastic and metal type construction. The USB storage device bore "512MB" and "2.0" on the front and "Made in Taiwan" on the side. The USB storage device was dusty, scuffed, stained, and scratched in condition. The USB storage device was MFID with 1015/20 Jan 08 (b)(6), (b)(7)(C) the bottom of the USB storage device. (Top drawer of desk)
*****	*****	*****LAST ITEM*****

MFR: Item 5 contained a battery, Fujifilm brand bearing "L108M1727866841VN" and a memory card, Fujifilm brand, bearing "M256MB" and "DPC-M256." The battery and memory card were MFID with 1010/20 Jan 08 (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER

0010-08-CID 847

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

34662

RECEIVING ACTIVITY Schwernfurt CID Office	LOCATION Schwernfurt, Germany APO AE 09226
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER ISG (b)(6), (b)(7)(C) <input checked="" type="checkbox"/> OTHER b(6), b(7)(C) b(6), b(7)(C) First Sergeant	ADDRESS (Include Zip Code) ACC, 1-18th Infantry Battalion Conn Barracks, Schwernfurt Germany APO AE 09226
LOCATION FROM WHERE OBTAINED ISG office, building 168 Conn Barracks, Schwernfurt Germany APO AE 09226	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1306/22 Jan 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)
1	1	Pistol, Standard Army issue Beretta 9mm, black in color, metal and plastic type construction, bearing "U.S... 65490 (PB)" on the side of the slide and "ASSY 9346487-65490" on the opposing side of the slide. The side of the frame bears "1273931" and "U.S... 65490" on the opposing side of the frame. The weapon was unloaded, and scratched in condition. The pistol grip had a pistol grip, black in color, rubber type construction, affixed to the pistol grip bearing "CTC" on the side of the pistol grip. The pistol contained no magazine. The pistol was MFD with 1306/22 Jan 08 (b)(6), (b)(7)(C) on the frame and slide. (Hands of ISG (b)(6), (b)(7)(C) Last Item

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	22 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Collection as evidence
1	FEB 29 2008	(b)(6), (b)(7)(C)	SA (b)(6), (b)(7)(C)	SENT TO USACIL FOR EXAM
1	12 Mar 08	(b)(6), (b)(7)(C)	RR 113612707 US REGISTERED MAIL	FA Exam
1	13 Mar 08	(b)(6), (b)(7)(C) FA Branch	RE 330 430 072 US REGISTERED MAIL #	Release
1	MAR 28 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RETURNED FROM CRIME LAB

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER

0010-08-CID847

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

34662

RECEIVING ACTIVITY Schwefurt CID Office	LOCATION Schwefurt, Germany, APO AE 09226
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER ISG (b)(6), (b)(7)(C) <input checked="" type="checkbox"/> OTHER (b)(6), (b)(7)(C) (6), (b)(7)(C) First Sergeant	ADDRESS (Include Zip Code) ACO, 1-18th Infantry Battalion Conn Barracks, Schwefurt, Germany APO, AE 09226
LOCATION FROM WHERE OBTAINED Hands of ISG (b)(6), (b)(7)(C) while in ISG office, Building 168 Conn Barracks, Schwefurt, Germany APO, AE 09226	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1310/22Jan08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>
1	1	Pistol, Standard Army Issue Beretta 9mm, black in color, metal and plastic type construction, bearing "U.S... 65490 (PB)" on the side of the slide and "ASSY... 65490" on the opposing side of the slide. The side of the frame bears "134631" and "U.S... 65490" on the opposing side of the frame. The pistol contained no magazine and was unloaded and scratched in condition. The pistol was METD with 1310/22Jan08 (b)(6), (b)(7)(C) on the frame and slide. (Hands of ISG (b)(6), (b)(7)(C))
2	1	Pistol, Standard Army Issue Beretta 9mm, black in color, metal and plastic type construction, bearing "U.S... 65490 (P)" on the side of the slide and "ASSY... 65490" on the opposing side of the slide. The side of the frame bears "1165701" and "U.S... 65490" on the opposing side of the frame. The pistol grip had a black in color, rubber type construction pistol grip affixed which was torn in condition and bore "4TC" on the pistol grip. The pistol was unloaded, contained no magazine, and was scratched in condition. The pistol was METD with 1310/22Jan08 (b)(6), (b)(7)(C) the frame and slide. (Hands of ISG (b)(6), (b)(7)(C))
		MPR: Item 2 Side of Frame should read "Bears "1165701A". Last Item SS (b)(6), (b)(7)(C)

ITEM NO.	DATE	CHAIN OF CUSTODY		
		RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-2	22 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Collection as Evidence
1-2	29 2008	(b)(6), (b)(7)(C) E-8 1SG	SA (b)(6), (b)(7)(C)	SENT TO USMAIL FOR EXAM
1-2	12 Mar 08	(b)(6), (b)(7)(C) Registered Mail	RR 113612707 US (b)(6), (b)(7)(C) FA Branch	FA EXAM
1-2	13 Mar 08	(b)(6), (b)(7)(C) - FA Branch	RE 330 430 072 US (b)(6), (b)(7)(C)	Release
1-2	MAR 28 2008	RE 330 430 072 US (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RETURNED FROM CRIME LAB

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
0010-08-CID847
CRD REPORT/CID ROI NUMBER
34682

RECEIVING ACTIVITY Schweinfurt CID Office	LOCATION CMR 457, APO AE 09033
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER SGT (b)(6), (b)(7)(C) <input type="checkbox"/> OTHER	ADDRESS (Include Zip Code) HHC, 1-18 th Infantry Battalion Conn Barracks, APO AE 09226
LOCATION FROM WHERE OBTAINED From the hands of SGT (b)(6), (b)(7)(C) Building 168, Room (b)(6), (b)(7)(C) Conn Barracks, Schweinfurt, Germany, APO AE 09226	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1512 - 1604 / 6 Mar 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
1	1	ACU Trousers , standard Army issue, medium-long, cotton type construction, green and tan in color, with a white label affixed to the inside of the waist, bearing "medium...8390/7989". Trousers were worn and soiled in condition. Trousers were placed in a clean brown paper bag and sealed with paper packaging tape. Marked for ID (MFID) with 1512, 6 MAR 08 (b)(6), (b)(7)(C) as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
2	1	ACU Coat , standard Army issue, medium long, cotton type construction, green and tan in color with a white label affixed to the inside of collar bearing "American...USA". Coat was worn and soiled in condition. Coat was placed in a clean brown paper bag and sealed with paper packaging tape. Marked for ID (MFID) with 1514, 6 MAR 08 (b)(6), (b)(7)(C) as to appear on both the bag and the tape. (Closet) (POSSIBLE BIOHAZARD)
3	1	BODY ARMOR INTERCEPTOR , ballistic-panel, back, medium, cloth and plastic type construction, green in color with a green label affixed to the inside of panel, bearing "size...sp0100-04-c-4047". Panel was worn and soiled in condition. Panel was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1515, 6 MAR 08 (b)(6), (b)(7)(C) as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
4	1	BODY ARMOR INTERCEPTOR , ballistic panel, left front, medium, cloth and plastic type construction, green in color with a green label affixed to the inside of panel, bearing "size...sp0100-04-c-4047". Panel was worn and soiled in condition. Panel was placed in a clean brown paper bag and sealed with paper packaging tape. MFID 1515, 6 MAR 08 (b)(6), (b)(7)(C) as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)////Continued on Page 2////

CHAIN OF CUSTODY		Continued on Page 2	
ITEM NO.	DATE	RELEASED BY	PURPOSE OF CHANGE OF CUSTODY
		(b)(6), (b)(7)(C)	
1-49	6 MAR 08	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE SGT (b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
1-49	MAR 7 2008	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	RELEASED TO EVIDENCE CUSTODIAN
1-49	MAR 13 2008	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	SENT TO USACIL FOR EXAM Box 1
17-32	MAR 13 2008	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE Cmlnv (b)(6), (b)(7)(C)	REGISTERED MAIL
17-32	MAR 13 2008	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE Cmlnv (b)(6), (b)(7)(C)	SENT TO USACIL FOR EXAM Box 2
33-49	MAR 13 2008	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE Cmlnv (b)(6), (b)(7)(C)	REGISTERED MAIL
33-49	MAR 13 2008	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE Cmlnv (b)(6), (b)(7)(C)	SENT TO USACIL FOR EXAM Box 3

DA FORM 4137 Replaces DA FORM 4137, 1 Aug 74 and

1 Jul 76 DA FORM 4137-R Privacy Act State of
ACLU-RDI 55962-1088 10-L-0126 ACLU CID ROI 5335

CHAIN OF CUSTODY (Continued)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-16	22 APR 08	SIGNATURE <i>Registered Mail</i>	SIGNATURE (b)(6), (b)(7)(C)	<i>Ser/DNA SCIENCE</i>
		NAME, GRADE OR TITLE 389 805 075 US	NAME, FORENSIC DNA EXAMINER	
17-32	22 APR 08	SIGNATURE <i>Registered Mail</i>	SIGNATURE (b)(6), (b)(7)(C)	<i>Ser/DNA</i>
		NAME, GRADE OR TITLE RR 389 805 084 US	NAME, FORENSIC DNA EXAMINER	
33-49	22 APR 08	SIGNATURE <i>Registered Mail</i>	SIGNATURE (b)(6), (b)(7)(C)	<i>Ser/DNA</i>
		NAME, GRADE OR TITLE RR 389 805 098 US	NAME, GRADE OR TITLE FORENSIC DNA EXAMINER	
1-16	9 Jul 08	SIGNATURE (b)(6), (b)(7)(C)	SIGNATURE RE 330 940 583 US	<i>Release</i>
		NAME, GRADE OR TITLE FORENSIC DNA EXAMINER	NAME, GRADE OR TITLE REGISTERED MAIL #	
17-32	9 Jul 08	SIGNATURE (b)(6), (b)(7)(C)	SIGNATURE RE 330 940 597 US	<i>Release</i>
		NAME, GRADE OR TITLE FORENSIC DNA EXAMINER	NAME, GRADE OR TITLE REGISTERED MAIL #	
33-49	9 Jul 08	SIGNATURE (b)(6), (b)(7)(C)	SIGNATURE RE 330 940 606 US	<i>Release</i>
		NAME, GRADE OR TITLE FORENSIC DNA EXAMINER	NAME, GRADE OR TITLE REGISTERED MAIL #	
1-16	28 Jul 08	SIGNATURE RE 330 940 583 US	SIGNATURE (b)(6), (b)(7)(C)	
		NAME, GRADE OR TITLE FORENSIC DNA EXAMINER	NAME, GRADE OR TITLE	
17-32	28 Jul 08	SIGNATURE RE 330 940 597 US	SIGNATURE (b)(6), (b)(7)(C)	
		NAME, GRADE OR TITLE FORENSIC DNA EXAMINER	NAME, GRADE OR TITLE	

FINAL DISPOSITION ACTION

RELEASE TO OWNER OR OTHER (Name/Unit) _____
 DESTROY _____
 OTHER (Specify) _____

FINAL DISPOSITION AUTHORITY

ITEM(S) _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____
 (Grade) _____ (IS) (ARE) NO LONGER
 _____ (Name) _____ (Organization)

REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate correspondence.)

 (Typed/Printed Name, Grade, Title) (Signature) (Date)

WITNESS TO DESTRUCTION OF EVIDENCE

THE ARTICLE(S) LISTED AT ITEM NUMBER(S) _____ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE

 (Typed/Printed Name, Organization) (Signature)

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER

0010-08-CID847

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
34682

RECEIVING ACTIVITY Schweinfurt CID Office	LOCATION CMR 457, APO AE 09033	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER .SGT (b)(6), (b)(7)(C) <input type="checkbox"/> OTHER	ADDRESS (Include Zip Code)	
LOCATION FROM WHERE OBTAINED	REASON OBTAINED	TIME/DATE OBTAINED

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)
CONTINUATION OF CHAIN OF CUSTODY, DATED 9 Jul 08		

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
33-49	28 Jul 08	SIGNATURE RE 330 940 606 US	(b)(6), (b)(7)(C)	Returned from USACIL
		NAME, GRADE OR TITLE REGISTERED MAIL	NAME, GRADE OR TITLE CmInv (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	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

ITEM #	QUANTITY	DESCRIPTION OF ARTICLES
5	1	BODY ARMOR INTERCEPTOR , ballistic panel, right front, medium, cloth and plastic type construction, green in color with a green label affixed to the inside of panel, bearing "size...sp0100-03-c-4113". Panel was worn and soiled in condition. Panel was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1515, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
6	1	BODY ARMOR INTERCEPTOR , groin protector, large-extra large, cloth and plastic type construction, green in color with a green label affixed to the protector, bearing "Ballistic...DAAN02-98-D-5006". Panel was worn and soiled in condition. Panel was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1515, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
7	1	INSERT ESAPI , medium, Kevlar type construction, green and white in color with a manufacturer's label affixed to the back of the plate, bearing "INSERT...1109433". Item was worn and soiled in condition. Item was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1516, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
8	1	INSERT ESAPI , medium, Kevlar type construction, green and white in color with a manufacturer's label affixed to the back of the plate, bearing "INSERT...1109275". Item was worn and soiled in condition. Item was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1516, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
9	1	PAIR OF BOOTS , with shoe strings, 9 1/2" wide, cloth and leather type construction, tan in color, with a manufacturer's label affixed to top of tongue bearing the American flag and "ALTAMA". Boots were worn and soiled in condition. Boots were placed in a brown paper bag and sealed with paper packaging tape. MFID with 1517, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
10	1	ACU Trousers , standard Army issue, medium-long, cotton type construction, green and tan in color, with a white label affixed to inside waist of the trousers, bearing "medium...8390/7989". Trousers were worn and soiled in condition. Trousers were placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1521, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
11	1	ACU Coat , standard Army issue, medium long cotton type construction, green and tan in color with a white label affixed to the inside collar bearing "medium...8090/9404". Coat was worn and soiled in condition. Coat was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1521, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and the tape. (Closet) (POSSIBLE BIOHAZARD)
12	1	ACU Coat , standard Army issue, medium long, cotton type construction, green and tan in color with a white label affixed to the inside collar bearing "medium...8090/9404". Coat was worn and soiled in condition. Coat was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1522, 6 Mar 08 (b)(6), (b)(7)(C) so as to appear on both the bag and the tape. (Closet) (POSSIBLE BIOHAZARD)
13	1	ACU Coat , standard Army issue, medium long, cotton type construction, green and tan in color with a white label affixed to the inside collar, bearing "medium...8090/9404". Coat was worn and soiled in condition. Coat was placed in a clean brown paper bag sealed with paper packaging tape. MFID 1523, 6 Mar 08 (b)(6), (b)(7)(C) so as to appear on both the bag and the tape. (Closet) (POSSIBLE BIOHAZARD)
14	1	ACU Trousers , standard Army issue, medium-long, cotton type construction, green and tan in color, with a white label affixed to inside waist of the trousers bearing "medium...8390/7989". Trousers were worn and soiled in condition. Trousers were placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1523, 6 Mar 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
15	1	BODY ARMOR INTERCEPTOR , groin protector outer shell, standard Army issue, large/4x large cloth type construction, green and tan in color, with a green label affixed to the inside of shell bearing "BODY...UNICOR". Shell is worn and in soiled condition. Shell was placed in clean brown paper bag and sealed with paper packaging tape. MFID with 1525, 6 Mar 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)////////Continued on Page 3//////////

ITEM #	QUANTITY	DESCRIPTION OF ARTICLES
16	1	BODY ARMOR INTERCEPTOR BASE VEST CARRIER , standard Army issue, medium, cloth and metal type construction, green and tan in color with a manufacturer's label affixed to the inside of carrier bearing "BODY... INC". Affixed to front of carrier was a name tape bearing the name (b)(6), (b)(7)(C) and a hook and loop patch bearing SGT chevrons. Pouch was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1525, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
17	1	MAGAZINE POUCH , standard Army issue, cloth and metal type construction, green in color with manufacturer's label affixed to the back of pouch bearing the American flag and "MADE IN U.S.A". On back of label was manufacturer's writing "SPEC-OPS...78217". Pouch was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1530, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
18	1	MAGAZINE POUCH , approximately 6" L X 3 1/2" W, cloth and metal type construction, black in color with manufacturer's label affixed to the back of pouch bearing "SPEC-OPS...U.S.A". Pouch was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1531, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
19	1	HANDGRENADE POCKET , standard Army issue, cloth and metal type construction, green, black and brown in color, with manufacturer's label affixed to the inside flap bearing "hand grenade...com". Pouch was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1532, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
20	1	POUCH, FIRST AID , standard Army issue, cloth and metal type construction, green in color bearing manufacturer's marking "US" on front of pouch. Pouch was in worn and soiled condition. Pouch was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1533, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
21	1	IMPROVED FIRST AID KIT POUCH WITH INSERT , standard Army issue, cloth and metal type construction, green and tan in color with manufacturer's label affixed to the inside flap of insert bearing "Improved...036". Pouch was in worn and soiled condition. Pouch was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1533, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
22	1	POUCH, FIRST AID , standard Army issue, cloth and metal type construction, green in color with metal clip on back of pouch. Pouch was in worn and soiled condition. Pouch was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1534, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
23	1	ACU Trousers , standard Army issue, medium-long, cotton type construction, green and tan in color, with a white label affixed to inside waist of the trousers bearing "Medium...8390/7989". Trousers were worn and soiled in condition with a hole above left cargo pocket. Trousers were placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1535, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
24	1	ACU Coat , standard Army issue, medium long, cotton type construction, green and tan in color with a white label affixed to the inside collar bearing "Medium...8090/9404". Coat was worn and soiled in condition. Coat was placed in a clean brown paper bag sealed with paper packaging tape. MFID 1536, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and the tape. (Closet) (POSSIBLE BIOHAZARD)
25	1	VEST, MOLLE , approximately 2'3" W X 1' 11" L, cloth and metal type construction, green and tan in color with a manufacturer's label affixed to the inside of collar bearing "MADE IN USA" on front and "SPEC-OPS...78040" of label. Vest was in worn and soiled in condition. Vest was placed in a clean brown paper bag and sealed with paper packaging tape. MFID with 1538, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
26	1	MOLLE II MAGAZINE POUCH , standard Army issue, cloth and metal type construction, green and tan in color with a label affixed to the inside flap bearing "MOLLE II...DEFENSE". Pouch was in worn and soiled condition with a hole in front, 1" from the bottom of the pouch. Pouch was placed in a clean brown paper bag sealed with paper packaging tape. MFID 1539, 6 Mar 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)///CONTINUED ON PAGE 4////////

ITEM #	QUANTITY	DESCRIPTION OF ARTICLES
27	1	NECK GUARD , standard Army issue, cloth and metal type construction, green and tan in color with manufacturer's label affixed to the inside bearing "THIS SIDE...BODY ARMOR". Neck Guard was in worn and soiled condition and placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1539, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
28	1	MOLLE II MAGAZINE POUCH , standard Army issue, cloth and metal type construction, green and tan in color with a label affixed to the inside flap bearing "MOLLE II...DEFENSE". Pouch was in worn and soiled condition with a hole in front, 1" from the bottom of the pouch. Pouch was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1540, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
29	1	BODY ARMOR INTERCEPTOR, THROAT PROTECTOR OUTER SHELL , Standard Army issue, cloth and metal type construction, green and tan in color with manufacturer's label affixed to the inside of shell bearing "SIZE...UNICOR". Throat protector was in worn and soiled condition and placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1540, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
30	1	PAIR OF BOOTS , with shoe strings, size 9 1/2, cloth and leather type construction, tan in color, with a manufacturer's label affixed to top of tongue bearing "BLACKHAWK...COM". Boots were worn and soiled in condition. Boots were placed in a brown paper bag sealed with paper packaging tape. MFID 1542, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
31	1	ACU Trousers , standard Army issue medium-long, cotton type construction, green and tan in color, with a white label affixed to inside waist of the trousers bearing "Medium...8390/7989". Trousers were worn and soiled in condition. Trousers were placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1543, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
32	1	PAIR OF BOOTS , with shoe strings, 9 1/2 wide, cloth and leather type construction, tan in color, with a manufacturer's label affixed to inside flap of boot bearing "Belleville...5507089". Boots were worn and soiled in condition. Boots were placed in a brown paper bag sealed with paper packaging tape. MFID with 1545, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
33	1	MOLLE II POCKET, MEDIC , Standard Army issue, cloth and metal type construction, green and tan in color with manufacturer's label affixed to the inside of shell bearing "MOLLE...DEFENSE". Pouch was in worn and soiled condition. Pouch was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1546, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
34	1	MOLLE II MODULAR WAIST PACK , Standard Army issue, cloth and metal type construction, green and tan in color with manufacturer's label affixed to the inside of shell bearing "MOLLE...REPAIR/REPLACEMENT". Waist pack was in worn and soiled condition. Waist pack was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1547, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
35	1	MOLLE II ONE QUART CANTEEN POUCH , Standard Army issue, cloth, metal and plastic type construction, green and tan in color with manufacturer's label affixed to the back of pouch bearing "MOLLE...DEFENSE". Canteen Pouch was in worn and soiled condition. Canteen pouch was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1549, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
36	1	MOLLE II ONE QUART CANTEEN POUCH , Standard Army issue, cloth, metal and plastic type construction, green and tan in color with manufacturer's label affixed to the back of pouch bearing "MOLLE...DEFENSE". A metal cross was affixed to the back of flap. Canteen pouch was in worn and soiled condition. Canteen pouch was placed in a clean brown paper bag sealed with paper packaging tape. MFID 1549, 6 MAR 08 (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)////////////////////CONTINUED ON PAGE 5//////////////////// - - - - -

ITEM #	QUANTITY	DESCRIPTION OF ARTICLES
37	1	ONE QUART CANTEEN/UTILITY POCKET , Standard Army issue, cloth, metal and plastic type construction, green and brown in color with manufacturer's label affixed to the back of pouch bearing "ONE QUART...COM". Canteen pouch was in worn and soiled condition. Canteen pouch was placed in a clean brown paper bag sealed with paper packaging tape. MFID 1550, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
38	1	FLASH BANG POUCH , Standard Army issue, cloth, metal and plastic type construction, green and tan in color with manufacturer's label affixed to the back of pouch bearing "FLASHBANG...CENTER". Pouch was in worn and soiled condition. Pouch was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1551, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
39	1	M4 THREE MAGAZINE POUCH , Standard Army issue, cloth and metal type construction, green and tan in color with manufacturer's label affixed to the back of pouch bearing "M4...034". Pouch was in worn and soiled condition. Pouch was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1551, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
40	1	MOLLE II MAGAZINE POUCH , standard Army issue, cloth and metal type construction, green and tan in color with a label affixed to the inside flap bearing "MOLLE II...LOT NO 01". Pouch was in worn and soiled condition with a hole in front, 1" from the bottom of the pouch. Pouch was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1553, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Closet) (POSSIBLE BIOHAZARD)
41	1	PAPER BAG , containing six hook and loop 1 st Infantry Division (IID) patches, grey and black in color, cloth type construction; three hook and loop IID patches, grey and red in color, cloth type construction; two hook and loop IID patches, green and red in color, cloth type construction; three hook and loop ACU patterned "U.S. ARMY" nametapes, grey, tan and black in color, cloth type construction; four hook and loop ACU patterned nametapes bearing the name (b)(6), (b)(7)(C), grey, tan and black in color, cloth type construction; two hook and loop ACU patterned patches bearing SGT chevrons, grey, tan and black in color, cloth type construction; and three hook and loop, infrared American flags, white and black in color, plastic type construction. All items were in worn and soiled condition. Paper bag was placed into a clean brown paper bag sealed with paper packaging tape. MFID with 1555, 6 MAR 08, (b)(6), (b)(7)(C) (Desk drawer) (POSSIBLE BIOHAZARD)
42	1	POUCH , cloth and metal type construction, black in color, bearing manufacturer's label "LEATHERMAN" on front flap of pouch. Pouch was in worn and soiled condition. Pouch was placed in a clean brown paper bag sealed with brown packaging tape. MFID with 1556, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Desk drawer) (POSSIBLE BIOHAZARD)
43	1	ACU Trousers , standard Army issue, medium-long, cotton type construction, green and tan in color, with a white label affixed to inside waist of the trousers bearing "Medium...8390/7989". Trousers were worn and soiled in condition. Trousers were placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1557, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Bed) (POSSIBLE BIOHAZARD)
44	1	ACU Coat , standard Army issue, medium long, cotton type construction, green and tan in color with a white label affixed to the inside collar bearing "Medium...8090/9404". Coat was worn and soiled in condition. Coat was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1557, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and the tape. (Bed) (POSSIBLE BIOHAZARD)
45	1	ACU Coat , standard Army issue, medium long, cotton type construction, green and tan in color with a white label affixed to the inside collar bearing "American..., USA". Coat was worn and soiled in condition. Coat was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1557, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and the tape. (Bed) (POSSIBLE BIOHAZARD)///

////// // CONTINUED ON PAGE 6

ITEM #	QUANTITY	DESCRIPTION OF ARTICLES
46	1	ACU Trousers, standard Army issue, medium-long, cotton type construction, green and tan in color, with a white label affixed to inside waist of the trousers bearing "Medium...8390/7989". Trousers were worn and soiled in condition. Trousers were placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1558, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (Bed) (POSSIBLE BIOHAZARD)
47	1	ACU Coat, standard Army issue, medium long, cotton type construction, green and tan in color with a white label affixed to the inside collar bearing "Medium... 8090/9404". Coat was worn and soiled in condition. Coat was placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1603, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and the tape. (From the hands of SGT (b)(6), (b)(7)(C) (POSSIBLE BIOHAZARD)
48	1	PAPER BAG BROWN IN COLOR, containing two hook and loop IID patches, grey and black in color, cloth type construction; one hook and loop ACU patterned nametape bearing "US ARMY", grey and tan in color, cloth type construction; one hook and loop ACU patterned nametape bearing (b)(6), (b)(7)(C) grey and tan in color, cloth type construction; one hook and loop ACU patterned patch bearing SGT chevrons, grey, tan and black in color, cloth type construction; one hook and loop patch bearing an American flag, red, white, blue and yellow in color, cloth type construction. All items were in worn and soiled condition. Paper bag was placed into a clean brown paper bag sealed with paper packaging tape. MFID with 1603, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and the tape. (From the hands of SGT (b)(6), (b)(7)(C) (POSSIBLE BIOHAZARD)
49	1	ACU Trousers, standard Army issue medium-long, cotton type construction, green and tan in color, with a white label affixed to inside waist of the trousers bearing "Medium...8390/7989". Trousers were worn and soiled in condition. Trousers were placed in a clean brown paper bag sealed with paper packaging tape. MFID with 1604, 6 MAR 08, (b)(6), (b)(7)(C) so as to appear on both the bag and tape. (From the hands of SGT (b)(6), (b)(7)(C) (POSSIBLE BIOHAZARD)///
////////	////////////////////	///LAST ITEM///

EVIDENCE/PROPERTY CUSTODY DOCUMENT

PR/CID SEQUENCE NUMBER

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

0019-08-010259
CRD REPORT/CID ROI NUMBER
0010-08-CID 847

RECEIVING ACTIVITY Camp Slayer CID office, 20th/1149th MP Det (CID)	LOCATION Camp Slayer, Iraq, APO AE 09342
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER CPT (b)(6), (b)(7)(C)	ADDRESS (include Zip Code) Command Post of D Co, 4-64 AR, 31D Joint Security Station JIHAD Baghdad, Iraq
LOCATION FROM WHERE OBTAINED From the hands of CPT (b)(6), (b)(7)(C) while standing inside the Command Post of D Co, 4-64 Armor, Joint Security Station JIHAD, Baghdad, Iraq	REASON OBTAINED EVIDENCE TIME/DATE OBTAINED 1420-1510/27 Feb 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
1	11	Documents, consisting of 10 Trip Tickets for 2 Jan 07, 14 Mar 07, 20 Mar 07, 21 Mar 07, 26 Mar 07, 27 Mar 07, 29 Mar 07, 31 Mar 07, 1 Apr 07, and 2 Apr 07. Marked the bottom front right corner of each document for identification with 1420/27 Feb 08 (b)(6), (b)(7)(C) From the hands of CPT (b)(6), (b)(7)(C)
2	56	Documents, consisting of 30 DA Form 1594 (Daily Staff Journal or Duty Officer's Log) for 1 Mar 07 through 7 Mar 07, 12 Mar 07 through 13 Mar 07, and 21 Mar 07 through 31 Mar 07. Marked the bottom front right corner of each document for identification with 1445/27 Feb 08 (b)(6), (b)(7)(C) (From the hands of CPT (b)(6), (b)(7)(C)).
3	106	Documents consisting of 54 DA Form 1594 (Daily Staff Journal or Duty Officer's Log) for 31 Mar 07 through 30 Apr 07. Marked the bottom front right corner of each document for identification with 1510/27 Feb 08 (b)(6), (b)(7)(C) From the hands of CPT (b)(6), (b)(7)(C).
LAST ITEM		

CHAIN OF CUSTODY			
ITEM NO.	DATE	RELEASED BY	PURPOSE OF CHANGE OF CUSTODY
1 Thru 3	27 Feb 08	(b)(6), (b)(7)(C)	Evaluation as evidence
1 Thru 3	28 Feb 08	(b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
1-3	FEB 28 2008	(b)(6), (b)(7)(C)	FWD TO CONTROLLING OFFICE
1-3 MAR 14 2008		SIGNATURE RA 853 751 330 US NAME, GRADE OR TITLE REGISTERED MAIL SIGNATURE Cm/lnk NAME, GRADE OR TITLE SIGNATURE NAME, GRADE OR TITLE	RELEASED TO EVIDENCE CUSTODIAN

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

DOCUMENT NUMBER 0246 08
FOIA # 0053-08
5343 01587

ACLU ORIGINAL p. 1096

10-L-0126 ACLU CID



DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
SCHWEINFURT CID OFFICE (CID)
CMR 457, APO AE 09033

REPLY TO
ATTENTION OF

CIRB-BAS

14 Mar 08

MEMORANDUM FOR RECORD

SUBJECT: Evidence Property Document (ECPD) discrepancy (VO 0053-08) For ROI# 0010-08-CID-847 / Correction of Item Description for Item #1

1. Upon receipt for the evidence pertaining to VO# 0053-08, it was determined that the description for Item #1 should read the following text:

Document, white and black in color, consisting of 10 Trip Tickets for 25 Jan 07, 14 Mar 07, 20 Mar 07, 21 Mar 07, 26 Mar 07, 29 Mar 07, 1 Apr 07, and 2 Apr 07, 8" W X 11" L.

Attached to the Trip Ticket, dated 29 Mar 07 was a single sheet of notebook paper, white and light blue in color bearing the following hand written notes "1SG (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C); PFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) PFC (b)(6), (b)(7)(C); 8" W X 11" L. All documents marked for identification (MFID) for 1420/27 Feb 08 (b)(6), (b)(7)(C) (From the hands of CPT (b)(6), (b)(7)(C)).

4. Point of Contact for this memorandum is the undersigned at DSN: 314-354-6866 or email at (b)(6), (b)(7)(C)@eur.army.mil.

(b)(6), (b)(7)(C)

Criminal Investigator

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
0007-08-CID507
CRD REPORT/CID ROI NUMBER
0010-08-CID847-34682

RECEIVING ACTIVITY ESIFFO, 202d MP GP Group, Heidelberg, GM	LOCATION Stem Kaserne, Heidelberg, Germany
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER HP Laptop SN 2CE72109TL	ADDRESS (Include Zip Code) N/A
LOCATION FROM WHERE OBTAINED From HP Laptop Computer while located in the Conference room Building 296, Ledward Barracks, Schweinfurt GE.	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1044 / 28 Jan 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
1	1	Drive, Computer, Maxtor, Serial #L6078QHH, 300GB. Black and Silver in color in used condition. The drive contains EnCase Image Files. Samsung HDD (b)(6), (b)(7)(C) E01 thru Samsung HDD (b)(6), (b)(7)(C) EDB from Samsung HDD SN# 5116JD0P511305, hard drive was removed (b)(6), (b)(7)(C) Hewlett Packard Laptop Computer SN # 2CE72109TL. The Drive was MFID 1044 , 28 Jan 08 Last Item

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	28 Jan 08	SIGNATURE N/A	(b)(6), (b)(7)(C)	Evaluation As Evidence
1	28 Jan 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Received by Evidence Custodian
1	13 FEB 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	CHANGE OF EVIDENCE CUSTODIAN
1	13 MAR 2008	(b)(6), (b)(7)(C)	SIGNATURE RB 938 936 918 OS	RETURN TO CONTROLLING OFFICE
1	MAR 26 2008	SIGNATURE RB 938 936 918 US	(b)(6), (b)(7)(C)	Received from Esiffo

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

0009-07-CID081

CRD REPORT/CID ROI NUMBER

RECEIVING ACTIVITY West Point CID Office	LOCATION West Point, NY 10996
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER Mr. (b)(6), (b)(7)(C) <input type="checkbox"/> OTHER	ADDRESS (Include Zip Code) (b)(6), (b)(7)(C)
LOCATION FROM WHERE OBTAINED (b)(6), (b)(7)(C)	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1127 / 26 Jan 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)
1	1	Laptop, silver and black in color, plastic type construction, standard size 19" monitor, Dell XPS M170. SN: CN-OF8460-12961-5BR-2124. The computer exhibits three stickers "Harley Davidson Motorcycles," "Vanguard...Bagdad, and "Caution, stay 100 meters back or you will be shot" in english and arabic language. A 2 piece a/c adapter, black in color, Dell brand, standard size, is main power supply to computer. All items are in used condition. DD Form 2701 was affixed and MFID with 1127, 26 Jan 08 (b)(6), (b)(7)(C) Last Item

CHAIN OF CUSTODY			
ITEM NO.	DATE	RELEASED BY	PURPOSE OF CHANGE OF CUSTODY
1	26 Jan 08	(b)(6), (b)(7)(C)	Retained as Evidence
1	28 Jan 08	(b)(6), (b)(7)(C)	Released to Evidence Custodian
(28 JAN 08	(b)(6), (b)(7)(C)	SENT TO ESIFFO
1	08 FEB 2008	SIGNATURE RB 651 606 847 US NAME, GRADE OR TITLE (b)(6), (b)(7)(C) REGISTERED MAIL	RECEIVED BY EVIDENCE CUSTODIAN
1	08 FEB 2008	SIGNATURE RB 651 606 847 US NAME, GRADE OR TITLE (b)(6), (b)(7)(C) REGISTERED MAIL	RECEIVED BY EVIDENCE CUSTODIAN
1		(b)(6), (b)(7)(C)	RELEASED FOR ANALYSIS
		EVIDENCE CUSTODIAN SA (b)(6), (b)(7)(C)	

DA FORM 4137, 1 JUL 1976

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete

APD PE v1.00

DOCUMENT NUMBER

0056-08

EVIDENCE/PROPERTY CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER

0010-08-CID847

CRD REPORT/CID ROI NUMBER

34682

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army
Criminal Investigation Command

RECEIVING ACTIVITY

LOCATION

Schweinfurt CID OFFICE

Schweinfurt, Germany

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED

ADDRESS (Include Zip Code)

OWNER SPC (b)(6), (b)(7)(C)
 OTHER

D CO, 1-2 IN REGIMENT
CONN BARRACKS, APO, AE 09226
Schweinfurt, Germany

LOCATION FROM WHERE OBTAINED

REASON OBTAINED

TIME/DATE OBTAINED

From the hands of SPC (b)(6), (b)(7)(C)
while in building 165, CONN BARRACKS, APO
AE 09226
Schweinfurt Germany

EVIDENCE

1917/16 Sep 08

DESCRIPTION OF ARTICLES
(Include model, serial number, condition and unusual marks or scratches)

1 Adapter, black, grey and silver in color, plastic and metal
type construction. Adapter bears manufacturer markings
"JVC... D3309G... FABRIQUE EN CHINE". The adapter is
in a used and scuffed condition. The adapter was marked
for ID near the two prong plug end with 1917/16 Sep 08

////////////////////// LAST ITEM //////////////////////////////////////

CHAIN OF CUSTODY

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	16 Sep 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Evaluation as evidence collected by Evidence Custodian
		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	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

ACLU RDI 5596 p 1100

10-L-0126 ACLU CID ROI 5347

LOCATION B14

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

~~1231-63 CID 025~~ 10010-08-00847
 CRD REPORT/CID ROI NUMBER
 34682

RECEIVING ACTIVITY 78th MP DET (CID)	LOCATION BUILDING 403, FORT RILEY, KS 66442
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER MR (b)(6), (b)(7)(C) <input checked="" type="checkbox"/> OTHER	ADDRESS (Include Zip Code) (b)(6), (b)(7)(C)
LOCATION FROM WHERE OBTAINED FROM THE HAND OF MR (b)(6), (b)(7)(C) WHILE AT (b)(6), (b)(7)(C)	REASON OBTAINED EVIDENCE
	TIME/DATE OBTAINED 1719 / 23 SEP 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(include model, serial number, condition and unusual marks or scratches)</small>
1	1	CAMCORDER, JVC BRAND, "EVERIO" MODEL, HARD DISK CAMCORDER, SILVER, BLACK AND BLUE IN COLOR, PLASTIC AND METAL TYPE CONSTRUCTION. SERIAL NUMBER 091F39E2. IN USED CONDITION. MP# 1719, 23 SEP 08, (b)(6), (b)(7)(C) (HAND OF MR (b)(6), (b)(7)(C)) LAST ITEM

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	23 Sep 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	POLICE CONTROLLING EVIDENCE
1	24 Sep 08	NR (b)(6), (b)(7)(C)	SA (b)(6), (b)(7)(C)	Released to Evidence Custodian
1	30 Sep 08	SA (b)(6), (b)(7)(C)	SA (b)(6), (b)(7)(C)	FORWARD TO CONTROLLING OFFICE
1	OCT 23 2008	RR #2327 128 U1 (b)(6), (b)(7)(C)	RR #2327 128 U1 (b)(6), (b)(7)(C)	Received by evidence custodian
1		RR #2327 128 U1 (b)(6), (b)(7)(C)	RR #2327 128 U1 (b)(6), (b)(7)(C)	Sent to

ACLU - RD 5598 P. F. INV (b)(6), (b)(7)(C) - 0126 ACLU CID ROI 5348
 27010 mInv (b)(6), (b)(7)(C) REGISTERED MAIL
 001592
 exam 15N
 CITY OF

CHAIN OF CUSTODY (Continued)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	11/3/08	SIGNATURE REGISTERED MAIL NAME, GRADE OR TITLE RR 389 809 111 US	SIGNATURE (b)(6), (b)(7)(C) NAME, GRADE OR TITLE Evidence Custodian	Received by ESIFPO Evidence Custodian
1	11/5/08	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE Evid Custodian	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	RFA → OCT
1	11/7/08	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE EVIDENCE Custodian	Received
1	14 Nov 08	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE Evidence Custodian	SIGNATURE REGISTERED MAIL NAME, GRADE OR TITLE RB 938937365 US	RETURN TO CONTROLLING OFFICE
1	28 Nov 08 28 Nov 08	(b)(6), (b)(7)(C) SIGNATURE RB 938937365 W NAME, GRADE OR TITLE REGISTERED MAIL	SIGNATURE (b)(6), (b)(7)(C) NAME, GRADE OR TITLE Cmlrv (b)(6), (b)(7)(C)	Returned from Exam
		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	
FINAL DISPOSAL ACTION				
RELEASE TO OWNER OR OTHER (Name/Unit) _____				
DESTROY _____				
OTHER (Specify) _____				
FINAL DISPOSAL AUTHORITY				
ITEM(S) _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ (Grade)				
(Name) _____ (Organization) _____ (IS) (ARE) NO LONGER				
REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate correspondence.)				
(Typed/Printed Name, Grade, Title) _____ (Signature) _____ (Date) _____				
WITNESS TO DESTRUCTION OF EVIDENCE				
THE ARTICLE(S) LISTED AT ITEM NUMBER(S) _____ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE.				
(Typed/Printed Name, Organization) _____ (Signature) _____				

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
 0327-08-CID/16
 CRD REPORT/CID ROI NUMBER
 34682

RECEIVING ACTIVITY: Fort Irwin Resident Agency (CID) LOCATION: Fort Irwin, CA 92310
 NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED: (b)(6), (b)(7)(C) ADDRESS (Include Zip Code): (b)(6), (b)(7)(C)
 OWNER: Mr. (b)(6), (b)(7)(C)
 OTHER: FROM HANDS OF MR. (b)(6), (b)(7)(C) WHILE IN EVIDENCE REASON OBTAINED: EVIDENCE TIME/DATE OBTAINED: 1802/12 DEC 09

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model number, condition and unusual marks or scratches)
1	1	BEADS, MULTI COLORED, PLASTIC TYPE CONSTRUCTION, APPROXIMATELY 15" IN LENGTH, WITH BROWN MULTI COLORED, SYNTHETIC TYPE FIBER CONSTRUCTION, TASSEL, APPROXIMATELY 2" IN LENGTH. THE BEADS WERE DIRTY AND WORN IN CONDITION. THE BEADS WERE PLACED IN A CLEAN PAPER BAG SEALED AS TO PRESERVE LATENT PRINTS AND SERIOLOGICAL EVIDENCE. BAG WAS SEALED WITH TAPE AND MARKED WITH 1802, 12 DEC 09 ON THE BEADS. A DA TAG WAS ATTACHED. (FROM HANDS OF MR. (b)(6), (b)(7)(C)) POSSIBLE BIOHAZARD LAST ITEM

ITEM NO.	DATE	RELEASED BY	SIGNATURE	PURPOSE OF CHANGE OF CUSTODY
1	12 DEC 09	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
1	15 Dec 09	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Released to Evidence Custodian
1	17 Dec 09	(b)(6), (b)(7)(C)	Registered Mail # RA 065392779	FWD to Controlling Office
1	20 Jan 09	(b)(6), (b)(7)(C)	Registered Mail	Released to Evidence Custodian

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 0002-09 189-08

LOCATION B17A

Exhibit