

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

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

PRIVACY ACT STATEMENT

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

1. Control Information

Thru: _____

To: _____

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

USACRC Number: 0238-2008-CID369-43873-5H1K

MP Report Number: N/A

Sub-Installation: AF09354DC

Referral Date: 5/10/2009

Suspense Date: 6/24/2009

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

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

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

2. Offender Identification

Last Name: (b)(6), (b)(7)(C)

First Name: _____

Middle Name: _____

Cadency: _____

Grade: DOD Contractor (DODCR)

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

Date of Birth: (b)(6), (b)(7)(C)

3. Referral Information

Commander Decision Date: 5/10/2009

No.	Offense	Basis	Date	Sexual Harassment		Action Taken		Reason
1	Murder [5H1A]	UCMJ Article 118	11/4/2008	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Accepted
2				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
3				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
4				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

3. Referral Information (continued)

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

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

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

4. Action Taken

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

Non-Judicial Punishment Authority (select one):

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

Judicial Punishment Authority (select one):

- Summary Court Martial
 Special Court Martial
 Civilian Criminal/Magistrate

Virginia Criminal

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

No.	Charged Offense	Plea	Finding Offense	Trial Finding
1	Voluntary Manslaughter	G	Murder [5H1A]	G
2				
3				
4				
5				

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

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

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

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

6. Administrative Actions

Non-Adverse

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

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

Adverse

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

6. Administrative Actions (continued)

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

7. Details of Administrative Separation

Date Imposed	
Regulation	
Chapter	
Characterization	
Effective Date	

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

8. Non-Judicial/Judicial Sanctions

Date Adjudged	Sanction
5/10/2009	Fine Amount : \$12,500.00
	Forfeiture Amount : Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months
	Extra Duty Days:
	Restriction Days:
	Correctional Custody Days:
	Confinement Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Bad Conduct Discharge Effective Date:
	Dishonorable Discharge Effective Date:
	Reduction in Grade From: To:
5/10/2009	Probation Duration: 5 <input type="checkbox"/> Days <input type="checkbox"/> Months <input checked="" type="checkbox"/> Years
	Special Assignment Duration: <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years
	Total Forfeiture (all pay/allowance)Duration : <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/> Life
	Death
	Civil Recovery Amount :
	Civil Award Amount :

9: Suspended Sanctions

Were Any Sanctions Suspended? Yes No

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

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

10. Commander's Remarks

USASCRC Number: 0238-2008-CID369-43873-5H1K

Sanction: E1 2009/05/10

11. Commanding Officer

Reporting

Was a DNA sample collected from the offender? Yes No

Name and Grade:	(b)(6), (b)(7)(C) SA	Signature Date: 5/10/2009
Signature:	(b)(6), (b)(7)(C)	
AKO e-Mail Address:		

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Afghanistan CID Office
APO AE 09354

06 May 2009

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0238-2008-CID369-43873 -
5H1K / 5H1A

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 04 NOV 2008, 1000 - 04 NOV 2008, 1015; HUTAL CITY, GRID COORDINATE
PR948003, AFGHANISTAN

2. 04 NOV 2008, 0950 - 04 NOV 2008, 1000; HUTAL CITY, GRID COORDINATE
PR948003, AFGHANISTAN

DATE/TIME REPORTED: 04 NOV 2008, 1310

INVESTIGATED BY:

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

SUBJECT:

1. SALAM, ABDUL (DECEASED); FRCIV; (POB); (POB); MALE; WHITE;
[MURDER] (NFI)

2. (b)(6), (b)(7)(C) DODCR; (b)(6), (b)(7)(C) (DOB); (POB); MALE;
WHITE; BAE SYSTEMS, FORWARD OPERATING BASE HUTAL, AFGHANISTAN, APO,
ARMED FORCES AFRICA, CANADA, EUROPE & MIDDLE EAST 09355; CT ;
[MURDER]

VICTIM:

1. LOYD, PAULA GENE (DECEASED); DODCR; (b)(6), (b)(7)(C) (DOB); (POB);

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FEMALE; WHITE; DF ; [MURDER]

2. SALAM, ABDUL (DECEASED); FRCIV; (POB); (POB); MALE; WHITE;
[MURDER] (NFI)

INVESTIGATIVE SUMMARY:

MAJ (b)(6), (b)(7)(C) Forward Operating Base Ramrod, Afghanistan, reported the murder of a Local National by a U.S. contractor.

Investigation disclosed Mr. SALAM doused Ms. LOYD with a petrol substance and then lit her on fire, which resulted in her receiving severe burns throughout her entire body. On 14 Jan 09, Ms. LOYD died as a result of the injuries she received.

Investigation disclosed Mr. (b)(6), (b)(7)(C) shot Mr. SALAM in the head, at close range, with a handgun. Mr. (b)(6), (b)(7)(C) actions were a result of Mr. SALAM severely injuring Ms. LOYD.

STATUTES:

18 U.S.C. 1111: Murder

Chapter 1, Section 2, Article 394, Afghan Penal Code: Murder/Attempted Murder

EXHIBITS:

Attached:

1. Agent's Investigation Report (AIR) of SA (b)(6), (b)(7)(C) 13 Nov 08.
2. Waiver Certificate of Mr. (b)(6), (b)(7)(C) 4 Nov 08.
3. Sketch prepared by Mr. (b)(6), (b)(7)(C) 4 Nov 08.
4. Evidence/Property Custody Document, 4 Nov 08.
5. CD containing original recording of incident during patrol conducted on 4 Nov 08.

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6. Transcript of digital recording associated with Exhibit 5.
7. Photographic Packet comprised of 14 photographs. (death scene)
8. Statement of SSG (b)(6), (b)(7)(C) 4 Nov 08.
9. Statement of SSG (b)(6), (b)(7)(C) 4 Nov 08.
10. Statement of PFC (b)(6), (b)(7)(C) 4 Nov 08.
11. Statement of PFC (b)(6), (b)(7)(C) 4 Nov 08.
12. Statement of SSG (b)(6), (b)(7)(C) 4 Nov 08.
13. Statement of SPC (b)(6), (b)(7)(C) 4 Nov 08.
14. Statement of SGT (b)(6), (b)(7)(C) 4 Nov 08.
15. Statement of SSG (b)(6), (b)(7)(C) 4 Nov 08.
16. Statement of SGT (b)(6), (b)(7)(C) 4 Nov 08.
17. Statement of SPC (b)(6), (b)(7)(C) 4 Nov 08.
18. Statement of SPC (b)(6), (b)(7)(C) 4 Nov 08.
19. Statement of SPC (b)(6), (b)(7)(C) 4 Nov 08.
20. Statement of 1LT (b)(6), (b)(7)(C) 4 Nov 08.
21. Statement of SSG (b)(6), (b)(7)(C) 4 Nov 08.
22. Statement of 1SG (b)(6), (b)(7)(C) 4 Nov 08.

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23. Statement of SSG (b)(6), (b)(7)(C) 4 Nov 08.
24. Daily Staff Journal Logs, 4 Nov 08.
25. Emergency Treatment Record of Ms. LOYD, 4 Nov 08. (USACIDC only)
26. Statement of SPC (b)(6), (b)(7)(C) 5 Nov 08.
27. Sketch prepared by SPC (b)(6), (b)(7)(C) 5 Nov 08.
28. Statement of 1LT (b)(6), (b)(7)(C) 5 Nov 08.
29. Sketch prepared by 1LT (b)(6), (b)(7)(C) 5 Nov 08.
30. Statement of SSG (b)(6), (b)(7)(C) 5 Nov 08.
31. Sketch prepared by SSG (b)(6), (b)(7)(C) 5 Nov 08.
32. Statement of SPC (b)(6), (b)(7)(C) 5 Nov 08.
33. Evidence/Property Custody Document, 6 Nov 08.
34. Photographic Packet comprised of 19 photographs. (Evidence)
35. Statement of SSG (b)(6), (b)(7)(C) 6 Nov 08.
36. Sketch prepared by SSG (b)(6), (b)(7)(C) 6 Nov 08.
37. Statement of PFC (b)(6), (b)(7)(C) 6 Nov 08.
38. Sketch prepared by PFC (b)(6), (b)(7)(C) 6 Nov 08.
39. Statement of SGT (b)(6), (b)(7)(C) 6 Nov 08.
40. Sketch prepared by SGT (b)(6), (b)(7)(C) 6 Nov 08.

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41. Statement of PFC (b)(6), (b)(7)(C) 6 Nov 08.
42. Sketch prepared by PFC (b)(6), (b)(7)(C) 6 Nov 08.
43. Statement of SSG (b)(6), (b)(7)(C) 6 Nov 08.
44. Statement of SPC (b)(6), (b)(7)(C) 6 Nov 08.
45. Sketch prepared by SPC (b)(6), (b)(7)(C) 6 Nov 08.
46. Statement of PFC (b)(6), (b)(7)(C) 6 Nov 08.
47. Sketch prepared by PFC (b)(6), (b)(7)(C) 6 Nov 08.
48. Statement of SSG (b)(6), (b)(7)(C) 6 Nov 08.
49. Sketch prepared by SSG (b)(6), (b)(7)(C) 6 Nov 08.
50. Statement of SPC (b)(6), (b)(7)(C) 6 Nov 08.
51. Statement of SPC (b)(6), (b)(7)(C) 6 Nov 08.
52. CD Recorded interview of Mr. (b)(6), (b)(7)(C) 6 Nov 08. (USACRC and file copies only)
53. CD Recorded interview of Mr. (b)(6), (b)(7)(C) 6 Nov 08. (USACRC and file copies only)
54. Statement of PFC (b)(6), (b)(7)(C) 6 Nov 08.
55. Sketch prepared by PFC (b)(6), (b)(7)(C) 6 Nov 08.
56. Evidence/Property Custody Document, Document Number (DN) 184-08.
57. Photographic Packet comprised of 8 photographs. (Evidence)
58. Evidence/Property Custody Document, DN 186-08.

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59. Photographic Packet comprised of 6 photographs. (Evidence)
60. Statement of CPL (b)(6), (b)(7)(C) 6 Nov 08.
61. Statement of SPC (b)(6), (b)(7)(C) 6 Nov 08.
62. Statement of SGT (b)(6), (b)(7)(C) 6 Nov 08.
63. Statement of CPT (b)(6), (b)(7)(C) 8 Nov 08.
64. USACIL Laboratory Request, 13 Nov 08. (USACIDC only)
65. Hand Receipt, 22 Oct 08, of Mr. (b)(6), (b)(7)(C)
66. AIR of SA (b)(6), (b)(7)(C) 5 Nov 08.
67. (2) Death Scene Sketches, 5 Nov 08, prepared by SA (b)(6), (b)(7)(C)
68. Photographic Packet comprised of 16 photographs. (Death Scene)
69. CD containing the original images of Exhibits 7, 34, 57, 59 and 68. (USACIDC only)
70. Evidence/Property Custody Document, DN 183-08.
71. AIR of SA (b)(6), (b)(7)(C) 28 Nov 08.
72. USACIL Laboratory Request, 17 Nov 08. (USACIDC only)
73. AIR of SA (b)(6), (b)(7)(C) 6 Dec 08.
74. AIR of SA (b)(6), (b)(7)(C) 20 Feb 09.
75. Statement of Mr. (b)(6), (b)(7)(C) 15 Jan 09.
76. Department of Justice (DOJ) Memorandum, Criminal Information, 3 Feb 09.

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- 77. DOJ Memorandum, Plea Agreement, 3 Feb 09.
- 78. DOJ Memorandum, Statement of Facts, 3 Feb 09.
- 79. USACIL Examination Report, 2008-CID131-2392, 9 Feb 09.
- 80. AIR of SA (b)(6), (b)(7)(C) 9 Apr 09.
- 81. AIR of SA (b)(6), (b)(7)(C) 17 Mar 09.
- 82. CD containing Medical Records. (USACIDC only)
- 83. Autopsy Report, 9 Jan 09.
- 84. CD containing Autopsy Photos. (USACIDC only)
- 85. Death Certificate pertaining to Ms. LOYD, 17 Mar 09.
- 86. AIR of SA (b)(6), (b)(7)(C) 27 Apr 09.
- 87. USACIL Examination Report, 2008-CID131-2392, 17 Dec 08.
- 88. USACIL Examination Report, 2008-CID131-2392, 6 Mar 09.

Not Attached:

None

The originals of Exhibits 1-23, 25-55, 57, 59-63, 66-69, 71, 73-75, 80-82, and 86 are forwarded with the USACRC copy of this report. The originals of Exhibits 64, 72, 79, 87 and 88 are retained in the files of the U.S. Army Criminal Investigation Laboratory, Forest Park, GA. The originals of Exhibits 76-78 are retained in the files of Mr. (b)(6), (b)(7)(C) AUSA, DOJ, 2100 Jamieson Avenue, Alexandria, Virginia 22314. The originals of Exhibits 24 and 65 are retained in the files of the CDR, HHC 2-2 Inf. BN. The originals of Exhibits 56, 58 and 70 are retained in the files of the Evidence Depository, this office. The originals of Exhibits 83 and 84 are retained in the files of the Bexar County Medical Examiner's Office, San Antonio, TX. The original of

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Exhibit 85 is retained in the files of the Vital Statistics Office, Bexar County, San Antonio, TX.

STATUS: This a Final (C) Report. On 4 Feb 09, coordination with Mr. ^{(b)(6), (b)(7)(C)} Assistant United States Attorney, DOJ, revealed Mr. ^{(b)(6), (b)(7)(C)} agreed to waive indictment and plead guilty to a single count of voluntary manslaughter and was pending sentencing. A Commander's Report of Disciplinary Action Taken is pending.

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)
[Redacted]

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

Special Agent

Special Agent in Charge

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA
10th MP BN CID
3rd MP Group, USACIDC, Fort Gillem, GA (email only)
AFIP (SA (b)(6), (b)(7)(C) [Redacted] (email only)
AFIP, DIR, AFME, WASH, DC
AFIP, DOVER FACILITY, DOVER AFB, DE
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CHIEF MILITARY JUSTICE, CJTF-101 (MAJ (b)(6), (b)(7)(C) [Redacted] (email only)
CHIEF OF STAFF, CJTF-101, BAGRAM AIR FIELD (COL (b)(6), (b)(7)(C) [Redacted] (email only)
CJTF 101 CMD GRP (MAJ (b)(6), (b)(7)(C) [Redacted] (email only)
CJTF 101, CMD GRP (LTC (b)(6), (b)(7)(C) [Redacted] (email only)
CG, CJTF 101 (MG (b)(6), (b)(7)(C) [Redacted] (email only)
DCG-S, 101 (BG (b)(6), (b)(7)(C) [Redacted] (email only)
PM SGM, CJTF-101 (SGM (b)(6), (b)(7)(C) [Redacted] (email only)
PMO OPERATIONS OFFICER (MAJ (b)(6), (b)(7)(C) [Redacted] (email only)
PMO, BAGRAM (LTC (b)(6), (b)(7)(C) [Redacted] (email only)
PROVOST MARSHAL, CJTF-101 (COL (b)(6), (b)(7)(C) [Redacted] (email only)
SAC, AFGHANISTAN CID OFFICE
DEPUTY SJA, CJTF-101 (MAJ (b)(6), (b)(7)(C) [Redacted] (email only)
USFOR-A Chief of Staff
USFOR-A J3
USFOR-A POLICE ADVISOR
SAUSA, Mr. (b)(6), (b)(7)(C) [Redacted]@usdoj.gov)
SAUSA, Mr. (b)(6), (b)(7)(C) [Redacted]@usdoj.gov)
PM DEP, CJTF-101 (MAJ (b)(6), (b)(7)(C) [Redacted] (email only)
FILE

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0238-08-CID369-43873

PAGE 1 OF 12 PAGES

DETAILS:

BASIS FOR INVESTIGATION: About 1310, 4 Nov 08, this office was notified by MAJ (b)(6), (b)(7)(C) XO, 2-2 INF, FOB Ramrod, Afghanistan, APO AE 09355, that a Human Terrain Team (HTT) member shot and killed a detained Local National (LN) in Huta City, Afghanistan. The deceased LN had attacked a female HTT member with a fire bomb.

About 1330, 4 Nov 08, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) PLT LDR, C Co, 2-2 INF, FOB Huta, Afghanistan, APO AE 09355, who stated Mr. Abdul SALAM burned a female HTT member and tried to escape. Mr. (b)(6), (b)(7)(C) HTT Member, subdued Mr. SALAM after fighting with him. 1LT (b)(6), (b)(7)(C) said Mr. SALAM was flex cuffed and was lying on the ground when he checked the situation. 1LT (b)(6), (b)(7)(C) turned and took a couple steps, from where Mr. (b)(6), (b)(7)(C) was guarding Mr. SALAM, and heard one gunshot. 1LT (b)(6), (b)(7)(C) turned and saw an exit wound on the side of Mr. SALAM's head and Mr. (b)(6), (b)(7)(C) holding a M9 handgun.

About 1900, 4 Nov 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, coordinated with TSgt (b)(6), (b)(7)(C) Military Police (MP) Station, Kandahar Airfield, Afghanistan, APO AE 09355, who said Mr. (b)(6), (b)(7)(C) was detained in the MP Station under guard by Soldiers from 2-2 INF. Mr. (b)(6), (b)(7)(C) arrived earlier that afternoon and the MP's picked him up from the flight line and escorted him to the MP Station.

About 2000, 4 Nov 08, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) OIC, Team Mongoose, RPAC/ARIC-S, FOB Huta, Afghanistan, to work with the Afghan National Police (ANP) to release the body of Mr. SALAM to US custody for the investigation. MAJ (b)(6), (b)(7)(C) said he would coordinate with the district chief of police toward that end.

About 2045, 4 Nov 08, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) Team Leader, Human Terrain System (HTS), Kandahar Airfield (KAF), Afghanistan, APO AE 09355, who was inquiring about the status of Mr. (b)(6), (b)(7)(C). Mr. (b)(6), (b)(7)(C) identified himself as Mr. (b)(6), (b)(7)(C) supervisor and roommate. SA (b)(6), (b)(7)(C) advised Mr. (b)(6), (b)(7)(C) that CID was investigating Mr. (b)(6), (b)(7)(C) for shooting a local national. During the conversation Mr. (b)(6), (b)(7)(C) said if Mr. (b)(6), (b)(7)(C) had not been detained AT the KAF PMO, he would have flown Mr. (b)(6), (b)(7)(C) out of the country. After a brief pause, Mr. (b)(6), (b)(7)(C) said he was joking.

About 2210, 4 Nov 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) advised Mr. (b)(6), (b)(7)(C) of his legal rights, which he waived and described the incident which occurred that morning. On the morning of 4 Nov 08, Mr. (b)(6), (b)(7)(C) was on a foot patrol near the bazaar in the village of Chehel Gazi, Afghanistan, with a platoon of C Co, 2-2 INF, FOB Huta. Mr. (b)(6), (b)(7)(C) was part of a three person HTT, consisting of US civilian contractors. The other members were (b)(6), (b)(7)(C) NFI) and Ms. Paula G. LOYD, both employees of BAE Systems. Mr. (b)(6), (b)(7)(C) knew Ms. LOYD about 4-5 months during training and assignment in Afghanistan. All three were wearing

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Detachment
Bagram Airfield, APO AE 09354

SIGNATURE

DATE

13 Nov 08

EXHIBIT

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DETAILS:

ACU clothing and body armor. Mr. (b)(6), (b)(7)(C) had an M16 rifle issued to him by the military and an M9 pistol which was issued by 2-2 INF to his supervisor, Mr. (b)(6), (b)(7)(C) who subsequently gave it to Mr. (b)(6), (b)(7)(C) Ms. LOYD was not carrying any weapons or ammunition. Mr. (b)(6), (b)(7)(C) was responsible for providing security for the HTT. The incident occurred in an alley with a stream flowing down the center, with trees growing throughout. One squad of the platoon established security at the south end of the alley, and one squad established security at the north end. The HTT was in between the two squads. Mr. (b)(6), (b)(7)(C) was about 30 meters ahead of Ms. LOYD and (b)(6), (b)(7)(C) who had stopped and were interviewing some Afghan locals at the entrance to the alley. Mr. (b)(6), (b)(7)(C) did not get a good look at who they were interviewing. Mr. (b)(6), (b)(7)(C) was passing out candy to a group of three or four 5-6 year old children around him and saw a ball of fire out of the corner of his eye, where the other HTT members were located. He looked in that direction and saw an Afghan man running towards him out of the ball of fire. The man was on fire along his upper torso and arms and was trying to pat out the flames. The man was wearing a dark vest and gray in color "man dress". The man was skinny, had very short hair and a beard, and appeared to be in his late 20's. There was about a 6 foot wide path on the east side of the stream where Mr. (b)(6), (b)(7)(C) and the man were, so the man had to run by Mr. (b)(6), (b)(7)(C). The man was running almost directly toward Mr. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) heard someone yelling "Shoot him, shoot him!" Mr. (b)(6), (b)(7)(C) first thought was the man was a suicide bomber and the ball of fire was the result of an explosion, although he did not hear an explosion. Mr. (b)(6), (b)(7)(C) drew his pistol and aimed at the man, but recognized the HTT and Soldiers were behind the man so he did not fire. The man tried to run around Mr. (b)(6), (b)(7)(C) so Mr. (b)(6), (b)(7)(C) extended his right arm, which still held the pistol, and "clothes-lined" the man across his neck/chin area. The man fell down on his back and Mr. (b)(6), (b)(7)(C) crouched over him and used his left arm to hold the man's chest, while he pointed his pistol at the man with his right hand. Mr. (b)(6), (b)(7)(C) left foot was between the man's legs. The man used his feet to kick at Mr. (b)(6), (b)(7)(C) chest, scooting away from Mr. (b)(6), (b)(7)(C) who stayed with the man and maintained his hold on the man's chest. A PFC (NFI) ran up to the pair while the man was struggling, and the Soldier grabbed the Afghan's legs and helped roll the man onto his stomach. Mr. (b)(6), (b)(7)(C) put his left hand between the Afghan's shoulder blades to hold him down, and continued to cover the man with his pistol, while the Soldier tried to get the Afghan's arms under control. The Afghan continued to try to get away, making a swimming motion with his arms. Mr. (b)(6), (b)(7)(C) yelled for someone to give him some cuffs. Someone ran up and provided flex cuffs. The Soldier tried to put the Afghan's hands in the flex cuffs. The Soldier succeeded in getting the Afghan's left hand in the flex cuffs but Mr. (b)(6), (b)(7)(C) was not sure if the Afghan's right hand was secured. Mr. (b)(6), (b)(7)(C) thought the Afghan continued to flail with his right arm to keep from being restrained. About that time, Mr. (b)(6), (b)(7)(C) looked up and saw Ms. LOYD at the far end of the alley. Mr. (b)(6), (b)(7)(C) said "I pushed my pistol into his head", at the Afghan man's right temple, and "pulled the trigger". The Afghan immediately went limp. Mr. (b)(6), (b)(7)(C) said when he shot the man, "I was thinking I saw Paula and thought fuck this guy." When asked if he felt the man was a threat to US forces when Mr. (b)(6), (b)(7)(C) shot the man, Mr. (b)(6), (b)(7)(C) said the Afghan was still struggling to keep from being restrained and had not been searched, so he was a potential threat, but "not really". Mr. (b)(6), (b)(7)(C) mentioned

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Detachment
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DATE

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DETAILS:

there was always a possibility the man might overpower the US personnel restraining him or get control of a weapon. The PFC and Mr. (b)(6), (b)(7)(C) both had rifles slung on their bodies, besides the M9 pistol Mr. (b)(6), (b)(7)(C) was using to cover the man. After he shot the Afghan, Mr. (b)(6), (b)(7)(C) stood up and was told to relinquish his weapons. Mr. (b)(6), (b)(7)(C) turned over his weapons and ran over to see how Ms. LOYD was doing. He never looked back at the Afghan and did not know whether the man was fully secured with the flex cuffs when shot. Mr. (b)(6), (b)(7)(C) later heard the man had a container, but he never saw the container. Mr. (b)(6), (b)(7)(C) had no idea why the man attacked Ms. LOYD. When he saw Ms. LOYD talking to the Afghans, they were talking normally and did not seem agitated or angry. When asked about how he felt after the shooting, Mr. (b)(6), (b)(7)(C) said he was angry at the man and worried about Ms. LOYD, and that he had no remorse about shooting the man because he deserved to die for what he did. After the incident, Mr. (b)(6), (b)(7)(C) saw the rear security element holding back some Afghans. The Afghan National Police (ANP) started shooting in the bazaar. A Quick Reaction Force (QRF) responded to the scene and Ms. LOYD was moved back to the base. Mr. (b)(6), (b)(7)(C) went back to FOB Hutaal with the unit and was flown to Kandahar Airfield, Afghanistan. No one talked to Mr. (b)(6), (b)(7)(C) about the incident after he was taken back to the FOB. He was detained as he got off the helicopter at Kandahar Airfield, and taken to the MP station. When asked about his training and experience with firearms and the rules of engagement, Mr. (b)(6), (b)(7)(C) said he was previously in the US Army. He also had training in protective services, including suicide bombers, and had experience as a civilian contractor providing personal security for Iraqi Prime Minister (b)(6), (b)(7)(C) and Afghan President (b)(6), (b)(7)(C). Mr. (b)(6), (b)(7)(C) drew a sketch of the incident location depicting where he made contact with the Afghan man. About 2250, Mr. (b)(6), (b)(7)(C) showed SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) photos of the incident location which he took and were on his personal digital camera. The photos only showed a burn spot on the ground which Mr. (b)(6), (b)(7)(C) indicated was the location Ms. LOYD was attacked, and a picture down the length of the alley which did not reveal any significant information. Mr. (b)(6), (b)(7)(C) declined to provide a written statement because he was tired. The interview was terminated at 2350, 4 Nov 08, so Mr. (b)(6), (b)(7)(C) could rest before continuing.

About 2300, 5 Nov 08, SA (b)(6), (b)(7)(C) collected as evidence from Mr. (b)(6), (b)(7)(C) the memory card from his camera.

About 0700, 5 Nov 08, SA (b)(6), (b)(7)(C) approached Mr. (b)(6), (b)(7)(C) to obtain a sworn statement detailing the incident. Prior to beginning a rights advisal, Mr. (b)(6), (b)(7)(C) said he wanted to talk to a lawyer before writing a statement. Mr. (b)(6), (b)(7)(C) said he would write a statement at some point in time, but wanted to consult a lawyer first.

About 0745, 5 Nov 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) B Co, 2-2 INF, FOB Ramrod, who was one of the guards assigned to watch Mr. (b)(6), (b)(7)(C) while he was detained at the Kandahar MP Station. SPC (b)(6), (b)(7)(C) said he had not discussed the incident with Mr. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) had not made any

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

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DETAILS:

comments about the incident, other than to ask about why he was being detained and Ms. LOYD's status.

About 0755, 5 Nov 08, SA (b)(6), (b)(7)(C) interviewed CPL (b)(6), (b)(7)(C) B Co, 2-2 INF, FOB Ramrod, who was the other guard assigned to watch Mr. (b)(6), (b)(7)(C) while detained at the Kandahar MP Station. CPL (b)(6), (b)(7)(C) also said he had not discussed the incident with Mr. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) had not made any comments about the incident, other than to ask about why he was being detained and what Ms. LOYD's status was.

About 1100, 5 Nov 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) arrived at FOB Hotal and met with MAJ (b)(6), (b)(7)(C) who had an ANP commander on site to discuss release of Mr. SALAM's body to US custody. While being briefed by MAJ (b)(6), (b)(7)(C) a representative from C Co, 2-2 INF, FOB Hotal, reported the body was already released. CPT (b)(6), (b)(7)(C) CDR, C Co, 2-2 INF, FOB Hotal, had a security meeting with the ANP at the local District Center (also where the body was located). During the meeting, about 60 village elders and residents arrived unannounced and demanded the ANP release the body for burial. In order to maintain peaceful relations with the local residents, CPT (b)(6), (b)(7)(C) made the decision not to oppose the release of the body. The decision was also partially based on the fact photographs were exposed of the body by members of the unit.

About 1130, 5 Nov 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with SSG (b)(6), (b)(7)(C) TOC NCO, C Co, 2-2 INF, FOB Hotal, and obtained copies of the photographs exposed by the unit at the death scene and of the deceased victim. SSG (b)(6), (b)(7)(C) also provided a digital audio recording obtained from a device worn by 1LT (b)(6), (b)(7)(C) during the patrol when the incident occurred. SSG (b)(6), (b)(7)(C) also provided written witness statements obtained by the unit on 4 Nov 08. SSG (b)(6), (b)(7)(C) said the subject's pistol and other evidence were transported to FOB Ramrod for safekeeping. The zip cuffs used to secure the deceased victim were kept at the FOB Hotal TOC, but were last seen the night of 4 Nov 08, and were not able to be located. SSG (b)(6), (b)(7)(C) supervised a search for the zip cuffs and questioned all TOC personnel about their location. It was determined the zip cuffs were most likely thrown in the trash, which was taken off-post and dumped at an unknown location.

About 1230, 5 Nov 08, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) who said he was in a meeting that morning with ANP and village representatives at the District Center. Mr. SALAM's remains were also at the District Center, where they were stored since the incident occurred. About 60 local residents arrived and demanded Mr. SALAM's remains for burial. In order to maintain good relations with the officials he dealt with constantly, and to prevent possible retaliation against US forces for the incident, CPT (b)(6), (b)(7)(C) did not oppose the release of Mr. SALAM's remains.

About 1425, 5 Nov 08, SA (b)(6), (b)(7)(C) obtained a copy of the Staff Duty Log, 4 Nov 08, and the Chronological

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DETAILS:

Record of Medical Care for Ms. LOYD, from SSG (b)(6), (b)(7)(C) The Staff Duty Log provided a chronology of the day's events.

About 1455, 5 Nov 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hupal, and obtained a sworn statement. SPC (b)(6), (b)(7)(C) stated he was third squad team leader and was at the southern half of the security set, approximately 150 meters south of the front team. SPC (b)(6), (b)(7)(C) saw a man, later identified as Mr. SALAM, running southbound away from platoon members toward his position. Mr. (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hupal, stopped Mr. SALAM. SPC (b)(6), (b)(7)(C) responded to assist and Mr. SALAM punched and kicked at them and grabbed PFC (b)(6), (b)(7)(C) rifle. SPC (b)(6), (b)(7)(C) described the fight as very violent. Mr. SALAM was eventually flex cuffed and SPC (b)(6), (b)(7)(C) left the location to check on the condition of Ms. LOYD, who was attacked by Mr. SALAM. SPC (b)(6), (b)(7)(C) returned to the location where Mr. (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) were pulling security on Mr. SALAM. SPC (b)(6), (b)(7)(C) informed Mr. (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) of Ms. LOYD's condition. Mr. (b)(6), (b)(7)(C) then told an interpreter (NFI) to tell Mr. SALAM he was the devil. Mr. (b)(6), (b)(7)(C) then bent over and shot Mr. SALAM in the head. SPC (b)(6), (b)(7)(C) provided a diagram of the location.

About 1500, 5 Nov 08, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) and obtained a sworn statement clarifying and providing further information to the statement he rendered on 4 Nov 08. 1LT (b)(6), (b)(7)(C) also drew a sketch of the incident. 1LT (b)(6), (b)(7)(C) said after he cleared the compound next to where Ms. LOYD was attacked, he was told by one of the interpreters, (b)(6), (b)(7)(C) that the person who attacked Ms. LOYD was detained further down the alley. 1LT (b)(6), (b)(7)(C) went down the alley and saw the Afghan man detained with Mr. (b)(6), (b)(7)(C) on top of the man and a couple of Soldiers nearby. Mr. (b)(6), (b)(7)(C) was the biggest person at hand so 1LT (b)(6), (b)(7)(C) did not replace Mr. (b)(6), (b)(7)(C) in his position atop the detainee with Soldiers. The Soldiers were also providing close-in security. 1LT (b)(6), (b)(7)(C) primary concern at the time was establishing security for the unit, against any further possible attack. 1LT (b)(6), (b)(7)(C) continued past Mr. (b)(6), (b)(7)(C) and the detainee to the south end of the alley and ensured security was in place. 1LT (b)(6), (b)(7)(C) then returned down the alley past Mr. (b)(6), (b)(7)(C) and the detainee. Mr. (b)(6), (b)(7)(C) was still kneeling next to and partially on the detainee, keeping the detainee immobilized. 1LT (b)(6), (b)(7)(C) was only a few steps past them when he heard the gunshot. 1LT (b)(6), (b)(7)(C) immediately turned and saw Mr. (b)(6), (b)(7)(C) standing from a kneeling position with his pistol in hand, lowering to Mr. (b)(6), (b)(7)(C) side. 1LT (b)(6), (b)(7)(C) confiscated Mr. (b)(6), (b)(7)(C) weapons and had him moved to the north end of the alley.

About 1640, 5 Nov 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hupal, and obtained a sworn statement clarifying and providing further information to the statement he rendered on 4 Nov 08. SSG (b)(6), (b)(7)(C) also drew a sketch of the incident.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

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DETAILS:

About 1750, 5 Nov 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) Medic, C Co, 2-2 INF, FOB Hatal, and obtained a sworn statement. SPC (b)(6), (b)(7)(C) stated when they arrived in the town security was set up for Ms. LOYD who was in the middle of a crowd handing out candy. SPC (b)(6), (b)(7)(C) noticed Mr. SALAM holding a container and entered a house near Ms. LOYD. When Mr. SALAM came out he directed some of the kids to move away from Ms. LOYD and picked up a little boy and put him in the house he just came out of. Mr. SALAM returned and spoke to Ms. LOYD. During the conversation he turned and played with a cigarette lighter and continued talking to Ms. LOYD. SPC (b)(6), (b)(7)(C) then saw a huge fire ball and Ms. LOYD on fire. SPC (b)(6), (b)(7)(C) did not see what happened. SPC (b)(6), (b)(7)(C) treated Ms. LOYD before she was medevac'd and estimated sixty to seventy percent of her body was burned.

About 0800, 6 Nov 08, SA (b)(6), (b)(7)(C) collected as evidence, from SSG (b)(6), (b)(7)(C) the pitcher and lighter used by Mr. SALAM to attack Ms. LOYD, and the clothing and equipment worn by Ms. LOYD when she was attacked.

About 0900, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hatal, and obtained a sworn statement clarifying and providing further information to the statement he rendered on 4 Nov 08. SSG (b)(6), (b)(7)(C) also drew a sketch of the incident.

About 0910, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hatal, Afghanistan, APO AE 09355, and obtained a sworn statement. PFC (b)(6), (b)(7)(C) said he was pulling security on the south side when he heard a scream and saw Mr. SALAM running south. PFC (b)(6), (b)(7)(C) heard Soldiers yelling to stop Mr. SALAM. PFC (b)(6), (b)(7)(C) started moving towards Mr. SALAM but Mr. (b)(6), (b)(7)(C) got to Mr. SALAM first and was trying to detain him. PFC (b)(6), (b)(7)(C) assisted Mr. (b)(6), (b)(7)(C) as Mr. SALAM fought. Mr. SALAM grabbed the muzzle of PFC (b)(6), (b)(7)(C) rifle and would not let go. PFC (b)(6), (b)(7)(C) said he got Mr. SALAM's hands from his rifle and they struggled to put flex cuffs on him. SGT (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hatal, Afghanistan, APO AE 09355, helped PFC (b)(6), (b)(7)(C) place the flex cuffs on Mr. SALAM. PFC (b)(6), (b)(7)(C) said SPC (b)(6), (b)(7)(C) told him of Ms. LOYD's condition and to return to his original security position. PFC (b)(6), (b)(7)(C) said he going back to his position and heard a gunshot. PFC (b)(6), (b)(7)(C) turned and looked at Mr. SALAM and he was bleeding from the head. Mr. (b)(6), (b)(7)(C) was standing on the left side of Mr. SALAM with an M9 pistol. PFC (b)(6), (b)(7)(C) provided a diagram of the location.

About 1000, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hatal, and obtained a sworn statement clarifying and providing further information to the statement he rendered on 4 Nov 08. SGT (b)(6), (b)(7)(C) also drew a sketch of the incident.

About 1055, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hatal, and

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DETAILS:

obtained a sworn statement clarifying and providing further information to the statement he rendered on 4 Nov 08. PFC (b)(6), (b)(7)(C) also drew a sketch of the incident.

About 1125, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) Co, 2-2 INF, FOB Hupal, and obtained a sworn statement. SSG (b)(6), (b)(7)(C) said about 1000, 4 Nov 08, he had set in security on the north side and was standing by Ms. LOYD. SSG (b)(6), (b)(7)(C) walked away to speak to 1LT (b)(6), (b)(7)(C) and get the plan for the next move. During the conversation, he heard screaming and saw Ms. LOYD engulfed in a fire ball about seven feet tall. Ms. LOYD fell to the ground and SSG (b)(6), (b)(7)(C) tried to extinguish the fire. SSG (b)(6), (b)(7)(C) was told the fire came over the wall of a house. SSG (b)(6), (b)(7)(C) led a team into the house to investigate and detained a man. SSG (b)(6), (b)(7)(C) was told they had the man on the south end and heard gunfire which was the ANP clearing the road for the QRF. SSG (b)(6), (b)(7)(C) then heard a gunshot from the south and responded to the location. When SSG (b)(6), (b)(7)(C) arrived he heard 1LT (b)(6), (b)(7)(C) ask Mr. (b)(6), (b)(7)(C) "are you serious?" 1LT (b)(6), (b)(7)(C) told SSG (b)(6), (b)(7)(C) to take Mr. (b)(6), (b)(7)(C) weapons. SSG (b)(6), (b)(7)(C) returned to the north end and had SGT (b)(6), (b)(7)(C) watch Mr. (b)(6), (b)(7)(C). SSG (b)(6), (b)(7)(C) returned to the south side and photographed Mr. SALAM and the location.

About 1145, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hupal, who rendered a sworn statement detailing the incident. SPC (b)(6), (b)(7)(C) also drew a sketch of the incident.

About 1240, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hupal, who rendered a sworn statement detailing the incident. PFC (b)(6), (b)(7)(C) also drew a sketch of the incident.

About 1415, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hupal, who rendered a sworn statement clarifying the statement he rendered 4 Nov 08. SSG (b)(6), (b)(7)(C) also drew a sketch of the incident.

About 1500, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hupal, who rendered a sworn statement clarifying the statement he made 4 Nov 08.

About 1500, 6 Nov 08, SA (b)(6), (b)(7)(C) contacted MAJ (b)(6), (b)(7)(C) who said he would coordinate with the Afghan District Commander to obtain a death certificate for Mr. SALAM. During the conversation, MAJ (b)(6), (b)(7)(C) interpreter (NEI) was coordinating with the District Commander's staff and learned Mr. SALAM's father was Mr. (b)(6), (b)(7)(C) and Mr. SALAM was buried in Khakyano village, Afghanistan.

About 1530, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hupal, who rendered a sworn statement detailing the incident.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6), (b)(7)(C), (b)(7)(F)		Afghanistan CID Detachment Bagram Airfield, APO AE 09354	
		DATE	EXHIBIT
		13 Nov 08	

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0238-08-CID369-43873

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DETAILS:

About 1555, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hutsal, who said about 1000, 4 Nov 08, he just finished talking to 1LT (b)(6), (b)(7)(C) and heard screaming. SSG (b)(6), (b)(7)(C) turned toward the direction of the screams and saw Ms. LOYD on fire. SSG (b)(6), (b)(7)(C) rushed to Ms. LOYD to put out the fire and then moved to Route 1 to clear it for the medevac. SSG (b)(6), (b)(7)(C) said he moved to the burn site and collected the container, lighter and had SPC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hutsal, take photographs. After the burn site was photographed, SSG (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) photographed Mr. SALAM. SSG (b)(6), (b)(7)(C) said Mr. SALAM was on his back and he could not see if Mr. SALAM's hands were secured. SSG (b)(6), (b)(7)(C) estimated the time between Ms. LOYD being burned and Mr. SALAM being shot was about fifteen to twenty minutes. SSG (b)(6), (b)(7)(C) did not see how Ms. LOYD was burned or the shooting of Mr. SALAM.

About 1615, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) who said he was around the corner to the east of Ms. LOYD, pulling security when the incident occurred. He saw Ms. LOYD come around the corner in flames. SPC (b)(6), (b)(7)(C) saw other people assisting Ms. LOYD so he maintained security. SPC (b)(6), (b)(7)(C) did not see anyone come out of the compound adjacent the incident location. After the initial incident, SPC (b)(6), (b)(7)(C) was repositioned to Ring Road South, located about 100 meters north of the incident location, to direct a responding QRF to the site. The ANP responded first and evacuated Ms. LOYD. After she left, SPC (b)(6), (b)(7)(C) was directed to assist with a Sensitive Site Exploitation (SSE). During the SSE, a metal pot was found in the stream running through the alley, a lighter was found on the ground near where Ms. LOYD was lit on fire, and a pair of sandals were found in the stream and moved to the corner of the compound near where Ms. LOYD was attacked. Photographs were taken of the area. SPC (b)(6), (b)(7)(C) remembered seeing a male member of the HTT sitting against the wall of the compound near the fire site with the platoon medic, but he was not sure who the person was. SPC (b)(6), (b)(7)(C) did not talk to the HTT member or hear him say anything. SPC (b)(6), (b)(7)(C) was also the platoon HIDE operator (a digital device used to capture biometric information), so about 30 minutes after the fire occurred, he was told to assess the dead detainee to determine if the man was on a "watch list". When he arrived at the dead detainee, the ANP were present along with a village elder. The detainee was lying on his back with his arms extended along his sides. SPC (b)(6), (b)(7)(C) did not see any flex cuffs or pay attention to any injuries. He obtained the man's fingerprints and retina scan and determined the detainee was not on any watch list. The detainee was placed in a body bag and SPC (b)(6), (b)(7)(C) then returned to his original position at the north end of the alley.

About 1625, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed 1SG (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hutsal, who said about 1030, 4 Nov 08, he arrived at the village with the QRF. Ms. LOYD had been moved from the area and he went to Mr. SALAM's location. Mr. SALAM was lying face up with hands behind his back. 1SG (b)(6), (b)(7)(C) saw an entry wound to the face and thick red blood on the ground around Mr. SALAM's head. 1SG (b)(6), (b)(7)(C) said he treated the location as a crime scene. 1SG had the body rolled over to photograph the flex cuffs. 1SG

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Detachment
Bagram Airfield, APO AE 09354

DATE

13 Nov 08

EXHIBIT

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DETAILS:

(b)(6), (b)(7)(C) said a search was conducted for the spent cartridge but they were unable to locate it. Mr. SALAM's body was searched for weapons but none were found.

About 1635, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hotal, who said he was not in a position to see the fire start. He was around the corner to the east from Ms. LOYD's position and saw her come around the corner on fire. Other personnel responded to assist Ms. LOYD, so SPC (b)(6), (b)(7)(C) maintained his security on the road facing east. After the fire, SPC (b)(6), (b)(7)(C) was repositioned to provide security to the north of the incident site, facing north. SPC (b)(6), (b)(7)(C) had no contact or direct knowledge of the dead detainee, nor did he see the Afghan man running or be detained.

About 1655, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hotal, who said he was pulling security around the corner from Ms. LOYD, to the east when the incident occurred. He did not see what started the fire and did not see the running man. SPC (b)(6), (b)(7)(C) may have briefly seen the male HTT member afterwards, but he was focused on security throughout the incident.

About 1740, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) Aegis Company, FOB Hotal, who was the interpreter known as (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) consented to have the interview recorded, and provided a verbal statement detailing the incident. Mr. (b)(6), (b)(7)(C) was part of the foot patrol on 4 Nov 08, working in his capacity as an interpreter. Usually he worked for the company commander, but he went with the patrol to interpret for Ms. LOYD (Mr. (b)(6), (b)(7)(C) referred to her as "Ms. Paula"). Ms. LOYD talked to the local people in the village and asked them about schools and security problems. There were children around also. While she talked to the people, there was a man with "petrol" in his hand. The man spoke a little English and talked to Ms. LOYD, asking her how she was doing. Mr. (b)(6), (b)(7)(C) described the man as young with short, dark hair, middle height, skinny, with local clothes including a vest. The man said he was from Kandahar and was selling goods in the village. Mr. (b)(6), (b)(7)(C) asked the man why he had "petrol" in a "teapot", and the man said it was oil for his motorcycle. (At this point the recording stopped unexpectedly.) Mr. (b)(6), (b)(7)(C) said he heard someone call his name and he looked back over his shoulder briefly. From the corner of his eye he saw the man throw the "petrol" on Ms. LOYD and simultaneously ignite the liquid with a lighter. Ms. LOYD was immediately engulfed in flames. Mr. (b)(6), (b)(7)(C) thought he was also on fire so he jumped in the creek. When he saw he was not on fire he helped douse the fire on Ms. LOYD. Mr. (b)(6), (b)(7)(C) saw the man running south in the alley, moving in and out of the creek. The man stumbled in the water at one point but got up and continued running. Someone at the far end of the alley stopped the man. After Ms. LOYD was being treated by the medic, Mr. (b)(6), (b)(7)(C) went to the end of the alley and saw the man on the ground with his hands secured behind his back. Mr. (b)(6), (b)(7)(C) identified the man as Ms. LOYD's attacker by his facial features and clothing. The man was face down on the ground and Mr. (b)(6), (b)(7)(C) was guarding him, with a couple of Soldiers nearby. Mr. (b)(6), (b)(7)(C) grabbed the man by his shoulders/upper arms and dragged him down to the creek. Mr. (b)(6), (b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Detachment
Bagram Airfield, APO AE 09354

DATE

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EXHIBIT

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DETAILS:

asked the man why he attacked U.S. forces, and the man said he was crazy and often did things for no reason. Mr. (b)(6), (b)(7)(C) went back to the site of the fire and told 1LT (b)(6), (b)(7)(C) the man who attacked Ms. LOYD was detained at the other end of the alley. They went down there and Mr. (b)(6), (b)(7)(C) pointed out the man to 1LT (b)(6), (b)(7)(C). Mr. (b)(6), (b)(7)(C) then turned to go back to the north end of the alley where Ms. LOYD was located. He was about halfway to Ms. LOYD when he heard a gunshot. He turned to look back at the detainee but there were Soldiers standing in the way and he could not see what happened. Mr. (b)(6), (b)(7)(C) continued to Ms. LOYD's location and stayed with her until she was medically evacuated.

About 1750, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) Interpreter, C Co, 2-2 INF, FOB Hupal, known as (b)(6), (b)(7)(C) who provided verbal consent to have the interview audio recorded. Mr. (b)(6), (b)(7)(C) said he was with SSG (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Hupal, at the burn site and didn't know what happened. Mr. (b)(6), (b)(7)(C) went to the location of Mr. SALAM and saw him lying on the ground. Mr. (b)(6), (b)(7)(C) asked Mr. (b)(6), (b)(7)(C) to ask Mr. SALAM what happened. Mr. (b)(6), (b)(7)(C) said he asked the question three times but Mr. SALAM did not answer. Mr. (b)(6), (b)(7)(C) asked Mr. SALAM why he did not answer the question and he replied I am crazy and sometimes I cannot control myself. Mr. SALAM said at night he walks around the village naked and that he also has epilepsy. Mr. (b)(6), (b)(7)(C) asked another Soldier about Ms. LOYD's condition. The Soldier told Mr. (b)(6), (b)(7)(C) she was burned badly but would be alright. Mr. (b)(6), (b)(7)(C) then put a pistol to the head of Mr. SALAM for about thirty seconds. Mr. (b)(6), (b)(7)(C) said he thought Mr. (b)(6), (b)(7)(C) was trying to scare Mr. SALAM, so Mr. (b)(6), (b)(7)(C) walked away. Mr. (b)(6), (b)(7)(C) said he was about two meters away when he heard the gunshot and did not see the shooting.

Agent's Comment: After the interview, the audio recording was transferred from the recorder to a memory device by SSG (b)(6), (b)(7)(C) in the TOC, and the recording was erased from the recording device (the device was used by the unit for combat operations). During a review of the recording it was discovered a different audio recording was transferred to the memory device and the interview had not been saved.

About 2015, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) Interpreter, C Co, 2-2 INF, FOB Hupal, known as (b)(6), (b)(7)(C) who provided verbal consent to audio record the interview. Mr. (b)(6), (b)(7)(C) stated he was with 1LT (b)(6), (b)(7)(C) and saw Ms. LOYD talking to a man later identified as Mr. SALAM. Mr. (b)(6), (b)(7)(C) was standing about five meters from Ms. LOYD and could hear Mr. SALAM talking to her about schools and how they liked Americans for providing security. Mr. (b)(6), (b)(7)(C) remembered seeing Mr. SALAM come from the bazaar area with a fuel container. Mr. SALAM passed through one check point and Mr. (b)(6), (b)(7)(C) did not know if the fuel container was full. Mr. (b)(6), (b)(7)(C) did not see Mr. SALAM put the fire on Ms. LOYD but saw the fire ball. Ms LOYD was asking for help and Mr. (b)(6), (b)(7)(C) helped put the fire out. Mr. SALAM ran south bound towards Mr. (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) said while he helped SPC (b)(6), (b)(7)(C) treat

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Detachment
Bagram Airfield, APO AE 09354

DATE

13 Nov 08

EXHIBIT

1

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AGENT'S INVESTIGATION REPORT

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DETAILS:

Ms. LOYD'S burns, he heard a lot of shooting. Mr. (b)(6), (b)(7)(C) stated he saw Mr. SALAM alive, while he was in the stream bed, and later heard he was dead.

About 2200, 6 Nov 08, SA (b)(6), (b)(7)(C) interviewed PFC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Huta, who rendered a sworn statement clarifying the statement he made 4 Nov 08. PFC (b)(6), (b)(7)(C) also drew a sketch of the incident.

About 0825, 7 Nov 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Huta, who said he was on the QRF and responded to the bazaar in the lead vehicle. He was met by SSG (b)(6), (b)(7)(C) and asked if his PLT could escort Ms. LOYD to the FOB. SSG (b)(6), (b)(7)(C) said another PLT pulled escort duty and his PLT moved to the west to set up security. SSG (b)(6), (b)(7)(C) did not know what happened at the time but heard about it later when he returned to the FOB. SSG (b)(6), (b)(7)(C) said the QRF responded within five to ten minutes after receiving the request.

About 0930, 7 Nov 08, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) Interpreter, C Co, 2-2 INF, FOB Huta. SA (b)(6), (b)(7)(C) asked Mr. (b)(6), (b)(7)(C) the name of the container used by Mr. SALAM to carry the fuel. Mr. (b)(6), (b)(7)(C) did not know the translated name but when he viewed the evidence (container) he said it was used by fuel salesmen as a measuring device for customers who only required a small amount of fuel. The size of the container varied from one liter to larger and was used for deliveries or sold to customers who brought an empty container to be filled.

About 1040, 7 Nov 08, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) C Co, 2-2 INF, FOB Huta, who said someone, he could not recall who gave him the zip cuffs cut off Mr. SALAM after the incident and he placed them on the center table in the company TOC. He did not know what happened to the zip cuffs.

About 1610, 7 Nov 08, SA (b)(6), (b)(7)(C) interviewed SFC (b)(6), (b)(7)(C) 2-2 INF, FOB Ramrod, who said he was with Mr. (b)(6), (b)(7)(C) at the FOB Ramrod Helicopter Landing Zone (HLZ) when Mr. (b)(6), (b)(7)(C) was awaiting onward transportation between FOB Huta and Kandahar Airfield on 4 Nov 08. SFC (b)(6), (b)(7)(C) talked to Mr. (b)(6), (b)(7)(C) about California and the Rangers as Mr. (b)(6), (b)(7)(C) was wearing a Ranger shirt. Mr. (b)(6), (b)(7)(C) mentioned to SFC (b)(6), (b)(7)(C) that he did not know what he did wrong. SFC (b)(6), (b)(7)(C) said when Mr. (b)(6), (b)(7)(C) brought that up he changed the subject. Mr. (b)(6), (b)(7)(C) asked if the Command could call his supervisor, Mr. (b)(6), (b)(7)(C) and tell Mr. (b)(6), (b)(7)(C) he was not at FOB Huta. SFC (b)(6), (b)(7)(C) said they talked for about twenty to twenty-five minutes and during the conversation Mr. (b)(6), (b)(7)(C) never said anything about Ms. LOYD or the shooting.

About 1630, 7 Nov 08, SA (b)(6), (b)(7)(C) collected as evidence, from MAJ (b)(6), (b)(7)(C) the pistol, magazines, and gloves of Mr. (b)(6), (b)(7)(C)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Detachment
Bagram Airfield, APO AE 09354

DATE

13 Nov 08

EXHIBIT

1

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AGENT'S INVESTIGATION REPORT

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DETAILS:

About 1425, 9 Nov 08, SA (b)(6), (b)(7)(C) collected as evidence, from TSgt (b)(6), (b)(7)(C) the clothing worn by Mr. (b)(6), (b)(7)(C) when he shot Mr. SALAM. Evidence is annotated on EPCD, Document Number: 186/08.

About 1430, 9 Nov 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with TSgt (b)(6), (b)(7)(C) who provided the statements obtained from CPL (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) Kandahar MP Station, and CPT (b)(6), (b)(7)(C) Provost Marshal, Kandahar MP Station, regarding their interaction with Mr. (b)(6), (b)(7)(C) once he arrived at Kandahar Airfield.

About 1030, 13 Nov 08, SA (b)(6), (b)(7)(C) submitted a laboratory request to have the pistol and magazines checked for functionality and to determine if the bullet was fired from the pistol.

About 1215, 13 Nov 08, SA (b)(6), (b)(7)(C) received from LT (b)(6), (b)(7)(C) Command Judge Advocate (CJA), Kandahar Airfield, a copy of a hand receipt dated 22 Oct 08, documenting the serial number of the M9 pistol issued to Mr. (b)(6), (b)(7)(C) //LAST ENTRY//

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Detachment
Bagram Airfield, APO AE 09354

DATE

13 Nov 08

EXHIBIT

1

LAW ENFORCEMENT SENSITIVE

(Automated)

Protective Marking is Excluded From Automatic Termination (Para 13, AR 34-16)

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: Kandahar MP Station
2. DATE: 4 Nov 08
3. TIME: 22:10 hours
4. FILE NO.: 0238-08-CID369-43873
5. NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: CIV contractor
8. ORGANIZATION OR ADDRESS: BAE Systems, FOB Ramrod, Afghanistan

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 Division as a Special Agent and wanted to question me about the following offense(s) of which I am a suspect: homicide, law of war violation

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.

- 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.

- 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.

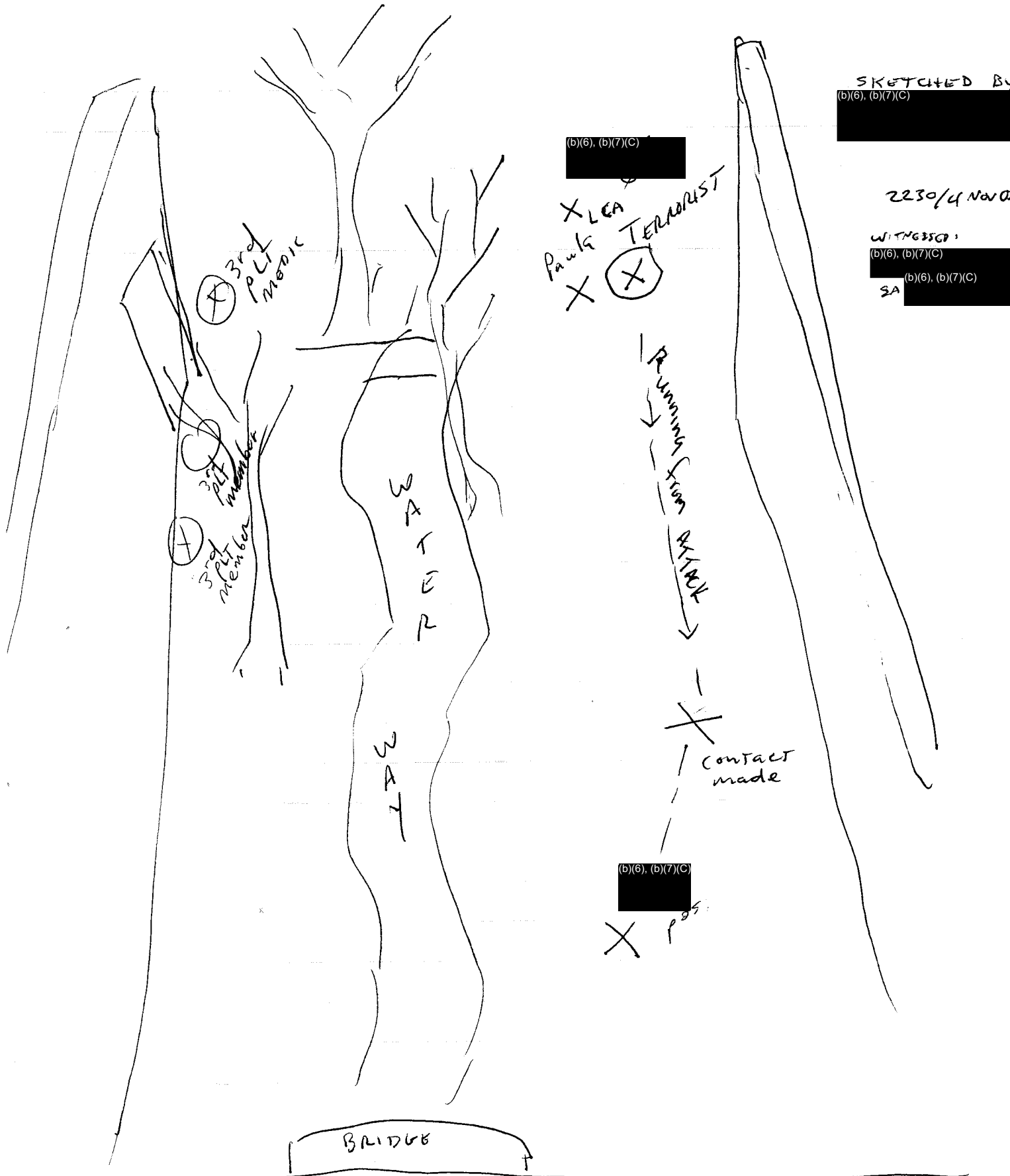
WITNESSES (If available)
1a. NAME: SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE: Afghanistan CID office, APO AE 09354
5. TYPED NAME OF INVESTIGATOR: SA (b)(6), (b)(7)(C)
6. ORGANIZATION OF INVESTIGATOR: Afghanistan CID office, APO AE 09354

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



SKETCHED BY
(b)(6), (b)(7)(C)

2230/4 Nov 02

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

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

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

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

0238-08-CID369

CRD REPORT/CID ROI NUMBER

43873

RECEIVING ACTIVITY Afghanistan CID Office	LOCATION APO AE 09354
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) BAE Systems FOB Ramrod, Afghanistan
LOCATION FROM WHERE OBTAINED From Mr. (b)(6), (b)(7)(C) while at the Kandahar MP station	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 2300/4 Nov 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
1	1	X D Picture card, Fujifilm brand, 512 MB capacity, black, gray, green and gold in color, metal and plastic construction, about 1" x 1 1/4", scratched and scuffed condition, bears markings "DPC-M512 657352 SKM3 0659MAD", marked for ID with (b)(6), (b)(7)(C) 2300, 4 Nov 08. LAST ITEM

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	4 Nov 08	(b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	Evaluation as evidence
1	10 Nov 08	(b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C)	Release to owner
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137, 1 JUL 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

CHAIN OF CUSTODY (Continued)				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		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	
		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) Mr. (b)(6), (b)(7)(C) BAE Systems

DESTROY _____

OTHER (Specify) _____

FINAL DISPOSAL AUTHORITY

ITEM(S) 1 ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING Mr. (b)(6), (b)(7)(C) (Grade) BAE Systems (IS) (ARE) NO LONGER (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.)

(b)(6), (b)(7)(C) OW3, Special Agent in Charge (b)(6), (b)(7)(C) 16 NOV 08

(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)

Rough transcript of audio recorded by device carried by 1LT (b)(6), (b)(7)(C) 04 November 08, during patrol in Chehel Gazi, Afghanistan.

Transcribed by SA (b)(6), (b)(7)(C) Afghanistan CID office, 5-7 Nov 08.

*"LT" refers to 1LT (b)(6), (b)(7)(C)

1:11:25

Are you covering this whole block

We're in here

So this is that compound right on our right

And that's the one I haven't gotten all these working on the inside

Problem is I was going to get this on the way up cause we got a good source spilling his guts to SSG (b)(6), (b)(7)(C) here so I need you to move to this block next so if we interrupt it now would it fuck up your picture scheme, can you come back to it

No, no it won't fuck it up

Okay

Sir the woman with the ANP

So I'm going to leapfrog 2nd and we are here

Yeah

We leapfrog 2nd and have them secure this block and then walk all the way around this shit

Probably end up being...have you had a look at it yet

Probably going to be at least

And if this is walled in it means I'll probably have to push them

Yeah apparently you're going to have to try and come down this trail right

So 3rd generally will stay

[Afghan voice]

So 3rd will stay here and here and we'll take them here and here and that way we'll have all four corners

All right

1st squad lets go

1:13:27

[walking, vehicles in distance, children's voice in distance]

Been behind you the whole time

You're very sneaky

I was over there when you tried to get out

Nice

You have to see where I'm pointing

1:13:59

LT: Whoa

LT: Oh Jesus Christ

LT: Hey somebody put it out, get in the river, get in the river, get her in the river, Jesus fucking Christ

[child crying]

LT: No

LT: Get her in the water

[water splashing]

[multiple voices] in the water

Where where

not there not there

what happened

LT: what the fuck was that

hey come on

pick her up

hey where'd that come from

pick her up

LT: 3 this is 6

I think they got the guy that was running

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this way
 hey hey they got
 1:15:16
 LT: hey secure that end both sides nobody gets in or out
 hey
 was that HTT
 yes
 hey
 what happened what happened
 I don't know I just saw fucking flames
 somebody threw it over the wall probably huh
 I have no fucking clue [unk] like there was somebody holding it
 LT: I need a team to go in this fucking house
 LT: that's the only place it could have came from
 LT: I want this house fucking cleared
 hey (b)(6), (b)(7)(C) get over here
 have them secure that [unk] team back out here
 start calling it up to company
 yes
 what do we got
 2B this is 2
 1:16:10
 that's what they threw the fuck over
 did you see it come over
 no
 I was all the way on the other end I saw that guy running they caught him down there
 [angry yelling in background]
 hey you got a map pencil in there
 I just got a pen
 hey who's got a map marker
 I got it
 hey you take one team inside
 hey we're clearing this building
 Papa Romeo 9483200323
 right here
 00323
 I called it in to comanche main
 you called it in already
 I gave them that grid right there
 okay
 go, go
 hey you gonna take my team in there
 if they need it they'll call
 I need someone to make sure no one comes up on us
 casevac med fucking casevac will be here
 (b)(6), (b)(7)(C)
 continue down this way
 and watch this door
 friendlies in this building
 gonna push up
 we got one casualty, HTT female, badly burned all over her body
 you going that way sir
 she's being treated time now
 alright
 hey sir
 hey

LT: let them know we need QRF vehicles at that fucking intersection
 LT: we'll take the HTT to there and just drive her back to the TOC
 Roger 6 this is 37
 LT: we need to see if we can get some vehicles pushed out to that first intersection at the end of
 the bazaar break
 LT: I will uh, send grid in uh, one mike over
 2 this is 1 do you need any assistance
 hey send me, let me get an element
 to go up there we need a grid to this intersection
 hey SGT (b)(6), (b)(7)(C) will go
 need to get a grid to this intersection up here
 (b)(6), (b)(7)(C) stay with (b)(6), (b)(7)(C)
 shit
 anybody left in that house
 hey coming in
 (b)(6), (b)(7)(C) I'm coming in
 hey did we open this door yet
 LT: hey that first door did you all look in there yet
 the one that had the lock on it, not yet
 calm the fuck down
 hey 3 this is 7
 ready sir?
 1:19:10
 roger, does that HTT guy still have that individual down there?
 wait for them, we need to make sure this gets taken care of
 this is 7, send that grid again over
 stay there
 TERP: sir I called for you - the shooter he escaped this way
 LT: the guy that guy?
 TERP: yeah yeah yeah the one with the ___ in his hand, yeah yeah
 TERP: he was escaping and I told him shoot, shoot him shoot him, nobody was ___
 [movement]
 LT: hey go to 3rd make sure he has the guy that you saw
 TERP: alright
 okay?
 TERP: alright
 he's over there with 2-1
 I have a grid
 well I'm trying to get a grid
 1 this is 7
 getting a bird sir?
 no
 roger we've got Niner 5 Niner 03 over
 roger good copy got it
 comanche main, comanche main this is 37 over
 roger, we need those QRF to come to this grid break
 Niner 4, Niner 03 break
 1:20:55
 [background yelling] shut up shut up
 00404 over for a pickup over
 we need to get her up there
 1:21:10
 [Afghan language yelling/upset]
 shut the fuck up
 ___ door here
 hey hey relax it wasn't someone in this compound

terp saw somebody outside throw it
 was it that guy that ran
 who saw it
 you got the grid
 stay here, interpret for them let ___ know what's going on
 yes
 hey hey
 hey 7
 we need to get somebody
 get that casualty up there
 we're tracking
 if you can take care of the casualty I'll make sure they grab this guy
 let this guy know what happened
 explain to him we found the person
 he was out here he ran away
 I see he's bleeding
 I'm tracking what happened
 LT: let him know we'll treat you
 we thought it came over the wall
 LT: this guy threw it at the lady?
 what?
 LT: this guy threw it at the lady?
 I don't fucking know if it was this guy
 [movement, walking/running]
 she'll, she'll probably be ok
 1: 22:45
 LT: (b)(6), (b)(7)(C) is this the guy?
 TERP: yeah, this guy - mother fucker!
 [Afghan language, splash]
 LT: hey, hey hey hey hey hey!
 TERP: you want to burn US forces?
 LT: okay, get him out of the water
 hey you want to go down there with uh
 [movement, walking]
 hey, is 37 here? (b)(6), (b)(7)(C)
 [Afghan language in background]
 what? what?
 1:23:39
 LT: Paula just got burned, somebody just threw fucking oil on her we're evacing her, make sure
 no one comes in or out
 okay
 LT: you see where (b)(6), (b)(7)(C) went?
 uhhh
 LT: Never mind I saw him, he's up there treating her
 okay
 LT: just, umm, (b)(6), (b)(7)(C) you're in charge of this side alright, just make sure no one comes in or
 out
 we're tracking sir. they know no one comes in, no one goes out
 LT: alright, as soon as we get her evaced we'll head back
 will she be alright sir?
 LT: probably
 1:24:00
 [movement, walking/running]
 [Afghan voice]
 1:24:12 [gunshot]
 LT: [yelling] oh hey! whoa! whoa! what the fuck was that? are you fucking serious?

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(b)(6), (b)(7)(C) [calm] yes, I am.
 here comes ANP
 LT: you know as well as I do you can't do that
 (b)(6), (b)(7)(C) [calm] I know. Where's Paula? Where's Paula?
 LT: I need your weapons. You know that. Take this. Man, are you serious?
 [weapon clearing sounds]
 you want this guy up there?
 LT: don't touch him.
 LT: take this. you and him are security.
 [distant] no one fucking comes through down there. go with the LT. dumb son of a bitch. don't
 fucking say shit like that.
 TERP: [indistinct]
 what?
 TERP: they want [indistinct]
 Sir
 LT: (b)(6), (b)(7)(C) where's your team that was in the building?
 Sir, they're still in the building with the guy sir.
 LT: Did you explain to him what happened?
 I talked to him.
 Cause he needs medical attention.
 Probably.
 Okay.
 I told him to just stand by, and [ind] will take care of him
 LT: Jesus fucking Christ
 LT: Hey - that wasn't us firing was it?
 That's ANP down there.
 LT: they haven't linked up with QRF have they?
 No, QRF's still enroute.
 Okay.
 LT: They need to hurry the fuck up though.
 LT: Hey, call fucking company, let em know we just had a fatality and we have one local national
 that's injured and needs medical treatment. Tell em [ind] hey! This dude, it's just a fucking
 knock in the head, right?
 Yeah
 LT: Let him know we have help coming and we'll treat him when the help arrives
 LT: Let them know we have one fatality. (b)(6), (b)(7)(C) just shot a dude in the goddamn head.
 You want me to tell them that?
 LT: Yes. We took his weapons, and uh, ask them ETA on the QRF.
 1:27:22
 LT: Just fucking capped a guy in the head.
 Did they spot the, uh, did they spot the, did (b)(6), (b)(7)(C) spot him?
 I know he was the one running. He fought when they got him.
 LT: No (b)(6), (b)(7)(C) saw him down there, and he said that's him
 Cause I know he uh he was fighting when we tried to take him down
 LT: Hey, who is that?
 We had uh, one local national...
 [movement, walking/running]
 LT: Okay
 If they get butt hurt, they get butt hurt
 LT: That was good
 LT: Hey, (b)(6), (b)(7)(C) call company, tell them we have an ANP vehicle to evac this casualty
 Hey, let them know
 who's stuff is that sir?
 that's his, that's his
 LT: is SGT (b)(6), (b)(7)(C) in here?
 LT: Hey, SGT (b)(6), (b)(7)(C) at least two guys from your team that's in the building take the dude

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that's wounded, put him in the back of the truck and put as much of the team in the truck as you can to secure the truck back to the FOB. We'll walk and follow. They need to get there as fast as we can walk.

hey come on

correction - the local national is still on the ground, break

the US civilian is being loaded up now

back seat sir?

are you putting her in there?

LT: put this wounded dude in the back seat, put your team in the back with him

LT: hang on, (b)(6), (b)(7)(C) going to have to be in the back

sir can I be in here?

LT: no, we need you out here

LT: (b)(6), (b)(7)(C) - you got your guys ready?

LT: hey is he back?

hey you guys going back to the FOB, and we're going to be on foot

we're moving!

LT: hey, we'll leave him here, don't worry about it

LT: we'll take care of him here after you leave. put as many of your team in the truck and get to the FOB.

So he's going to go in the truck?

LT: Who?

Him, yeah.

LT: I need you in the passenger seat so he knows where he's going.

yeah, yeah, I'm putting someone there

he's going in the truck, right sir?

LT: no, we can treat him with one of ours

you guys go in the truck, you guys go with (b)(6), (b)(7)(C) you're in the front seat

LT: make sure he knows where to go

[calling information over radio]

[vehicle accelerating]

are you going with?

we've got to secure this local national, get him the fuck out of here, make sure he...

hey, they've got QRF

1:31:55

QRF's right there

yeah, I already told them, turn around

[brief siren]

LT: Hey, SGT (b)(6), (b)(7)(C) can you have someone take some shit out of their aid kit and just wrap up this guys head

yeah...hey, ____, wrap up this guy's head

LT: once these guys take off, go back to the near corner, just walk it off

we got to wait and find out what they want us to do with this dead motherfucker

did somebody die?

alright, I'll get security over here sir

LT: alright, (b)(6), (b)(7)(C) let them know the casualty's on the way with 1st platoon in an ANP vehicle time now

LT: just submit that

comanche main, comanche main this is 36C... the casualty is on the way back in an ANP vehicle time now, break

[radio traffic]

LT: what'd he say? good copy?

LT: let them know we still have the KIA where he lie. We'll take pictures for evidence or whatever.

Ask them if they want us to LT: take him to Huta, take him to the district center - I don't know

what the fuck to do with the dead guy.

comanche main this is 36C...

how we doing?

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LT: you want the short of it?

yeah

LT: we got the HTT standing at the corner, talking to a bunch of kids. Some guy lit a can full of oil, threw it on Paula. Um, (b)(6), (b)(7)(C) saw him running away, told the guys to shoot him, they didn't shoot him. They ended up tackling him on the other side. Worked the casevac piece.

Platoon Sergeant thought he saw the can of oil come over the wall of the compound, so they went in the compound to get the guy. While that was happening I found out (b)(6), (b)(7)(C) saw the guy we had and had him apprehended. So this guy had a head wound. We told him to explain what happened, why we were in his house, and treated his head wound. Um, as I was walking back, uh, I saw (b)(6), (b)(7)(C) and I think some 3rd squad elements down there. They had the guy who done it secured. So I walked past, and that's when I heard (b)(6), (b)(7)(C) shoot. He shot the guy they caught in the head, um, so I took his weapons from him. Um, he wanted to see Paula, make sure she was okay. I didn't want to hog tie him...

Who were our witnesses for the uh, for the incident with (b)(6), (b)(7)(C)

LT: Um, I think it was SGT, ummm...

So the guy was unarmed, and he shot him in the head?

LT: Yes.

So he assassinated him?

LT: Yes.

He's bounded right back there 1SG.

Okay, I need to go see the body.

I'll take you to him.

Okay.

Where was the wall? Was this the qalat?

LT: He's taking them now?

He's taking pictures now.

Was that the pot?

That was the pot.

There's a lighter right there.

Uh, I think they just got a little too close.

How bad are the burns?

LT: Pretty bad.

Give me an example - 80% of the body...?

LT: 60-70.

It looked like most of the clothes was burned off. Maybe some second degree. Looks like her upper body and face got the worst of it.

Aw, Jesus Christ. Alright, so who was present when this thing went down?

LT: It was (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C)

Okay, tell me your account.

This guy came running down, and we didn't know at the time what happened down there. We took him down, he was in the water, brought him up, and cuffed him. He was on the ground. We were pulling security down this way and got set up. (b)(6), (b)(7)(C) went down after he heard that Paula was hurt and secured his pistol and just shot the guy in the head.

... punch you in the face.

Was he violent when he got sh.. when he shot him?

Roger, 1SG.

Okay. So that's the entry wound or the exit wound?

That's the exit wound I believe.

So his head was the other way?

Yeah.

Was he up on his knees or anything?

He was on his fucking side.

So (b)(6), (b)(7)(C) was there?

SGT (b)(6), (b)(7)(C) was just around the corner.

I was walking down around the corner, 1SG. Heard the shot, came running back, saw he was on the ground...

Did he have anything on his hands?

He was on fire, he has burns on his arms.

So he was the guy?

He was the guy 1SG. He was running down here. There was an old man with the wood, he ran to that side. And this guy, uh, was running down on fire. (b)(6), (b)(7)(C) tackled him with (b)(6), (b)(7)(C). They proceeded to detain him. He fought back with them pretty solid. They got him down, got zip cuffs, put them on him.

So all your actions, that's what you're supposed to do.

Roger. There's nothing really, that I saw... I got pictures... I don't know, I didn't get any of that.

Any verbal exchanges between the two?

(b)(6), (b)(7)(C) and this guy? Yeah, (b)(6), (b)(7)(C) had the terp asking him...

There was a terp present?

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

(b)(6), (b)(7)(C) was pulling security on him. He was the security guy.

You know these HTT guys, they're not interrogators.

Roger, he wasn't interrogating him, he was he was pulling security

He shouldn't even be around the guy (b)(6), (b)(7)(C) not a shooter guys.

What kind of questions did you ask this guy? With (b)(6), (b)(7)(C)

TERP: This guy? He doesn't talk to me. I ask him what happened. He said sometimes I can't control myself, he said sometimes even during the night I am like taking of my clothes and walking around like I am some kind of crazy. I can not control myself.

This guy said that?

Yeah.

Toothbrush.

I got to get me one of those.

1SG: Just shake him down, find out what he has. Okay, your'e going to be required to do a statement. We need to treat this like a crime scene. Get pictures, catalog everything, make sure you see the zip cuff, in kind of the configuration he was in.

LT: Roger 1SG.

1SG: Alright, thank you.

Yeah, I seen the burns on his hands, so perhaps throwing it up and over, some of it would have came out and burned him.

TERP: [ind]..5 or 6 [ind]..then I told him, why you not talking to me?

1:40:40

[ind conversations]

Is there any way we could get some questions from inside the qalat that they PID'ed this guy as the one who threw it over?

LT: ...kids, I guess this guy. No one knew what was going on inside the qalat cause we went in and ..

So there was an engagement right there?

Where were you guys at?

We were, myself and 6 were right around the corner. We were talking about moving our plans and then we heard "oh shit" and everyone started running and I turned around and she came around the corner on fire. We spread everyone out. We were trying to throw dirt on her. We cleared a path and we pulled her into the water.

Ok, good. You got her in the water?

We pulled her into the water and we were just kicking water and splashing water on her to put the wounds out and then (b)(6), (b)(7)(C) started working on her immediately.

...with oil..

leave it on for now, just catalog with pictures

and after we were working on her is when we were told it came over the wall and I went over there with one of my teams and we searched the whole compound. We found one guy in the back running and hiding from us. When we went to grab him he started fighting with us and that's when we grabbed him and he got the head wound. We took him out and explained to him after he was out here, we explained to him what happened and we treated him and then we told them that he was over here. We were talking, me and 1LT (b)(6), (b)(7)(C) were talking over there and ANP started

firing at something.

We heard them. They were just, they were just clearing the road. Curious people were coming. That's what we figured and when we looked back that way we heard a gunshot from back here and when me and him came on site, that's when we came up that's when we saw (b)(6), (b)(7)(C) standing with his weapon, and that's when LT (b)(6), (b)(7)(C) [ind]

Did he use his handgun or?

His handgun, cause his rifle still had the [ind] barrel [ind] 9 mil
1:42:54

Who physically saw (b)(6), (b)(7)(C) shoot the guy?

Okay, you're required to do a statement.

Yeah, he uh. When I, when I was down on this side 1SG, and I heard everybody yelling and moving into position over there, this guy was running and (b)(6), (b)(7)(C) was already back over here. So he stopped and that guy tried to fight with him and he threw him up against the wall. I guess he tried to get up again at another point. By that time I moved down to the location to make sure with what we were doing down there and start working 9 line, and uh, that's when I heard.

The guy definitely did not get shot in the scuffle. He got shot when [ind]

He got shot [ind]

Sir, there's reports on ICOM chatter. There's an IED, a kettle, they said that, clear the area, try to get as far as possible.

LT: What area?

This area. Right around here.

It's too late.

I think that's what they're talking about, that little kettle that they had filled with fuel.

LT: Tell them it's a little late for that.

Hey 6, we're getting some reports from another individual. I guess the ANP said they saw a guy run out the backside of this building. Had a cover around his face. He ran out, went down this little alleyway back here. We got kids on the other side down there that are talking to (b)(6), (b)(7)(C) and they're saying that guy had something to do with it too. And the thing that worries out too. I told them hey, we're not going to chase anybody right now, we're dealing with the situation at hand. I'm just giving you an update on what we do have over there right now.

LT: Thanks.

He took this. (b)(6), (b)(7)(C) had the 9 mil.

LT: Can you just make sure everyone's pulling security right now?

Yeah.

I know up there I got one up there. He's securing that area. They're doing the SSE right now. So I got him pushed out, him and 4 pushed out. I got (b)(6), (b)(7)(C) and his guys doing SSE right now, taking pictures, identifying. And uh,

... body bag...

Hey, we only need, we only need a few guys here, alright?

QRF still out here

No, they ended up taking back and I haven't heard if they came back yet, but uh that way we can find out who the family is, we need to have the ANP you know at least try to retrieve the body. We're not going to take the body. ANP will receive the body. Once they retrieve the body though, they need to take off the crucicuffs, and get him in a body bag, and see if the ANP knows who the family is so the family can claim him.

1:45:24

LT: When 1st squad is done doing their SSE up there I can take him to the district center and..

Yeah, we got some ANP down here

LT: I do, they're right there

We can just grab a squad of them

LT: Okay

We've got to reduce the amount of people that see this thing, like we got a young kid here who doesn't need to come down and see this

I'm going to go get him right now. He's the one saying we've got some more guys who were involved.

Hey sir.

Yeah?

I've got this guy outside here. I told him don't move or you might get shot. Uh, he's still sitting over there.

This guy here?

Well, the one with the wood is still over there, and there's one in the corner I was talking to trying to get information from. He says he's got good information so I don't know, after this is all wrapped up if you still want to talk to him or not.

LT: Probably just let him go.

Okay

Let's find out where he lives and catalog

LT: He says he lives on this side of Chel Gazi but he couldn't pinpoint. We have to have him walk us there and find it, so if we can hold him here until this is taken care of and track him then.

Hey.

[walking]

LT: (b)(6), (b)(7)(C) make sure nobody comes down here. I need you to stay with him, let him know we're taking care of the situation that happened. Don't let him know too much of what happened. Just tell him there's a situation and we're taking care of it. Once it's taken care of, we'd like him to show us where he lives.

Okay. Should I tell him to stay here or..?

LT: No, just stay here. That way we can keep an eye on him.

[Afghan talking]

LT: Have him have a seat. Stay with him, make sure he doesn't go anywhere. We'll be back. ... she's like, should I go into shock yet, and we're like no, no no. She's like "I'm cold", she kept telling us "I'm cold". I said "okay Paula, I'm getting a blanket". She kept asking for...

1:48:33

...jug and the lighter, put them in the bag right now, and numerous pictures of the area, around the area..

LT: Hey, uh, (b)(6), (b)(7)(C) need to talk to the ANP real quick.

Sir how are you, hi.

[talking through interpreter with ANP]

TERP: Did you capture the guy?

LT: Yeah, tell him we captured the guy. He got shot and is dead now.

TERP: When is it possible, your squad, uh...

LT: We took pictures, got all the information about the scene. We'll need a bodybag and identify the body. Is there anyone who can identify?

TERP: There was no onehe put fuel on...he was talking.

LT: No, he put fuel on her.

TERP: No, no, there was no...

LT: She was an American lady, not a soldier.

TERP: [ind]

LT: There were a bunch of guys securing the area. They thought apparently it was a jug of water, or ...

LT: Tell him we can take him to the body. (b)(6), (b)(7)(C) - find out what 6 wants.

[walking]

LT: Yeah, 1/6 this is 3/6. 1/6, 3/6.

Give the boss a good sitrep. Let him know we want ANP to get control of the body. Let him know what we're doing. Let him know it's been catalogued, there's been pictures, all the information, we've searched the body, but the ANP are going to take the body.

[radio traffic]

LT: Hey 1/6 this is 3/6. Roger, we currently have the area secure. The ANP and the assistant district leader have shown up. I got guys moving to the north to link up with your guys for the body bag time now. ANP are going to take control of this body. I need to send up a sitrep to Comanche 6 if you have nothing else.

Radio: Roger, you need to ID that body before you turn it over.

LT: Uh, we have an interpreter who saw the incident and IDed him as the one who threw the oil on the HTT member. As far as individual identification, the ANP will assist in that.

Radio: Roger, I think what we need to do is find an elder [ind] rule out that he's a local [ind]
 LT: Roger, I'll work with the assistant district leader on getting an ID on him, over.
 Radio: Okay roger. I'll be moving to your position shortly my interpreter just showed up.
 LT: Good copy.
 [radio traffic]
 1:56:54
 LT: Comanche 6 this is 3/6, over.
 Radio: go ahead
 LT: Roger, how copy the situation report I sent you, over?
 Radio: [ind] cordoned area off, taken pictures, taken elder from the village to identify and see if he's a local from the village or from somewhere else before we release the body.
 LT: Roger.
 LT: Commander wants positive ID before we let them take it. Get with the village elder.
 Yeah, yeah, we're trying to get that. It's a matter right now of trying to get someone to claim the damn body. No one will come forward.
 Why not?
 What happened to this guy? He just happened to be a victim of circumstance?
 Just let this guy know, if he wants to do a follow-up with us tomorrow, he can come to Huta. We'll give him a note and re-check his head.
 You don't know who the village elder is here do you?
 b(6), b(7)(C) He's way on the south side.
 [walking]
 LT: Alright, what's going on now?
 Just to let you know, I told SGT b(6), b(7)(C) but this guy, he's not fucking live anywhere near here. He works in the bazaar yes, but [plane flies over] September IED strike, back in September? That's where this motherfucker lives. I know his face. He doesn't live over here, he lives over there, like 5 klicks away.
 LT: Where is b(6), b(7)(C)
 Yeah, I got a [ind] right here.
 I'm telling you, I'm telling you for sure.
 He's sure he's sure man.
 [talking to someone through interpreter]
 LT: Hey, what were you doing in this house?
 TERP: He said, I am living in this house almost 5 years ago. When Americans are coming to Afghanistan, I am living in this house. He said that this way they know me and I'm living here a long time here.
 LT: b(6), b(7)(C) what?
 [ind]
 LT: That's bullshit. His name b(6), b(7)(C)?
 TERP: His name b(6), b(7)(C)
 LT: Alright, let him know [ind] did this, let him know if he has problems with his head he can come to Huta. Get a picture of this guy.
 TERP: He has a pain in his head, I let him know... come tomorrow...
 LT: Tell him we need to take his picture too.
 LT: What was the name of that village [ind] said he saw him at?
 It was right off [ind] area
 LT: Okay. Sure he's sure. Just keep him here. When the assistant district leader comes back I'll ask him.
 [walking]
 [helicopter flying]
 2:04:04
 All right, we'll deal with that later. I'm going to walk down here and check on the situation.
 LT: Where are your guys at right now?
 I've got two dismounts right here, ... give you guys some additional coverage.
 [radio traffic]
 LT: Did you copy that?

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[ind] wants to know where it is.
[Afghan talking]

2:07:06

Hey, the body ain't going anywhere until somebody identifies him.

2:08:04

No one here can identify him.

This guy says there's some kids around here knows who he is. We're trying to get those kids. If that doesn't pan, as a backup we'll ...

Hey guys, get the old guy, the older one. Not the young kid, get the young kid out of there. Get the young kid out of the way.

[walking]

[Afghan talking]

LT: so what did he say?

TERP: He says he's from Kandahar city, and he was asking where is the compound he was at night.

LT: Does he know the guy that burned the girl?

TERP: Yeah.

LT: He knows him?

TERP: No, no, he don't know. He says I seen him. He is from Kandahar city, and he was guest here last night. He says we should go there to that house and check.

LT: Bring him with us?

TERP: Yeah.

[walking]

2:12:45

Want me to take a picture of this guy too?

LT: Yes.

LT: He's from Kandahar city, he was here visiting last night, and they're going to take him to see if he was where he was staying.

He was just walking...

LT: The guy they just arrested, he had nothing to do with the incident.

[Afghan talking]

TERP: ...and says, ... Kandahar city ... find out what was he doing here, what was he, a guest or...?

LT: So they just want to find out why? Okay, as long as they know he had nothing to do with this.

Hey sir, this is the guy SGT [REDACTED] was talking to when this all happened. He was just trying to...

LT: They're not even interested in this guy. They just want to ask him more questions..

Yeah, he was just talking to us and the other guy just happened to be walking by.

LT: We haven't had anybody positively identify this man.

[Afghan talking]

LT: Tell him we can't let that body go until we know who it is. [airplane flies over]

2:17:55

2:19:57

Any luck sir?

LT: Yeah, they're going to get the district leader to identify him.

The district leader knows him?

LT: Sorry, the village elder.

I was going to say, man this guy's connected.

... guy with the wrap on his head?

Yeah, I'm positive of that. I'm 99 percent sure.

Village map, that's what I'm talking about.

Map more village.

Assistant to the assistant to the assistant...

quick lobotomy

2:22:06

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LT: I know, right? He's fucked. He's done.

Who is?

I saw, I saw, I saw him grabbing him, so I stepped around, and I was like from the body bag when he shot him

son of a bitch

fuck

come on (b)(6), (b)(7)(C)

yes

As soon as he heard (b)(6), (b)(7)(C) name, like [click click click noise] then he said he took his weapon, he walked down there, he said I killed Paula. I'm working on Paula and I'm like what? what, what? he struggled and killed him

he defended himself

there's no fucking zip ties

it's good they cut them off already

they didn't want the ANP to see him zipcuffed and shot in the face, so we cut them off

what can you prove?

this is bullshit. this guy fucking deserved to be killed. I have no problem saying that.

Did you see him fight all three of us down here?

LT: No, I didn't see until

... and (b)(6), (b)(7)(C) we were trying to keep this guy down, he was fighting us all

I heard commotion, I peeked over the wall, I was like, oh crap, they fucked some dude up. I

jumped back over the wall, told dude stay here you might get shot. I didn't know what was going on at the time. I saw a big fiery pit down there. I'm like, oh shit. And then they're fucking, beating this dude up.

Yeah, that's why I carry zipcuffs in my fucking bag.

I know, this is the first time we've used them.

What are you talking about, I've used zip ties before.

I don't know, well..

We're all tracking [ind]

That's going to be, honestly, if comanche 7 tells me he wasn't zipped up, I'll be like roger, I'll go with it. Comanche 7 is already tracking this thing, that's why...

He wasn't zip cuffed. There was a struggle and he fucking shot him.

What happened to the other guy? The big fat one?

I don't know. I thought uh, the other guy with the wrap on his head?

No, no, there was (b)(6), (b)(7)(C) and the other dude, (b)(6), (b)(7)(C)

2:24:15

[walking]

2:26:30

We're going to HIDE this guy. There's another guy...

[discusses emplacing security]

2:28:23

All they're waiting on for the body is to get a positive ID, and they're going to let the ANP take the body.

[walking]

[Afghan talking]

2:29:50

TERP: [ind]

LT: This is they guy they arrested? Tell them we're not too worried about that guy, cause he really didn't have anything to do with this. Our primary concern is this guy we need to identify, so we're not really concerned with that guy, we want to know who this guy is.

Got some potential hostiles.

LT: Where?

He said did the ANP arrest anyone?

LT: They took one guy into custody, but I don't think they're arresting him.

LT: (b)(6), (b)(7)(C) what did they say about identifying him? Let him know we can't move the body until we identify him. The longer they wait the longer he's going to stay here. We have no problem

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13 of 14

picking up (b)(6), (b)(7)(C) ourselves.

TERP: It's important to find out if this guy has link with this guy or not.

2:39:07

I just briefed the squad leader, but I've been around too long, I just had a good friend of mine go down for an EJ case, [ind] killings, how it happens is, is witnesses to things that happen, they [ind] the Army, start telling these stories. Before you know it it gets back to a New York Times reporter, they open an investigation, and before you know it you have [ind] get out of the Army, he's got two kids, he's got a good job, and all of a sudden [ind], so you tell what you saw.

...grown ass man...

I wasn't present, it's one of my boys involved, you let me [ind]. But he's not a shooter in the first place. I'm not going to put my kids in a precarious position or their integrity on the line, so. They going to serve their country, are they going to get out of the Army and they're going to get out and this is going to come back to haunt them, I fucking guarantee it.

... what they saw...

... we have pictures ...

...guy who saw this is the guy

... doesn't help his case at all...

... grown ass man ...

...upon himself...

... flexcuffs on...

... don't know what we can do about that...

I took them off. It was an ANP decision.

I think he was more concerned [ind]

I told him we left it the way we saw it..

...he put us in a position...

2:41:55

I have all the pictures on this camera right here sir. We got, his arms, the burn marks on his arms, his tattoos.

LT: What are the tattoos of?

One is his name. (b)(6), (b)(7)(C) the tattoo on his arm, didn't it say his name?

TERP: His name is Abdul Salaam.

That's what his tattoo says?

LT: That's a battle axe

This says (b)(6)(b)(7)(C) the tattoo on the left forearm.

2:43:00

TERP: I told her the other day don't let everyone come up like this but she said no, no, don't touch anyone. I said it's no problem, as you wish, cause I know, things are happening like this. So what happened over there?

Dude was walking over there with a can full of fuel, and just threw it on her.

Oh, he threw fuel on her first and then lit her?

I don't know, I just looked back and all I saw was whoosh, and oh shit man.

TERP (b)(6), (b)(7)(C) said that he put fuel and the fire was there, so if you put fuel, keep it.

(b)(6) was saying something about when I was treating her. She kept saying, asking for a lighter or something. I don't know exactly what's going on with it, but that's what she was saying. When we get out of the area and get debrief on it, we'll know exactly what happened.

TERP: Also (b)(6) said too the big guy

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

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

But (b)(6), (b)(7)(C) took off with her. (b)(6) kept saying the whole time, stay with me, stay with me.

TERP: When she was talking with someone ...

[radio traffic]

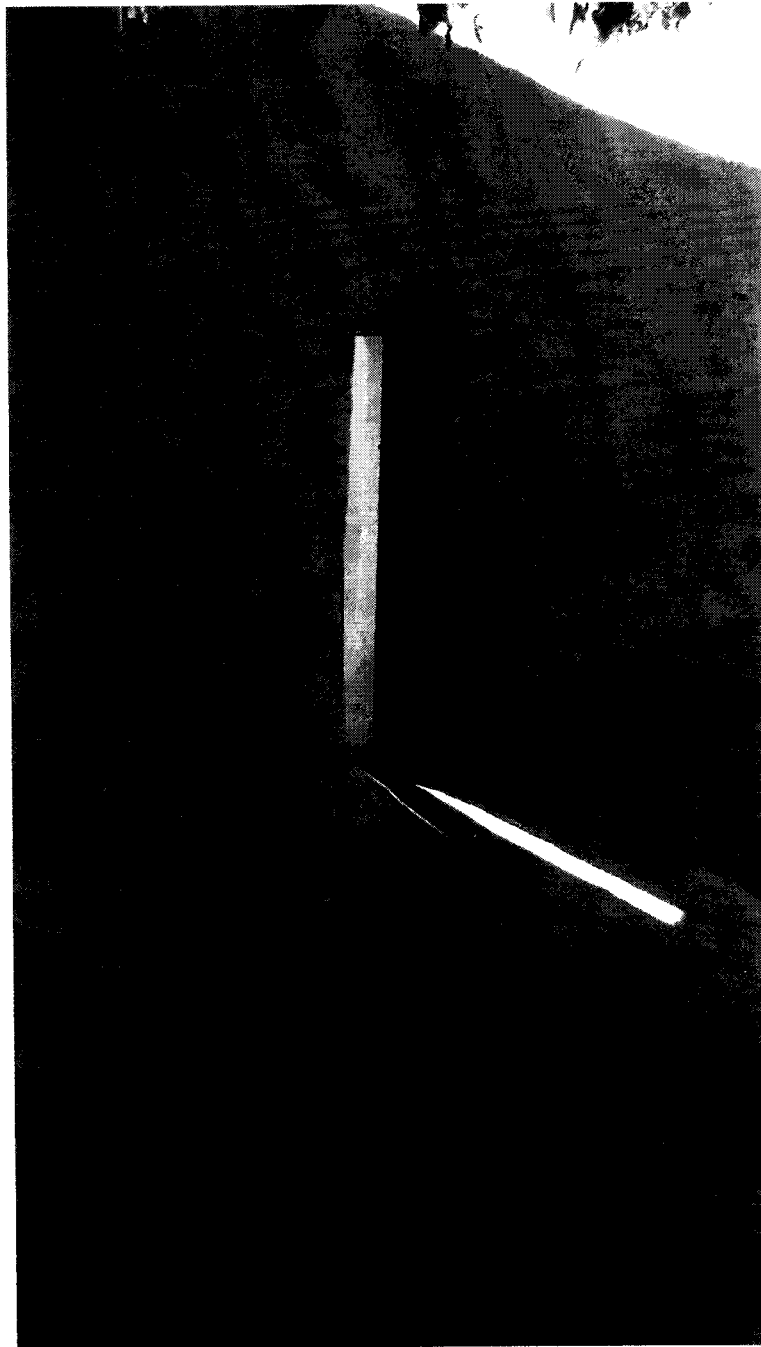
3:01:49 [end of recording]

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EXHIBIT 6

PHOTOGRAPHIC PACKET
Photos taken by Soldiers of C Company, 2-2 Infantry



Doorway to building next to fire attack site, with scorched ground where Ms. LOYD was caught on fire.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

PHOTOGRAPHIC PACKET
Photos taken by Soldiers of C Company, 2-2 Infantry



Creek next to the fire attack site, where the metal container was found.



Metal container used in the attack, found in the creek afterward.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary (b)(6), (b)(7)(C)

1. LOCATION: FOB Hatal
2. DATE: 2008 11 20
3. TIME: 14:26
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-6 SSG

8. ORGANIZATION OR ADDRESS: Co 2-2 IN 3-1 IO FOB Hatal, Afghanistan

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

On 04 NOV 2008 around 1000 I was talking to a local national about information in the village of Chihel Ghazi. I heard comotion to the north along a road - when I went to check on my squad I saw 1 personnel laying face down being apprehended. He was being guarded by PFC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) I gave them my flex cuffs to detain the individual. Once the individual was detained I went to the northern edge of the road and our medic SPC (b)(6), (b)(7)(C) asked for my help in treating the HTT member (b)(6)(b)(7)(C) who had been burned. I was assisting the medic when (b)(6), (b)(7)(C) came up to me and told me he shot the detainee in the head. Upon completion of the medic I went back to the detainee and started to do a thorough search of him. There was one entrance wound in the left temple and an exit wound in the right temple. The detainee was still zip cuffed. We then attempted find the identity of the detainee. -Nothing follows-

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

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

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT For Hotel DATED 21 Nov 08

9. STATEMENT (Continued)

Nothing Follows
Nothing Follows
Nothing Follows
Nothing Follows

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

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Fob Hotal DATED 01 NOV 08

9. STATEMENT (Continued)

Nothing Follows

Nothing Follows

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

Nothing Follows

Nothing Follows

(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)

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

WITNESSES:

ILT (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) C/2-2 IN
ATION OR ADDRESS
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOV 2008 at 1513 Fob Hotal, AFGHANISTAN

(b)(6), (b)(7)(C)
ILT (b)(6), (b)(7)(C)
(Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

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

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Fob Huta; 2. DATE: 20081104; 3. TIME: 1428; 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-6 / PSC3
8. ORGANIZATION OR ADDRESS: 3rd PLT Cco 2-2 IN 3rd BDE 1ST ID

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 04 NOV 2008 at around 1000hr we were on a Tetrah Mapping Patrol AT (b)(2) we had set in security to the north + south. I was make my rounds to ensure security was Good. I had moved TO the South position. While checking on my men I heard a lot of yelling coming from the North position AT that time I began moving there to see what was going on. when I saw a LN male running away from the north position. (b)(6), (b)(7)(C) A HTT member was the first to make contact with the LN. They fought for a min before (b)(6), (b)(7)(C) tackled him TO the ground then we a couple of 3rd squad behind me. I continued to move Pat then to the north position. where I saw Paula another HTT member Badly Burned. I called up Company to (b)(6), (b)(7)(C) report what happened and called up for QRF to pick up casualty. After the situation had calmed down I heard that the LN male had been shot. QRF showed up on site to help secure the area a few minutes later (b)(6), (b)(7)(C) asked me if they had removed the flex cuffs from the LN male that had been shot I told him NO. nothing follows!!!

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 1428 DATED 04 NOV
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE 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 1428 DATED 2008/10/4

9. STATEMENT (Continued)

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

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

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

(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 1428 DATED 2008/10/4

9. STATEMENT (Continued)

[Large section of the page is crossed out with a large 'X' and contains several redacted blocks labeled (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) [Redacted Signature]

WITNESSES:

(b)(6), (b)(7)(C) [Redacted Name]
(b)(6), (b)(7)(C) [Redacted Name]
12-2 IN [Redacted Address]
[Redacted Address]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOVEMBER, 2008 at 1513, FOB HOTAL, AFGHANISTAN

(b)(6), (b)(7)(C) [Redacted Name]
[Redacted Address]

ILT (b)(6), (b)(7)(C) [Redacted Name]
(Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
(b)(6), (b)(7)(C) [Redacted Initials]

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB Hualal
2. DATE (YYYYMMDD): 20081104
3. TIME: 1428
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/PO
8. ORGANIZATION OR ADDRESS: 3rd PLT Co 2-2 INF 3rd BDE 1st ID

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On the 4th of November 2008 at around 1000 hours we were sitting in on security in the District center while Paula the civilian and her people were talking to (b)(6), (b)(7)(C) the locals. I was 10 feet away watching the North to ring road south when I heard a yell looked over at the dispersing group and saw someone in flames. Our Platoon leader Lt. (b)(6), (b)(7)(C) started putting her out on the ground, then he ran over to nearby stream a took his helmet off, then proceeded to get water than ran it to her, to aid in putting (b)(6), (b)(7)(C) out. Then I looked to the (b)(6), (b)(7)(C) south to see a man in Blue running and he tripped and fell into the water while running. (b)(6), (b)(7)(C) I remained in same position, posted holding security.
After (b)(6), (b)(7)(C) was put out, and (b)(6), (b)(7)(C) was attending to her wounds. I look in the same direction (to the south) that the man was running to see someone hitting (b)(6), (b)(7)(C) what seem to be a prisoner, he was (b)(6), (b)(7)(C) thrown into the stream and kicked in the face by what looked to be the (b)(6), (b)(7)(C) interpreter (b)(6), (b)(7)(C)
end of statement

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____
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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Hufal DATED 20081104

9. STATEMENT (Continued)

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

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

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

~~(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)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Hufal DATED 28081104

9. STATEMENT (Continued)

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

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 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 (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 NOV, 2008 at 1513, FOB HUFAL, AFB HAWLSIDE

WITNESSES:
ILT (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
1-2-2 IN
TION OR ADDRESS

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

C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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

SWORN STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB Huta1 AFGHANISTAN
2. DATE (YYYYMMDD): 20081104
3. TIME: 1429
4. FILE NUMBER:
5. (b)(6), (b)(7)(C)
6. SSN (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-3/PFC

8. ORGANIZATION OR ADDRESS: Cco 2-2 IN 3BDE, 1ID FOB Huta1, AFGHANISTAN

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

At around 1000hrs November, 4, 2008 3rd plt was on patrol. I was pulling security down an alleyway when I heard a scream and a lot of movement going on. To my left I seen a man running towards my direction and other members of my plt yelling stop that man so I started towards him before I got to him (b)(6), (b)(7)(C) had started trying to detain him the man still was resisting so I moved on to them and assisted him with detaining the man after a few moments we had the man down and flexcuffed I pulled security on the man for a moment's then was told to return to my position in the alleyway and pull security down the road. A few moments later I heard a shot fired and look to my left and see the individual down and blood around him and I turned back to my sector pulling security awaiting further guidance. Nothing follows.

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

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____
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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FoB Hotel DATED 04 Nov 2008

9. STATEMENT (Continued)

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

Nothing Follows

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

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

Nothing Follows

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Aftab DATED 04 Nov 2008

9. STATEMENT (Continued)

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

Nothing Follows

Nothing Follows

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

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

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

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE (b)(6), (b)(7)(C)

WITNESSES:

ILT (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
C/2-2 IN
TION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOV, 2008 at 1513, FOB HOTEL, AFGHANISTAN (b)(6), (b)(7)(C)
ILT (b)(6), (b)(7)(C)
(Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION FOB Hotal, Afghanistan	2. DATE (YYYYMMDD) 2008/11/04	3. TIME 1430 L	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-6 / Squad Leader	
8. ORGANIZATION OR ADDRESS C Co 2-2 IN, 3rd BDE, 1 ID, FOB Hotal, Afghanistan			

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

On 4 November, 2008 at approximately 1000 hours local time I was out on a patrol through the village of Chechel Gazi. While mapping the terrain and collecting grids to the buildings in the village I heard screams and commotion 20 meters to my rear. I turned around and saw (b)(6)(b)(7)(C) from the HTT team on the ground. She was on fire. I rushed over to her to provide assistance. I attempted to put the fire out by patting it with my hands and throwing sand on her body. SFC (b)(6), (b)(7)(C) from my squad was attempting to put her out as well by filling his helmet with water from a nearby creek and dumping it on her. 1LT (b)(6), (b)(7)(C) was assisting as well as a couple of the language assistants. She was drug into the creek and the fire was extinguished; at that time our medic SFC (b)(6), (b)(7)(C) started treating her. While we were doing this SSG (b)(6), (b)(7)(C) took a team from his squad and entered to clear the house right next to where the attack came from. I heard screams and commotion coming from within there so I entered to provide assistance. I witnessed SSG (b)(6), (b)(7)(C) struggling with a local national. I moved up to him, struck the local national in the face with my weapon, and assisted SSG (b)(6), (b)(7)(C). I then moved back outside and gave my PLT sergeant SSG (b)(6), (b)(7)(C) a grid to our current location so he could call in a MEDEVAC. He told me that PRF was coming to our location for a CASEVAC. I moved my squad

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 1430 DATED 2008/11/04"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Htatal, Afghanistan DATED 2008 / 11 / 04

9. STATEMENT (Continued)

up to the main Road, Ring Road South, so that I could direct the QRF to our location. I blocked all traffic to the West by emplacing my A Team Leader, SPC (b)(6), (b)(7)(C) I cleared all Eastern traffic out of the area through the use of numerous warning shots. QRF had not shown up yet when I spotted an ANP vehicle traveling West to East on Ring Road South. I stopped the vehicle and directed them down to the casualty. (b)(6)(b)(7)(C) was then loaded up on the ANP, now CASEVAC, vehicle. 1st PLT then showed up for assistance. I linked up with SSG (b)(6), (b)(7)(C) and told him the CASEVAC would be coming through and to just maintain security on Ring Road South. (b)(6)(b)(7)(C) was then CASEVACed to FOB Htatal. I brought my squad back down to the rest of the platoon. I then had my soldiers collect up all materials related to the attack and had them take pictures of the site. Me and my squad maintained security until it was time to move back to FOB Htatal. Nothing follows //

(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)

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Hotel, Afghanistan DATED 2008/11/04

9. STATEMENT (Continued)

[Large redacted area with a large 'X' drawn over it]

(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:

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

(b)(6), (b)(7)(C) 12-2 W

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of NOV 2008 at 1513

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

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

C COMPANY EXECUTIVE OFFICER (Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: Fab Hutal
2. DATE (YYYYMMDD): 20081004
3. TIME: 1430
4. FILE NUMBER:
5. NAME (FIRST, MIDDLE, LAST): (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS: E-4
8. ORGANIZATION OR ADDRESS: Co 2-2 IN 3BCT

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

I look over and saw the victim talking to one of the locale man. then the man took the pitcher of fuel and light it up on fire then toss it at her. at that point she started to scream and hit the ground. I was just on the other side of the pound, and run over to where she was at and tryied to put out the fire with dirt and my hands then me and (b)(6), (b)(7)(C) took her by her foot and drag her to the pound where we put out the fire. the victim names was poolia and she was talking during the event. when the fire was put out me and (b)(6), (b)(7)(C) carried her to a flat area near the pound and i started to treat her. all her clothing was burt off and all that was left was

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE 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 Job Hotel DATED 20081104

9. STATEMENT (Continued)

her helmet and body armor. as I was treating her. SSG (b)(6), (b)(7)(C) was walking by, when I called him over to help me with treating her wounds. then she was medevac on a ANP patrol car to Job Hotel. (b)(6), (b)(7)(C)

Nothing Follow

Nothing Follow

Nothing Follow

Nothing Follow

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Fob Hotel DATED 20081104

9. STATEMENT (Continued)

Nothrus Follow
Nothrus Follow
Nothrus Follow
Nothrus Follow
(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 (b)(6), (b)(7)(C)

WITNESSES:

1LT (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
1/2-2 JV
LOCATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOV, 2008 at 1513, FOB HOTEL, AFGHANISTAN (b)(6), (b)(7)(C)
1LT (b)(6), (b)(7)(C)
(Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB Hatal
2. DATE (YYYYMMDD): 2008/11/04
3. TIME: 1430
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-5/SGT
8. ORGANIZATION OR ADDRESS: C-co 2-2 INF 3-1 ID FOB Hatal, Afghanistan

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On Nov. 4, 2008 My platoon (3rd, C-co) was conducting a patrol around the local Bazar, my team had set in security while Paula and her team were talking to some locals. Then I heard some screaming and looked over to find her engulfed in flames, I rushed to help but when I got there the fire was already out, when I was returning to my team I saw (b)(6), (b)(7)(C) wrestling with a guy on the ground. As I went over to assist him he handed me a pair of zip-cuffs, As I was detaining the man he was resisting but I managed to get the man in the cuffs with his hands behind his back, I then was getting called on the radio to help my squad leader SSG (b)(6), (b)(7)(C), so I went to assist him.
Nothing Follows
Nothing Follows
Nothing Follows

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE 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 Feb Hatal DATED 2008/11/04

9. STATEMENT (Continued)

Nothing follows

Nothing follows

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

Nothing follows

Nothing follows

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

PAGE 2 OF 3 PAGES

Exhibit 14

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

TAKEN AT FOB Hotel DATED 2008/11/04

9. STATEMENT (Continued)

Nothing Follows

Nothing Follows

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

Nothing Follows

Nothing Follows

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)

(Person Making Statement)

WITNESSES:

ILT (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
12-2 IN

LOCATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOV, 2008 at 1513, FOB HOTEL, AFGHANISTAN

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

ILT (b)(6), (b)(7)(C)
(Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB Hutaal
2. DATE (YYYYMMDD): 2008/11/04
3. TIME: 1430
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-6

8. ORGANIZATION OR ADDRESS: Co 2-220 3rd BDE 1st ID FOB Hutaal Afghanistan

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

At roughly 1000 hours on 11/04/08 3rd PLT Co conducted a mission in Chaket bazi at the north end of town I saw a pitcher of fuel fall down and burst into flames. I was about 10 meters away. Once (b)(6) was engulfed in flames I saw (b)(6), (b)(7)(C) start to drag her into the water while the interpreter and LT (b)(6), (b)(7)(C) was in the water with his MCH off scooping water up to toss on her. At the same time I saw all the locals run to the north and south. Once (b)(6)(b)(7)(C) was put out SPC (b)(6), (b)(7)(C) our platoon medic started treating her wounds. SSG (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) came over to assist. They wrapped the wounds and loaded her on an ANP truck and transported her to FOB Hutaal for further treatment. (b)(6), (b)(7)(C)

End of statement

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

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

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HOTEL DATED DEC. 2008

9. STATEMENT (Continued)

[Large area crossed out with a large X, containing several (b)(6), (b)(7)(C) redaction boxes.]

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) (statement)

WITNESSES:

(b)(6), (b)(7)(C) [Redacted signature]
ILT
(b)(6), (b)(7)(C) [Redacted signature]
12-2 IN
TION OR ADDRESS
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOV, 2008 at 1513, FOB HOTEL, AFGHANISTAN

(b)(6), (b)(7)(C) [Redacted signature]
ILT
(Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

SWORN STATEMENT

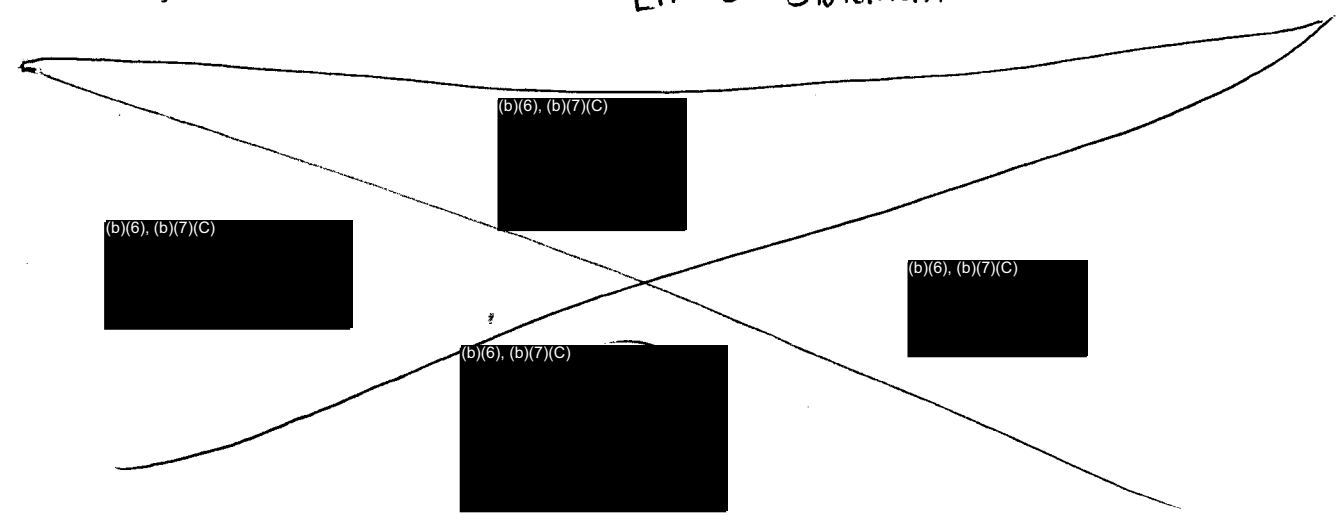
For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

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

1. LOCATION: FoB HutaI
2. DATE (YYYYMMDD): 20081104
3. TIME: 14:30
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: E3/RTO
8. ORGANIZATION OR ADDRESS: 3rd Plt Cav 2-2 INF 3rd BDE 1st ID

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
around 1000-1030 hours The HTT Personal was Struck by gas and light on fire. After I rounded the Corner I heard someone yell "O Shit" and looked in That direction to find the HTT personal on fire. A few seconds pass then she hit the ground. After another HTT member and a few other's helped her into the water. Then I helped put her out using the water. After calling over the net what happened we Caseract her out using a Aorp Truck. End of Statement



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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____
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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 Forst Hotal DATED 2008/1/04

9. STATEMENT (Continued)

[The main body of the page is crossed out with a large handwritten 'X'. There are four redacted areas within this section: one at the top center, one on the left side, one on the right side, and one at the bottom center. Each redaction is labeled with '(b)(6), (b)(7)(C)' in small text.]

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FoB Huta DATED 2008/10/4

9. STATEMENT (Continued)

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

AFFIDAVIT
I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:
ILT (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
12-2 W
LOCATION OR ADDRESS
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOVEMBER, 2008 at 1513
(b)(6), (b)(7)(C)
ILT (b)(6), (b)(7)(C)
(Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB HOTAL Afghanistan
2. DATE (YYYYMMDD): 2008 11 04
3. TIME: 1430
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
8. ORGANIZATION OR ADDRESS: C Co 2-2 IN 3 BDE 2 ID FOB HOTAL Afghanistan

9. I, SPC (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
At around 1000 hrs November 4 2008 3rd PLT was on patrol. At this time I was taking pictures of houses with my Squad when I heard a woman scream. I ran towards the noise to see what was going on when I saw a woman on fire. (b)(6)(b)(7)(C) was kneeling around on fire, and then (b)(6), (b)(7)(C) went to the ground. I rushed to the creek (b)(6), (b)(7)(C) which was no more than 5 meters from (b)(6)(b)(7)(C) PL, 1 LT (b)(6), (b)(7)(C) I see my (b)(6), (b)(7)(C) take his helmet off to fill with water and I do the same. I tried to put out (b)(6)(b)(7)(C) with water from my helmet until I heard my medic, SPC (b)(6), (b)(7)(C) tell everyone around her to put her in the creek. After this happened I went back to pull security on a alley that leads to the Bazaar. My Sqd Leader then tells me and the rest of the Squad to move up on Highway A 1 to secure the route for the casevac. My SL, SSG (b)(6), (b)(7)(C) went to the side of the road (b)(6), (b)(7)(C) while (b)(6), (b)(7)(C) and I took the West side. I heard a warning shot go off from my Squad Leader.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 1430 DATED 04 Nov 2008
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HUTAL DATED 07 Nov, 2008

9. STATEMENT (Continued)

He was telling all vehicals to turn around and starting firing warning shots at those who did not move. I starting telling Vepicals to turn around from the West side, and fired a warning shot at a bus that was moving to East, coming towards us. Then we saw QRF coming out of FOB HUTAL and going the wrong way. We signal them to come towards us and they do. Just before then; an ANP Vehical goes to the alley towards the casualty carrying a mattress in the road. QRF sets up outer security on the road. The ANP Casevac then moves out of alley carrying the casualty and a few addition personnel to treat her on the way to FOB HUTAL. After that I went back to the site of the attack and pulled inner security. Nothing Follows.///

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HOTAL DATED 08, Nov 2008

9. STATEMENT (Continued)

[Large section of the document is crossed out with a large 'X' and contains several redacted areas labeled (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:

(b)(6), (b)(7)(C)
ILT
(b)(6), (b)(7)(C)
CJ2-2 IN
ATION OR ADDRESS
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOV, 2008 at 1513 FOB HOTAL, AFGHANISTAN
(b)(6), (b)(7)(C)
ILT
(Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

Exhibit

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB Hatal; 2. DATE: 20081104; 3. TIME: 17:30; 4. FILE NUMBER; 5. LAST NAME, FIRST NAME, MIDDLE NAME; 6. SSN; 7. GRADE/STATUS: E-4/SPC; 8. ORGANIZATION OR ADDRESS: Co 2-2 IN

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: AT 1000 ON NOVEMBER 4th 2008 WHILE ON PATROL THE HTT WAS HIT. SHE WAS TALKING WITH SOME KIDS WHEN I SET UP MY SECURITY WATCHING THE ROAD TO THE NORTH I HEARD A SCREAM AND TURNED TO LOOK. THE HTT WAS FULLY ENGULFED IN FLAMES [redacted] AND THE CHILDREN WERE RUNNING AWAY. SHE RAN AROUND FOR A SECOND BEFORE SHE WAS PUT TO THE GROUND AND EVERYONE AROUND HER TRIED TO PUT HER OUT. I WAS WATCHING ON AND OFF BECAUSE I WAS PULLING SECURITY ACROSS THE CREEK. THE LAST TIME I LOOKED BACK SHE WAS CHAGGED INTO THE CREEK AND SPC [redacted] STARTED MEDICAL TREATMENT. QRF WAS CALLED AND WE E-RACED HER BACK TO FOB HATAL WHERE A CHOPPER TOOK HER AWAY. End of Statement

10. EXHIBIT; 11. INITIALS OF PERSON MAKING STATEMENT; PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE 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 1430 DATED 2008 11 04

9. STATEMENT (Continued)

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

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

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

(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 1430 DATED 2008 11 04

9. STATEMENT (Continued) (b)(6), (b)(7)(C)

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

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

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

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

(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 of Person Making Statement)

WITNESSES:

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

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

 TION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOV, 2008 at 1513 FOR HUTAL AFGHANISTAN

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

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

 (Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
 (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Fob Hotel
2. DATE (YYYYMMDD): 20081104
3. TIME: 14:30
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/SPC
8. ORGANIZATION OR ADDRESS: Cco 2-2 3rd BDE 1ST ID Fob Hotel Afghanistan

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
At 1000 on 04 Sept 2008 I responded to a single man running away from my platoon members on the northern side of a village we were currently pulling security at. As the man ran towards my position myself as well as PFC (b)(6), (b)(7)(C) and Mr (b)(6), (b)(7)(C) responded and attempted to detain the man. After approximately three minutes of struggle we detained the man with a pair of zip cuffs PFC (b)(6), (b)(7)(C) received from SSG (b)(6), (b)(7)(C). After the man was detained I left PFC (b)(6), (b)(7)(C) and Mr (b)(6), (b)(7)(C) with the man as I investigated the situation further up the path. Upon reaching the end of the path I witnessed Mrs (b)(6)(b)(7)(C) burnt on the ground receiving medical treatment from our platoon medic. I returned to the restrained man and informed Mr (b)(6), (b)(7)(C) and PFC (b)(6), (b)(7)(C) of the situation. At this time I received PFC (b)(6), (b)(7)(C) to return me back to his original security position. At this point I and Mr (b)(6), (b)(7)(C) were pulling security on the man as Lt (b)(6), (b)(7)(C) was approaching from Mrs Paulas position, while pulling security Mr (b)(6), (b)(7)(C) promptly leaned down and shot the man in the side of his head as he lay on the ground. Immediately after Mr (b)(6), (b)(7)(C) had his weapons taken from him by

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

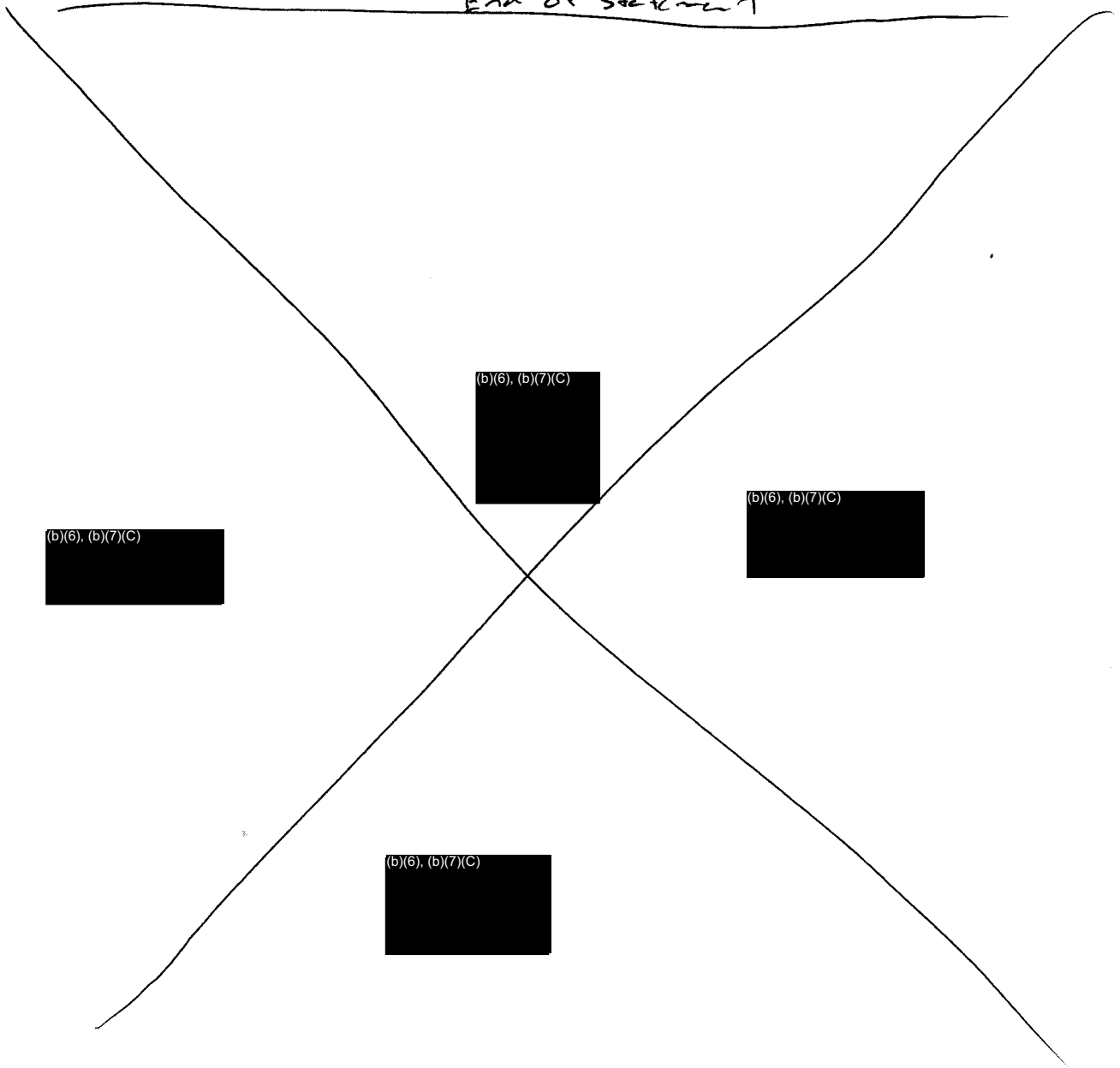
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

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 Job Hotel DATED 2008 11 04

9. STATEMENT (Continued)

Lt (b)(6), (b)(7)(C) and was told to head to the northern security position. Lt (b)(6), (b)(7)(C) handed the reports to myself after they were cleared and were later returned passed to SSG (b)(6), (b)(7)(C). At this point we secured the area and waited for further guidance.
End of statement



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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HOTAL DATED 2008 NOV 04

9. STATEMENT (Continued)

[Large redacted area with a large 'X' drawn over it. Redaction codes: (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:

(b)(6), (b)(7)(C)
ILF
(b)(6), (b)(7)(C)
12-2 W
TION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOV, 2008 at FOB HOTAL, AFGHANISTAN, 1513

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

1LT
(Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

INITIALS OF PER (b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB HUAL, KANDAHAR, AFG. 2. DATE: 70021104 3. TIME: 1436 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: O2/RA
8. ORGANIZATION OR ADDRESS: C/2-2 IN, 3-11 D

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 04 NOV 2002 I LED A PATROL TO THE VILLAGE OF CAHARL CAZI TO GATHER PHOTOGRAPHS/CCIR. MY PLATOON WAS AUGMENTED WITH THREE INTERPRETERS, THREE HTT PERSONNEL, AND THE HTT INTERPRETER. AFTER SECURING A SECTION OF THE VILLAGE, I/3/C BEGAN THE PHOTOGRAPHY MISSION. AT THE SAME TIME THE HTT BEGAN ENGAGING A NUMBER OF CHILDREN THAT HAD GATHERED NEAR OUR POSITION. THESE INTCL GATHERING EFFORTS CONTINUED IN THE SAME GENERAL AREA FOR APPROX. ONE HOUR. AS I WAS CHECKING ON THE 2/3/C ELEMENT SECURING THE NORTH SIDE OF OUR POSITION, I WAS APPROX. 10M FROM THE HTT TEAM AND THEIR ENTORAGE OF CHILDREN. WHILE SPEAKING WITH SSG (b)(6), (b)(7)(C) (2/3/C SL) I HEARD A SUDDEN RUSH OF FLAME AND A NUMBER OF SHOTS. TURNING AROUND I SAW PAULA (HTT) ENGLUFED IN FLAMES LARGE ENOUGH TO CAUSE EVERYONE AROUND HER TO BACK OFF 3-5M. AS I WAS SCREAMING TO GET HER INTO THE ADJACENT CREEK, I REALIZED THE FLAMES WERE TOO BIG FOR ANYONE TO APPROACH HER. PUSHING TO THE CREEK, I FILLED MY HELMET WITH WATER, AND INSTRUCTED THOSE NEARBY TO HELP. AFTER A COUPLE HELMETS OF WATER THE FLAMES HAD DIED DOWN ENOUGH AND TWO INTERPRETERS (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C)

10. EXHIBIT: 11. INITIAL (b)(6), (b)(7)(C) TEMENT: 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 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 FBI LUTAL DATED 04 NOV 02

9. STATEMENT (Continued)

(b)(6), (b)(7)(C) WERE THE FIRST TO GRAB HER FEET AND DRAG HER INTO THE CREEK. ONCE EXTINGUISHED SHE WAS REMOVED AND DOC (b)(6), (b)(7)(C) BEGAN TREATMENT WITH SSG (b)(6), (b)(7)(C) ASSISTING. AROUND THIS TIME SSG (b)(6), (b)(7)(C) (3/C PSG) INDICATED THAT HE THOUGHT THE CONTAINER FILLED W/ THE FUEL THAT IGNITED PAULA WAS THROWN OVER THE WALL OF AN ADJACENT COMPOUND. ONE TEAM FROM 2/3/C WAS SENT INTO THE COMPOUND TO CLEAR IT + FIND THE PERPETRATOR. WHILE THEY WERE DOING THIS, (b)(6), (b)(7)(C) CAME TO ME AND SAID HE SAW THE PERP AND POINTED IN THE DIRECTION HE RAN. THE DIRECTION INDICATED WAS INTO MY REAR SECURITY ELEMENT, 3/3/C. MOVING TO THEM, I FOUND THAT THEY HAD ALREADY BROUGHT THE PERP UNDER CONTROL IN THE CREEK. I CONTINUED SOUTH TO CHECK ON THE SECURITY TEAM THERE, AND THEN RETURNED TO THE DETAINED INDIVIDUAL. BY THAT POINT HE HAD BEEN ~~THE~~ FLEX-CUFFED AND BROUGHT UNDER CONTROL. (b)(6), (b)(7)(C) (HTT) WAS LAYING OVER THE MAN TO KEEP HIM DOWN (THE TEAM LEADER ON SCENE, SPC (b)(6), (b)(7)(C) INDICATED THE DETAINEE WAS ABLE TO FIGHT OFF THREE SQUADS PREVIOUSLY). SATISFIED THAT THE DETAINEE WAS PROPERLY SECURED, I CONTINUED BACK NORTH TO CONFIRM THE ONGOING MEDICAL PROCEDURES. THREE STEPS PAST THE DETAINEE, I HEARD A SINGLE SHOT BEHIND ME. I TURNED TO SEE THE DETAINEE SLUMPING TO THE GROUND AND MR. (b)(6), (b)(7)(C) STANDING UP OVER HIM. I RELIEVED HIM OF HIS WEAPONS IMMEDIATELY AND SENT HIM AWAY FROM THE SCENE TO 2/3/C'S POSITION. RETURNING TO THE CCP, I VERIFIED WITH 3-7 THAT PAULA WAS STABILIZED AND MEDICAL WAS

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FEB HATL DATED 01 NOV 01

9. STATEMENT (Continued)

EN ROUTE. THE 1/3/C SQUAD LEADER (SSG (b)(6), (b)(7)(C)) HAD FLAGGED DOWN AN ANP TRUCK TO PROVIDE EVAC TO HATL, SO (b)(6)(b)(7)(C) WAS LOADED UP ALONG WITH ONE INTERPRETER TO INTERACT W/ THE DRIVER AND TWO SOLDIERS FOR SECURITY, AND (b)(6), (b)(7)(C) (HT). THIS TRUCK WAS ESCORTED BY 1/C TO FOB HATL, WITH ALL MAJOR SITUATIONS STABILIZED, 3/C MAINTAINED LOCAL SECURITY WHILE THE KIA'S IDENTITY WAS VERIFIED AND THE ANP/ASSISTANT DISTRICT LEADER CONDUCTED THEIR INVESTIGATION. UPON COMPLETION OF THESE 2 MISSIONS 3/C RETURNED TO FOB HATL.

~~NOTHING (b)(6), (b)(7)(C) FOLLOWS (b)(6), (b)(7)(C) NOTHING (b)(6), (b)(7)(C) FOLLOWS (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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

WITNESSES:

1LT (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
72-2 W
ATION OR ADDRESS
ORGANIZATION OR ADDRESS

Su
administer oaths, this 01 day of NOVEMBER, 2001
at FEB HATL
(b)(6), (b)(7)(C)
1LT (b)(6), (b)(7)(C)
(Type Name of Person Administering Oaths)
C COMPANY EXECUTIVE OFFICER
(Authority To Administer Oaths)

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION FOB HUTAL	2. DATE (YYYYMMDD) 2008/11/04	3. TIME 1630	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-6 / SSG	

8. ORGANIZATION OR ADDRESS
C CO, 2D BN, 2D IN REGT, 3IBCT, 1ID, FOB HUTAL, AFGHANISTAN 09355

9. I, SSG (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 I SSG (b)(6), (b)(7)(C) WAS INSTRUCTED BY CPT (b)(6), (b)(7)(C) TO INVENTORY PAULA LOYD'S BELONGING'S. THE ITEMS THAT WERE WORN ON HER DURING THE ACCIDENT, I INVENTORIED FIRST. ONCE I WAS COMPLETE WITH THAT I MOVED ON TO HER SLEEPING QUARTERS. DURING THAT TIME I TOOK ALL HER PERSONNEL BELONGINGS AND LAID THEM OUT TO PROPERLY RECORD EVERYTHING. AFTER COLLECTING ALL HER BELONGINGS I THEN TOOK PICTURES OF EVERYTHING I PACKED.

END OF STATEMENT

CLOTHES THAT WERE WORN DURING INCIDENT:

- 1-WATCH / 1-SUN GLASSES
- 1-KEVLAR
- 1-PAIR OF BOOTS
- 1-CAMELBACK
- 1-PAIR OF BLACK SOCKS
- 1-SUREFIRE FLASHLIGHT
- 1-PEN AND NOTE PAD
- 1-BENCHMADE KNIFE
- 1-TAN GLOVE
- 1-FRONT PLATE
- 2-SIDE PLATES
- 1-IBA
- 1-CUT PAIR OF PANTS
- 1-CUT PAIR OF UNDERWEAR

ITEMS IN SLEEPING AREA:

- 1-SLEEPING SYSTEM
- 1-SLEEPING MAT
- 1-PONCHO LINER
- 1-PONCHO
- 1-PILLOW

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

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

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

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

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

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

STATEMENT OF SSG (b)(6), (b)(7)(C) TAKEN AT 1630 DATED 2008/11/04

9. STATEMENT (Continued)

- 1-PER HYGEINE KIT
- 1-SET OF BLACK GLOVES
- 1-SET OF TAN GLOVES
- 1-SURVIVAL KIT
- 1-BOONEY HAT
- 3-TUPERWARE BOXES

ITEMS IN TUFF BOX:

- 1-FILE WITH PAPERS
- 18-PAIRS OF BLACK BOX
- 12-PAIR OF UNDERWEAR
- 1-BLACK BRA
- 1-CALENDAR
- 1-BOX OF STARBURST AND ASORTMENT OF SNACKS
- 1-LAUNDRY BAG
- 1-DUFFLE BAG

TAN ASSAULT BAG:

- 1- SILVER EXPRESS POLAROID CAMERA
- 1-FUJI FINEPIX DIGITAL CAMERA
- 1-PELICAN CASE WITH BLACK IPOD
- 1-PELICAN CASE WITH WHITE IPOD
- 1-WALLET WITH (KAF ID, MILITARY-CIV ID)
- 1-TREO PALM PILOT CELL PHONE
- 1-WALLET WITH (BANK CARD, 293.00 IN CASH)

ITEMS IN SLEEPING AREA:

- 1-PAIR OF BOOTS
- 1-PAIR OF RUNNING SHOES
- 1-PAIR OF SANDALS
- 1-CLOCK RADIO
- 3-BOTTLES OF SUPPLEMENTS
- 1-BOTTLE OF WHEY PROTEIN
- 1-TAN ASSAULT BAG
- 1-BLACK ASSAULT BAG
- 1-MEDICAL BAG W/ MEDS
- 1-FIRST AID KIT
- 1-JOHN WAYNE COFFEE MUG
- 5-BOXES OF GREEN TEA
- 3-NEW PAIR OF PANTS
- 1-NEW WORK JACKET
- 9-BUTTON UP SHIRTS
- 1-PAIR OF SHORTS
- 4-NEW COLD WEATHER SHIRTS
- 2-COLD WEATHER PANTS

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

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

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

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

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

STATEMENT OF SSG (b)(6), (b)(7)(C) TAKEN AT 1630 DATED 2008/11/04

9. STATEMENT (Continued)

[Redacted statement content with large X and four (b)(6), (b)(7)(C) redaction boxes]

AFFIDAVIT

I, SSG (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

[Witness signature lines and organization/address fields]

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ___ day of ___ at

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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1. LOCATION: CHEHEL GAZI, FOB HUTAL MAYWAND DISTRICT
2. DATE (YYYYMMDD): 2008 11 04
3. TIME: 15:35
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: E8 / 15G7
8. ORGANIZATION OR ADDRESS: C Co 2-2 IN FOB HUTAL MAYWAND DISTRICT AFGHANISTAN

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
AT 1014 AM ON 4 NOV 2008 COMANCHO TOC RECEIVED A REPORT OF A US CIVILIAN CASUALTY (PAULA LOYD HIT REA) DURING AN ENGAGEMENT IN THE VILLAGE OF CHEHEL GAZI. I WAS PART OF THE QUICK REACTION FORCE THAT WAS SPUN UP TO SUPPORT 3RD PVT AT THE INCIDENT SITE. WHEN I ARRIVED ON THE SCENE PAULA LOYD WAS BEING GROUND EVACUED TO FOB HUTAL WITH SERIOUS BURNS. THE ATTACK SITE WAS LOCATED ON THE SOUTHWEST EXTERIOR WALL OF THE DISTRICT CENTER IN HUTAL. IT WAS AN ALLEYWAY SURROUNDED BY TWO TEN FOOT FOOT QALAT WALLS. THE LOCAL NATIONAL INVOLVED WITH THE ATTACK WAS DETAINED THIRTY METERS SOUTH OF THE ATTACK SITE ON A FOOT PATH. THE DETAINEE WAS DETAINED WITH FLEX CUFFS AROUND HIS WAISTS AND HIS ARMS WERE BEHIND HIS BACK. HE HAD BEEN SHOT IN THE RIGHT SIDE OF HIS FACE. I CHECKED TO SEE IF HE WAS BREATHING AND CONFIRMED HE HAD NO PULSE. I ASKED SPC (b)(6), (b)(7)(C) AND SSG (b)(6), (b)(7)(C) WHAT HAPPENED. THEY BOTH STATED THAT AFTER PAULA WAS ATTACKED WITH A FLAMING POT OF OIL SUBSTANCE THE ATTACKER CAME RUNNING OUT OF THE QALAT WITH FLAMES TO THE FRONT OF HIS UPPER TORSO. SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) AND (b)(6), (b)(7)(C) (HTTM) PURSUED THE ATTACKER AND TACKLED HIM. AFTER A BRIEF SCUFFLE THEY WERE ABLE TO FLEX CUFF THE ATTACKER. SPC (b)(6), (b)(7)(C) STATED THAT (b)(6), (b)(7)(C) WAS TALKING TO THE ATTACKER WITH THE ASSISTANCE OF OUR LANGUAGE ASSISTANT (b)(6), (b)(7)(C). AFTER SEVERAL QUESTIONS (b)(6), (b)(7)(C) PULLED OUT HIS HAND GUN AND SHOT THE ATTACKER IN THE FACE. AT THIS TIME 1LT (b)(6), (b)(7)(C) TOOK (b)(6), (b)(7)(C) WEAPONS AND POSTED A GUARD ON HIM. I HAD SSG (b)(6), (b)(7)(C) CATALOG THE SITE AND TAKE PHOTOS OF THE VICTIM. WE CHECKED THE SITE FOR WEAPONS AND CONCLUDED THE ATTACKER WAS UNARMED.
END OF STATEMENT
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HUTAL DATED 4 NOV 2008

9. STATEMENT (Continued)

[Large redacted area with a large 'X' across it. Contains several (b)(6), (b)(7)(C) redaction boxes.]

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 INFLUENCE. OR UNLAWFUL INFLUENCE.

(Signature on Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of NOVEMBER 2008 at 1604, FOB HUTAL, AFGHANISTAN

WITNESSES:

(b)(6), (b)(7)(C) [Redacted] 12-2 IN [Redacted] ZATION OR ADDRESS

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

1LT (b)(6), (b)(7)(C) (Typed Name of Person Administering Oath)

C COMPANY EXECUTIVE OFFICER (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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

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

1. LOCATION: F2B HUIAL
2. DATE (YYYYMMDD): 20081104
3. TIME: 1437 L
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: E6 / 5567
8. ORGANIZATION OR ADDRESS: Co. 2-2 IN, 3RD BDE 1ST ID

9. I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON NOV, 4, 2008 AROUND 1000 HOURS WHILE 3RD PLATOON WAS ON PATROL. WE HAD 3 U.S. (b)(6), (b)(7)(C) PERMANENT WITH US. WHEN WE WERE MOVING OUR SOLDIER AROUND A GUY THAT WAS TALKING TO MS. PAULA (b)(6), (b)(7)(C) TELL SOMETHING ON HER ON SET HER ON FIRE. MY SELF AND LT. (b)(6), (b)(7)(C) RAN OVER TO HELP HER I STARTED THROWING DIRT ON HER AND LT. (b)(6), (b)(7)(C) OFF HIS ACH TO FILL IT WITH WATER AND HELP PUT HER OUT. (b)(6), (b)(7)(C) WE THEN GOT A HOLD OF HER LEGS AND PULLED HER TO THE WATER TO PUT HER OUT. ONCE THE FIRE WAS OUT DOC (b)(6), (b)(7)(C) STARTED WORKING ON HER WITH SSGT (b)(6), (b)(7)(C) TOLD THAT THE GUY THAT DID WAS DOWN THE RIVER SO I WENT DOWN WITH L.T. (b)(6), (b)(7)(C) AND WE SAW MR (b)(6), (b)(7)(C) AND WE HEARD A GUN SHOT THE GUY WAS SHOT IN THE HEAD I TOOK MR. (b)(6), (b)(7)(C) M9 AND HIS M16 AND WALKED HIM OVER TO THE REST

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE 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 1437 L DATED 4 NOV 2008

9. STATEMENT (Continued)

OF MY SQUAD AND WASTED UNTIL 1ST PLT CAME OUT AS Q.R.F.
TO HELP REMOVE THE DEAD BODY AND WE RETURN TO THE F.O.B
NOTHING FOLLOWS

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

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

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

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

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 1437 L DATED 4 NOV 2008

9. STATEMENT (Continued)

[Large redacted area with a large 'X' drawn across it. Contains several small redacted boxes labeled (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 INFLUENCE OR 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 4 day of NOV, 2008 at FEB HOSPITAL 1513

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

ILT (Typed Name of Person Administering Oath)
C COMPANY EXECUTIVE OFFICER
 (Authority To Administer Oaths)

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

 ORGANIZATION OR ADDRESS

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

PAGE 3 OF 3 PAGES

DAILY STAFF JOURNAL FOR DUTY OFFICER'S LOG

For use of this form, see DA Form 1594-101, 1220-15; the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO.

NO. OF PAGES

ORGANIZATION OR INSTALLATION

LOCATION

PERIOD COVERED

C-60 2.2 INF

Fo.3 HstAL

FROM TO
HOUR DATE HOUR DATE
0926 04 NOV 08 1036 04 NOV 08

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
	IN	OUT			
28		0926	RADIO check w/ C 78	RADIO check	(b) (6)
29		0940	FLT w/2nd PLT PR 9001 0032	2nd PLT FLT	
30		1000	Radio check w/ C 78 still at same location	Radio check + FLT	
31		1000	2nd PLT FLT PR 9074 00259	2nd PLT FLT	
32		1014	36R calls up. contact at grid PR 944036 00401. 1 man poured gas on a HTT and set her on fire.	3 PLT update	(b) (6)
33		1017	gunshots fired, 78 confirms the fired shots were us.	3 PLT update	(b) (6)
34		1020	Blue 2 Bravo calls up 1 Local National casualty	3 PLT update	
35		1021	PID on enemy KIA, enemy body secured, was some person who tried to run from scene.	3 PLT update	(b) (6)
36		1022	37 calls up coming in with KIA in back of ANP vic. a	3 PLT update	(b) (6)
37		1030	17 enters ECP w/ ^{wounded} casualty	3 PLT update	
38		1031	36R asks what to do w/ casualty	3 PLT update	
39		1032	10 min till all air assets on station	C 75 update	
40		1033	C-6 gave RR XRAY on updated sitrep on casualty. 1 CIV in Aio station, trying to locate village edge and conducting off both ends of scene	RR XRAY notified.	(b) (6)

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY

(b) (6)

DAILY STAFF JOURNAL DUTY OFFICER'S LOG

For use of this form, see DA Form 15-15, the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans

PAGE NO.

NO. OF PAGES

ORGANIZATION OR INSTALLATION C-CO 2-2, NF	LOCATION FOB HTAL	PERIOD COVERED			
		FROM		TO	
		HOUR 1036	DATE 04 Nov 08	HOUR 1120	DATE 04 Nov 08

ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
	IN	OUT			
41		1036	1-6/QRF securing both ends of road w/ 3-4 to pull overwatch	3rd PLT/16 update	(b) (6)
42		1037	6 reports that they need to get a village elder to PID casualty	3rd PLT update	(b) (6)
43		1040	ICOM chatter w/ IEO nearby	" "	
44		1042	update on previous reports. gas can was poured on HTT and then set on fire by Local National.	3rd PLT update	(b) (6)
45		1042	F18's on way told to retrack area. 2 passes by for each bird	C75 update	(b) (6)
46		1044	medivac enroute	medivac update	
47		1046	notified aid station we have COMMS w/ medivac bird	medivac update	(b) (6)
48		1050	C-6 tells the birds know that we have guys about 800 meters S of our location.	F18 update	(b) (6)
49		1053	medivac asking for PAS Sango.	Medivac update	
50		1056	medivac 4 minutes out.	medivac update	
51		1100	popped smoke on HLZ	medivac update	
52		1101	Birds wheels touch down	Birds down	
53		1105	wheels up on bird	medivac update	
54		1125	wheels down at bastion	medivac update	
55		1120	16 sent Asst DL to seek aid to ASB/Dy Losses		

TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY (b) (6)

DAILY STAFF JOURNAL			DUTY OFFICER'S LOG		PAGE NO.	NO. OF PAGES
ORGANIZATION OR INSTALLATION			LOCATION		PERIOD COVERED	
C-0 2-2 INF			FOB HSTAL		FROM	
					HOUR	DATE
					1124	09 NOV 08
ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL	
	IN	OUT				
56		1124	ISB Reports Sus. Activity PR 94700 00149. 6-7 ind ext. vic Hiding from ANP	Logsd		(b) (6)
57		1127	1-6, 1-2 moving S down WAB, system to locate village elder.	Logsd		(b) (6)
58		1127	ANP took in Detainee	Logsd		
59		1144	B.20s OFF STATION.	Logsd		
60		1154	RCP FOUND 2x RPG Request BIP PR 727 116.	Notified C6		(b) (6)
61		1158	2nd PLT FLT: PR 9084 0072 MAPPING VILLAGE, enclosing locals	Logsd		(b) (6)
62		1159	3-6 R LN Boy ID'D DEAD.	Logsd		
63		1200	MOVING TO LOCATION OF LN CAS Dwelling	Logsd		(b) (6)
64		1200	C-6 to 3-6 ensure ANP taken to location.	Logsd		(b) (6)
65		1201	AL LN NAME (b) (6) Also patrolled on base area, Donsuit line in Chehel (HAR), outside of Hstal. 3-6 seeks guidance on what to do w/ body.			(b) (6)
66		1202	3-7 RT B 3PAX 1 Vic	Logsd		
67		1202	C-6-36 seeks interrogation of LN ID B201	Logsd		
TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY				SIGNATURE		

ORGANIZATION OR INSTALLATION		LOCATION		PERIOD COVERED			
Co 2-2 INF		FOR3 Hotel		FROM		TO	
				HOUR	DATE	HOUR	DATE
68		1218	ANP took two additional detainees, now has three				
					Received from Report 1-6		
69		1302	3-6 R picked up body moving to Base. ANP HAS KIA.				
70			IND. who ID'd body to				
70		1308	3-6 moving back to base. ANP will				
71			Attempt to locate Dwelling of IND KIA.		Logged		(b) (6)
71		1309	1st PCT moving to Police station to gather information on 3x detainees,		Logged		(b) (6)
72		1312	SITREP 2ND PCT PCT. PR 9198 0017.		Logged		
73		1313	1-6 requests 3rd PCT IND. SMART on				
74			Detainee sit to K:AW with 1st		Logged		(b) (6)
			3-6 moving PCT element to DC where detainees are being held.		Logged		(b) (6)
75		1315	DCU Inquires RRG will SP 1400.		CS confirms		
76		1316	3rd PCT RTB 28 PAX 4LA		Report RRG		
77		1353	2nd en route back to Hotel		2nd PCT update		(b) (6)
78		1357	1st PCT RTB Hotel		1st PCT RTB		(b) (6)
79		1359	Notified RR XRAY of 1st PCT RTB		Notified RR XRAY		(b) (6)
80		1419	2nd PCT RTB Sub Hotel		2nd PCT RTB		
81		1422	Notified RRG XRAY		Notified RRG XRAY		
82		1612	Radio check w/ RR-XRAY		Radio check		
83		2052	Radio check w/ RRG		Radio check		
TYPED NAME AND GRADE OF OFFICER OR OFFICIAL ON DUTY					SIGNATURE		

DA FORM 1594, NOV 1962

PREVIOUS EDITION OF THIS FORM IS OBSOLETE.

APD PE 4300ES

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

EXHIBIT 24

SWORN STATEMENT

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

LOCATION FOB HOTAL AFGHANISTAN, APO AE 09355	DATE 5 NOV 08	TIME 1715	FILE NUMBER (b)(6), (b)(7)(C)
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-4/SPL	
ORGANIZATION OR ADDRESS C co 2-2 3rd BDE 1ID, FOB HOTAL AFGHANISTAN APO AE 09355			

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

I am writing this to clarify the statement I made at 1430 on 04 Nov 2008.

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

Q: WHAT DATE AND TIME DID THE PATROL LEAVE FOB HOTAL?

A: 0900 04 Nov 2008.

Q: WHAT WAS YOUR POSITION FOR THE PATROL?

A: 3rd Squad Bravo team leader, as the lead element for the patrol.

Q: WHEN YOU SAW THE MAN RUNNING AWAY FROM PLATOON MEMBERS WHAT WAS YOUR LOCATION?

A: I was at the southern half of our security set in approx 150 meters south of our front team

Q: WAS MS. PAULA LLOYD LOCATED BY THE FRONT TEAM?

A: yes

Q: IN RELATIONSHIP TO YOUR LOCATION WHERE WAS MR. (b)(6), (b)(7)(C)

A: Approx 5 meters north of myself sitting on a foot bridge

Q: WHAT WAS MR. (b)(6), (b)(7)(C) DOING WHILE SITTING ON THE FOOT BRIDGE?

A: taking pictures of the wildlife and buildings around

Q: WHAT WAS THE THREAT LEVEL FOR THE 4 NOV 08 PATROL?

A: High risk

Q: DO YOU KNOW IF THE HUMAN TERRAIN TEAM (HTT) WAS AWARE OF THE HIGH RISK?

A: I am not aware if they were informed or not

Q: WHO IS PFC (b)(6), (b)(7)(C)

A: (b)(6), (b)(7)(C) 3rd Squad Bravo team Rifleman

Q: DID MR. (b)(6), (b)(7)(C) MOVE FROM HIS POSITION ON THE BRIDGE WHEN YOU HEARD THE SCREAMING?

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.

FILE NUMBER:

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HOTEL DATED 5 NOV 08 CONTINUED

A: yes He did. He began to move north bound just ahead of PFC (b)(6), (b)(7)(C) and myself

Q: AT WHAT POINT DID YOU SEE THE MAN RUNNING TOWARDS YOU?

A: Moments after I had heard screaming and ran to my northern side

Q: DO YOU KNOW THE TIME?

A: Approx 10:00

Q: WHEN YOU ATTEMPTED TO DETAIN THE MAN WHO MADE THE INITIAL CONTACT?

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

Q: DID MR. (b)(6), (b)(7)(C) DRAW HIS M9 PISTOL?

A: Mr (b)(6), (b)(7)(C) drew his m9 after the man was on the ground while but still struggling with myself and PFC (b)(6), (b)(7)(C)

Q: HOW WAS THE MAN STRUGGLING?

A: The man was punching at myself and PFC (b)(6), (b)(7)(C) while attempting to kick Mr (b)(6), (b)(7)(C) At a few instances the man grabbed for PFC (b)(6), (b)(7)(C) rifle with his right hand while trying to push his face away with his left. After about five minutes of struggle the mans arms were pinned as well as his head, though he still attempted to kick. During and after the fight I was confused by the fact that the 5'8 140 pounds was able to put up a very violent fight against the three of us especially since myself and (b)(6), (b)(7)(C) are above six foot tall and dwarfed the man in size.

Q: WHAT MADE THE MAN STOP FIGHTING?

A: once Mr (b)(6), (b)(7)(C) drew his m9 the man began to stop fighting

Q: WHO PUT THE ZIP CUFFS ON THE MAN?

A: PFC (b)(6), (b)(7)(C) put the zipcuffs on the man

Q: DID YOU ASSIST PFC (b)(6), (b)(7)(C)

A: no I did not

Q: DID YOU WATCH HIM PLACE THE ZIP CUFFS ON THE MAN?

A: no I did not

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

PAGE 2 OF 5 PAGES

REF ID: A677

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HOTEL DATES 5 NOV 08

Q: WHEN YOU LEFT MR. (b)(6), (b)(7)(C) AND PFC (b)(6), (b)(7)(C) DO YOU KNOW WHAT THE TIME WAS?

A: Approx 10:15

Q: WHAT TIME DID YOU RETURN TO THE LOCATION OF THE DETAINED MAN?

A: Approx 10:20

Q: WHAT DID YOU SEE WHEN YOU RETURNED?

A: The man 2.p cuffed with PFC (b)(6), (b)(7)(C) and Mr (b)(6), (b)(7)(C) pulling security on him. My security was set in on him after he was taken out of the nearby creek by Mr (b)(6), (b)(7)(C)

Q: HOW DID THE MAN GET IN TO THE CREEK?

A: I'm not sure

Q: WAS ANYONE ELSE IN THE CREEK WITH THE MAN?

A: one of the interpreters, the name of which I don't know and Dan went into the creek to pull him out.

Q: WHEN THE MAN WAS PULLED OUT OF THE CREEK WHAT HAPPENED NEXT?

A: The man was put on the ground near the east side wall. (b)(6), (b)(7)(C) continued to pull security on the man as I received PFC (b)(6), (b)(7)(C) to his original security position. At this time I informed (b)(6), (b)(7)(C) about pulas condition. Following ~~that~~ After I informed (b)(6), (b)(7)(C) about pulas he almost immediately had the interpreter inform the man that (b)(6), (b)(7)(C) thought the man was the devil and the best over and shot the man in the temple

Q: HOW FAR WERE YOU FROM MR. (b)(6), (b)(7)(C) AND THE MAN?

A: 2 to 5 feet from the two

Q: DID MR. (b)(6), (b)(7)(C) PRESS THE MUZZLE OF THE M9 PISTOL AGAINST THE MANS TEMPLE?

A: yes

Q: WHAT SIDE OF THE HEAD WAS THE MAN SHOT?

A: left side.

Q: DID MR. (b)(6), (b)(7)(C) SAY ANYTHING AFTER SHOOTING THE MAN?

A: No He did not, only once questioned by the Lt did he respond

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

PAGE 3 OF 5 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HUTAL DATED 5 NOV 08 CONTINUED

"I just did" to the question "you know you cant do that".

Q: WAS THE MAN'S FEET SECURED?

A: no they weren't.

Q: WHO SECURED MR. (b)(6), (b)(7)(C) WEAPON?

A: LT (b)(6), (b)(7)(C) initially, then the weapons were later passed on to myself and then finally SSG (b)(6), (b)(7)(C) secured them.

Q: WAS ANYTHING ELSE COLLECTED FROM THE SCENE?

A: only the man's personal items, which were collected in a plastic bag with which was secured inside the body bag when the body was moved to the ANP station.

Q: WHEN THE MAN WAS SHOT WAS HE STRUGGLING?

A: yes, he was still attempting to get away from myself and me (b)(6), (b)(7)(C) any small way he could.

Q: WHAT WAS THE DURATION IN TIME FROM WHEN YOU HEARD THE SCREAMING AND THE MAN WAS SHOT?

A: 15 to 20 minutes

Q: WHO IS LT (b)(6), (b)(7)(C)?

A: my platoon leader

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

A: my platoon's 2nd Squad, Squad leader

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

A: no. !!! END OF STATEMENT !!!

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

PAGE 4 OF 5 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT: FBI HOTEL DATE: 5 NOV 08

AFFIDAVIT

(b)(6), (b)(7)(C) HAVE READ OR HEARD AND BELIEVE THE STATEMENTS WHICH BE...
I HAVE READ FROM PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ABOVE...
THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND...
THE POINTS OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FOR...
WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT...
UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

Signature of Person Making Statement

Subscribed and sworn to before me this 5 day of NOVEMBER 2008 at FBI HOTEL

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

Signature of Person Administering Oath

SPECIAL AGENT (b)(6), (b)(7)(C)

Type of Name of Person Administering Oath

10 USC 2536

Authority to Administer Oath

WITNESS:

WITNESS:

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

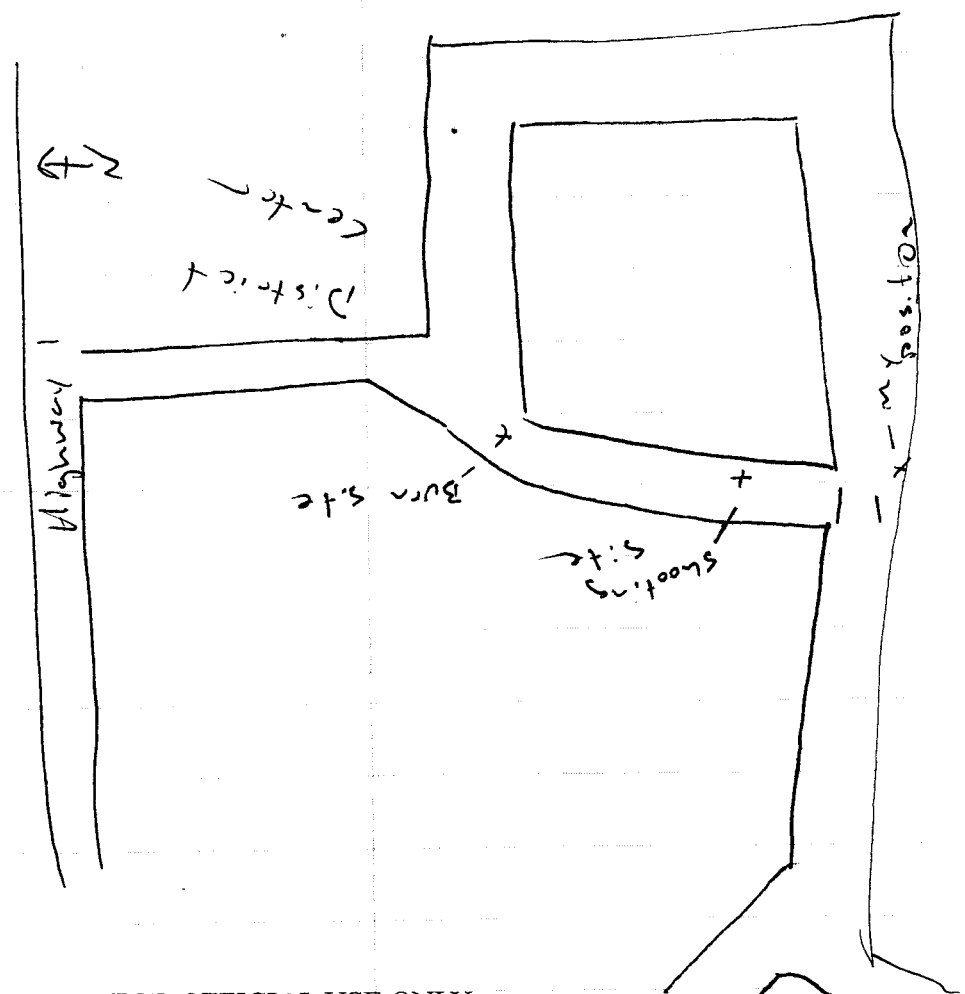
0238 - 08 - CID369 - 43873

0238 08 369 43873

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

15 30 05 Sept 2008

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



SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff, [redacted] nel.

LOCATION FOB Hotal, Afghanistan	DATE 5 Nov 08	TIME 1625	GRADE/STATUS 02 / AD
LAST NAME, FIRST NAME, MIDDLE NAME [redacted]	SOCIAL SECURITY NUMBER [redacted]		

ORGANIZATION OR ADDRESS
C Company, 2-2 Infantry, FOB Hotal, Afghanistan APO AE 09355

I, [redacted] want to make the following statement under oath:

THE FOLLOWING IS TO SERVE AS AN AMENDMENT TO THE STATEMENT I MADE ON 04 NOV 2008 AT FOB HOTAL, KANDAHAR, AFGHANISTAN.

Q: SA [redacted]

A: ILT [redacted]

Q: Who were the three interpreters with you?

A: [redacted] (REAL NAME), [redacted] (MCK NAME), AND [redacted] (ALSO MCK NAME)

Q: Who were the three [redacted] personnel and who was their interpreter?

A: [redacted] b(6), b(7)(C) INTERPRETER: [redacted] (PAULA was connection)

Q: About when did the patrol leave FOB Hotal?

A: 0915 L (APPROX)

Q: Did you see how Paula became engulfed in flames?

A: NO

Q: Who was around Paula when you saw the fire at first?

A: I REMEMBER KIDS NEAR HER, AND MY SQUAD LEADER + I WERE CLOSE, BUT ALL I SAW AT THE TIME WAS HER, BURNING. LITTLE ELSE REGISTERED.

Q: Who was your squad leader?

A: SSG [redacted] (2/3/C)

Q: Did you see where Mr [redacted] was at that time?

A: NO - I KNEW WHERE HE WAS, AS I HAD JUST LEFT HIM A SHORT TIME BEFORE. HE WAS AT THE BRIDGE TO THE SOUTH OF MY PLATOON'S POSITION.

Q: Did you see the person who lit Paula on fire running away?

A: NO.

Q: Where was [redacted] in relation to where the Afghan man ran?

A: HE WAS DIRECTLY IN THE MAN'S PATH OF EGRESS.

Q: About how far was [redacted] from where Paula was attacked?

A: APPROXIMATELY 75M

Q: Did you see the Afghan man was brought under control?

A: NO.

Q: How was he flex-cuffed?

A: CUFFS SECURED HIS WRISTS TOGETHER BEHIND HIS BACK.

Q: What position was the man in?

A: HE WAS ON HIS SIDE, HEAD TO THE EAST, HALF-CURLED IN THE FETAL POSITION. NOTE: THIS (THE POSITION DESCRIBED, w/ FLEX CUFFS) WAS SEEN AS I MOVED BACK NORTH FROM THE BRIDGE, AFTER I'D SEEN THE DETAINEE IN THE RIVER ON MY WAY SOUTH.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [redacted]	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [redacted] OF [redacted] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE OF ANOTHER COPY OF THIS FORM.

Q: When you say the detainee was under control in the creek, was he flexcuffed at that point?

A: NO, HE SEEMED SUBDUED AT THAT POINT THOUGH NO ONE HAD HANDS ON HIM (WAS, HOWEVER, HELD AT GUNPOINT). REPORTS TO ME LATER INDICATED THAT HE WASN'T, IN FACT, SUBDUED, AND CONTINUED TO FIGHT WHEN THE FLEX CUFFS WERE PUT ON HIM.

Q: Did you see the detainee fighting or resisting detention?

A: NO

Q: About how much time passed between when Paula was attacked and when you first saw the detainee in the creek?

A: APPROXIMATELY 3-5 MINUTES (UNSURE)

Q: About how much time passed between when you first saw the detainee in the creek and when you saw him on the ground flexcuffed?

A: 1-2 MINUTES (MUCH MORE SURE)

Q: Can you describe exactly how (b)(6), (b)(7)(C) was laying over the detainee when you saw him the second time?

A: LEFT KNEE ON LEFT RIBS, RIGHT KNEE BEHIND HEAD, BODY WEIGHT SUPPORTED BY DETAINEE (CHEST TO SHOULDER), RIGHT HAND ON M9 POINTED @ DETAINEE'S HEAD.

Q: When (b)(6), (b)(7)(C) was laying over the detainee, was the detainee struggling?

A: NO.

Q: Did SFC (b)(6), (b)(7)(C) describe how the detainee fought off three soldiers?

A: NOT BLOW-BY-BLOW, BUT HE INDICATED THE MAN MANAGED TO SLAP ONE SOLDIER IN THE FACE AND PUSH OFF SOLDIERS IN FULL KIT BEATING DOWN ON HIM.

Q: Did the detainee injure any of the soldiers?

A: JUST THEIR PRIDE.

Q: When you saw the detainee in flexcuffs while (b)(6), (b)(7)(C) guarded him, did you consider the detainee a threat?

A: NOT AS LONG AS DON STAYED WHERE HE WAS.

Q: Was anyone else guarding the detainee?

A: SFC (b)(6), (b)(7)(C) WAS BEHIND DON.

Q: Could you tell where the shot you heard came from?

A: I WAS ONLY 2 STEPS AWAY WHEN HE FIRED

Q: Could you tell what type of weapon was fired by the sound (pistol or rifle)?

A: EASIER - PISTOL.

Q: Did Mr. (b)(6), (b)(7)(C) have a pistol in his hand?

A: YES.

Q: Where was the pistol pointed when you first turned around?

A: HIS ARM (W/ THE PISTOL) WAS ALREADY HANGING BY HIS SIDE (I SAW THE ARM DROPPING / STANDING FROM KNEELING MOTION)

Q: Did Mr. (b)(6), (b)(7)(C) say anything when the shot was fired?

A: NO

Q: Did you say anything to Mr. (b)(6), (b)(7)(C) when you heard the shot?

A: I YELLED AT HIM FOR DOING IT AND ASKED HIM FOR HIS WEAPONS

Q: Did you ask Mr. (b)(6), (b)(7)(C) if he shot the detainee?

INITIALS OF PERSON MAKING STATEMENT

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

PAGES 2 OF 4 PAGES

A: NO; I ASKED, "ARE YOU SERIOUS?!" AND HE ANSWERED, "YES, I AM."
 Q: Did Mr. (b)(6), (b)(7)(C) resist giving you his weapons?
 A: HE TURNED THEM OVER WILLINGLY + w/o RESERVATION.
 Q: Did anyone tell you they saw Mr. (b)(6), (b)(7)(C) shoot the detainee?
 A: I THINK SPC (b)(6), (b)(7)(C) WAS WATCHING, BUT NOT CERTAIN.
 Q: Did you hear anyone, or did you, say anything or make any remark about shooting the detainee prior to him being shot?
 A: NO. THE LA WHO SAW THE DETAINEE BURN PAULA (b)(6), (b)(7)(C) SCREAMED TO SHOOT HIM WHEN HE FIRST RAN AWAY.
 Q: Did anyone shoot at the man while he was running?
 A: NO.
 Q: Does (b)(6), (b)(7)(C) usually carry weapons while on mission?
 A: YES; HIS JOB, OF THE 3 OF THEM, WAS TO SECURE THE HTT.
 Q: Have you ever seen or heard of (b)(6), (b)(7)(C) abusing or assaulting detainees?
 A: NO - HE REGULARLY (2/3 TIMES) ADMONISHED MY MEN FOR MORBID JOKES, AND FREQUENTLY ENCOURAGED US TO BE VERY GENTLE w/ THE LNs.
 Q: Did you see anyone hit or abuse the detainee once he was under control?
 A: NO.
 Q: Did you talk to (b)(6), (b)(7)(C) about the incident afterwards?
 A: YES - NOT SPECIFICALLY ABOUT DETAILS, BUT I EXPRESSED EMPATHY WITH HIS APPARENT MOTIVATIONS.
 Q: When you talked to him did Mr. (b)(6), (b)(7)(C) admit he shot the detainee?
 A: NOT SPECIFICALLY; THE ENTIRE CONVERSATION WAS BASED ON THE UNDENIED PRESUMPTION THAT HE HAD, HOWEVER.
 Q: Did Mr. (b)(6), (b)(7)(C) say anything to indicate why he shot the detainee?
 A: NOT DURING THIS CONVERSATION IN QUESTION; HIS REQUEST TO SEE PAULA IMMEDIATELY AFTER GIVING ME HIS WEAPONS WAS A GOOD INDICATION, THOUGH.
 Q: Can you describe the relationship between Mr. (b)(6), (b)(7)(C) and Paula?
 A: THE WHOLE HTT SEEMED TO HAVE A GOOD, FRIENDLY, WORKING RELATIONSHIP, BUT I HAVE NO IDEA WHAT THEIR PERSONAL RELATIONSHIPS WERE LIKE w/ EACH OTHER.
 Q: What did you do with Mr. (b)(6), (b)(7)(C) pistol?
 A: I CLEARED IT AND GAVE IT TO ONE OF MY SUPPLIERS (b)(6), (b)(7)(C).
 Q: What condition was the pistol in when Mr. (b)(6), (b)(7)(C) gave it to you?
 A: ROUNDS IN CHAMBER, SELECTOR ON FIRE (PROBABLY ... DON'T REMEMBER FOR SURE IF IT WAS ON SAFE).
 Q: Did you see Mr. (b)(6), (b)(7)(C) talking to the detainee at any point?
 A: I THINK HE WAS SAYING SOMETHING AS I WALKED BY, BUT I DON'T KNOW WHAT, OR WHY.
 Q: Does Mr. (b)(6), (b)(7)(C) speak any Afghan languages?
 A: NOT THAT I'M AWARE OF.
 Q: How did you verify the detainee's identity?
 A: A CHINO IN THE HOLE MY PVT CLEARED KNEW THE MAN AS A FREQUENT STRANGER IN THE YUGAL, AND GAVE AS HIS NAME THE SAME NAME TATOOED ON THE MAN'S FOREARM.

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

PAGES 3 OF 4 PAGES

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HOTAL DATED 5/20/08 CONTINUED:

Q: Do you know who removed the flexcuts from the dead detainee?
 A: I DIDNT SEE WHO DID IT, BT I BELIEVE SSG (b)(6), (b)(7)(C) DID (3/3/C)

Q: Do you know what happened to the flexcuts?
 A: I THINK THEY WERE PUT w/ THE EVIDENCE TAKEN TO THE C/2-2 TUC, BT THEY MAY BE w/ THE EVIDENCE GIVEN TO THE ANP.

Q: What evidence was given to the ANP?
 A: ALL THE KIA'S PERSONAL EFFECTS.

Q: Do you want to add anything 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 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 PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SUBJECT: (b)(6), (b)(7)(C)
 TO ADMINISTER OATHS THIS 25 DAY OF Nov, 2008
 AT FOB HOTAL

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

(Administering Oath)

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

(Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

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

PAGES 4 OF 4 PAGES

DISTRICT CENTER

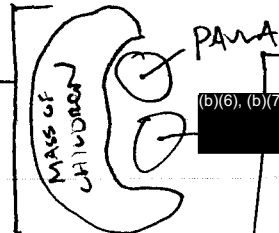
ME

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



↑
BAZAAR

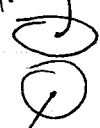
SOMEWHERE
WHERE THE
AAF INDIVIDUAL
WAS



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

DIR. OF
ESCAPE
(ATTEMPT)

DEAD
AAF



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

RESIDENTIAL COMPOUND

↑
N

ORIENTATION OF AAF
AVENUE OF EGROSS.

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

SWORN STATEMENT

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

LOCATION FOB Hotal	DATE 5 Nov 08	TIME 1754	FILE NUMBER (b)(6), (b)(7)(C)
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-6/AD	

C Co 2-2 hf FOB Hotal Afghanistan

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

This statement is to clarify my previous statement given on 04 Nov 2008.

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

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

Q: When you saw the person being apprehended what was his demeanor?

A: He was still fighting with SPC (b)(6), (b)(7)(C), PFC (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C)

Q: Did you see them get the person under control?

A: As I went across the stream to get the other local, they put the detainee in zip cuffs.

Q: Who was the other local?

A: He was an old man who was carrying a wood pile down the stream when the attack happened.

Q: What did you do with the old man?

A: He was squatting down when I approached him, I told him to get down. He got down. Then I took him back across the stream to consolidate the potential detainees, Mr. (b)(6), (b)(7)(C) told me he was just an innocent bystander. So I left him sitting there not zip cuffed.

Q: When you came back across the stream with the old man, was the first detainee still fighting or was he under control?

A: He was under control but I don't know if he was cuffed yet. I did not see it.

Q: How long did you assist the medic before Mr. (b)(6), (b)(7)(C) walked up and said he shot the detainee?

A: I was working on the casualty from the time the breached to corner house until the medevac truck left. It was approximately 10 mins before Mr. (b)(6), (b)(7)(C) told me he shot him.

Q: What exactly did Mr. (b)(6), (b)(7)(C) say when he told you he shot the detainee?

A: "I shot him, The PL took my weapon"

Q: Did Mr. (b)(6), (b)(7)(C) explain why he shot the detainee?

A: He did not.

Q: Did anyone see Mr. (b)(6), (b)(7)(C) shoot the detainee?

A: I do not know if anyone physically saw it. I know the PL was in the area. SPC (b)(6), (b)(7)(C) saw it right after and possibly the language assistant (b)(6), (b)(7)(C)

Q: Did see or hear Mr. (b)(6), (b)(7)(C) talking to the detainee at any point?

A: I did not see or hear any comments. I know the language assistant (b)(6), (b)(7)(C) stayed at the detainee site after I left for the CCP.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [NAME] TAKEN AT [DATE] DATED [DATE] 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.		

Q: When you went back to the detainee did you see his wounds?
 A: Yes. He had one gunshot wound in the head. The entrance was in the left temple. It was a small hole. The exit was a little bigger on the right side just above the ear. The exit wound had more brain matter coming out. That's why I think it is the exit.

Q: What position was the detainee in when you came to search him after he was shot?
 A: He was lying on his back leaning a little bit to the right side. His arms were still behind his back zipcuffed. His head was looking to the right facing north.

Q: Did you find any weapons or contraband on the detainee?
 A: No. All items found are catalogued in the pictures.

Q: Did you find a projectile or expended shell casing?
 A: No I did not. After the body was taken I looked around to ensure we didn't leave anything. There was nothing.

Q: Did you talk to Mr. (b)(6), (b)(7)(C) after the incident?
 A: I talked to him about 1 hour after the shooting. I asked him how he was doing. He just told me he was worried about Paula. He asked what's going on down there. I told him we were trying to ID the body. I asked again are you alright. He said "yes."

Q: Is there anything you would like to add to this statement?
 A: At one point during the debriefing he said that was good, as he is under control. (b)(6), (b)(7)(C) has always been the kind to tell us to be nice to the people.

Q: Was your impression that Mr. (b)(6), (b)(7)(C) was saying the Afghan man was under control and no longer a threat?
 A: Yes.

Q: Is there anything else you want to add?
 A: NO !!! (END) B statement !!! (b)(6), (b)(7)(C)

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

PAGES 2 OF 3 PAGES

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

Exhibit 30

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB Hotel DATED 5 Nov 08 CONTINUED:

[Large redacted area with a diagonal line across the page]

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

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

 (Signature)

WITNESSES:

 ORGANIZATION OR ADDRESS

 ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 5th DAY OF Nov, 2008 AT FOB Hotel

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

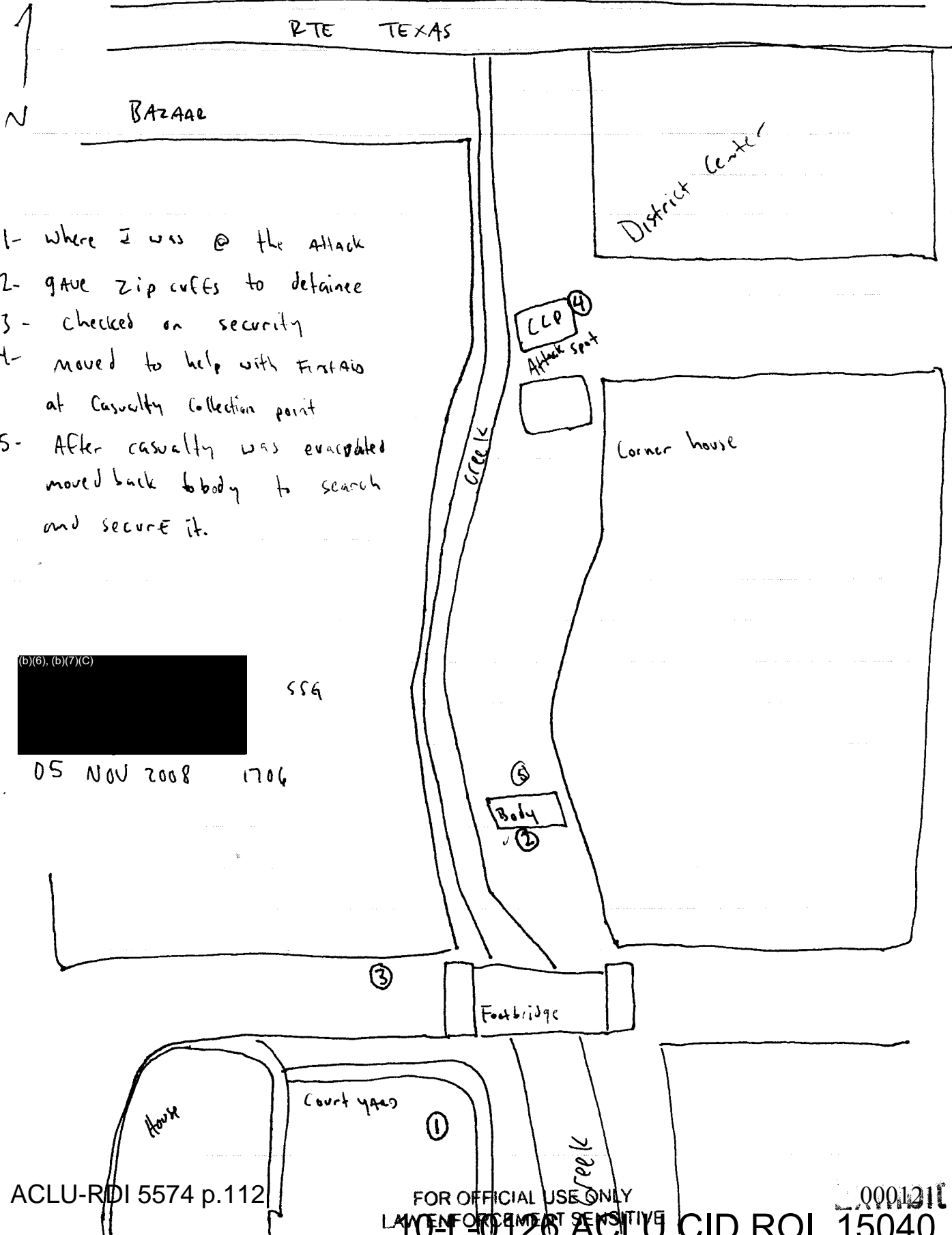
 (Signature of Person Administering Oath)

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

 (Name of Person Administering Oath)
10 USC 936
 (Authority to Administer Oath)

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

PAGES 3 OF 3 PAGES



- 1- where I was @ the Attack
- 2- gave zip cuffs to detainee
- 3- checked on security
- 4- moved to help with First Aid at Casualty collection point
- 5- After casualty was evacuated moved back to body to search and secure it.

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

SSA

05 NOV 2008 1706

SWORN STATEMENT

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

LOCATION FOB HOTEL, AFGHANISTAN, APO AE 09355	DATE SN0U08	TIME 1910	FILE NUMBER (b)(6), (b)(7)(C)
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-4 / SPC	
ORGANIZATION OR ADDRESS C Co 2-2 INF 3 BCT 1ID, FOB HOTEL, AFGHANISTAN, APO AE 09355			

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

From the moment we arrive at the town, there was little kids running around where we stop to set up security for the JTIT team, Paula was in the middle of the crowd giving **(b)(6), (b)(7)(C)** candy to the local children when the man came down the street with the pitcher of what I thought was water, and a few minutes past by when he went ~~inside~~ inside the house that was next to the area Paula was having the talk with the local man when he came back out. He started to direct some of the kids away from the circle and pick up a little boy that look like one of the characters from the TV show ~~bat~~ **albert**, cause he had on a local scene cap. He pick up the little boy and put him inside that house next to the circle. There was in other local children that was at the door of that house dress in pink dress with a blue scarf over her head. Then a few minutes ~~trif~~ later during his conversation with Paula he turn around and started to play with a lighter I thought that he was going to smoke. during that time he keep on smiling at her and talk like a normal local national. Then I saw a huge ball of fire, then run from across the river where I heard a female voice coming from the fire. That is when I found out that it was Paula. she keep on jumping for a few second then hit the floor. at that point I tried to go around her and help put out the fire. one of the three ~~terps~~ that was there with us took off his helmet and went to the river that was running next to us and through water at her. then we started to drag her to the river and tried again to put out the flames. when the flames

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 CONSIDERED VOID UNLESS A COPY OF ANOTHER COPY OF THIS FORM.

ACLU-RDI 5574 p.113
DA FORM 2823
1 JUL 72

LAW ENFORCEMENT SENSITIVE WHICH WILL BE USED

10-L-0126 ACLU CID ROI 15041

000122
EXHIBIT 30

FILE NUMBER

STATEMENT OF

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

TAKEN AT FOB HOTAL

DATED 5 NOV 08

CONTINUED

was finally put out, we carried her to the spot on top of the river where I started to treat her for her wounds. as I was wrapping her right hand, SSG (b)(6), (b)(7)(C) walks by looking for the Lt and I ask him for his help, cause he help me treat another burn patient before. as we ~~where~~ was finishing up on her, a local ANP truck showed up to CASUAC her to Job Hotal. that is when I found out that the person that was the cause of all this was died. we brought her to the Aid Station at Job Hotal where CPT (b)(6), (b)(7)(C) took over, and I went back out to my platoon to see how was injured and needed medical attention.

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

A:

Q: DID YOU WRITE THE ABOVE STATEMENT?

A: Yes I did

Q: WHO IS PAULA?

A: Paula is the HTT assign to the area

Q: HOW MANY PEOPLE WERE AROUND MS. PAULA?

A: there was about five or six children around and two older males

Q: CAN YOU DESCRIBE THE MALE WITH THE PITCHER?

A: the male that had the pitcher look to be in the early twenty and had on a blue man dress white while sticking in the front

Q: HOW TALL AND HOW MUCH DID HE WEIGH?

A: He look to be about 5'5" and weigh about 150 pounds. his hair color was black.

Q: HOW MANY LOCAL NATIONALS WERE LEFT IN THE CROWD WITH PAULA AFTER THE MAN TOLD SOME OF THEM TO LEAVE?

A: there was about two girls and a boy left in the crowd and the two men that was talking to her

Q: DO YOU KNOW WHAT PAULA WAS TALKING TO THE MAN WITH THE PITCHER ABOUT?

A: I don't know

Q: HOW LONG WERE THEY TALKING?

A: for ~~about~~ about 30 minutes

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

PAGE 2 OF 4 PAGES

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

TAKEN AT FOB HOTAL DATED 5 NOV 08 CONTINUED:

Q: WHEN THE MAN TURNED AROUND AND LITE THE LIGHTER WHAT HAND WAS HE USING?

A: He was using his left hand and the pitcher was in his right hand

Q: DID HE LIGHT THE FLUID IN THE PITCHER BEFORE TURNING AROUND AND THROWING IT ON PAULA?

A: I don't see that part

Q: HOW CLOSE WAS HE STANDING TO PAULA?

A: about 3 feet in front of her

Q: HOW CLOSE WERE YOU TO PAULA?

A: I was about 10 feet on the side of her

Q: COULD YOU ESTIMATE THE SIZE OF THE BALL OF FIRE?

A: about a four feet diameter

Q: DID YOU SEE WHERE THE MAN WHO THREW THE LIQUID ON PAULA WENT?

A: I did see what direction the man run off to, I saw every body around him moving in different directions

Q: DID YOU TREAT PAULA FOR HER INJURIES?

A: Yes I did

Q: DESCRIBE HER INJURIES?

A: she had burn to 60 to 70% of her body. From the head down was completely completely burn and her legs had burn marks. The only part of her body that was not burn were where she had her shoes on. by the time we was doing putting out the flame all her clothing was burn of and her body started to freeze up for a moment. though she was died. she is lucky to be alive for the moment, but I don't know if she is going to survived this cause she lost all feeling in her burns at that moment. her face was completely burn.

Q: WHO IS SSG (b)(6), (b)(7)(C)

A: he is the squad leader for 3 squad

Q: WHAT IS ANP?

A: antagonist National police

Q: WHAT IS CASVAC?

A: Casualty evacuation vehicle

Q: WHO IS CPT (b)(6), (b)(7)(C)

A: the doctor that was in charge of the Aid station

Q: DID YOU TREAT THE MAN WHO WAS SHOT?

A: No

Q: IS THERE 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)

PAGES 3 OF 4 PAGES

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 32

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

FOB H-TAL

5 NOV 08

AFFIDAVIT

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

STATE DEPT OF STATE HAS BEEN BY OF THIS STATEMENT... I HAVE READ AND UNDERSTAND THE CONTENTS OF THE DATA... I HAVE MADE THE... I HAVE MADE THE... I HAVE MADE THE...

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, on this 5 day of NOV, 2008, at FOB H-TAL

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

SPECIAL AGENT (b)(6), (b)(7)(C)

Type Name of Person Administering Oath

10 USC 2386

Activity to Administer Oath

WITNESSES:

WITNESSES:

EXHIBIT INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 4 OF 4 PAGES

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 30

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		0238-08-110369		
		CRD REPORT/CID ROI NUMBER 43873		
RECEIVING ACTIVITY Afghanistan CID Office		LOCATION Bagram Airfield, APO AE 09354		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER SSG (b)(6), (b)(7)(C) TOC NCOIC		ADDRESS (Include Zip Code) C Company, 2-2 Infantry FOB Huta, Afghanistan APO AE 09355		
<input checked="" type="checkbox"/> OTHER		REASON OBTAINED Evidence	TIME/DATE OBTAINED (b)(6), (b)(7)(C) 0908/06 Nov 08 0800	
LOCATION FROM WHERE OBTAINED From SSG (b)(6), (b)(7)(C) while at FOB Huta, Afghanistan, APO AE 09355				
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include material, serial number, condition and unusual marks or scratches)		
1	1	Pitcher, black and silver in color, metal construction, about 12" tall, about 10" diameter base, has handle and top is spout shaped, bears soot stains, scratched and dented condition.		
2	1	Lighter, white, green, silver, and clear of color, metal and plastic construction, about 3" x 1" x 1/2", contains small amount of clear of color liquid, bears "HEALTH" in green letters on the side, imprinted with "CHIANG" in metal surface, dirty and scratched condition.		
3	1	Sunglasses, black in color, plastic construction, about 8" across the front, about 2 1/2" tall, missing right lens, lens bears multiple fractures, frame is melted and twisted.		
4	1	Sock, black in color, cloth material, about 14" long, dirty with pieces of plastic melted on.		
5	1	Helmet, Advanced Combat, size small, brown, black and green in color, plastic, metal and cloth construction, with ACU pattern cloth cover, with black in color, metal and plastic construction night vision device mount attached to the front, with black and brown in color Surefire brand helmet mounted light attached to the left rim, with pads attached to Velcro on the inside surface, dirty and burned condition with plastic surfaces partially melted.		
6	1	Notepad, green, yellow, and white in color, about 7" x 4", bearing "7530 00 222 0078 Federal Supply Service" on the back cover and "Memoranda" on the front cover, wet and dirty condition with handwriting on about half the pages. Notepad has a ballpoint pen clipped to it, gray and black in color, about 6" long, with fitted cap bearing clip, in dirty and used condition.		
7	1	Flashlight, Surefire brand, 6P model, black and clear of color, metal and plastic construction, bearing "A440221" and "US Patent 6222138", scratched and scuffed condition. (Continued on page 2)		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-15	06 Nov 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	
		NAME, GRADE OR TITLE SSG (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	Evaluation as evidence
1-15	7 Nov 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Release to unit
		NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE MAT, BN XO	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and
DA FORM 4137-R Privacy Act Statement
26 Sep 75 Which are Obsolete

DOCUMENT
NUMBER

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Exhibit 33

Continuation of description of items received from SSG (b)(6), (b)(7)(C)

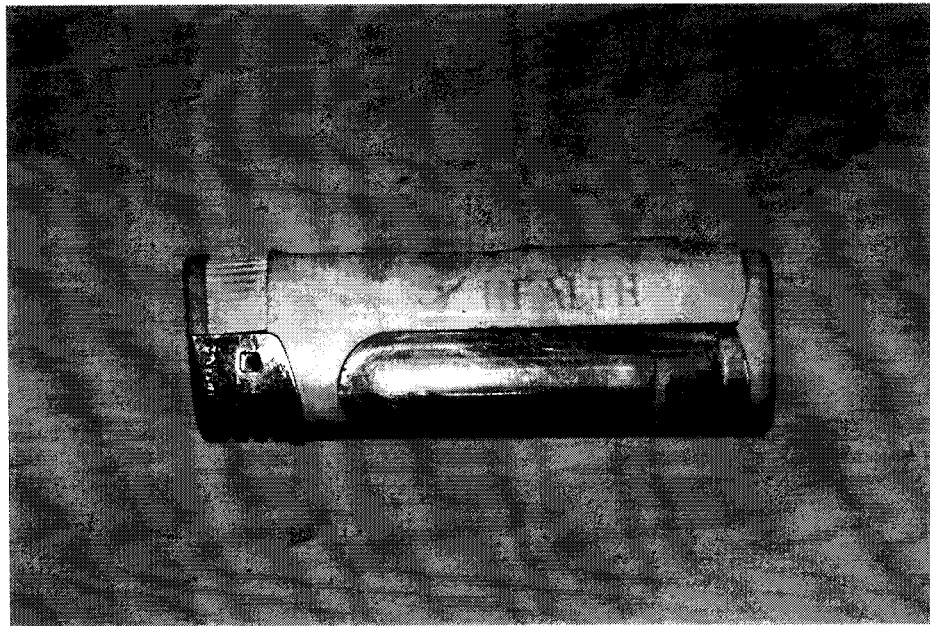
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES	(Continued)
8	1	Knife, folding, Kershaw brand, black, green and white in color, metal and plastic construction, about 6" long, with belt clip, bears "United States Army Marksmanship Unit", scratched and scuffed condition.	
9	1	Army Values tag, green and yellow in color, plastic construction, about 2" x 1" with a hole in one end, bears "GTA 22-6-3", plastic laminate peeling off.	
10	1	Enhanced side ballistic insert, green and white in color, metal and fabric construction, bears NSN 8470-01-536-7227, Lot No. SP0159-MP2S1, serial number 0484056, used condition.	
11	2	Enhanced side ballistic insert ballistic panel carrier, green, brown, yellow and black in color, fabric construction, manufactured by Point Blank Body Armor, Inc., NSN 8470-01-537-0511, Lot No. ESBI-29 17, Velcro portion melted, long edge melted.	
12	2	Boots, one left and one right, Merrell Performance Footwear brand, Ridge Gore-Tex Brown model, women's size 9, brown, black, yellow and gray in color, rubber, plastic and fabric construction, laces broken, plastic surfaces melted. Left boot has a black in color sock similar to Item 4 melted to it.	
13	1	Clothing, brown, blue and gray in color, cloth construction with metal and plastic buttons, appears to be women's underwear and the top portion of pants or shorts, edges are burned and melted, pieces are melted together.	
14	1	Glove, right hand, black, brown and yellow in color, plastic and fabric construction, torn with melted plastic type substance in places.	
15	1	Body armor, size small, ACU camouflage pattern, green and brown in color. Contains front and rear ballistic plates. Attached to the body armor are: yoke and collar assembly, deltoid and axillary protectors, enhanced side ballistic insert carriers without plates, first aid kit in pouch, seatbelt cutting tool in pouch, Timex brand Ironman watch, silver carabiner, AquaNot brand case, plastic construction, purple in color, about 2 1/2" diameter x 1" tall, bearing "Designed and Manufactured Especially for Loyd, Paula", and water bladder drinking system in carrying pouch with drink tube. All items are dirty and burned with plastic surfaces melted, and the side straps of the body armor are cut.	

//////////////////////////////////////LAST ITEM//////////////////////////////////////

PHOTOGRAPHIC PACKET
Photos of the evidence



Metal pitcher identified by witnesses as used by Mr. SALAM to throw the flammable liquid on Ms. LOYD.



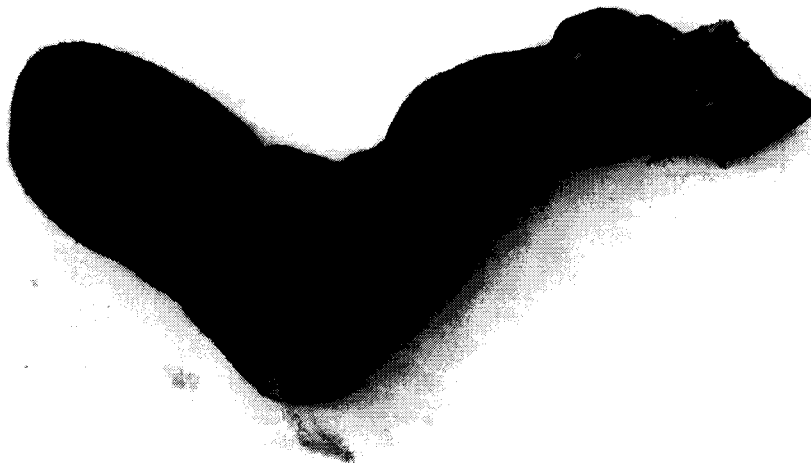
Lighter identified by witnesses as used by Mr. SALAM to ignite the liquid used in the attack against Ms. LOYD.

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PHOTOGRAPHIC PACKET
Photos of the evidence



Ms. LOYD's sunglasses, warped and melted with one lens missing.



Ms. LOYD's sock, with bits of plastic melted to it.

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PHOTOGRAPHIC PACKET
Photos of the evidence



Left side of Ms. LOYD's helmet with burn marks and melted plastic.



Right side of Ms. LOYD's helmet with burn marks.

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PHOTOGRAPHIC PACKET
Photos of the evidence



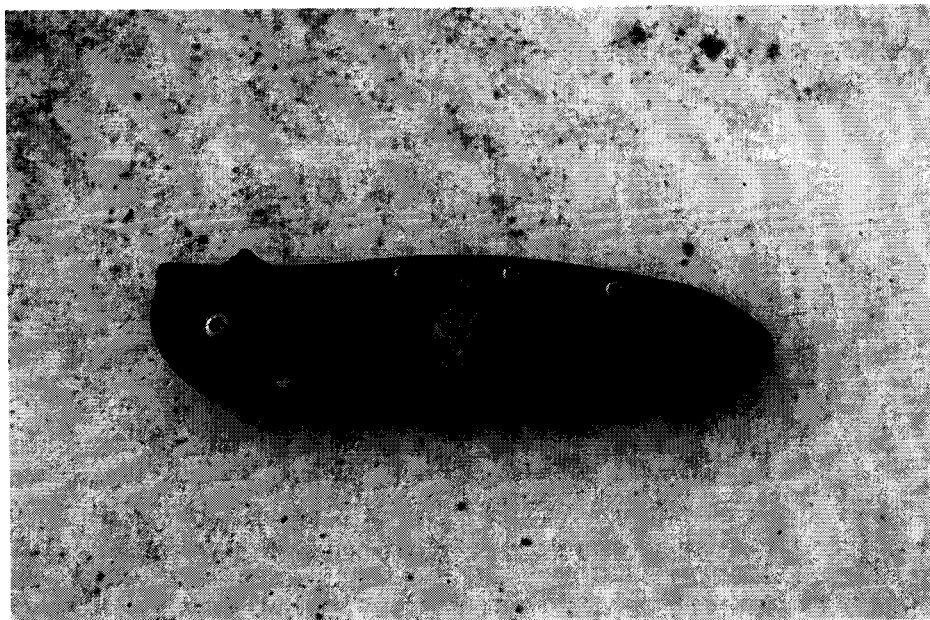
Ms. LOYD's notebook and pen, still wet from efforts to douse the fire.



Ms. LOYD's flashlight.

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PHOTOGRAPHIC PACKET
Photos of the evidence



Ms. LOYD's knife.



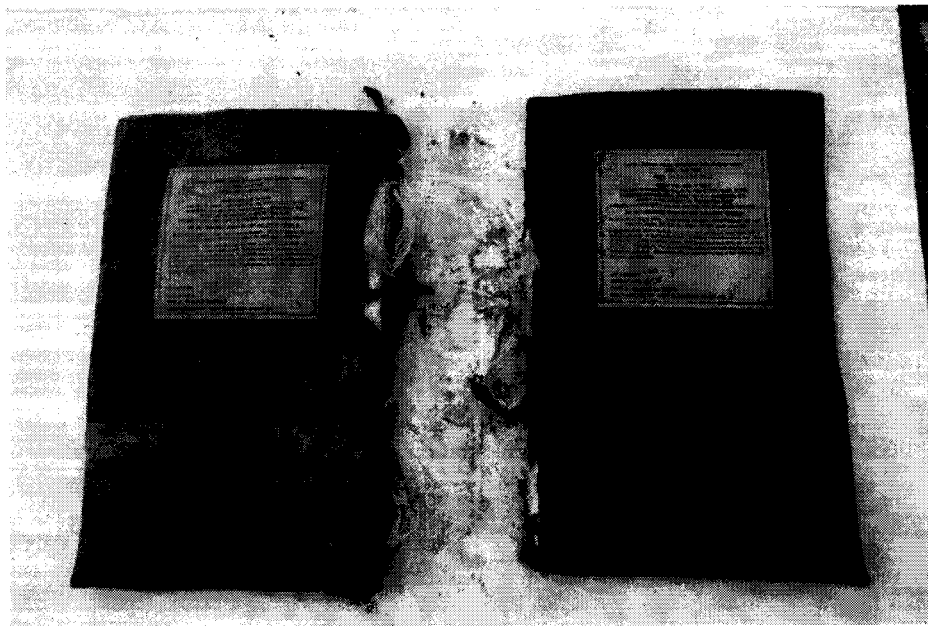
"Army Values" tag carried by Ms. LOYD.

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PHOTOGRAPHIC PACKET
Photos of the evidence



Ballistic plate from Ms. LOYD's body armor.



Ballistic panels from Ms. LOYD's body armor. Edges are burned and melted.

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PHOTOGRAPHIC PACKET
Photos of the evidence



Ms. LOYD's right boot, with plastic melted and laces burned.



Ms. LOYD's left boot, with plastic melted and laces burned. Her sock is melted to the boot.

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PHOTOGRAPHIC PACKET
Photos of the evidence



Remaining portions of Ms. LOYD's pants and underwear, with edges burned.



One of Ms. LOYD's gloves.

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PHOTOGRAPHIC PACKET
Photos of the evidence



Ms. LOYD's body armor with attachments, burned in places with plastic melted.



Reverse of Ms. LOYD's body armor.

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PHOTOGRAPHIC PACKET
Photos of the evidence



AquaNot brand case attached to body armor, bearing Ms. LOYD's name.

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SWORN STATEMENT

File Number :
Location : ~~Afghanistan CID Office~~ (b)(6), (b)(7)(C) 3 Hatal, Afghanistan
Date : November 6, 2008
Time : 0958 (b)(6), (b)(7)(C)
Statement of : (b)(6), (b)(7)(C)
Grade/Status : E-6/AD
SSN : (b)(6), (b)(7)(C)
Org/Address : C Co, 2-2 Inf, FOB Hatal, APO AE 09355

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 This statement is to clarify and provide further detail about the statement I made on 4 Nov 08.

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

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

Q: Can you describe the local national man you saw running?

A: Normal dress, I can't remember the exact color of his clothing. Short hair. About my height, I noticed when he made contact with (b)(6), (b)(7)(C) Not a real big build individual. Dark hair, I didn't notice any facial hair necessarily. He wasn't running away like the normal individual who may have been standing in the area trying to get out of the area. They usual huddle down like they're scared. He was definitely running to get away.

Q: Was the man carrying anything?

A: No.

Q: When you first saw the man running, where was Mr. (b)(6), (b)(7)(C) in relation to you?

A: When I first saw him running, Mr. (b)(6), (b)(7)(C) was about 10-15 feet to the north, in front of me.

Q: About how far away was the running man when you first saw him?

A: About 20-25 feet in front of me. There's kind of a bend in that area, so by the time I saw him he was pretty close to our location.

Q: From where you were when you saw the man running, could you see the far position where you later learned Paula had been burned?

A: The only thing I could see when I saw him was one of my guys running across the creek to the west to get on the wall for a security position. I could not see the site where Paula was.

Q: How did Mr. (b)(6), (b)(7)(C) first make contact with the running man?

A: As soon as he ran towards Mr. (b)(6), (b)(7)(C) at the same time we heard a lot of yelling, so I think he just instinctively grabbed the nearest guy running. They met face to face and Mr. (b)(6), (b)(7)(C) grabbed him. By the time I got to them Mr. (b)(6), (b)(7)(C) had already wrestled him, threw him into the wall, and got him to the ground. He used his body weight to swing him down to the ground. By that point my guys from 3rd squad were coming up behind me to help so I kept going to the North position for casevac purposes.

Q: Who from your squad came up and helped Mr. (b)(6), (b)(7)(C)

A: SPC (b)(6), (b)(7)(C) is what I was told. I knew there was guys coming up behind me because I could hear them running and yelling. I didn't actually see who it was at that time.

Q: Did Mr. (b)(6), (b)(7)(C) have his pistol in his hand when you saw him wrestling with the man who was running?

A: No he did not.

Q: Can you describe how the man was fighting Mr. (b)(6), (b)(7)(C)

A: He was trying to push him away, and at the same time tried to spin away to get past him. He wasn't a big guy so he didn't have a lot of weight to use, but he still tried to get away by spinning.

Q: Did the man continue fighting once he was on the ground?

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 1 OF 4 PAGES

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EXHIBIT 35

FOR OFFICIAL USE ONLY
 LAW ENFORCEMENT SENSITIVE

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta1; DATED: November 6, 2008 CONTINUED.

A: By that point he hit the ground, I knew the guys were coming behind me. I don't know if he kept fighting because I didn't actually see it myself, but I heard later he kept fighting.

Q: How exactly did you hear the local national male was shot?

A: I was on the north position already, working the 9-line casevac part. I saw Mr. (b)(6), (b)(7)(C) walk up. He walked by me and he said that the guy was dead, that he shot him in the head, and the 1LT took his weapons.

Q: What were the exact words Mr. (b)(6), (b)(7)(C) used, as best you can remember?

A: I know he said "he's dead". I know he said "I shot him", but I can't remember if he said "I shot him in the head" or not. I know he said something to the effect of "he's dead" and "I shot him".

Q: Did you hear the shot?

A: No.

Q: Did you see any blood on Mr. (b)(6), (b)(7)(C) or his clothing?

A: No I did not.

Q: Did you see the local national after he was dead?

A: Later on after the incident I went down to check on my guys at the south end and find out what was going on. I saw him then.

Q: What position was the man in?

A: He was on his back, hands behind him, kind of cocked to the right side a little bit. His head was faced to the right.

Q: Were his hands in zip cuffs?

A: Yes, when I saw him initially they were.

Q: Did you see the gunshot wound?

A: At that time I didn't notice it. There was a lot of blood but I didn't look down to pay attention to where it was exactly. I knew it was in the head but I didn't know exactly where it was until later on.

Q: Where was the dead man when you saw him?

A: Right where I had seen (b)(6), (b)(7)(C) out him down the first time, on the east side of the creek, head toward the wall, feet toward the creek.

Q: You mentioned in your previous statement (b)(6), (b)(7)(C) asked you about flex cuffs – do you know why he asked if they were removed?

A: I don't know exactly why. My best guess would be maybe he thought we had helped him out by taking them off so it didn't look that way. He asked me while I was working the 9-line, and I said yes they were.

Q: What was his reaction to your answer?

A: After I told him they were still on I told him there was nothing we could do about it. He said "it is what it is" and after that he didn't say anything more.

Q: Did you talk with Mr. (b)(6), (b)(7)(C) about the incident at any time afterwards?

A: No, I sat by the wall.

Q: Do you know who took custody of Mr. (b)(6), (b)(7)(C) weapons?

A: They were taken off him by 1LT (b)(6), (b)(7)(C) and given custody to SSG (b)(6), (b)(7)(C) and he had them until we returned to FOB Huta1.

Q: Do you know what happened to the flexcuffs?

A: Yes. They were taken off before the ANP got there. I don't know who cut them off. Someone from 1st platoon, I think 1LT (b)(6), (b)(7)(C) ended up with them. When we collected everything at FOB Huta1, I asked where they were. Someone said SFC (b)(6), (b)(7)(C) truck. He had his driver get them out. They did not bring them directly to me. The next time I saw them they were sitting on the TOC table. After that I did not see them again.

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 2 OF 4 PAGES

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EXHIBIT 35

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta1; DATED: November 6, 2008 CONTINUED.

Q: When you saw the flexcuffs back at the TOC, were they cut?

A: Yes.

Q: Did you ever examine the injuries on the dead man?

A: No, I did not.

Q: What was Mr. (b)(6), (b)(7)(C) demeanor when he told you he shot the man?

A: Calm. Ever since we met him he's been soft spoken and calm. He seemed more concerned, he was worried about Paula. He sat quietly, Indian style against the wall, with someone watching him. At one point he got up to walk around and the individual watching him asked him to sit down. Mr. (b)(6), (b)(7)(C) asked if the individual was there to watch him. The individual asked what Mr. (b)(6), (b)(7)(C) thought, and he said yeah and sat down.

Q: Is there anything you would like 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 3 OF 4 PAGES

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EXHIBIT 35

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hotal; DATED: November 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 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, this November 6, 2008, at the Afghanistan CID Office (b)(6), (b)(7)(C) FOB Hotal

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

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C)
Afghanistan CID Office
APO AE 09354

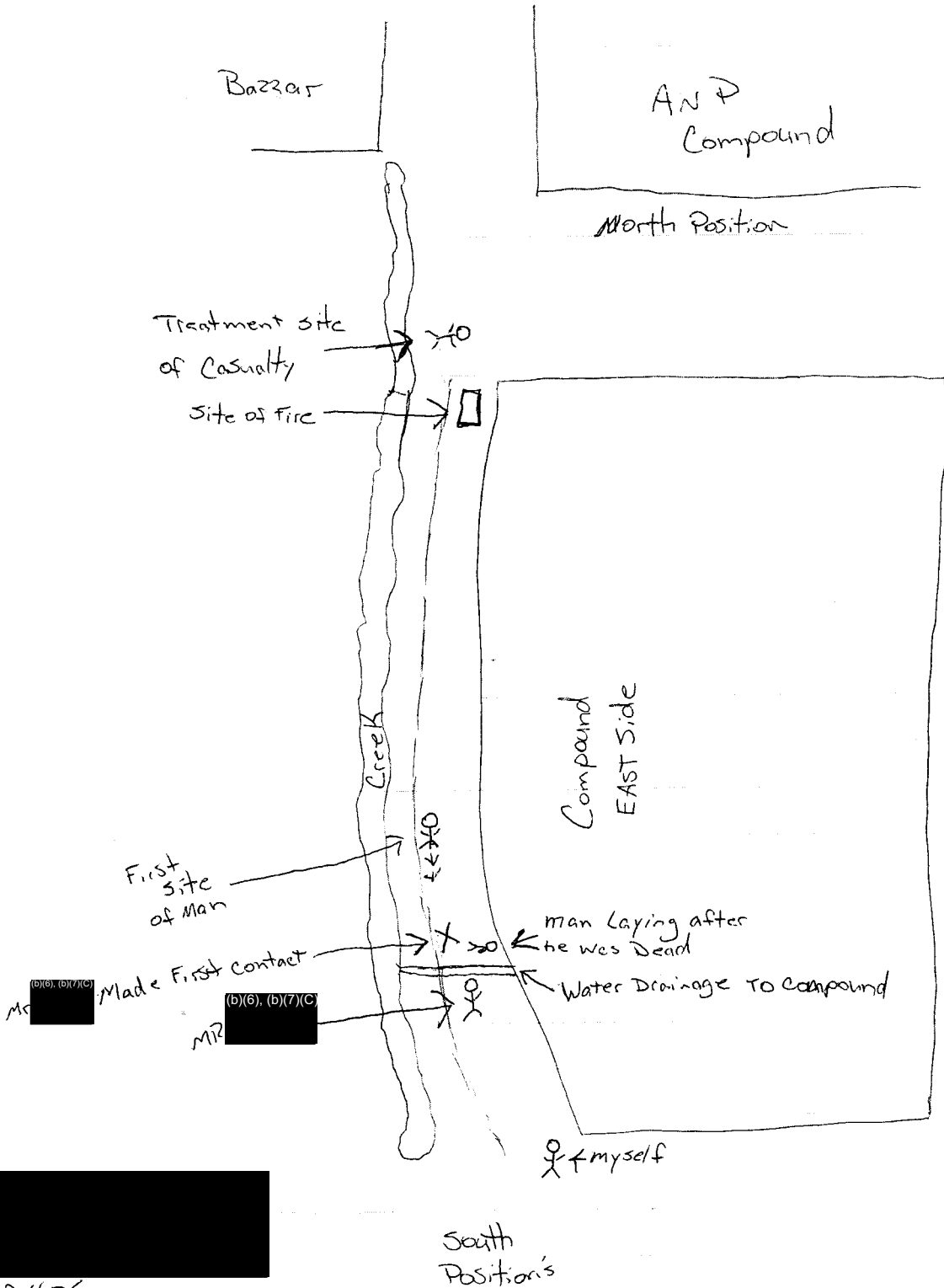
(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

WITNESS:

WITNESS:



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

20081106

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Exhibit 36

SWORN STATEMENT

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

LOCATION FOB HUTAL, AFGHANISTAN, APO AE 09355	DATE 6 Nov 08	TIME 1105	FILE NUMBER (b)(6), (b)(7)(C)
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-3/PFC	
ORGANIZATION OR ADDRESS CCO 2-2 INF 3 BCT 1 ID FOB HUTAL, AFGHANISTAN APO AE 09355			

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

At around 10:00 November 4, 2008 3rd Plt was on patrol. I was pulling security down an alleyway on the Southside pointing west. when I heard a scream and a lot of movement to my North I look to my left and see a man running towards me threw the ditch and members of my Platoon yelling stop him so I started toward's the man. Before I got to him (b)(6), (b)(7)(C) was between me and the man so he had a hold of the man trying to detain him the man was still resisting when I got to him I ~~was~~ ^{started} assisting (b)(6), (b)(7)(C) with the man. He continued to fight us swinging at my face then grabbing my muzzle of my m4 I was telling him to release my weapon and stop fighting us but he continued. then I got his hands loose of the weapon we struggled with him still then got him on his back and flexcutted after that I pulled security on the man ~~for~~ for a few moments and I was told to go back and pull security down the road way to the South where I was moments later not for sure exactly the time I heard a shot from my left and I look and see the man on the ground bleeding out of his head with (b)(6), (b)(7)(C) to his left and spc (b)(6), (b)(7)(C) and I turned back to my sector pulling security awaiting further guidance.

Q: (b)(6), (b)(7)(C)
A: (b)(6), (b)(7)(C)
Q: DID YOU WRITE THE ABOVE STATEMENT ABOVE?
A: yes

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ 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 FBI HOTEL

DATED 6 Nov 08 CONTINUED:

Q: DESCRIBE THE MAN RUNNING TOWARDS YOU?

A: He around 5'10 to 6'0 I believe he was wearing blue, black hair around 160 to 180 lbs.

Q: WHO WAS SCREAMING A MALE OR FEMALE?

A: Female, I also heard many male voices.

Q: HOW MANY FEMALES WERE WITH THE PATROL?

A: one

Q: COULD YOU TELL IF IT WAS THE FEMALE FROM THE PATROL SCREAMING AS NO

Q: WHO IS (b)(6), (b)(7)(C)?

A: To my best knowledge Non military Group Attached to our patrol on this day.

Q: HOW DID MR. (b)(6), (b)(7)(C) STOP THE MAN?

A: Closed in on the man and wrapped his arm around him.

Q: DID MR. (b)(6), (b)(7)(C) TAKE THE MAN TO THE GROUND?

A: No, me and Mr. (b)(6), (b)(7)(C) took him to the ground

Q: HOW LONG DID YOU STRUGGLE WITH THE MAN BEFORE TAKING HIM TO THE GROUND?

A: (b)(6), (b)(7)(C) 1 to 2 min.

Q: WAS THE MAN STRUGGLING ON THE GROUND?

A: yes

Q: DID MR. (b)(6), (b)(7)(C) HELP WITH TURNING THE MAN ONTO HIS STOMACH?

A: I'm not sure if he helped or was pulling security.

Q: WAS SPC (b)(6), (b)(7)(C) HELPING DETAIN THE MAN?

A: By then I'm pretty sure he was there.

Q: WHO FLEX CALLED THE MAN?

A: Sgt (b)(6), (b)(7)(C) and myself

Q: DID YOU HAVE TROUBLE CONTROLLING ONE OF THE MAN'S ARMS?

A: Sgt (b)(6), (b)(7)(C) flexed the first arm I had the other one. then we completed by having both arms flexed behind his back.

Q: WHO TOLD YOU TO GO AND PULL SECURITY?

A: Believe it was my team leader SPC (b)(6), (b)(7)(C)

Q: WAS THE MAN STILL STRUGGLING WHEN YOU LEFT?

A: yes

Q: WHO TOLD YOU ABOUT PAULA'S CONDITION?

A: SPC (b)(6), (b)(7)(C) I believe

Q: DO YOU KNOW IF SPC (b)(6), (b)(7)(C) TOLD MR. (b)(6), (b)(7)(C)

A: Not sure

Q: WERE YOU ALSO INVOLVED IN THE (b)(6), (b)(7)(C) WAS THERE A SECOND ALTERCATION WITH THE MAN IN THE STREAM?

A: While I was pulling security I seen the man in the stream with a tarp around him and not sure who else.

Q: WAS THAT AFTER YOU WERE TOLD TO RETURN TO PULLING SECURITY BY SPC (b)(6), (b)(7)(C)

A: Not sure that I was told by SPC (b)(6), (b)(7)(C) to return to security but it was after I returned to pulling security

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

PAGES 2 OF 4 PAGES

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EXHIBIT 37

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

TAKEN AT FCB HITAL DATED 6 NOV 08 CONTINUED.

Q: DID YOU SEE MR. (b)(6), (b)(7)(C) SHOOT THE MAN?

A: NO

Q: DID YOU EVER SEE MR. (b)(6), (b)(7)(C) WITH HIS M9 PISTOL UNOLSTERED?

A: YES, AFTER I HEARD THE SHOT.

Q: DID YOU HEAR MR. (b)(6), (b)(7)(C) SAY ANYTHING AFTER YOU HEARD THE SHOT?

A: NO

Q: HOW FAR WERE YOU FROM MR. (b)(6), (b)(7)(C) AFTER HEARING THE SHOT?

A: 20 to 25 yds

Q: DO YOU REMEMBER HOW MUCH TIME PASSED BETWEEN RETURNING TO PULLING SECURITY AND HEARING THE GUNSHOT?

A: Not really sure didnt seem that long.

Q: IS THERE 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)

PAGES 3 OF 4 PAGES

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EXHIBIT 37

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

TAKE AT FOB HOTEL DATE 6 NOV 08

AFFIDAVIT

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

BEFORE ME, the undersigned authority, on this day personally appeared 4, known to me to be the person whose name is subscribed to the foregoing statement, and acknowledged to me that he executed the same for the purposes and content therein expressed.

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

6 NOV 2008 AT FOB HOTEL, AFGHANISTAN

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

Administering Cash.

SPECIAL AGENT

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

(Type Name of Person Administering Cash)

WITNESSES:

(Signature line for Administering Cash)

WITNESSES:

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

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

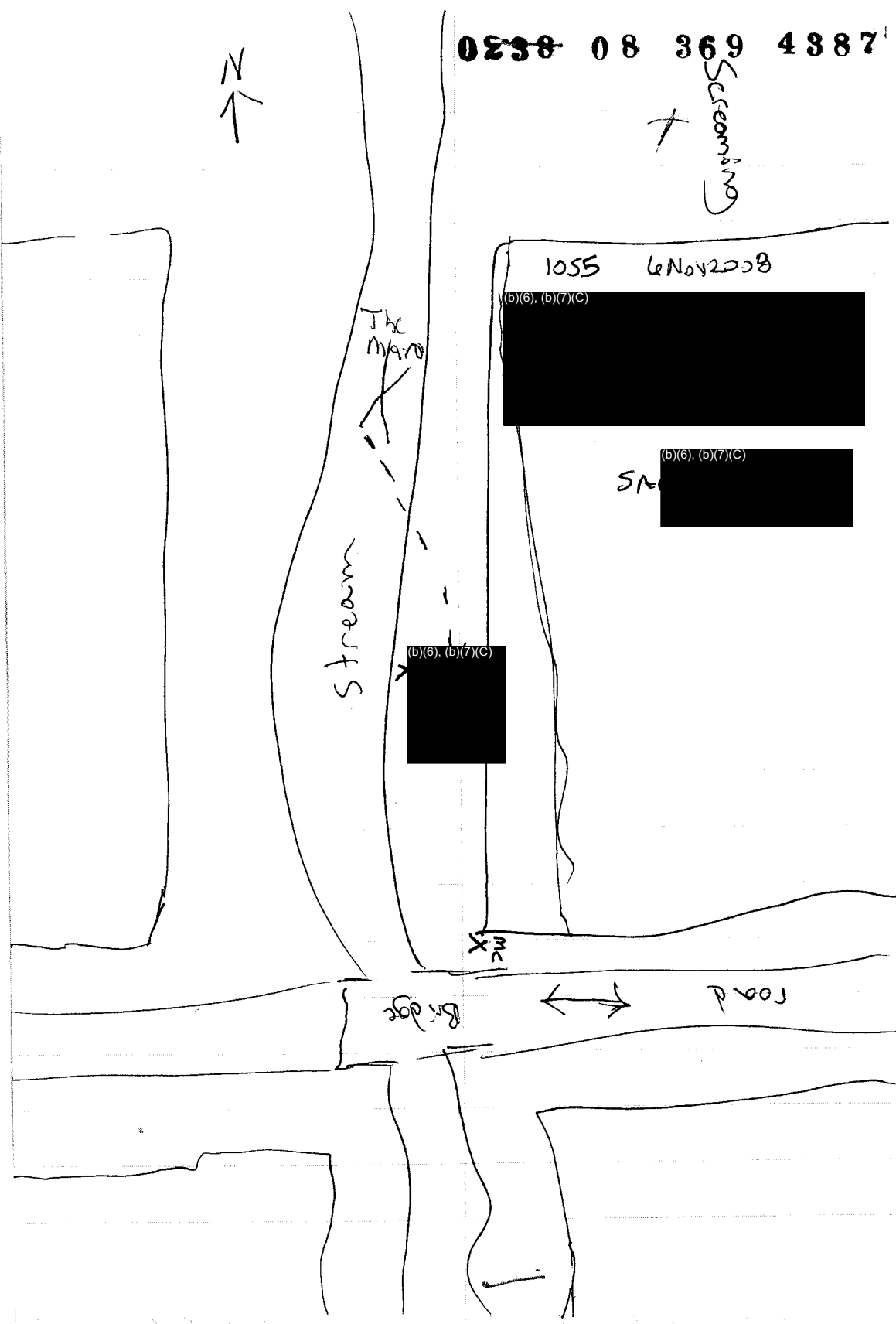
PAGE 4 OF 4 PAGES

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EXHIBIT 37

~~0238~~ 08 369 4387

Screening



1055 6 Nov 2008
(b)(6), (b)(7)(C)

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

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

SWORN STATEMENT

File Number : (b)(6), (b)(7)(C)
Location : ~~Afghanistan CID Office~~ FOB Hatal, Afghanistan
Date : November 6, 2008
Time : 12:49
Statement of : (b)(6), (b)(7)(C)
Grade/Status : E-5/AD
SSN : (b)(6), (b)(7)(C)
Org/Address : C Co, 2-2 Inf, FOB Hatal, APO AE 09355

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 This statement is to clarify and provide further detail about the statement I made on 4 Nov 08.

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

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

Q: Where were you in relation to Paula while she was talking to the locals?

A: I was about 30 meters away pulling security.

Q: Were Paula in your line of sight?

A: Yes.

Q: How many locals was she talking to?

A: I saw a bunch of kids, and probably 2 or 3 adults.

Q: Were the adults men or women?

A: They were all male?

Q: Were any of the men holding anything?

A: I couldn't see because I was some distance away.

Q: Can you describe the men she was talking to?

A: They had beards and normal clothing. Nothing that would stick out.

Q: Were they older men or younger?

A: I don't remember. I know one guy wasn't that old.

Q: Did you see how Paula was lit on fire?

A: No.

Q: Did you see anyone running away from Paula?

A: Yes. That was probably the first thing I noticed. I saw two or three kids, and one male, and I think they were all on fire a little bit. I saw them jump into the creek except for the one man.

Q: What did the man do?

A: He just kept running. I was pointing my weapon at him and telling him to stop because I knew 3rd squad was down that way. I think part of his arm was on fire.

Q: What direction was he running?

A: He was running down the alleyway. I was on the other side of the creek from where he was. He was running toward the end of the alley where 3rd squad was pulling security on the bridge.

Q: When you saw him running, was he carrying anything?

A: I don't think so.

Q: Did you hear him say anything?

A: I'm not really sure. I heard a lot of screaming, the kids screaming, I was screaming, there was a lot of noise going on at the time.

Q: Could you tell why the man was running - was he scared, trying to get away, etc.?

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

PAGE 1 OF 4 PAGES

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EXHIBIT 39

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hatal; DATED: November 6, 2008 CONTINUED.

A: I think it was a little of both. But he was looking at the soldiers, like he was keeping an eye on us, seeing what we were going to do.

Q: Did he seem to be avoiding soldiers, as if he was trying to get away or escape?

A: There's really no where to avoid people because it's so narrow and there's a creek. There's no where you can run to try and get away.

Q: Did you see anyone make contact with the man?

A: No, I didn't see that. I was already rushing to help Paula.

Q: Was the guy you later saw Mr. (b)(6), (b)(7)(C) wrestling with the same person you saw running?

A: Yes.

Q: How do you know it was the same person?

A: The color of the clothing and his face.

Q: Can describe his face?

A: I just know he was bearded, and had short puffy hair. Mostly I recognized him because the clothes he had on were teal, like a bluish green. And no one else could have run down that pathway because it was blocked off on both sides.

Q: How far were you from Mr. (b)(6), (b)(7)(C) when you saw him wrestling with the guy?

A: I was just running back to my guys. It was about 30 meters.

Q: Was anyone else with Mr. (b)(6), (b)(7)(C) wrestling with the guy?

A: Someone else was. I found out later either PFC (b)(6), (b)(7)(C) or one of the terps was with him, but I'm not sure.

Q: Was the Afghan man fighting Mr. (b)(6), (b)(7)(C)?

A: Mr. (b)(6), (b)(7)(C) had already achieved dominance over him, but he was struggling to get free and trying to fight back.

Q: What position were they in?

A: Mr. (b)(6), (b)(7)(C) kind of had his knee in him and he handed me some of those zip cuffs. That's when I put my knee in him and put the zip cuffs on. I had the zip cuff on one hand tightened up and I was trying to get the other hand. I got it in but didn't get it tightened. I kept getting calls on the radio and someone else was there. I heard later someone else had to tighten it up while he was still alive because he was still resisting and struggling.

Q: Were you trying to put the zip cuffs on his hand behind his back or in front?

A: Behind his back.

Q: How many people were there when you were trying to put the zip cuffs on the man.

A: Including myself, 3. Mr. (b)(6), (b)(7)(C) me, and someone else (not sure who).

Q: Were you three able to get the man under control?

A: When I left he had zip cuffs on and he was laying down on the ground, face down in the dirt. I was kind of on top of him a little bit, and I think someone else was too.

Q: Why did you leave?

A: Cause I was getting calls on the radio to go inside the compound to clear it. I thought the stuff that caught Paula on fire was thrown over a wall.

Q: When you left, was the man struggling anymore?

A: Yeah, but not as much because his hands were behind his back and the cuffs were on.

Q: What color were the zip cuffs?

A: They were black.

Q: Did you come back out to where the man was detained after you cleared the compound?

A: The only time I came back to where he was was when I put him in the body bag.

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 2 OF 4 PAGES

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EXHIBIT 39

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta; DATED: November 6, 2008 CONTINUED.

Q: Do you know how he died?

A: Well I heard Mr. (b)(6), (b)(7)(C) had shot him in the head.

Q: Did you hear any shots?

A: No, I didn't hear any shots. Probably because it was a 9mm.

Q: How do you know it was a 9mm used to shoot him?

A: Because Mr. (b)(6), (b)(7)(C) only had 2 weapons on him - an M16 and a 9mm.

Q: How do you know the man wasn't shot with an M16?

A: The bullet wound wasn't big enough.

Q: Have you seen many M16 and 9mm bullet wounds?

A: I've seen a couple 9mm wounds, and I've seen an old AK47 scar.

Q: When you saw the detainee again, was he dead?

A: Yes.

Q: Can you describe his wounds?

A: He had wounds in both temples, not sure which was an entrance or exit wound.

Q: Did he have any other injuries?

A: I don't think so.

Q: What position was the detainee in when you saw him dead?

A: He was just laying on his back. There were local nationals and ANP around and they were trying to identify the body.

Q: Was he zipcuffed at that time?

A: No he wasn't.

Q: Was someone able to identify the body?

A: I'm not even sure.

Q: What happened to the body?

A: I helped put him in a body bag. ANP carried him somewhere. I'm not sure because I was taking off my gloves and getting my weapon back.

Q: Did you talk to Mr. (b)(6), (b)(7)(C) about what happened?

A: No. I talked to him after it happened but not about what happened. I steered clear of that topic. I asked him if he needed some water, gave him updates on Paula, comforted him.

Q: What was Mr. (b)(6), (b)(7)(C) demeanor after the incident?

A: He was calm but a little bit pissed of at the situation, and kind of sorry because we were being delayed because of his actions.

Q: Did he say anything about shooting the man?

A: No, he didn't mention it. He just said he was sorry if the team caused any delays. He was asking how Paula was, and was pissed off that she was attacked. He said something about he used to be part of "IF" or something - I'm not sure exactly what he said - and that they don't fuck around. I think he was referring to his prior service experience.

Q: Is there anything you would like to add to this statement?

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

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hotal; DATED: November 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 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)

Subscribed and sworn to before me, a person authorized by law to administer oath, this November 6, 2008, at the Afghanistan CID Office:
FOB HOTAL

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

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C)
Afghanistan CID Office
APO AE 09354

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

WITNESS:

WITNESS:

EXHIBIT _____

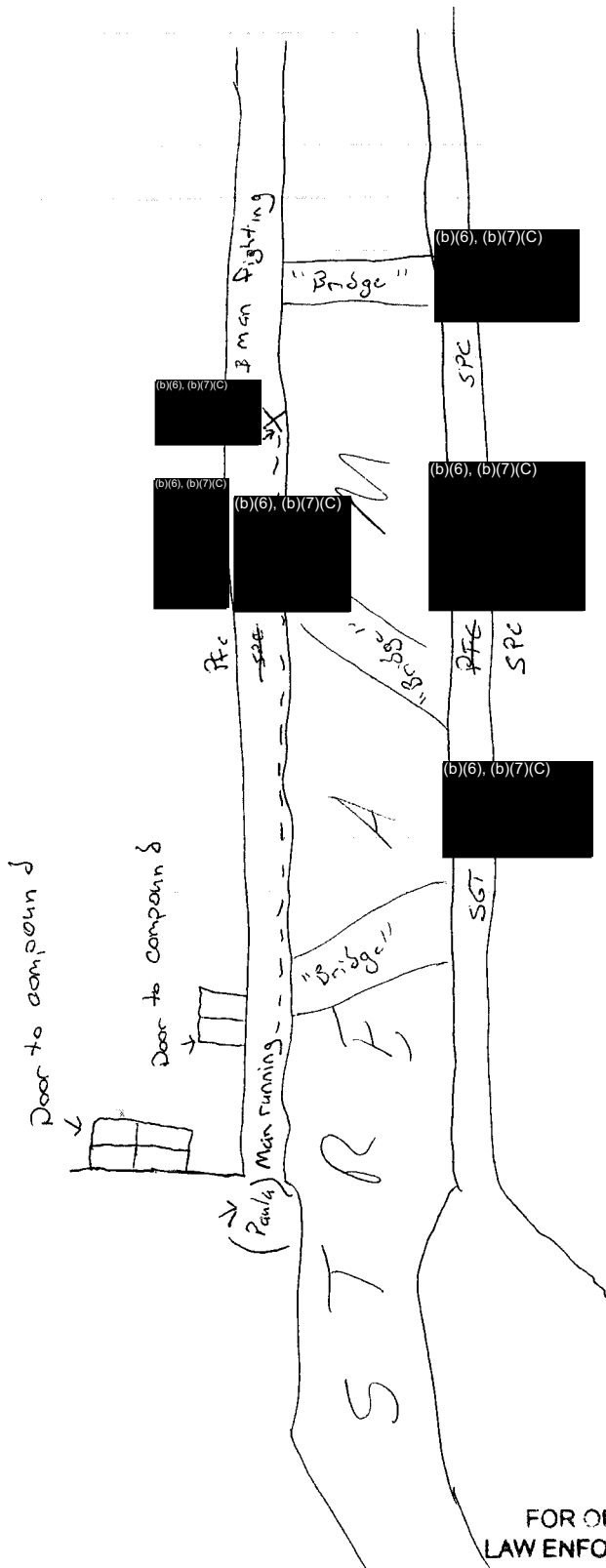
INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 PAGES

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EXHIBIT 39



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

9/11/2002

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LAW ENFORCEMENT SENSITIVE

Exhibit 40

SWORN STATEMENT

File Number : (b)(6), (b)(7)(C)

Location : Afghanistan CID Office FOB Hotal, Afghanistan

Date : November 6, 2008

Time : 1140 (b)(6), (b)(7)(C)

Statement of : (b)(6), (b)(7)(C)

Grade/Status : E-3/AD

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

Org/Address : HHC, 2-2 Inf, FOB Hotal, APO AE 09355

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

This statement is to clarify and provide further detail about the statement I made on 4 Nov 08.

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

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

Q: Who was Paula talking to?

A: She was talking to I think some elders. There was one older gentleman, I think mainly wearing brown. There was so many kids around. There were little kids, and older kids. There were some elders in there. I wasn't really paying too close attention to them.

Q: Do you know who yelled?

A: I think I remember the guy with the beard, the other guy on Paula's team.

Q: Who did you see was in flames?

A: After a minute of me looking around at everybody I figured out it was her. And I heard her screaming, I could tell it was a woman.

Q: Did you see where the man in blue came from?

A: I think he came out of the side door of the compound Paula was standing next to.

Q: Was he part of the group Paula was talking to?

A: He merged into the group.

Q: Did you see him holding anything?

A: No.

Q: Did you see how Paula was lit on fire?

A: When I heard the scream I saw someone on fire, then I saw the gasoline hit the ground and fire and she ran out of it.

Q: How do you know it was gasoline that hit the ground?

A: Just by the way it burned. And the conclusion afterwards that we figured it was gasoline.

Q: Did you smell a gasoline odor?

A: Yes.

Q: Did you see what the gasoline was carried in?

A: Yes. There was a pot laying on the ground with flames all around it. It was on fire for a little while.

Q: Did you see matches, a lighter, or anything else which could have been used to light the gasoline?

A: Yes. Later on once we were looking back we found a clear lighter on the ground next to where Paula had been standing.

Q: Can you describe the man in blue who was running?

A: I didn't really get a good look at him. I knew he was wearing blue from the time I saw him running and fall in the water. Didn't really get to see his face.

Q: Did the man get back up and keep running or stay down in the water?

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 1 OF 4 PAGES

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EXHIBIT 41

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta1; DATED: November 6, 2008 CONTINUED.

A: Yes. He got up and kept running to the corner, and then they stopped him I think.

Q: Did you see the man in blue get detained?

A: I didn't see him get cuffed.

Q: Did you see him get stopped?

A: No. They were working on the casualty and I looked down and saw him get hit in the face and then get kicked in the face.

Q: Who was getting hit and kicked?

A: The man in blue.

Q: Was he in custody at the time?

A: I don't know.

Q: Who was hitting and kicking him?

A: I don't know, I couldn't see very well. The same guy that punched him also kicked him.

Q: How many times did he get hit and kicked?

A: I saw him get punched once in the head and then thrown in the water. While he was in the water someone jumped down and kicked him in side of the head once.

Q: How well could you see what was happening to the man in blue?

A: I couldn't really see who it was except it was the man in blue. I couldn't tell who else was around.

Q: How far away were you?

A: 50-75 meters. But there's a lot of trees and you can't really see it.

Q: In your 4 Nov 08 statement you said you saw someone hitting what seemed to be a prisoner - why do you think he was a prisoner?

A: That was a bad word to use - I never saw him get handcuffed or get detained. I just remember seeing him get thrown and punched. I don't know if that was them stopping him or what.

Q: When the man was being hit and kicked, was he fighting back?

A: No, not at all.

Q: How many people were around the man?

A: I just saw one.

Q: Could you tell who it was?

A: I really don't know. They were in ACU's but not in full kit (body armor but not a bunch of pouches with stuff). They didn't have a weapon in their hand.

Q: Did you see the man get detained?

A: No, I didn't see him get handcuffed or anything.

Q: When did you first know the man was killed?

A: I remember 1LT (b)(6), (b)(7)(C) walked back to where we were and he was telling (b)(6), (b)(7)(C) to report up that one of the local nationals was dead.

Q: Did you see him die?

A: No.

Q: Did you hear any gunshots?

A: The ANP were firing a lot of warning shots around that time. But I didn't hear anything coming from down the alley.

Q: Did you know how the man died?

A: From what I heard, I started piecing together that Mr. (b)(6), (b)(7)(C) had shot him. I thought he shot him with his M16 at first but when I got back to FOB Huta1 and was talking to the guys they said he shot the man with his 9mm.

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 2 OF 4 PAGES

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EXHIBIT 41

0738.08-007369 43873

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hotal; DATED: November 6, 2008 CONTINUED.

Q: Did you talk to Mr. (b)(6), (b)(7)(C) about the incident?

A: No, I didn't talk to him at all. He was just sitting against the building after Paula left with no weapons or anything.

Q: Is there anything you would like 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 3 OF 4 PAGES

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EXHIBIT 41

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hotal; DATED: November 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 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, this November 6, 2008, at FOB Hotal:

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

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C) Afghanistan CID Office APO AE 09354

(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 4 OF 4 PAGES

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EXHIBIT 41

AA Compound

House

Stream

Path

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

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

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

20080611

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LAW ENFORCEMENT SENSITIVE

☒ - me
@ - Kids

⊗ - Guy in Blue

- - - direction running

Exhibit 42

SWORN STATEMENT

For use of this form, see AR 150-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel

LOCATION FOB HOTAL, AFGHANISTAN, APO AE 09355	DATE 6 Nov 08	TIME 1323	FILE NUMBER (b)(6), (b)(7)(C)
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E6/SSG	
ORGANIZATION OR ADDRESS C Co 2-2 INF 3BDE 1ID, FOB HOTAL, AFGHANISTAN APO AE 09355			

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

ON 4 NOV 2008 AT 1000 HOURS 3RD PLT WAS ON PATROL IN A LOCAL VILLAGE I HAD ~~START~~ ^{START} SET IN ON THE NORTH SIDE AND DOWN THE CREEK I WAS STANDING ^{(b)(6), (b)(7)(C)} NEXT TO PAULA AND ^{(b)(6), (b)(7)(C)} WALKING OVER THEM TRYING TO TELL ALL THE KIDS TO MOVE AROUND SHE TOLD ME THAT THEY ALL CAN STAY, SO I WALKED AWAY TO GO TALK TO LT. ^{(b)(6), (b)(7)(C)} ONCE HE TOLD ME WHAT THE PLAN WAS GIVING TO BE FOR THE NEXT GROUP OF HOUSES WERE GOING TO MOVE TOO. WE HEARD PEOPLE SCREAMING AND AS WE TURN PAULA WAS ON FIRE FROM WHAT LOOK TO BE OVER 7 FEET TALL. SHE FELL TO THE GROUND AND ^{(b)(6), (b)(7)(C)} WE STARTED TO PUT OUT ON HER BUT THE FIRE WOULDNT GO OUT LT. ^{(b)(6), (b)(7)(C)} SCREAMED PUT HER IN THE WATER ME AND ONE OF THE TROOP PUT HER BY HER BELT INTO THE WATER PUT THE FLAMMERS OUT WE GOT HER OUT AND SGT ^{(b)(6), (b)(7)(C)} STARTED WORKING HER WITH ^{(b)(6), (b)(7)(C)} I ONCE TOLD BY SGT ^{(b)(6), (b)(7)(C)} SSG ^{(b)(6), (b)(7)(C)} SAW IT COME OVER THE WALL SO I GOT A TEAM TOGETHER AND CLEARED THE PLACE WITH FOUND ONE GUY IN THE BACK THAT SCREAMING WITH A SHVEL IN HIS HAND ME AND MY TEAM GOT A HOLD OF HIM AND WERE BRINGING HIM OUT WHEN WE WERE TOLD THAT HE WAS NOT THE GUY THAT THEY HAD HIM ON THE SOUTH END. I PUT MY TEAM BACK IN PLACE WHEN I STARTED TO HEAR GUN FIRE WITH THE NORTH I FOUND OUT THAT IT WAS ANFP CLEARING THE ROAD FOR QRF. I THEN HEARD A SHOT FROM THE SOUTH I YELLED OUT THAT IT WAS ANFP TO STOP SHOOTING I WHEN DOWN TO TELL THEM AND WHEN I GOT THERE I HEARD LT. ^{(b)(6), (b)(7)(C)} TELL MR. ^{(b)(6), (b)(7)(C)} "ARE YOU SERIOUS" AND TOLD ME TO TAKE HIS WEAPONS. I GOT HIS M16 AND M9 AND WALKED UP TO THE NORTH TO LOOK OVER PAULA. I TOLD SGT ^{(b)(6), (b)(7)(C)} TO WATCH

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

LAW ENFORCEMENT SENSITIVE WILL BE USED.

EXHIBIT 43

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB HOTAL DATED 6 NOV 08 CONTINUED.

MR. (b)(6), (b)(7)(C) AND TOLD HIM WHAT HAPPENED I RETURN TO THE SOUTH SIDE ON STARTED TALKING TO THE GUYS DOWN THERE TO GET THE WAXIE STORY ONCE PAULA WAS TAKEN AWAY SEE (b)(6), (b)(7)(C) AND MYSELF STARTED TAKING PICTURES OF THE GUY THAT WAS SHOT AND OF THE WHOLE SITUATION ONCE ANP (b)(6), (b)(7)(C) CUT THE BODY - MR (b)(6), (b)(7)(C) WAS TAKEN BY Q-R-F. AND WE RETURN TO THE FOB I TOOK MR (b)(6), (b)(7)(C) WEAPONS TO THE TOL WHERE I PUT THEM IN ZIP LOCK BAGS AND TOOK THEM OVER TO CSM OVERSTREET SO THEY CAN BE TAKEN TO RAMROD.

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

Q: DID YOU WRITE THE STATEMENT ABOVE?

A: YES

Q: WHO IS PAULA?

A: SHE THE HUMAN TERRAIN TEAM THAT WORKING WITH US THAT DAY

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

A: (b)(6), (b)(7)(C) IS ALSO PART OF THE HUMAN TERRAIN TEAM

Q: DID YOU SEE HOW PAULA CAUGHT ON FIRE?

A: NO.

Q: WHO IS MR. (b)(6), (b)(7)(C)?

A: HE IS THE 3RD MEMBER OF THE HUMAN TERRAIN TEAM

Q: DO YOU KNOW WHY LT (b)(6), (b)(7)(C) ASKED MR (b)(6), (b)(7)(C) "ARE YOU SERIOUS"?

A: BECAUSE HE JUST SHOT THE GUY THAT WE HAD IN THE HEAD

Q: THE MAN THAT WAS SHOT CAN YOU DESCRIBE THE POSITION HE WAS IN?

A: HE WAS LYING ON THE GROUND WITH HIS HANDS FLIX-CAFF BEHIND HIS BACK

Q: WHAT IS QRF?

A: QUICK REACTION FORCE. (b)(6), (b)(7)(C)

Q: WHEN YOU TOOK MR (b)(6), (b)(7)(C) WEAPONS DID YOU CLEAR THEM AND WERE THEY LOADED?

A: YES I CLEARED BOTH OF THEM AND THEY WERE BOTH LOADED.

Q: WHAT WAS MR. (b)(6), (b)(7)(C) DEAMEANOR AFTER THE SHOOTING?

A: HE WAS ACTING LIKE NOTHING HAPPENED HE JUST WANTED SEE PAULA

Q: WHAT IS A FOB?

A: FORWARD OPERATIONS BASE.

Q: WHO IS CSM (b)(6), (b)(7)(C)?

A: HE IS MY BATTALION CSM.

Q: DID YOU SEE WHO SHOT THE MAN IN THE HEAD?

A: NO

Q: WHAT IS RAMROD?

A: THAT IS THE NAME OF THE FORWARD OPERATIONS BASE THAT THE REST OF THE BATTALION STAYS AT.

Q: DID YOU TALK TO MR. (b)(6), (b)(7)(C) AFTER THE SHOOTING?

A: NO, I STAY AWAY FROM HIM BECAUSE I DIDN'T WANT TO HAVE WORDS WITH HIM AFTER WHAT HE DID.

Q: IS THERE 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)

PAGES 2 OF 3 PAGES

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 43

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

F03 HOTEL

6 NOV 08

AFFIDAVIT

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

I HAVE READ IN FULL AND FULLY UNDERSTAND THE CONTENTS OF THIS AFFIDAVIT AND I HAVE SIGNED AND SUBMITTED THE SAME TO THE OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF JUSTICE, AND I HAVE UNDERSTOOD ALL REQUIREMENTS AND OBLIGATIONS OF THIS AFFIDAVIT AND I HAVE MADE THE SAME VOLUNTARILY AND WITHOUT COERCION, THREAT OF PUNISHMENT, AND WITHOUT UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

3

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

[Redacted]

6 NOV 08 F03 HOTEL AFGHANISTAN

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

[Redacted]

SPECIAL AGENT (b)(6), (b)(7)(C)

Special Agent in Charge

11-157-304

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

EXHIBIT 43

SWORN STATEMENT

File Number : (b)(6), (b)(7)(C)
Location : Afghanistan CID Office FOB Hotal, Afghanistan
Date : November 6, 2008
Time : 1238 (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 : C Co, 2-2 Inf, FOB Hotal, APO AE 09355

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

I was pulling security to the south of the incident site along with my team. When it happened I couldn't figure what went on, and saw one person engulfed in flames, and few others with tatters of there clothing on fire. The accused man ran towards and past my team, putting out flames from his clothes. He was tackled and restrained by people who were pushed further to the south than I. Me and my team leader Sgt (b)(6), (b)(7)(C) proceeded to help cuff the individual and then were called over to clear the corner compound of the incident; that was the last I saw of him. We entered and cleared the several rooms and in the furthest area was one male. He was brought over to the entrance of the compound as it was identified that the first man that was restrained was the aggressor. We then kept eyes on and calmed down the man from the compound. From there my team was pushed to the east side of the compound to pull security until SSE methods were complete and we were clear to extract.

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

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

Q: Did you see what started the fire?

A: No.

Q: Do you see who was on fire?

A: I saw but I did not identify until I moved up. Paula was on fire but when I got up there she was put out, and the guy that ran past me and was later cuffed was putting out fire on his clothes.

Q: Did you see what the man was doing before the fire started?

A: No.

Q: Did you see where the man was before the fire started?

A: No.

Q: How much of the man's clothing was on fire?

A: His sleeve and the end of his shirt on his right side.

Q: Who tackled the man?

A: I didn't see.

Q: Was whoever tackled the man a soldier or civilian?

A: There were two people but I couldn't identify them. They were both in ACU's and wearing body armor.

Q: How was the man initially restrained?

A: He was held down, then me and my team leader moved up there. SGT (b)(6), (b)(7)(C) helped put cuffs on him.

Q: Was anyone pointing a weapon at the man?

A: Not at that point.

Q: When you got to where the man was being restrained, was he fighting?

A: Yeah, he was being resistant.

Q: Can you describe how he was being resistant?

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

PAGE 1 OF 3 PAGES

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EXHIBIT 44

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta1; DATED: November 6, 2008 CONTINUED.

A: Just flailing around, trying to get out.

Q: What position was the man in?

A: Everyone was on the ground. He was on the ground and the US personnel were on top of him.

Q: When you and SGT (b)(6), (b)(7)(C) ran up, how many people were on top of the man?

A: Two.

Q: When you and SGT (b)(6), (b)(7)(C) ran up, did the man seem to be a threat to US personnel?

A: No. Potentially if he got out he would be, but since we had him down on the ground and people on top of him, he didn't seem to be a threat.

Q: How did the man get cuffed?

A: One person holding one arm, another person holding the other arm, and someone else putting the cuffs on. I was pulling security the other way so I don't remember who was doing what.

Q: Was he cuffed behind his back or in front?

A: Behind his back.

Q: Did the man continue to resist after he was cuffed?

A: We were being called to go back to the building, and it took a few more seconds to get him cuffed. SGT (b)(6), (b)(7)(C) and I ran as soon as we were called so I didn't see what happened after he was cuffed.

Q: Can you describe the man?

A: Late 30's, medium height, thin, black hair, pretty sure he had a beard, brown clothes.

Q: When the man was resisting, did it seem difficult for US personnel to get him under control?

A: It took a minute to get him restrained with two people on top of him.

Q: Do you think excessive force was used to restrain the individual?

A: No.

Q: So you never saw the man again after you left to clear the compound?

A: No. I saw a body bag later but I didn't see him.

Q: Did you hear gunshots while you were clearing the compound?

A: There were several but it was called up that it was ANP.

Q: Where were the Afghan National Police?

A: They were driving around the village. I know something happened, the ANP searched a guys house or something.

Q: Did the shots the ANP were firing have anything to do with the situation the platoon was involved in?

A: The shots sounded like they were coming from Ring Road South. I think they were just warning shots.

Q: Did you hear what happened to the man who was detained?

A: Just that he was shot.

Q: Do you know who shot the man?

A: I found out later on after I got back to FOB Huta1 that it was (b)(6), (b)(7)(C)

Q: Did you talk to Mr. (b)(6), (b)(7)(C) about the incident?

A: No.

Q: Did you hear Mr. (b)(6), (b)(7)(C) say anything about the incident?

A: No.

Q: Is there anything you would like 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 2 OF 3 PAGES

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EXHIBIT 44

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hotal; DATED: November 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)

(Signature)

Subscribed and sworn to before me, a person authorized by law to administer oath, this November 6, 2008, at FOB Hotal:

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

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C)
Afghanistan CID Office
APO AE 09354

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

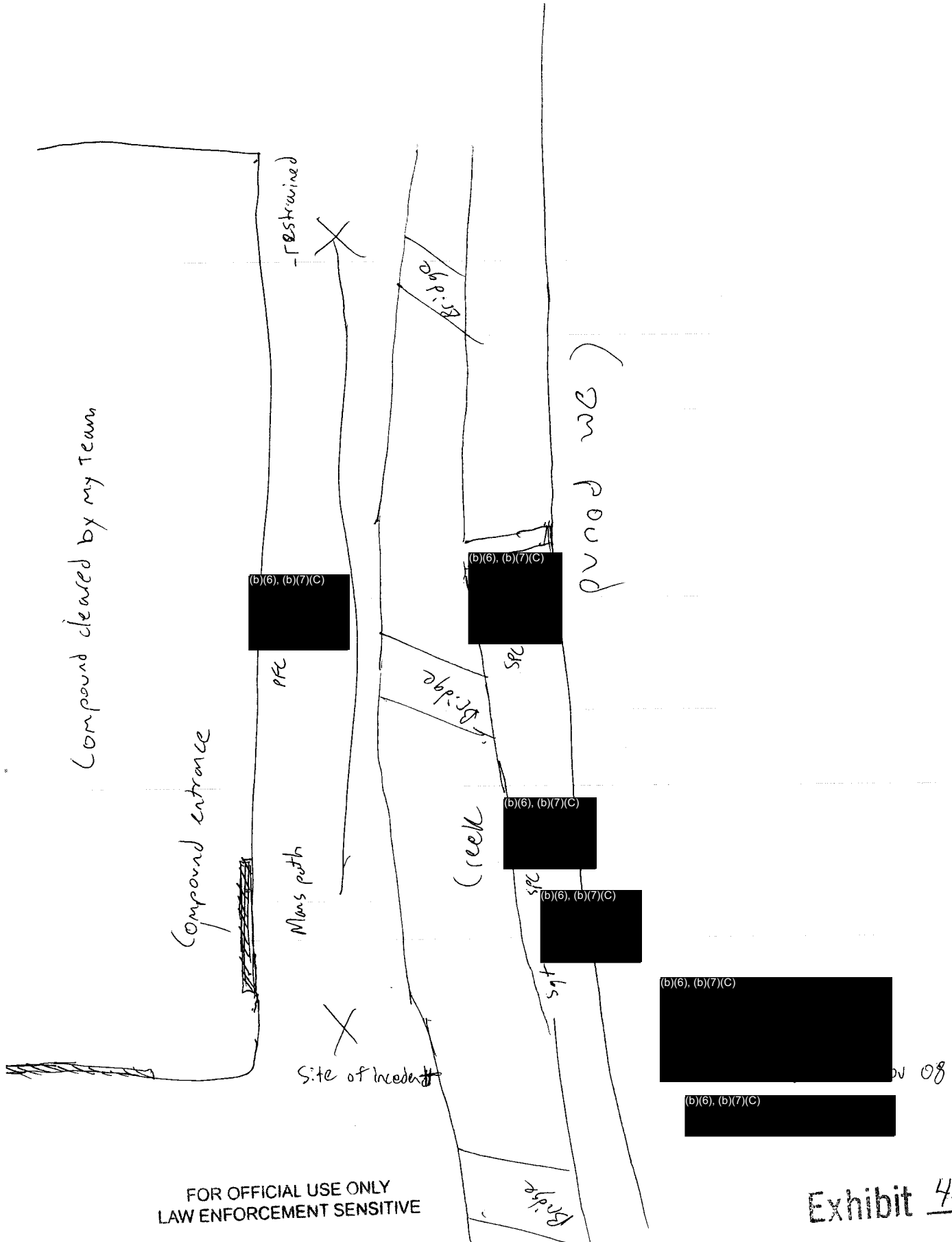
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EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 3 OF 3 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 44



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LAW ENFORCEMENT SENSITIVE

Exhibit 45

SWORN STATEMENT

File Number : (b)(6), (b)(7)(C)

Location : ~~Afghanistan CID Office~~ FOB Huta1, Afghanistan

Date : November 6, 2008

Time : 1328 (b)(6), (b)(7)(C)

Statement of : (b)(6), (b)(7)(C)

Grade/Status : E-3/AD

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

Org/Address : C Co, 2-2 Inf, FOB Huta1, APO AE 09355

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

I was pulling security by the riverbed, then i heard screaming from behind me so I turned around and saw paula in flames. I then jumped to the other side of the riverbed, when a afghan man came running in my direction putting out flames that were on his arm and the front of his body. Two soldiers grabbed him and put him to the ground. I then went with my team leader Sgt. (b)(6), (b)(7)(C) and we cleared the compound that was on the side of the riverbed. After that was clear, I got into the ANP truck that had paula in the back, and we brought her back to fob huta1 at the aid station.

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

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

Q: Which side of the riverbed were you initially pulling security on?

A: The same Paula was on.

Q: Did you see how Paula got caught on fire?

A: No I didn't.

Q: Did you see where the Afghan man came from?

A: I saw where he was running from. He was running from where Paula was.

Q: Was he running from that direction, or could you tell he was running exactly from where Paula was?

A: He was running from that direction.

Q: Can you describe the man?

A: Beard, short hair, Afghan descent, dark blue clothes, no vest, black hair, he looked middle aged.

Q: Was the carrying anything when you saw him running?

A: No.

Q: Did you see the man throw anything?

A: No.

Q: How badly was the man on fire?

A: Not bad at all. He was able to pat it out as he was running.

Q: Which side of the riverbed was the man running on?

A: He was running on the same side Paula was on.

Q: Which two soldiers grabbed the man?

A: I can't remember distinctly which two.

Q: How far did the man run before he was grabbed?

A: Just a little bit past where I was. He didn't make it to the end of the building.

Q: How did they put the man to the ground?

A: They told him to get down and he kept running and they just grabbed him and put him down.

Q: Did the man resist?

A: He was struggling to get out. When he was on the ground he was still struggling.

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

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE EXHIBIT 46

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta1; DATED: November 6, 2008 CONTINUED.

Q: Was the man able to get away at all?

A: Not that I saw.

Q: Did you see anyone else help the two soldiers help restrain the man?

A: No, I wasn't there very long.

Q: Did SGT (b)(6), (b)(7)(C) go help restrain the man?

A: From what I can remember he was attempting to help put Paula out.

Q: Did you find anything unusual when you cleared the compound?

A: No.

Q: Did you go back to the riverbed area after you cleared the compound?

A: No.

Q: Did you see the man who was being restrained after you cleared the compound?

A: No.

Q: Did you hear any gunshots while you were clearing the compound?

A: Yes I did. It was from the Afghan Police. They were firing on the south end of where we were.

Q: Did you hear any gunshots from around where the man was restrained?

A: No.

Q: Did you talk to Paula on the way back to FOB Huta1?

A: No, not at all.

Q: Did you hear her say anything about the attack?

A: No.

Q: Did you hear what happened to the man who was restrained?

A: I heard he was killed.

Q: Did you hear how he was killed?

A: No idea, I just heard he was shot in the head when I got back to FOB Huta1.

Q: Did you talk to Mr. (b)(6), (b)(7)(C) after coming back to FOB Huta1?

A: No, I didn't.

Q: I just showed you pictures of a dead Afghan man. Do you recognize him as the person who was running and subsequently restrained?

A: I'm 90% sure that was him. I definitely remember the look of him as he was putting out the flames.

Q: Is there anything you would like 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 2 OF 3 PAGES

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EXHIBIT 46

1238.08.C10369-43873

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta; DATED: November 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)

Subscribed and sworn to before me, a person authorized by law to administer oath, this November 6, 2008, at FOB Huta:

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

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C)
Afghanistan CID Office
APO AE 09354

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

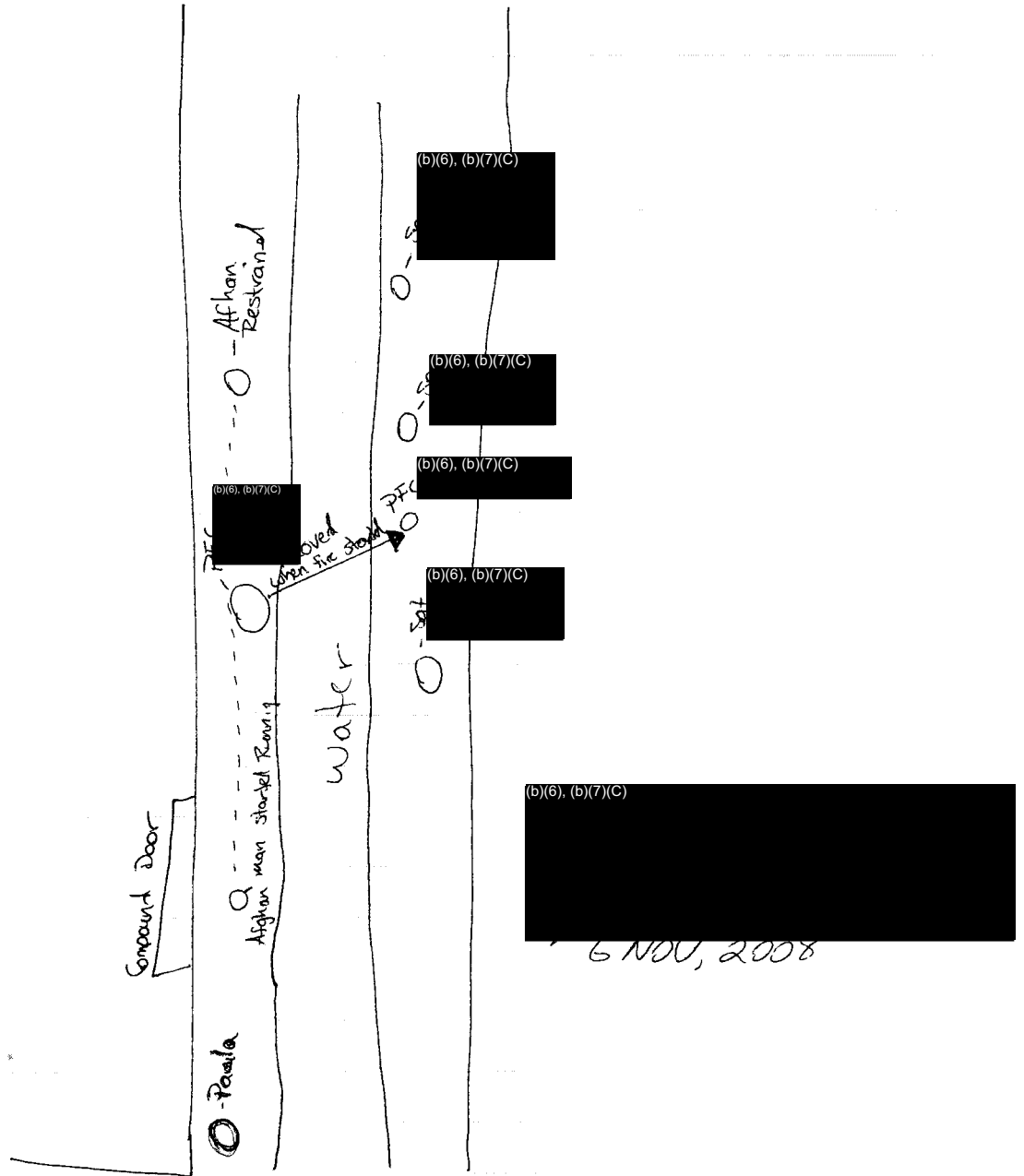
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EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 3 OF 3 PAGES

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EXHIBIT 40



FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

Exhibit 47

SWORN STATEMENT

File Number : (b)(6), (b)(7)(C)

Location : Afghanistan CID Office FOB Huta, Afghanistan

Date : November 6, 2008

Time : 1450

Statement of : (b)(6), (b)(7)(C)

Grade/Status : E-6/AD

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

Org/Address : C Co, 2-2 Inf, FOB Huta, APO AE 09355

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

This statement is to clarify and provide further detail about the statement I made on 4 Nov 08.

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

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

Q: Where did you see the pitcher fall from?

A: I just saw it just above the locals' heads, just come right down.

Q: So you couldn't tell if it came over the wall or was just thrown up in the air?

A: No. The wall was 7 or 8 feet tall and I saw the pot just above head level.

Q: Can you describe the pitcher?

A: After it was all said and done I saw it up close, after the fire was put out it was kicked in the river to cool off. It was the shape of a liquid pitcher and made out of aluminum or tin.

Q: Could you tell the pitcher was on fire as it fell?

A: I couldn't tell, it was just that quick. I just saw the flames expand.

Q: Did you see anyone light the fire?

A: No.

Q: Did the pitcher hit anyone directly?

A: I didn't see.

Q: You referred to the pitcher as full of fuel - how did you determine it had fuel in it?

A: Based on an assumption because of the flames.

Q: Did you see the man who ran south down the alley?

A: I saw the crowd split and that's when I saw Paula. I didn't see any particular person running.

Q: So you didn't see anyone who stood out?

A: No. When I saw Paula in flames, I directed my team to amp up security and get a grid for our location.

Q: Were you aware of the man who was detained at the south end of the alley?

A: No. I never went past that side of the fire.

Q: Did anyone say how the fire started?

A: Talking with my guys afterwards, stuff they had heard from after the incident until we did our debrief, was one of the interpreters saw a guy playing with a lighter.

Q: Did you hear anything about the man who was detained while you were still on site?

A: At one point (b)(6), (b)(7)(C) came up and said the LT took his weapon. It wasn't until we were getting ready to exfil that I found out (b)(6), (b)(7)(C) had shot that guy.

Q: Did you ever talk to Mr. (b)(6), (b)(7)(C) about the incident?

A: No I didn't.

Q: Did Paula say anything to you about the attack?

A: No.

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

PAGE 1 OF 3 PAGES

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EXHIBIT 48

38-08-C10369-43873

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta; DATED: November 6, 2008 CONTINUED.

Q: Is there anything you would like 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 2 OF 3 PAGES

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EXHIBIT 48

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hotal; DATED: November 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)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this November 6, 2008, at FOB Hotal:

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

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C)
Afghanistan CID Office
APO AE 09354

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

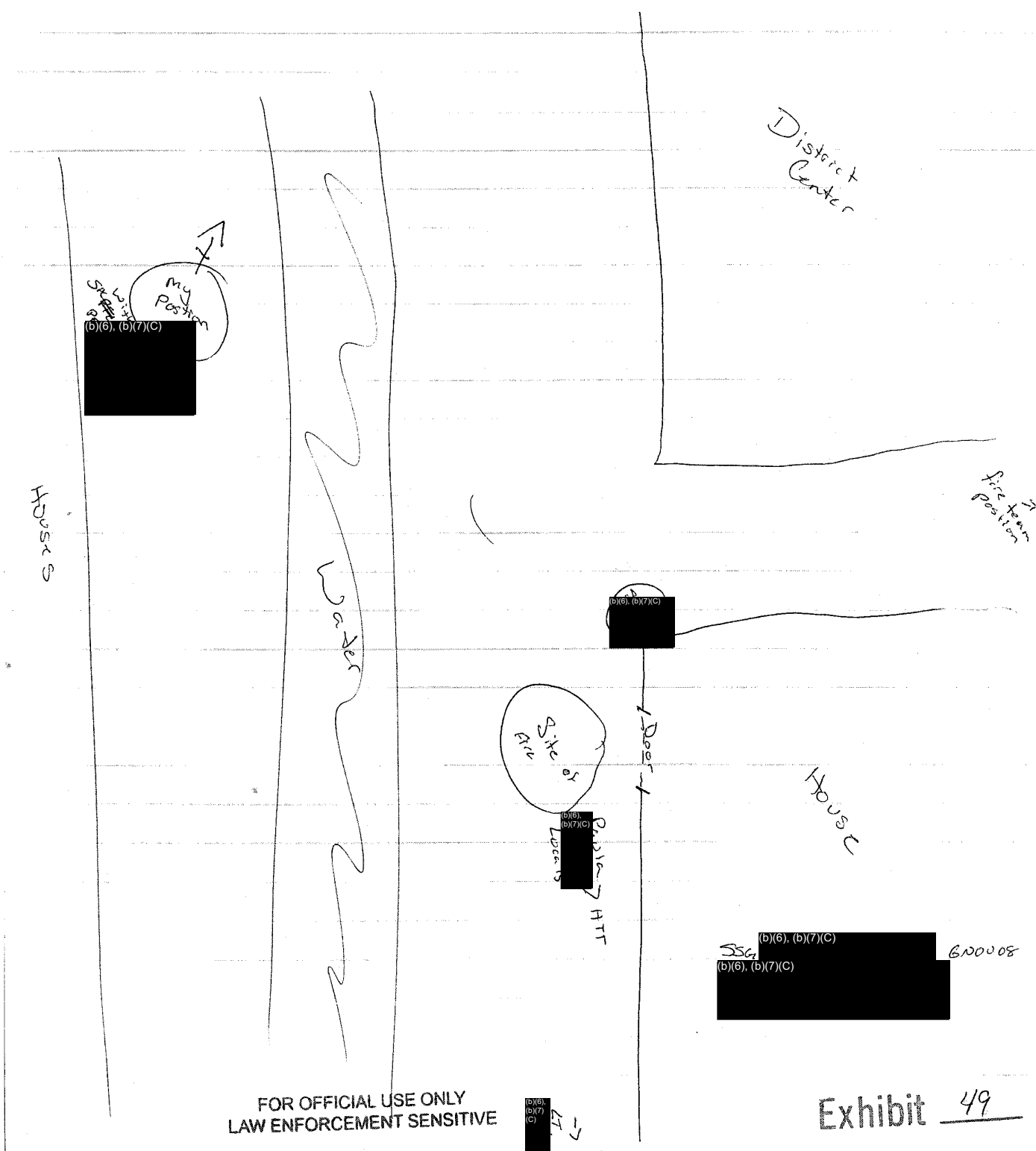
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EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 3 OF 3 PAGES

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EXHIBIT 48



FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

Exhibit 49

SWORN STATEMENT

 File Number : (b)(6), (b)(7)(C)
 Location : ~~Afghanistan CID Office~~ FOB Hotal, Afghanistan
 Date : November 6, 2008
 Time : 1525 (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 : C Co, 2-2 Inf, FOB Hotal, APO AE 09355

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

This statement is to clarify and provide further detail about the statement I made on 4 Nov 08. While Spc (b)(6), (b)(7)(C) was treating the HTT one of her security personnel came up from the south, as I was pulling security. When he came closer I could hear him saying how he "fucked up" and "I killed him" to the other security personnel. They continued to talk but I was focused on the alley to the north and stopped listening.

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

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

Q: About how long after the fire started did this conversation take place?

A: It was after they cleared the building already. Probably 10 or 15 minutes.

Q: Do you know the name of the security personnel?

A: No, I don't remember either of their names.

Q: Can you describe the security person who said he "fucked up" and "I killed him"?

A: He had black hair. Older than me, like 30's maybe. Middle weight, about as tall as me. He was white but almost like Native American looking. No accent that I can point out. I don't remember if he had any facial hair. I don't think so. He usually has a 9mm on his chest and carries an M16. He was wearing ACU's with the older style IBA, not the IOTV.

Q: Can you describe the other security person he was talking to?

A: Pretty sure he was bald, and at one point he jumped in the river because I think he was on fire too. I think he had the same weapon setup. About the same age as the other guy - hard to tell because I didn't see him close up. Might have had a beard, but I can't really remember. He also had on ACU's and the older IBA.

Q: Did the guy with the black hair say who he killed?

A: No. All he said was that he killed him.

Q: Did he say how he killed him.

A: No, he just said that he killed him.

Q: What was his demeanor when he said those things?

A: He was distressed, like he was rambling more than actually saying it to someone. Walking around like he'd fucked up.

Q: What was the other man's reaction?

A: I don't know. He asked some questions but I couldn't hear. He didn't seem surprised or angry or anything.

Q: Did you see what the man with the black hair did after that?

A: No. About then is when I moved security spots so they were behind me more so than before.

Q: Is there anything you would like 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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EXHIBIT 50

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hotal; DATED: November 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 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)

(ing Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this November 6, 2008, at FOB Hotal:

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

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C)
Afghanistan CID Office
APO AE 09354

(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 2 OF 2 PAGES

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EXHIBIT 50

SWORN STATEMENT

File Number : (b)(6), (b)(7)(C)

Location : ~~Afghanistan CID Office~~ FOB Hotal, Afghanistan

Date : November 6, 2008

Time : 1613 (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 : C Co, 2-2 Inf, FOB Hotal, APO AE 09355

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

I was pulling security when I heard a commotion going on around Ms. Paula. I turned to look and seen what I believed to be a couple people on fire and heard Lt. (b)(6), (b)(7)(C) screaming to get them in the river. At that time my teammates and I began moving to the burn victims to assist is putting the out. As we were moving there was a man aprox. In his young 20's running the opposite direction from us it appeared his arm was aflame as he ran. By the time my teammates had reached Ms. Paula she had been drug into the river and put out. My teammates and I then began moving towards the man that had ran from the scene. At that time he was resisting being put to the ground and put into zip cuffs. Then Sgt. (b)(6), (b)(7)(C) had called for my teammates and I to go and clear a coumpound.

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

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

Q: Did you see what Paula was doing prior to the fire?

A: She was talking to the kids and a couple young adult men.

Q: Was one of the men she was talking to the same person who ran away?

A: I don't know. I never paid close attention to her cause she was doing her own thing.

Q: Did you what started the fire?

A: No I didn't.

Q: Can you describe the man that was running?

A: Young 20's, beard, black hair, Afghan, typical man dress clothes (I can't recall the color).

Q: Was he carrying anything?

A: Not that I saw.

Q: How bad was the man on fire as he ran?

A: It looked like it was just the forearm and bicep on one of his arms and he was patting it as he was running. That's why I though he was just standing around and caught on fire and was running away.

Q: What direction was the man running in?

A: He was running right along the alley.

Q: Did you see anybody in his path?

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

Q: Where was SSG (b)(6), (b)(7)(C)

A: He was down at the end of the alley, walking toward Ms. Paula. He had his weapon up pointed at the guy, telling him to get down on the ground.

Q: Could you tell why the man was running?

A: No, it just looked like he was hauling ass.

Q: Did you see someone stop the man?

A: I just saw SSG (b)(6), (b)(7)(C) in his path telling him to stop. I didn't see who actually restrained him.

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 1 OF 4 PAGES

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EXHIBIT 51

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta1; DATED: November 6, 2008 CONTINUED.

Q: How did you know the man had been restrained?
 A: After we saw Paula was put out, I started following SGT (b)(6), (b)(7)(C) back down the alley. I saw the guy down on the ground and it looked like SGT (b)(6), (b)(7)(C) was helping restrain him.
 Q: When you saw SGT (b)(6), (b)(7)(C) help restrain the man was he on the ground or in the water?
 A: He was up on the ground.
 Q: What position the man in?
 A: It looked like he was face down with his arms behind his back.
 Q: Were his hands bound?
 A: I don't think they were bound at that time.
 Q: Who else was helping restrain the man?
 A: I didn't see.
 Q: How many people were helping restrain the man?
 A: I think 2 or 3.
 Q: Were they all soldiers?
 A: As far as I could tell.
 Q: Was anyone covering the man with a weapon?
 A: Not that I saw.
 Q: How close did you get to the man while he was being restrained?
 A: I got most of the way up to them, maybe 10 feet away.
 Q: How long did you stay there before you got called to clear the compound?
 A: 10-15 seconds.
 Q: Did you ever see the man get put in zip cuffs?
 A: No.
 Q: How was the man resisting?
 A: It just looked like he was trying to squirm his way out.
 Q: Did he hit or try to hit anybody?
 A: Not that I saw.
 Q: Did anyone hit the man?
 A: Not that I saw.
 Q: Do you feel like the man was a threat at that point?
 A: Possibly. Just because he wasn't fully detained.
 Q: Was there a risk he was going to get away at that point?
 A: Probably not. Just because he had like 2 or 3 guys on him.
 Q: While you there and they were trying to restrain the man, did anyone say anything about what happened to Paula?
 A: No, not that I heard.
 Q: After you cleared the compound did you come out and see what happened to the man?
 A: No, after I came out of the compound I got in the ANP truck to ride with Paula and provide security.
 Q: When you were back at the FOB, did anyone talk to you about what happened?
 A: No. Me and (b)(6), (b)(7)(C) grabbed Paula's gear out of the ANP truck and put it in front of the aid station. Then we got back in a 1st Platoon Cougar to go back to the sight.
 Q: Where did you go when you arrived back at the sight?
 A: We were put in a security position in an alley on the east side of the compound.
 Q: Did you have any contact with the HTT members when you got back to the scene?

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 2 OF 4 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 51

38-08-10369-43873

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Htatal; DATED: November 6, 2008 CONTINUED.

A: No. Aside from (b)(6), (b)(7)(C) they all rode back to the aid station with Paula, and I didn't talk to (b)(6), (b)(7)(C)

Q: Did you hear talk about the incident?

A: No. I was already in place pulling security.

Q: Did you hear any gunshots during the entire incident?

A: While we were clearing the compound I heard like 15 shots. Somebody said it was ANP. It sounded like a burst, maybe coming from the road.

Q: Is there anything you would like 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 3 OF 4 PAGES
FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE EXHIBIT 51

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hupal; DATED: November 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 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, this November 6, 2008, at FOB Hupal:

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

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C)
Afghanistan CID Office
APO AE 09354

(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 4 OF 4 PAGES

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EXHIBIT 51

SWORN STATEMENT

File Number :
Location : ~~Afghanistan CID Office~~ (b)(6), (b)(7)(C) FOB Hotal, Afghanistan
Date : November 6, 2008
Time : 22:55 (b)(6), (b)(7)(C)
Statement of : (b)(6), (b)(7)(C)
Grade/Status : E-3/AD
SSN : (b)(6), (b)(7)(C)
Org/Address : C Co, 2-2 Inf, FOB Hotal, APO AE 09355

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

This statement is to clarify and provide further detail about the statement I made on 4 Nov 08.

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

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

Q: Where were you when you first saw the fire?

A: Just around the corner.

Q: Who was the HTT person that was on fire?

A: I don't know, I forgot her name. It was the female.

Q: Did you see how she was lit on fire?

A: I didn't see, but I was told it was gas.

Q: So you didn't see the fire start?

A: No, I didn't see the initial blast.

Q: Was there anyone around the woman when you saw her on fire?

A: There was a whole bunch of kids, and I think terp, and I think one of the HTT dudes. I wasn't really paying attention because I was too busy focusing on the LT, listening to transmissions, writing notes.

Q: What were the people around the woman doing when you first saw she was on fire?

A: The kids scattered, they were no where to be found. The HTT guy helped drag her into the river with a terp. Then I was in the river with them, then we all started splashing water on her to put her out.

Q: Did you see any local national adults in the vicinity of the fire?

A: There was one guy, that was it. I wasn't paying too much attention in that direction.

Q: Did you any local national guys running away from the fire?

A: No, I was too focused on the chick being burned, trying to figure out the way to put her out as quick as possible.

Q: Once the fire was out, what did you do next?

A: I found the LT. He was inside the building right at the corner where it happened. They thought the gas was thrown over the wall and lit like that. We stopped in there and that's when SSG (b)(6), (b)(7)(C) and them brought a suspect to us. SSG (b)(6), (b)(7)(C) was talking to the suspect and I was pulling security on the suspect. After we were done talking to him I got another person to pull security on him while I went to find the LT. That was when I found him by the dead guy. At that time I saw him collecting (b)(6), (b)(7)(C) weapons. Because I didn't know what the hell happened. I didn't hear the gunshot. Apparently the gunshot went off - there were ANA shooting off warning shots - apparently that's when he pulled the trigger, cause I didn't hear it.

Q: Where was the dead person?

A: Lying on the ground next to the river.

Q: Can you describe the dead person?

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

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EXHIBIT 54

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Huta; DATED: November 6, 2008 CONTINUED.

A: Male, about my height, bigger build, with a bullet hole in his head. Dark hair, beard, some tattoos on his arms. One of the tattoos was apparently his name. He was wearing brown man-jammies or something like that. I can't remember exactly.

Q: Can you describe the position the dead man was in?

A: He was laying longways, perpendicular to the river. He was on his back. I think his head was cocked to the left a little bit, enough for me to see the bullet wound. His arms were down along his side. I didn't see that he was secured.

Q: Did you see any objects on the ground near him?

A: His shoes - black sandals.

Q: Did you see any weapons on or near the dead man?

A: No, no weapon.

Q: What weapons did the LT collect from (b)(6), (b)(7)(C)

A: The only one I saw the LT take was the pistol. I saw him clearing it and taking it. I know they took his M16 also.

Q: Did the LT have to forcibly take the weapon or did (b)(6), (b)(7)(C) give it up willingly?

A: He gave it up willingly.

Q: Did you hear (b)(6), (b)(7)(C) say anything at that time?

A: No, I never heard him speak a word the whole time.

Q: Did the LT say anything at that time?

A: He was just like "damn it". That's basically how everybody was.

Q: Did you hear anyone say what happened?

A: I heard several people say (b)(6), (b)(7)(C) shot him in the face, in the side of the head. It was kind of obvious, put 2 and 2 together.

Q: Did you ever talk to (b)(6), (b)(7)(C) about the incident?

A: No. The only time I heard him talking was when the LT took him off and started talking to him about stuff. We had to sit him down and pull security on him because we didn't know if he was crazy or not.

Q: Where did the LT take (b)(6), (b)(7)(C) off to?

A: Around the corner near where the fire was.

Q: When did the LT take (b)(6), (b)(7)(C) off to the side?

A: About 45 minutes after all that crap happened. After everything settled down.

Q: What did you hear them talk about?

A: I couldn't hear what they were saying, I just heard them talking.

Q: Is there anything you would like 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 2 OF 3 PAGES

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 54

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: FOB Hupal; DATED: November 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)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this November 6, 2008, at FOB Hupal:

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

(Signature of Person Administering Oath)

SPECIAL AGENT (b)(6), (b)(7)(C)
Afghanistan CID Office
APO AE 09354

(Typed Name of Person Administering Oath)

10 USC 936

(Authority to Administer Oath)

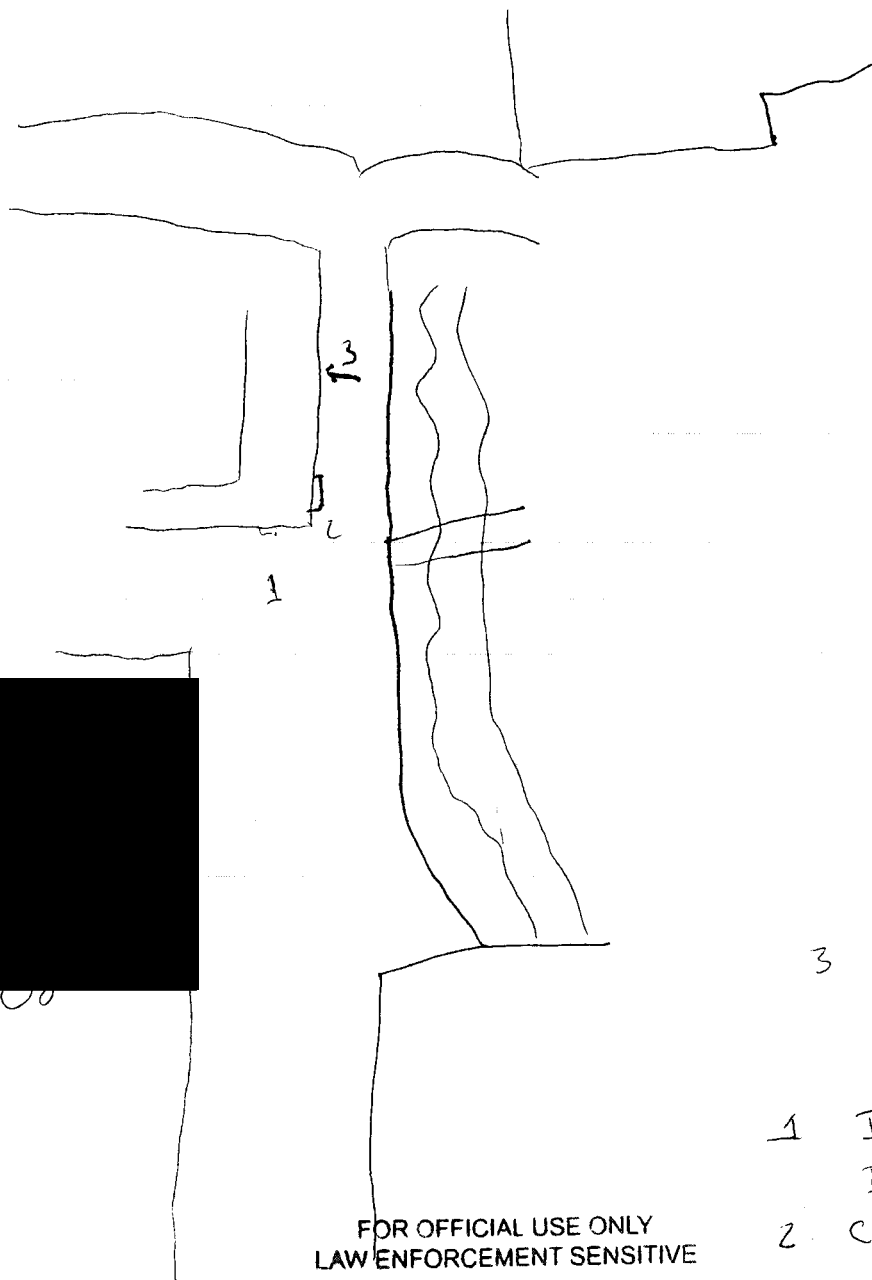
WITNESS:

WITNESS:

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

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

EXHIBIT 54



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

11-06-00

3 dead guy

- 1 I was here when I saw fire
- 2 Chick on fire

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LAW ENFORCEMENT SENSITIVE

Exhibit 55

0238 08 269 49873

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

0738-08-CID369
CRD REPORT/CID ROI NUMBER
43873

RECEIVING ACTIVITY Afghanistan CID Office	LOCATION Bagram Airfield, APO AE 09354
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER MAJ (b)(6), (b)(7)(C) Battalion XO <input checked="" type="checkbox"/> OTHER	ADDRESS (Include Zip Code) 2-2 Infantry BN FOB Ramrod, Afghanistan APO AE 09355
LOCATION FROM WHERE OBTAINED From MAJ (b)(6), (b)(7)(C) while at FOB Ramrod, Afghanistan, APO AE 09355	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1630/07 Nov 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include material, serial number, condition and unusual marks or scratches)
1	1	Pistol, Beretta M9, black and silver in color, metal and plastic construction, serial number 1026412, dirty, scratched and scuffed condition, rust on top of slide, red-brown in color stains on forward end, safety lever in safe position, bears "U.S. 9mm M9-P.BERETTA-65490" on left side of the slide. Has a black in color, fabric construction lanyard, about 6" long, attached to the lanyard loop, with a Black Hawk brand, black and green in color, fabric and rubber construction retention device attached to the lanyard, both lanyard and retention device in used condition. Sealed in a suitable container and marked for ID with 1620, 7 Nov 08, (b)(6), (b)(7)(C) POSSIBLE BIOHAZARD
2	2	Pistol magazines, black and silver in color, metal construction, used condition, 15 round capacity, containing an unknown number of copper and brass in color bullets. 1st magazine bears along one side "9MM AIRTRONIC SERVICES, INC., ELK GROVE VILLAGE, IL USA", the top bullet bears "WCC 00", and a bullet is visible through the 15 round hole indicator on the rear edge. 2nd magazine bears along one side "SER: 9MM 12/04 CHECK-MATE IND. INC., WYANDANCH, N.Y. USA", the top bullet bears "WCC 03" and there is no bullet visible at the 15 round hole indicator on the rear edge. Sealed in a suitable container and marked for ID with 1620, 7 Nov 08, (b)(6), (b)(7)(C)
3	2	Gloves, one left and one right, Hatch Worldwide brand, bear "HCG 752 Combat Glove" on white and black in color manufacturer's tag on inside of gloves, black and green in color, fabric construction, used condition, about 1/2 of the index finger of the left glove is missing with a frayed edge, size XX Large. Sealed in a suitable container and marked for ID with 1620, 7 Nov 08, (b)(6), (b)(7)(C) POSSIBLE BIOHAZARD
//////	//////////	////////////////////LAST ITEM////////////////////////////////////

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-3	07 Nov 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Evaluation as evidence
		NAME, GRADE OR TITLE MAJ (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	
1-3	10 NOV 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Release to CID, evidence custodian SCREEN-All
		NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	NAME (b)(6), (b)(7)(C) SA	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete

DOCUMENT NUMBER 184 / 08

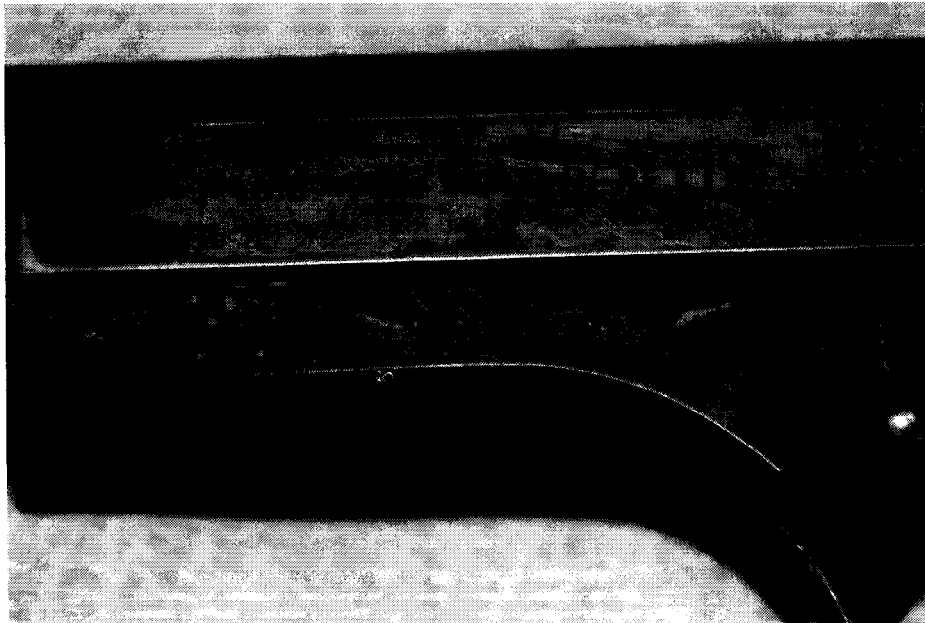
FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

EXHIBIT 56

PHOTOGRAPHIC PACKET
Photos of the evidence



Beretta M9 pistol, serial number 1026412, carried by Mr. (b)(6), (b)(7)(C) and seized by 1LT (b)(6), (b)(7)(C) after the shooting.



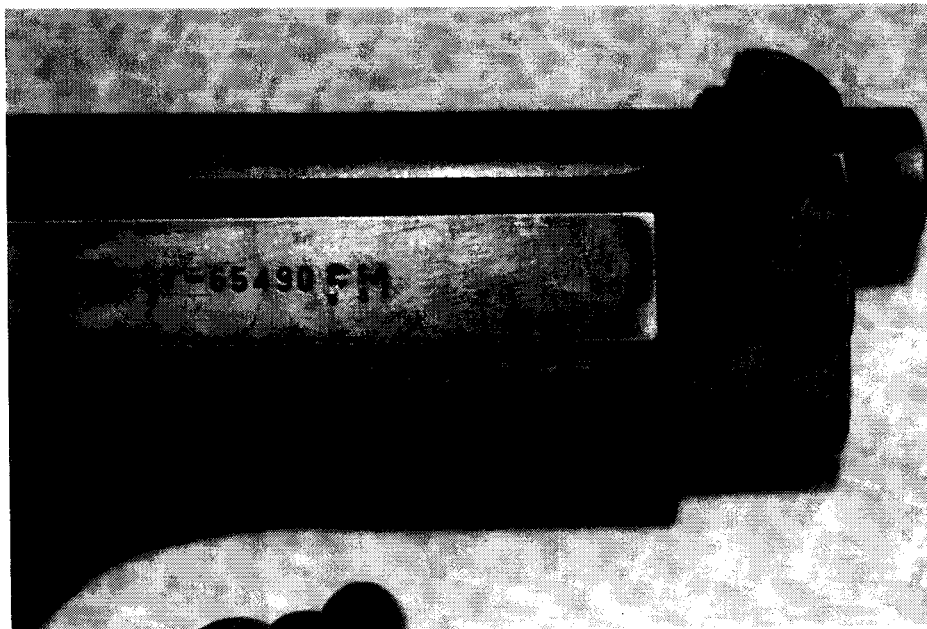
Close up of the front left portion of the Beretta, showing the serial number. Apparent blood and dirt spatter are visible.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

PHOTOGRAPHIC PACKET
Photos of the evidence



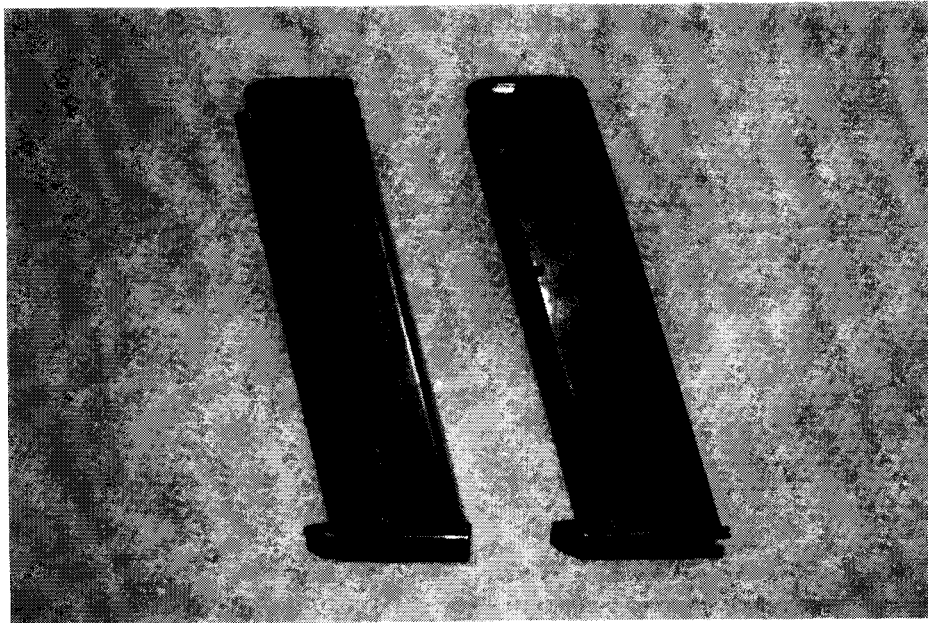
Close up of the muzzle end of the Beretta, with apparent dirt and blood spatter.



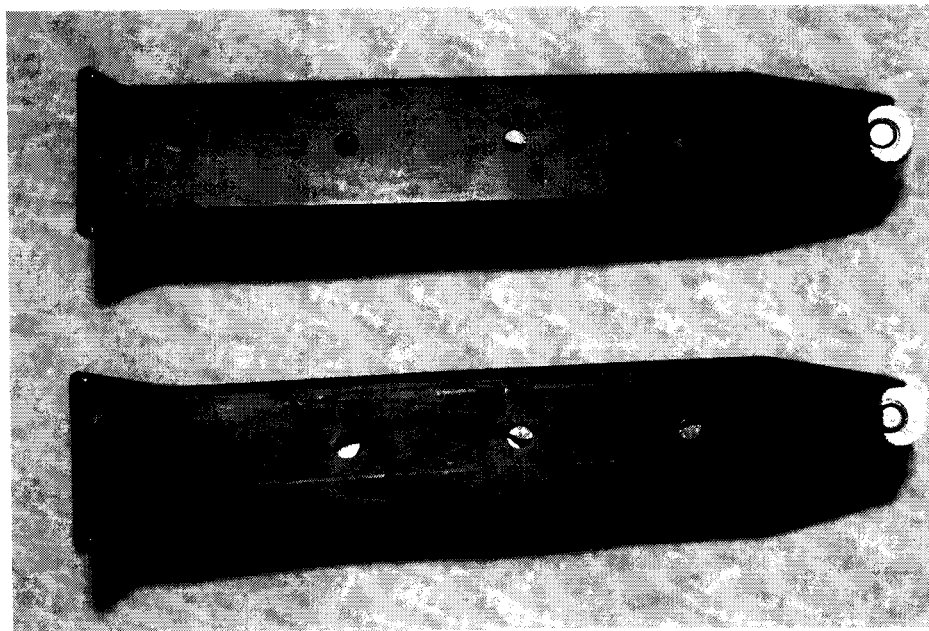
Close up of the front right side of the Beretta.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

PHOTOGRAPHIC PACKET
Photos of the evidence



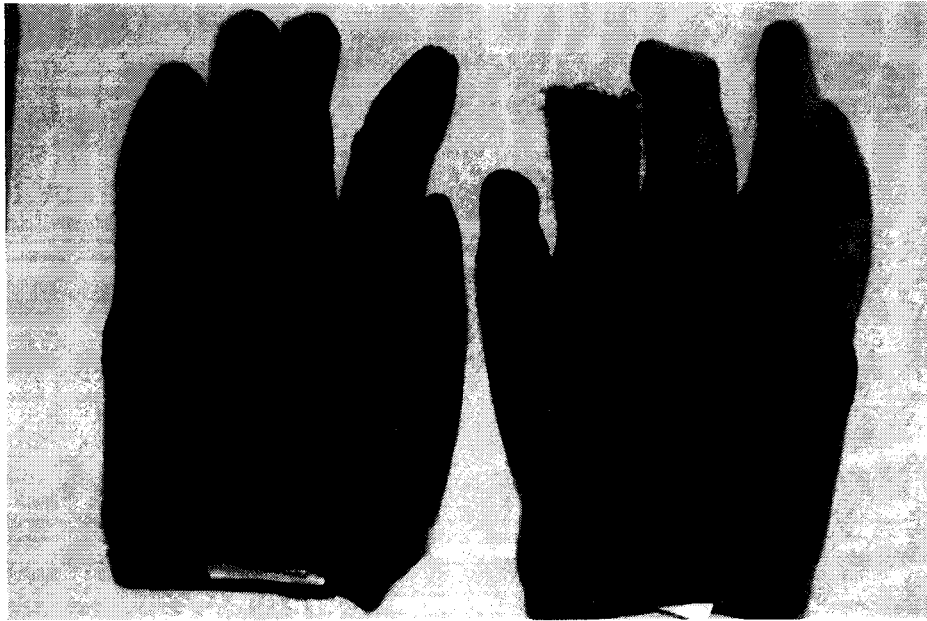
Two pistol magazines seized by 1LT (b)(6), (b)(7)(C) from Mr. (b)(6), (b)(7)(C)



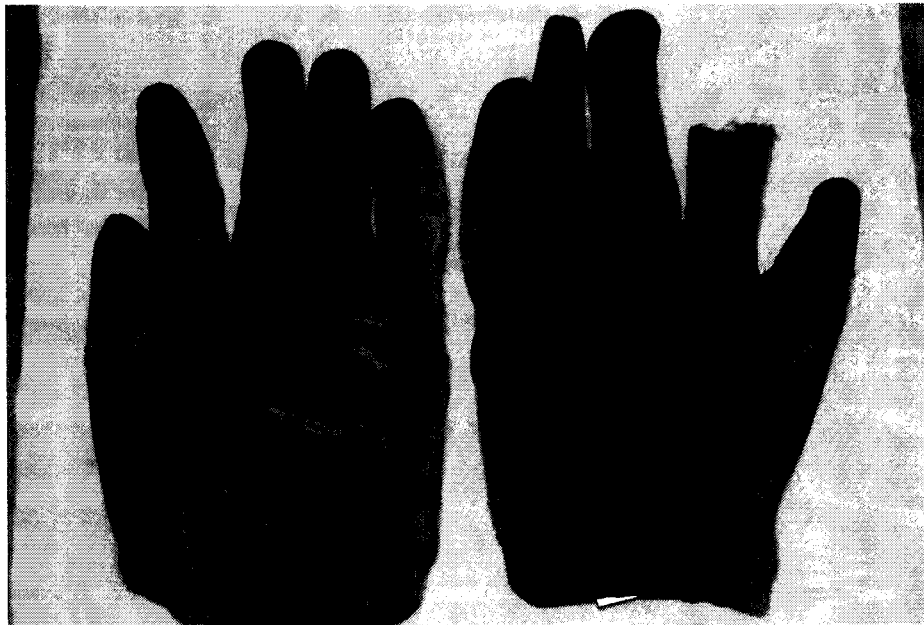
The top magazine is missing at least one round, as indicated by the 15 round indicator hole.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

PHOTOGRAPHIC PACKET
Photos of the evidence



Gloves worn by Mr. (b)(6), (b)(7)(C) collected by 1LT (b)(6), (b)(7)(C)



Mr. (b)(6), (b)(7)(C) gloves. Part of the right index finger is removed.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

0288 08 360 48873

EVIDENCE/PROSECUTION CUSTODY DOCUMENT

MPCR/CID SEQUENCE NUMBER

238-08-CID 369

CRD REPORT/CID ROI NUMBER

43873

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

RECEIVING ACTIVITY Afghanistan CID Office	LOCATION Bagram Airfield, Afghanistan, APO AE 09354
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER INV (b)(6), (b)(7)(C)	ADDRESS (Include Zip Code) BLDG 710, USMP Station Kandahar Airfield, Afghanistan APO AE 09355
LOCATION FROM WHERE OBTAINED From the hands of INV (b)(6), (b)(7)(C) at BLDG 710, USMP Station, Kandahar Airfield, Afghanistan, APO AE 09355	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1425/ 9 Nov 08

ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include make/model, serial number, condition and unusual marks or scratches)</i>
1	2	Socks, tan in color, cloth type material, about 12" in length, worn and soiled condition, placed in a suitable container, sealed and marked for identification with 1425/ 9 Nov 08/ (b)(6), (b)(7)(C) POSSIBLE BIOHAZARD.
2	1	T-shirt, tan in color, cloth type material, XL in size, bearing Campbellville Apparel Company logo on a white collar tag. Worn and soiled condition, placed in a suitable container, sealed and marked for identification with 1425/ 9 Nov 08/ (b)(6), (b)(7)(C) POSSIBLE BIOHAZARD.
3	1	Standard issue U.S. Army Battle Shirt, cloth type material, green, gray, black in color, bearing the Army Strong logo on the chest. XL in size, manufactured by Massif Mountain Gear Company. Worn and soiled condition, on the right sleeve was a standard U.S. Army issue IR type Velcro reversed U.S. flag. Placed in a suitable container and marked for identification with 1425/9 Nov 08/ (b)(6), (b)(7)(C) POSSIBLE BIOHAZARD.
4	1	Underwear, black and gray in color, cloth type material, XL in size, bearing the brand name "Hanes". Worn and soiled condition, placed in a suitable container, sealed and marked for identification with 1425/ 9 Nov 08/ (b)(6), (b)(7)(C) POSSIBLE BIOHAZARD.
5	1	Standard issue U.S. Army ACU pants, green and tan in color, large-regular in size, worn and soiled condition. The right side cargo pocket contained a napkin, blue, orange, gray and white in color, bearing "SUPREME GLOBAL SERVICE SOLUTIONS" printed on the napkin, marked with (b)(6), (b)(7)(C) in black ink, paper type material, approximately 8" X 8" in size, worn condition. The lower left leg pocket contained an ink pen, black and silver in color, plastic and metal type construction, approximately 7" in length, removable cap, with a metal pocket clip, all items in used and soiled condition, placed in a suitable container and marked for identification with 1425/ 9 Nov 08/ (b)(6), (b)(7)(C) POSSIBLE BIOHAZARD.
Last Item		

CHAIN OF CUSTODY

ITEM NO	DATE	RELEASED BY (b)(6), (b)(7)(C)	RECEIVED BY (b)(6), (b)(7)(C)	PURPOSE OF CHANGE OF CUSTODY
1-5	09 Nov 08	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Evaluation as evidence
1, 4	10 NOV 08	SA (b)(6), (b)(7)(C)	SA (b)(6), (b)(7)(C)	RELEASE TO CID EVIDENCE CUSTODIAN MR (b)(6), (b)(7)(C)
2, 3, 5	10 NOV 08	SA (b)(6), (b)(7)(C)	SA (b)(6), (b)(7)(C)	RELEASE TO CID EVIDENCE CUSTODIAN
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137 1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R, Privacy Act Statement 26 Sep 75 Which are Obsolete

DOCUMENT NUMBER 186 / 08

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

EXHIBIT 58

CHAIN OF CUSTODY (Continued)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		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	
		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 DISPOSITION ACTION

RELEASE TO ANYONE OR OTHER (Name/Unit) MR. (b)(6), (b)(7)(C) BAE SYSTEMS

DESTROY _____

OTHER (Specify) _____

FINAL DISPOSITION AUTHORITY

ITEM(S) 1, 4 ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING MR (Grade)

(b)(6), (b)(7)(C) BAE SYSTEMS (IS) (ARE) NO LONGER (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

(b)(6), (b)(7)(C) as special Agent in Charge (b)(6), (b)(7)(C)

(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		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER		
RECEIVING ACTIVITY US PROVOST MARSHAL'S OFFICE		LOCATION KANDAHAR AIRFIELD, AFGHANISTAN (APO AE 09355)		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER (b)(6), (b)(7)(C) CIV CONTRACTOR/GS-13 EQUIVALENT <input type="checkbox"/> OTHER		ADDRESS (Include Zip Code)		
LOCATION FROM WHERE OBTAINED US MILITARY POLICE SEIZED THE ITEMS FROM MR. (b)(6), (b)(7)(C) AT BLDG. 710, USMP STATION, KANDAHAR AIRFIELD, AFGHANISTAN UPON REQUEST FROM CID		REASON OBTAINED EVIDENCE	TIME/DATE OBTAINED 0730/6 OCT 08 NOV	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)		
1	2	SOCKS, DESERT TAN IN COLOR, CONDITION IS WORN, VALUE UNKNOWN		
2	1	T-SHIRT, DESERT TAN IN COLOR, SIZE IS XL, BRAND IS "CAMPBELLSVILLE APPAREL COMPANY", CONDITION IS WORN, VALUE IS UNKNOWN		
3	1	US ARMY STANDARD ISSUE BATTLE SHIRT, ACU CAMOFLAGE AND GRAY IN COLOR, SIZE IS XL, BRAND IS "MASSIF MOUNTAIN GEAR COMPANY", CONDITION IS WORN, VALUE UNKNOWN		
4	1	PAIR OF BOXER BRIEFS, BLACK IN COLOR WITH A GRAY IN COLOR ELASTIC WAIST BAND, BRAND IS "HANES", CONDITION IS WORN, VALUE UNKNOWN		
5	1	PAIR OF US ARMY STANDARD ISSUE ACU PANTS, ACU CAMOFLAGE IN COLOR, SIZE IS LARGE - REGULAR, CONDITION IS WORN, VALUE UNKNOWN. RIGHT CARGO POCKET CONTAINS A "SUPREME"		
5	CONT	NAPKIN WITH (b)(6), (b)(7)(C) WRITTEN ON IT IN BLACK INK, LEFT LOWER LEG POCKET CONTAINS ONE PEN, BLACK IN COLOR		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-5	Nov 6 OCT 08	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE (b)(6), (b)(7)(C) CAPT, USMC	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE (b)(6), (b)(7)(C) TSGT, USAF	GIVEN TO EVIDENCE CUSTODIAN / PLACED IN BROWN PAPER BAG & SEALED WITH TAPE
1-5	9 NOV 08	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE (b)(6), (b)(7)(C) E-L SA	(b)(6), (b)(7)(C) NAME, GRADE OR TITLE (b)(6), (b)(7)(C)	RELEASE TO CID
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137, 1 JUL 1976

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete

LOCATION

DOCUMENT NUMBER 185/08 APD PE v1.00

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EXHIBIT 58

0298 369 43873

CHAIN OF CUSTODY (Continued)				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		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	
		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)

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

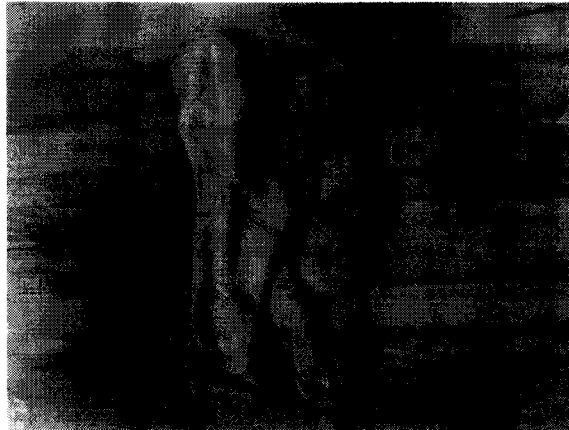
APD PE v1.00

186/08
EXHIBIT 58

0238-08-CID369-43873

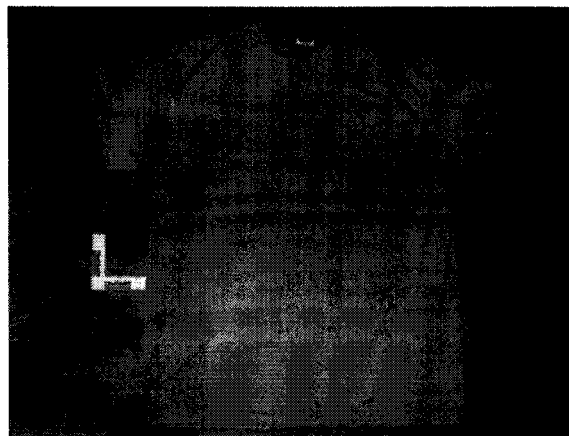
Photographic Packet depicting clothing collected from Mr. [REDACTED]

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



Socks worn by Mr. [REDACTED]

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



T-Shirt worn by Mr. [REDACTED]

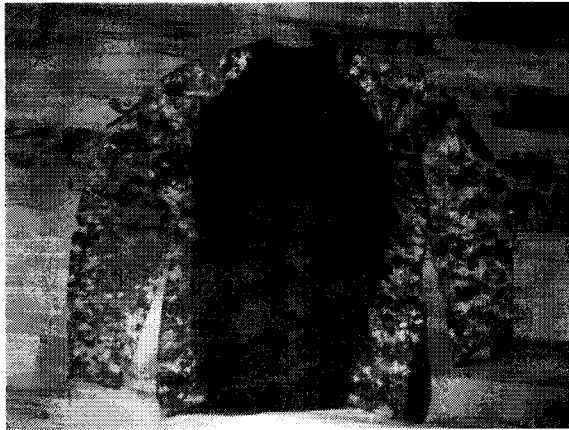
(b)(6), (b)(7)(C)

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

Exhibit 59

0238-08-CID369-43873

Photographic Packet depicting clothing collected from Mr. (b)(6), (b)(7)(C)



Battle Shirt worn by Mr. (b)(6), (b)(7)(C)



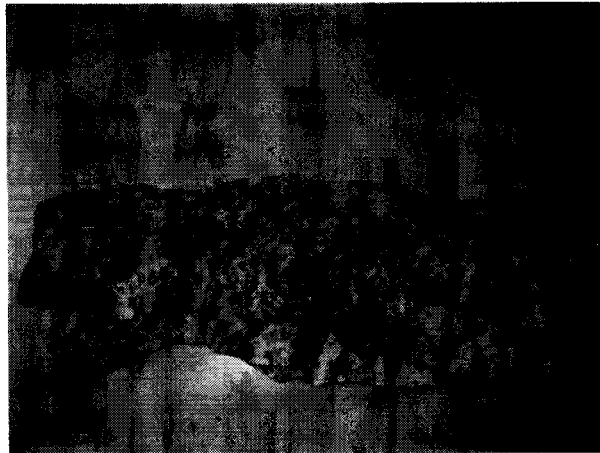
Boxer briefs worn by Mr. (b)(6), (b)(7)(C)

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

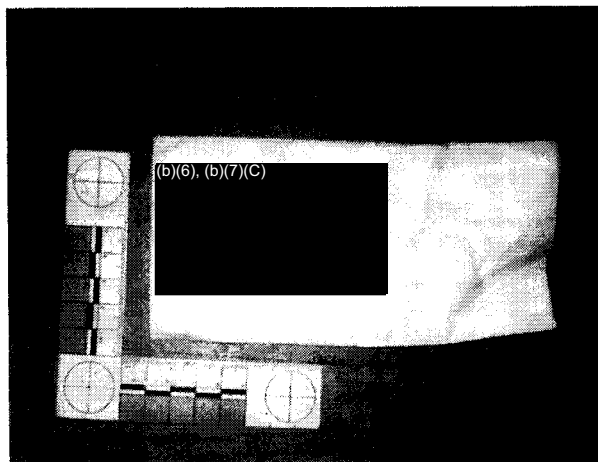
Exhibit 59

0238-08-CID369-43873

Photographic Packet depicting clothing collected from Mr. (b)(6), (b)(7)(C)



ACU trousers worn by Mr. (b)(6), (b)(7)(C)



Napkin found in ACU trouser pocket

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

Exhibit 59

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

PRINCIPAL PURPOSE: Title 10 USC Section 301 Title 5 USC Section 2951 E.O. 9397 Social Security Number (SSN) 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

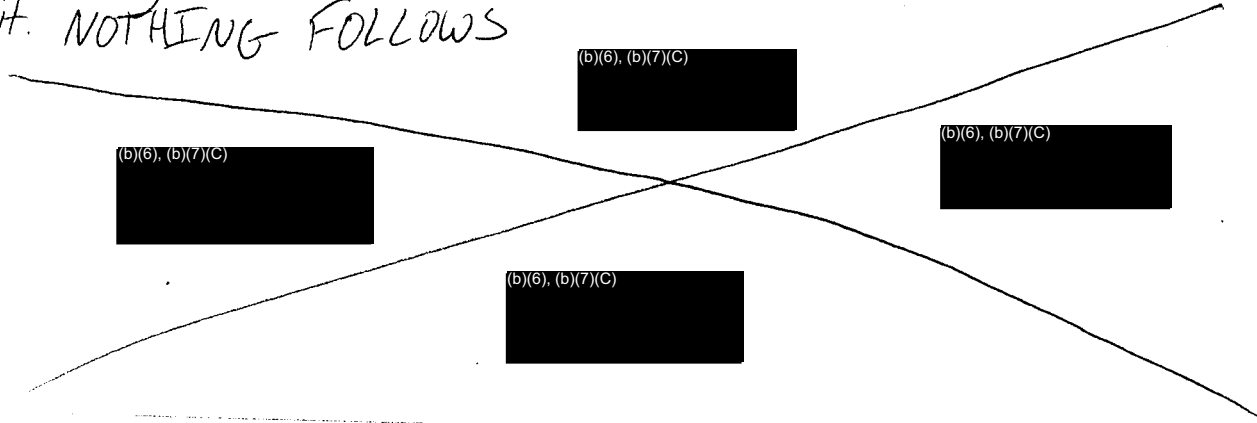
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may 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 KAF		2. DATE (YYYYMMDD) 20081106	3. TIME 0936	4. FBI NUMBER
(b)(6), (b)(7)(C) NAME		(b)(6), (b)(7)(C)		7. GRADE/STATUS E-4 CPL
6. ORGANIZATION OR ADDRESS Bco 2-2 IN 3BCT 1ID				
(b)(6), (b)(7)(C)				

... WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

ON 4 Nov 2008 Spc (b)(6), (b)(7)(C) and myself were charged with escorting (b)(6), (b)(7)(C) from FOB Ramrod to KAF. For Almost 3 days (b)(6), (b)(7)(C) and I rotated in and out of pulling guard on Mr. (b)(6), (b)(7)(C) while I was pulling guard Mr. (b)(6), (b)(7)(C) didn't really talk about what happened much, but when he did I would quickly change the subject to avoid Depressing or distressing Mr. (b)(6), (b)(7)(C) him. Other than that, we only had very few other conversations consisting of football and women and that (b)(6), (b)(7)(C) that's pretty much it. NOTHING FOLLOWS



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

ALL ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
 EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER

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

TAKEN AT KAF

DATE 20081106

STATEMENT (Continued)

[Large area crossed out with a large X, containing several redacted boxes labeled (b)(6), (b)(7)(C)]

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

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE. I AM MAKING THE STATEMENT I HAVE MADE THIS STATEMENT TRULY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENTS.

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

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of November, 2008 at US MP & Provost Marshal's Office

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

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ART. 136 (b) (4) UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

Exhibit 60

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

SECURITY: 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 MP STATION, KAF (b)(6), (b)(7)(C)	2 DATE (YYYYMMDD) 2008 11 00	3 TIME 0935	4 FILE NUMBER
6 ORGANIZATION OR ADDRESS (b)(6), (b)(7)(C)		7 GRADE/STATUS E-4 SPC	

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

On the evening of 4 Nov 2008, Cpl. (b)(6), (b)(7)(C) & myself were tasked with escorting Mr. (b)(6), (b)(7)(C) from FOB Ramrod to KAF via CH47. Upon our arrival, we were met by the MP's who then took Mr. (b)(6), (b)(7)(C) into their custody and directed us to the station to pull guard on him. Throughout the day and a half I spent with Mr. (b)(6), (b)(7)(C) we conversed about our time in the service and other job related experiences. The only comments made about the incident by Mr. (b)(6), (b)(7)(C) was about the health of his team mate, and how he was disappointed in the processing of his detention. **NOTHING FOLLOWS.**

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

8 SIGNATURE	9 INITIALS (b)(6), (b)(7)(C)	10 STATEMENT	PAGE 1 OF 2 PAGES
-------------	---------------------------------	--------------	-------------------

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

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

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

0238-08-CID769-43873

TAKEN AT 0132 2008 HOU DATED 2008 11 00

STATEMENT (Continued)

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

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

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

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

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

AFFIDAVIT

... HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE. REGARDING THE STATEMENT I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, (b)(6), (b)(7)(C)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of November 2008 at US Post Remission Office

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
ART. 136 (b)(4) UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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

STATEMENT

PAGE 2 OF 2 PAGES

DATA FORM 2823, NOV 2006

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

Exhibit 61

0238-08 1096 9-43873

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 U.S. NCE Provost Marshal's Office	2. DATE (YYYYMMDD) 2008/11/06	3. TIME 2152	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-5/AD	
8. ORGANIZATION OR ADDRESS U.S. NCE Provost Marshal's Office, Bldg #710, KAF			

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

(b)(6), (b)(7)(C) On 04 November 2008 at approximately 1720 hrs, I transported (b)(6), (b)(7)(C) and an Army E-4 to Bldg #710. Mr. (b)(6), (b)(7)(C) was to be placed in our temporary housing area for investigation of a crime. While I was transporting him, the Army soldier was talking to him about the incident. He stated, that if it was his friend, he would have done the same thing and then asked Mr. (b)(6), (b)(7)(C) what the Afghani poured on his friend. (b)(6), (b)(7)(C) replied that it was diesel fuel. TSgt (b)(6), (b)(7)(C) entered the vehicle and nothing more was said. When we placed (b)(6), (b)(7)(C) into the temporary housing area, he asked me numerous times why he was being held against his will. He was also asking to speak to a lawyer, his boss, or someone in charge. Nothing else was said about the incident while I was around however, the Army soldier that was watching Mr. (b)(6), (b)(7)(C) was talking to him but I'm not sure what about. I cannot remember what the soldier's name was. //End of Statement// (b)(6), (b)(7)(C)

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

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Bldg #710 DATED 2008-11-06

9. STATEMENT (Continued)

AFFIDAVIT

(b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE (b)(6), (b)(7)(C)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6th day of November 2008 at U.S. NCE Provost Marshal's Office/Bldg #710

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

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

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

(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: Kandahar Airfield, Afghanistan
2. DATE: 2008/11/08
3. TIME: 1657
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: O-3/AF
8. ORGANIZATION OR ADDRESS: Bldg #710, Provost Marshal's Office, U.S. NCE

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

On 4 November 2008 at approximately 1730, I met Mr. (b)(6), (b)(7)(C) at the Task Force Eagle Assault ramp as he exited a CH-46 with two 2 infantry escorts. I observed TSgt (b)(6), (b)(7)(C) and SSgt (b)(6), (b)(7)(C) place Mr. (b)(6), (b)(7)(C) into hand-irons. Myself and TSgt (b)(6), (b)(7)(C) walked Mr. (b)(6), (b)(7)(C) to the Eagle Assault medical aid station where he received physical. Mr. (b)(6), (b)(7)(C) was transported to the U.S. Military Police station where he was searched and placed in the holding cell. After Mr. (b)(6), (b)(7)(C) had been placed in the cell, I asked if he wanted any food or needed to use the restroom. He asked why he was being detained. I told him that he was being held under investigative detention while that morning's incident was being looked into. He asked who authorized the detention. I told him that the orders were coming from Bagram and he was to be held no more than 72 hours at this facility. The morning of November 5th, I provided Mr. (b)(6), (b)(7)(C) a phone so that he could call a lawyer. Until the day of Mr. (b)(6), (b)(7)(C) transfer, all of our conversations were oriented towards his needs and his comfort. Mr. (b)(6), (b)(7)(C) was calm and polite at all times. On the evening of November 5th, Mr. (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) boss, stopped by to drop off some clothes for Mr. (b)(6), (b)(7)(C) to take to Bagram. Mr. (b)(6), (b)(7)(C) asked me to pass a few messages to Mr. (b)(6), (b)(7)(C) the following morning I did as requested and provided Mr. (b)(6), (b)(7)(C) an update on Ms. Paula Lloyd's medical condition, informed him that his company was being updated on his situation and asked if he wanted Mr. (b)(6), (b)(7)(C) to release any information to anyone in particular.///End of Statement///

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

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

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LAW ENFORCEMENT SENSITIVE

Exhibit 63

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Bldg #710 DATED 2008/11/08

9 STATEMENT (Continued)

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of November, 2008 at the U.S. Provost Marshal's Office

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

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

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

PAGE 2 OF 2 PAGES (b)(6), (b)(7)(C)

12. EVIDENCE SUBMITTED (Continued)	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
<p>13. EXAMINATION(S) REQUESTED (Briefly furnish any information or instructions that might assist the laboratory in examining the evidence)</p> <p>Firearms: Examine Exhibits 1 and 2 for functionality. Determine if Exhibit 3 was fired from Exhibit 1.</p>	
<p>14. a. INVESTIGATOR AND ALTERNATE POC (Typed or Printed) (Mandatory Information)</p> <p>SA (b)(6), (b)(7)(C) [REDACTED] primary</p> <p>SA (b)(6), (b)(7)(C) [REDACTED] (alternate)</p>	
<p>b. TELEPHONE (Primary/Alt): N / A</p> <p>c. DSN (Primary/Alt): (b)(6), (b)(7)(C) [REDACTED]</p> <p>d. Fax: N/A</p> <p>e. E-Mail: (b)(6), (b)(7)(C) [REDACTED]@us.army.mil / (b)(6), (b)(7)(C) [REDACTED]@us.army.mil</p>	
15. I CERTIFY THE EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION	
<p>a. DATE</p> <p>13 Nov 08</p>	<p>b. TYPED/PRINTED NAME OF REQUESTOR</p> <p>SA (b)(6), (b)(7)(C) [REDACTED]</p> <p>(b)(6), (b)(7)(C) [REDACTED]</p>
<p>d. TELEPHONE (Primary/Alt): N / A</p> <p>e. DSN (Primary/Alt): (b)(6), (b)(7)(C) [REDACTED]</p> <p>f. Fax: N/A</p> <p>g. E-Mail: (b)(6), (b)(7)(C) [REDACTED]@us.army.mil</p>	
16. LAB USE ONLY	
LAB CASE #	

8 7 8 9 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

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

FORENSIC LABORATORY EXAMINATION REQUEST

1. TO: <input checked="" type="checkbox"/> Director <input checked="" type="checkbox"/> USACIL 4390 N. 31 st Street Forest Park, GA 30297-5205 <input type="checkbox"/> Other (Specify): Attn: Firearms Branch		2. FROM: Special Agent in Charge Afghanistan CID Office APO AE 09354		4. EXAM PRIORITY <input type="checkbox"/> ROUTINE <input checked="" type="checkbox"/> EXPEDITE <input type="checkbox"/> Trial/Article 32/39A (*) <input checked="" 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 0238-08-CID369-43873				7. TYPE OF OFFENSE Murder			
8. PREVIOUS EVIDENCE SUBMITTED DATE: _____		MAIL METHOD: _____		LAB CASE #: _____		SUSPECT(S): _____	
9. SUSPECT(S) [Last, first and middle name(s)] (b)(6), (b)(7)(C)				10. VICTIM(S) [Last, first and middle name(s)] SALAM, Ahmad			
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) On 4 Nov 08, Mr. (b)(6), (b)(7)(C) was with a patrol when Mr. SALAM was detained. Mr. (b)(6), (b)(7)(C) knelt over Mr. SALAM and shot Mr. SALAM in the head with a pistol. The pistol and Mr. (b)(6), (b)(7)(C) magazines were seized by nearby soldiers. The pistol was cleared when it was seized. During a death scene examination, a bullet was recovered buried just under the surface of the ground in the approximate location Mr. SALAM was shot.							
12. EVIDENCE SUBMITTED							
a. EXHIBIT		b. DESCRIPTION OF EXHIBIT					
1		Pistol (Item 1, DN 184-08)					
2		Pistol magazines (Item 2, DN 184-08)					
3		Bullet (Item 1, DN 183-08)					

13 NOV 2008
REGISTERED
 NO. ZA546 446 457 US

DD FORM 2922, JUL 2006

REPLACES DA FORM 3655, AF FORM 1880, AND NCIS FORM 5580/29, WHICH ARE OBSOLETE.

Adobe Designer 7.0

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 64

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0238-08-CID369-43873

PAGE 1 OF 2 PAGE

DETAILS

Death Scene Examination: About 1215, 5 Nov 08, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, conducted a death scene examination at Chechel Gazi Village, Afghanistan. The deceased had been removed prior to our arrival.

Characteristics of the Scene: The location of the death scene was approximately 500 meters south of FOB Hotal, at the south east side of the village. Route 1 ran east and west through the village and on the south side was a hard pack road. The road was wide enough to support southbound or northbound vehicle traffic and turned east at a stream bed. The stream bed also ran north and south but was approximately 30 feet wide with water running through the middle. The stream bed was located between densely constructed neighborhoods. On each side of the stream was a foot path which appeared to support heavy foot traffic as the dirt was hard packed. Bordering the foot paths were approximately 12 foot high mud walls running from north to south. Large trees alternated from side to side of the stream providing numerous shaded areas. At the north end of the stream bed, on the east foot path, were two large burn marks which were black in color. This was the location where Ms. LOYD was burned. Approximately 500 feet south of the burning was where Mr. SALAM was shot. The stream bed and path south of the burn site was uneven and varied in width. The stream varied in width from one foot to several feet and was approximately a foot and half deep. The spot identified as the last location of the deceased was where the path opened to about 10 feet in width. Directly south, about 3 feet, was a drainage trench which cut across the path and was about 2 feet in width. On the east side was an approximate 12 foot high mud wall and to the west was the stream. The foot path was hard packed with dirt, with a thin top layer of dust, and separate parts appeared to be wet under the shaded areas. I appeared the area had been cleaned. There were no stains associated with a heavy blood flow. Several feet away there was miscellaneous trash in the drainage trench. Further south there was an east and west running hard packed dirt road supported by a cement bridge crossing over the stream.

Condition of Scene: The death scene was dusty and littered with miscellaneous trash. There was a medium flow of water in the stream and green grass growing on the edges.

Environmental Factors: Upon arrival, the sky was clear and there was no wind. The approximate temperature was 75 degrees Fahrenheit. The area was dusty and no unusual odors were detected.

Scene Security: A platoon from C Co, 2-2 INF secured the scene prior to our arrival. Access to the stream bed, from the north and south, was closed to local nationals during the investigation. Additional security escorted SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) to the scene. 1LT (b)(6), (b)(7)(C) came with the security element to identify the death scene to agents.

Factors Pertinent to Entry/Exit: The stream bed could be accessed from the north and south. Also, on each side of the path were 12 foot high mud walls which had Entry/Exit (E/E) doors to residences and courtyards.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

Afghanistan CID Office

Bagram Airfield, Afghanistan, APO AE 09354

DATE

5 Nov 08

EXHIBIT

66

AW ENFORCEMENT SENSITIVE

1 FEB 77

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0238-08-CID369-43873

PAGE 2 OF 2 PAGE

DETAILS

Scene Documentation: SA (b)(6), (b)(7)(C) prepared a death scene sketch and SA (b)(6), (b)(7)(C) exposed photographs of the scene, which were incorporated into a photographic packet. 1LT (b)(6), (b)(7)(C) and another Soldier recreated the positions of Mr. (b)(6), (b)(7)(C) and Mr. SALAM prior to the shooting. SA (b)(6), (b)(7)(C) exposed photographs of the recreation, which were incorporated into a photographic packet.

Collection of Evidence: About 1235, 5 Nov 08, SA (b)(6), (b)(7)(C) collected one deformed bullet as evidence.

Search Beyond the Scene: A search was conducted beyond the death scene but no additional evidence was found. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Office
Bagram Airfield, Afghanistan, APO AE 09354

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

DATE

5 Nov 08

EXHIBIT

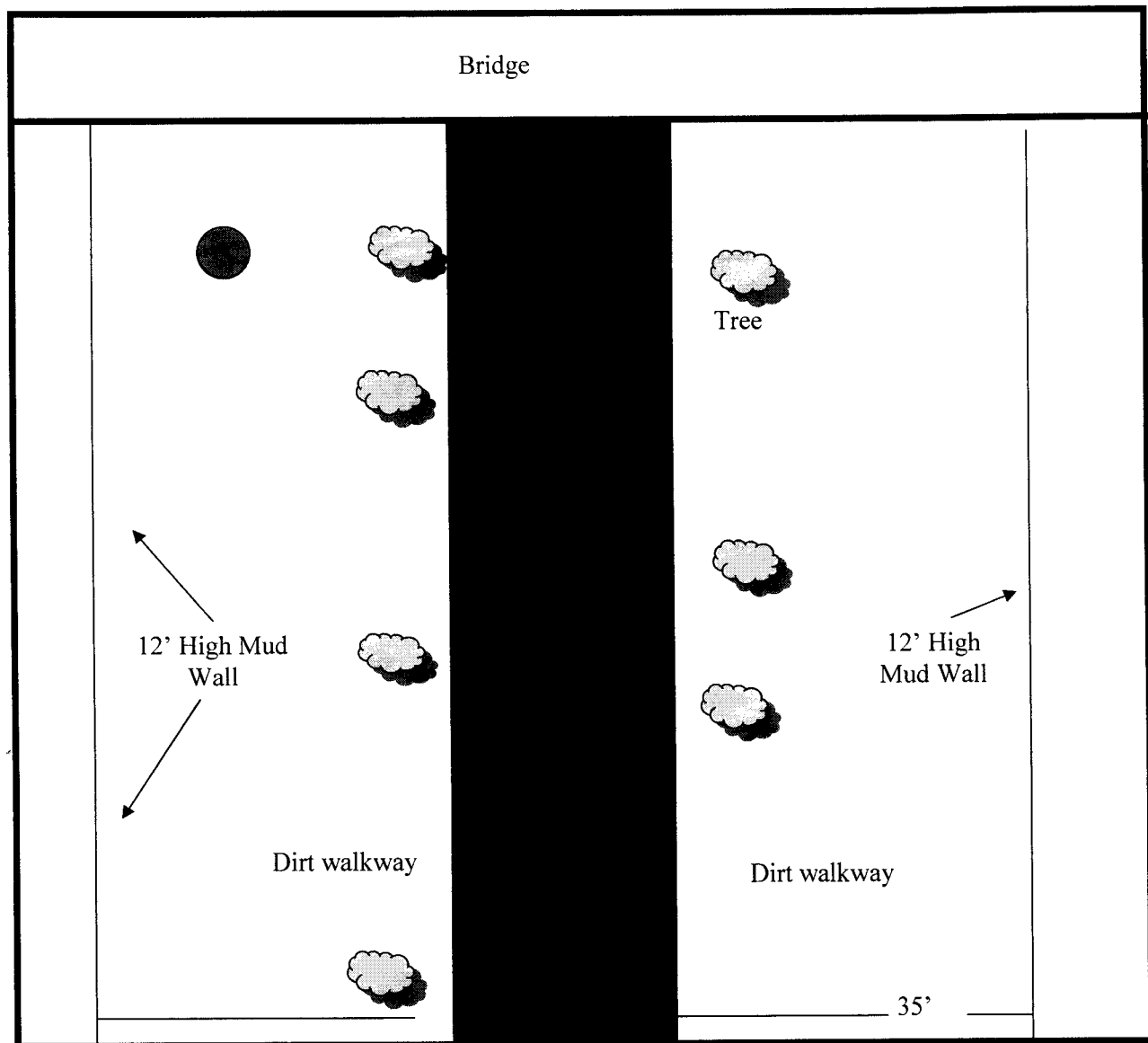
66

ENFORCEMENT SENSITIVE

1 FEB 77

FINISHED SKETCH DEPICTING DEATH SCENE

0238-08-CID369-43873



Legend

A: Approximate Location of the Victim Body

Not to Scale

Title Block

Case Number: 0238-08-CID369-43873

Offense: Homicide

Scene Portrayed: Death Scene

Location: Chechel Gazi

Victim: Salam, Abdul

Time/Date Began: 1215/5 Nov 08

Sketched By: SA (b)(6), (b)(7)(C)

Verified By: SA (b)(6), (b)(7)(C)

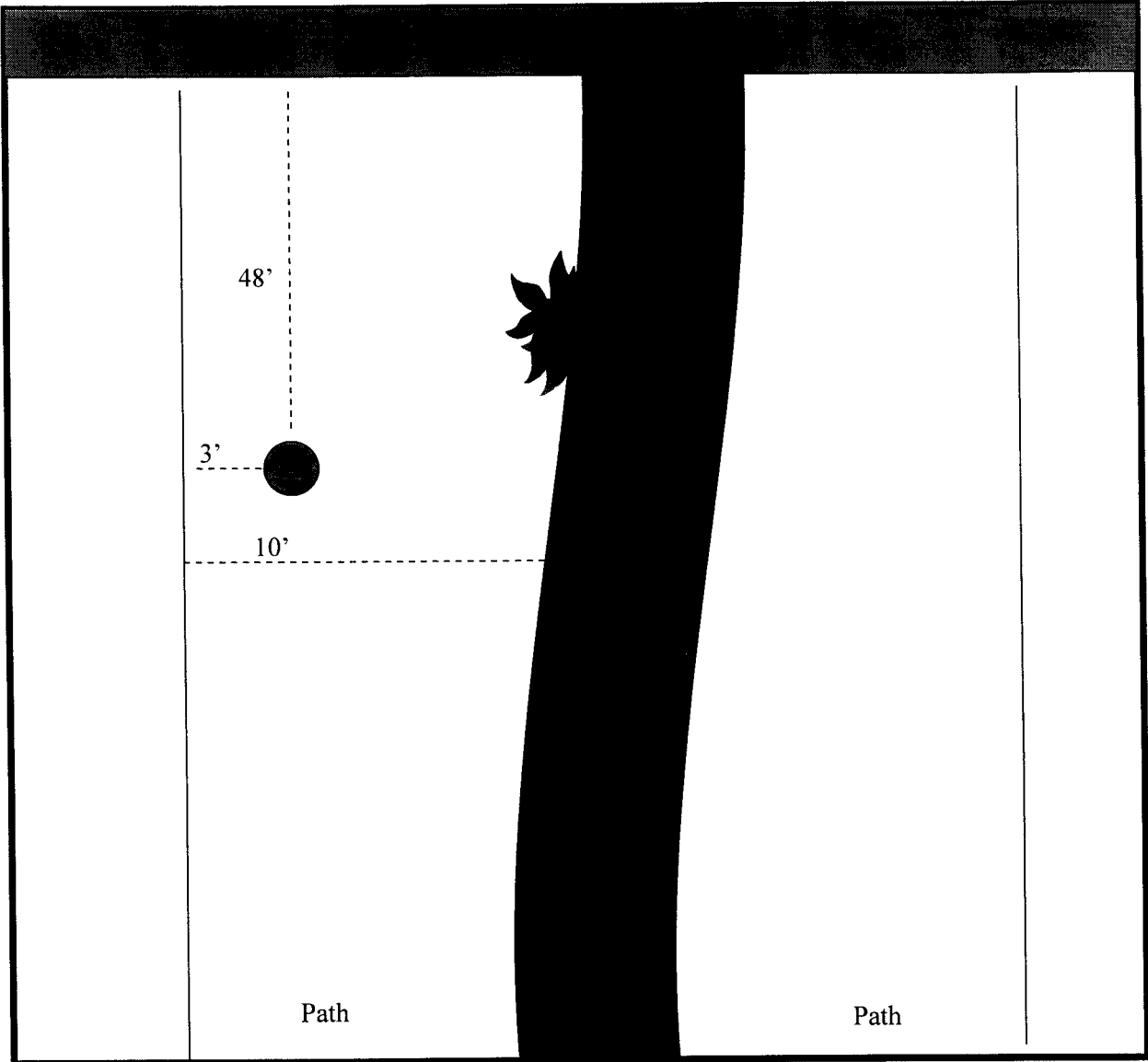
North

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LAW ENFORCEMENT SENSITIVE

EXHIBIT 67

FINISHED SKETCH DEPICTING DEATH SCENE

0238-08-CID369-43873



Legend

A: Approximate location of recovered bullet.

Not to Scale

Title Block

Case Number: 0238-08-CID369-43873

Offense: Homicide

Scene Portrayed:

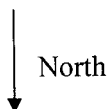
Location: CheChel Gazi

Victim: Salam, Abdul

Time/Date Began: 1215/5 Nov 08

Sketched By: SA (b)(6), (b)(7)(C)

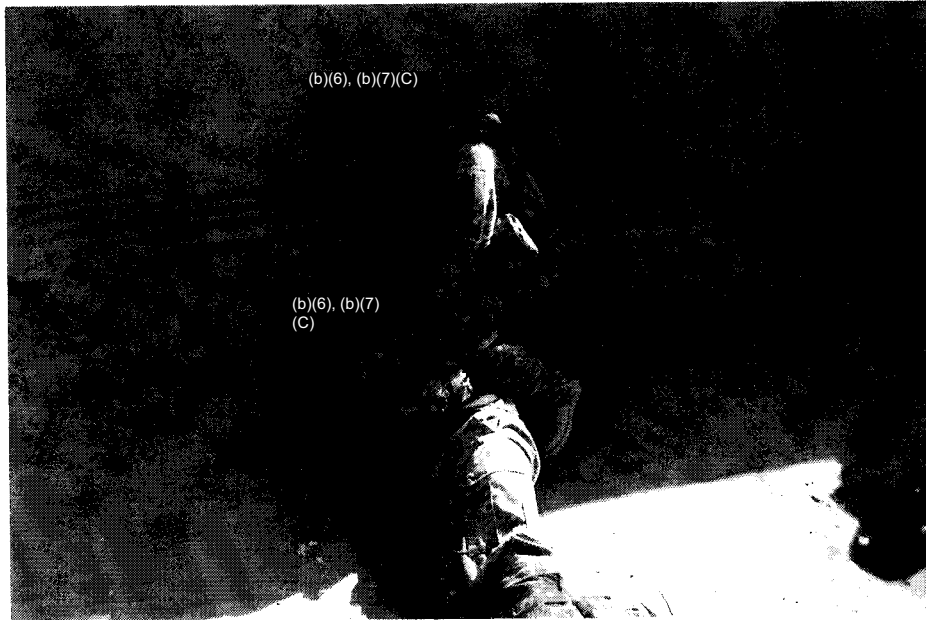
Verified By: SA (b)(6), (b)(7)(C)



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LAW ENFORCEMENT SENSITIVE

EXHIBIT 67

PHOTOGRAPHIC PACKET
Photos of the scene taken 5 Nov 08 by CID



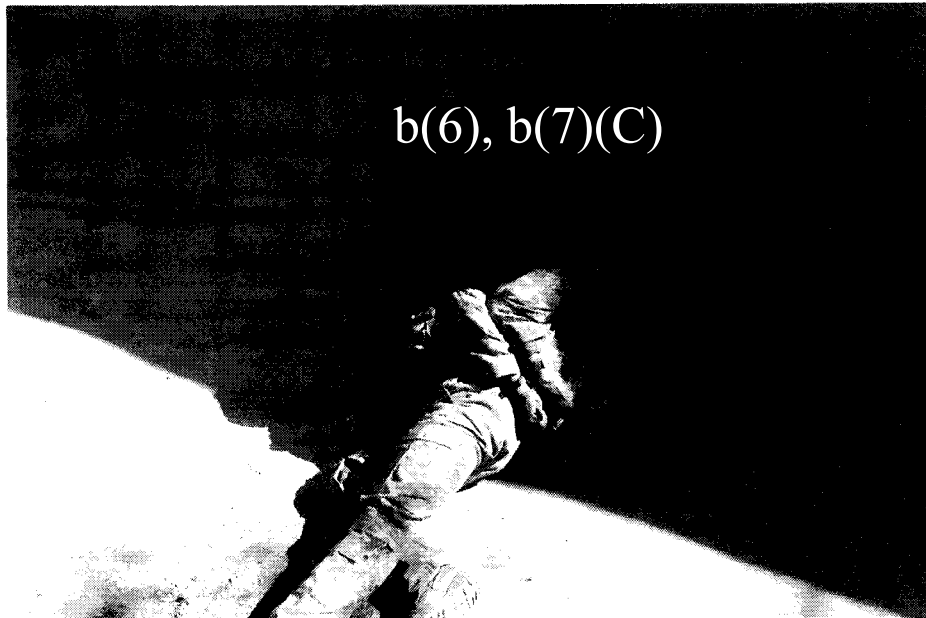
1LT ^{(b)(6), (b)(7)(C)} demonstrating the position of Mr ^{(b)(6), (b)(7)(C)} over Mr. SALAM. 1LT ^{(b)(6), (b)(7)(C)} indicated Mr. SALAM's arms were actually zip-cuffed behind his back during the incident.



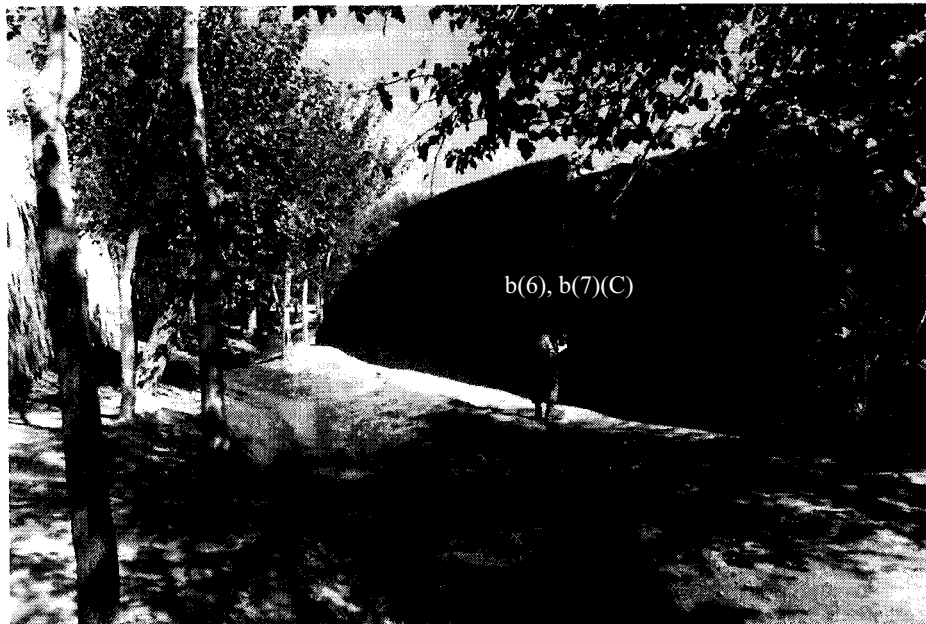
1LT ^{(b)(6), (b)(7)(C)} demonstrating how Mr. ^{(b)(6), (b)(7)(C)} knelt over Mr. SALAM when Mr. SALAM was shot.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

PHOTOGRAPHIC PACKET
Photos of the scene taken 5 Nov 08 by CID



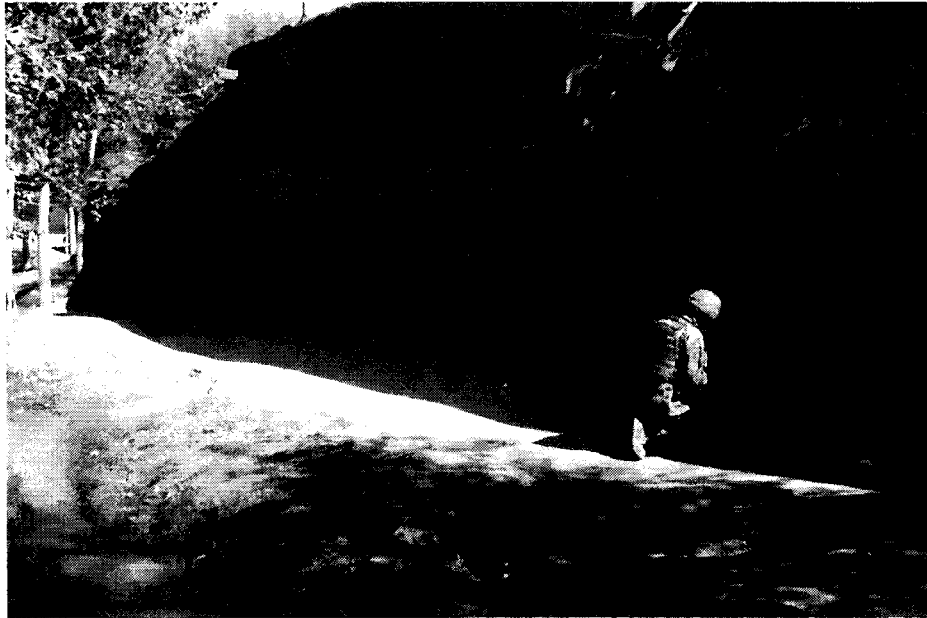
1LT ^{(b)(6), (b)(7)(C)} demonstrating how Mr. ^{(b)(6), (b)(7)(C)} was kneeling over Mr. SALAM when Mr. SALAM was shot.



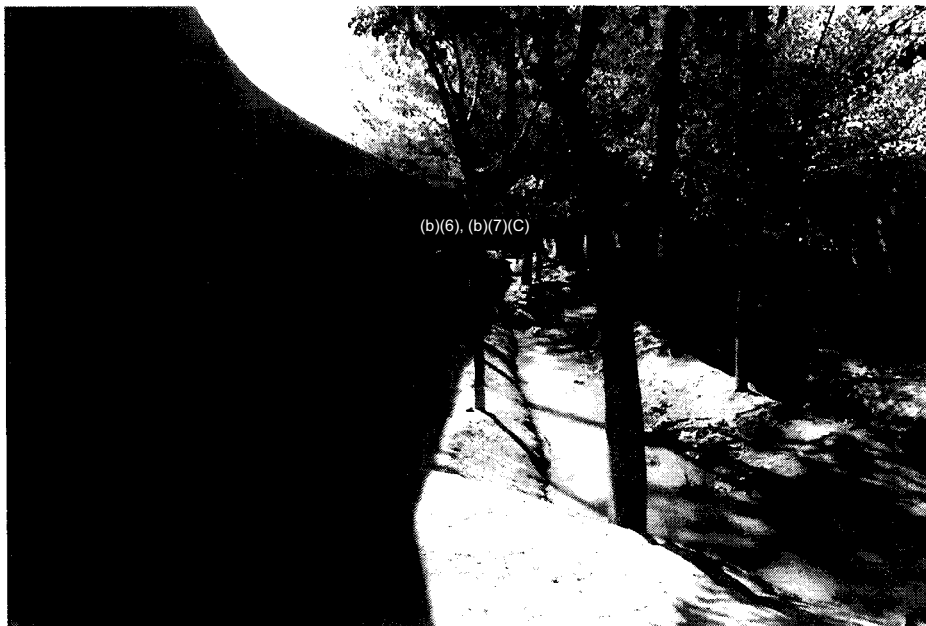
View from south end of the alley facing north. The CID agent is standing about where Mr. SALAM was killed. Soldiers at the far end of the alley are near where Ms. LOYD was attacked.

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PHOTOGRAPHIC PACKET
Photos of the scene taken 5 Nov 08 by CID



View near the south end of the alley facing north. The angle of the wall prevents view of the north end of the alley from the position of the CID agent kneeling where Mr. SALAM was shot.



View from site where Ms. LOYD was attacked facing south down the alley.

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PHOTOGRAPHIC PACKET
Photos of the scene taken 5 Nov 08 by CID



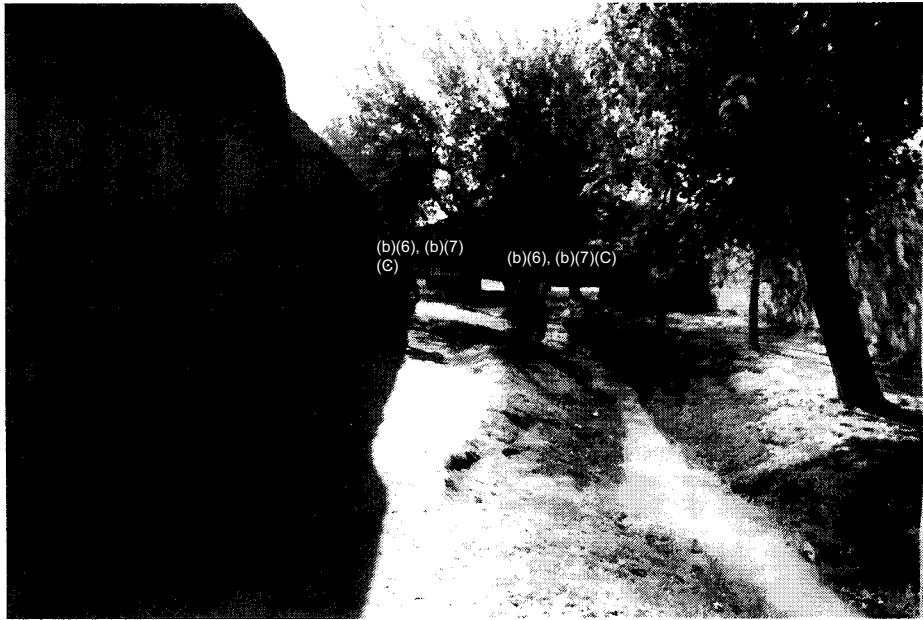
View facing south down the alley, about 15 meters south of the location Ms. LOYD was attacked.



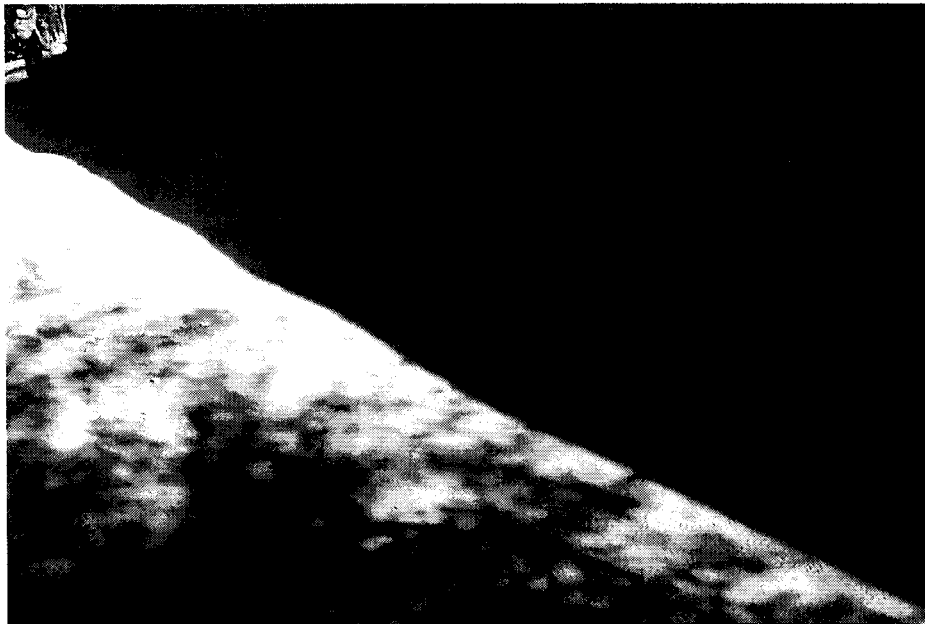
View facing south down the alley, about 30 meters south of where Ms. LOYD was attacked.

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

PHOTOGRAPHIC PACKET
Photos of the scene taken 5 Nov 08 by CID



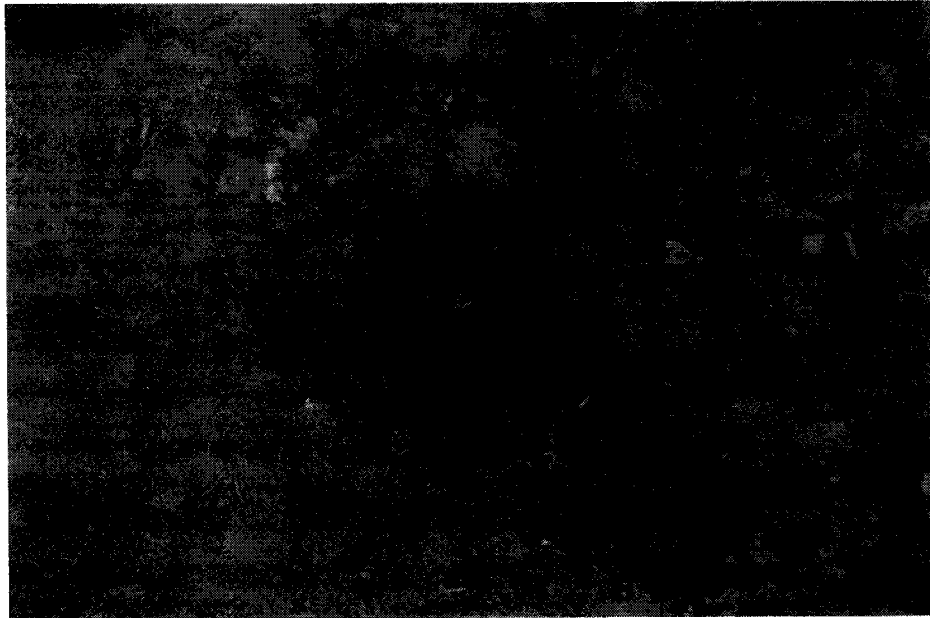
View toward the south end of the alley, about 40 meters south of where Ms. LOYD was attacked. The soldier on the left is standing about where Mr. SALAM was killed.



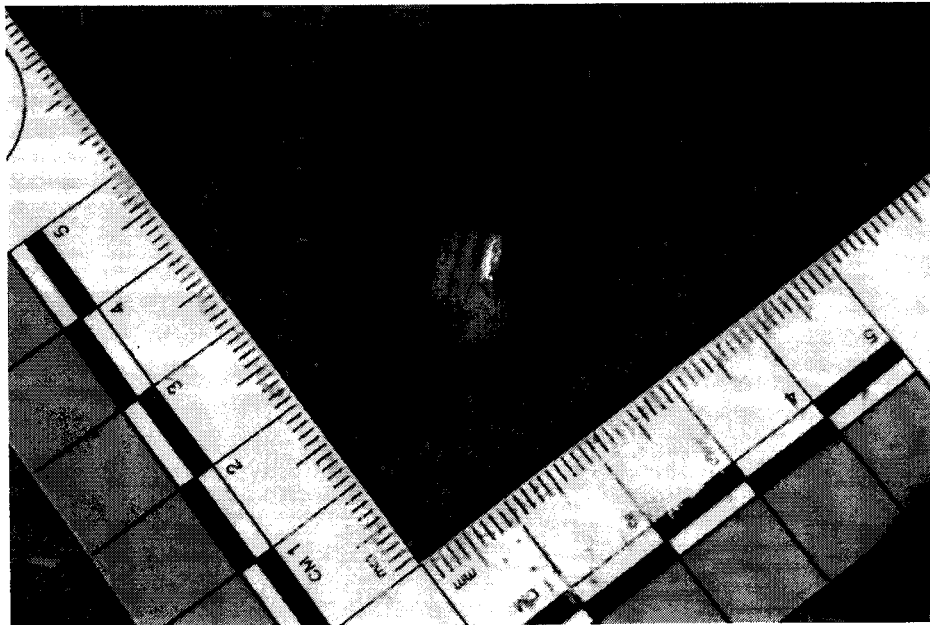
Location where bullet was found, on the wall side of the black object, in the position indicated by 1LT (b)(6), (b)(7)(C) as where Mr. SALAM was shot.

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PHOTOGRAPHIC PACKET
Photos of the scene taken 5 Nov 08 by CID



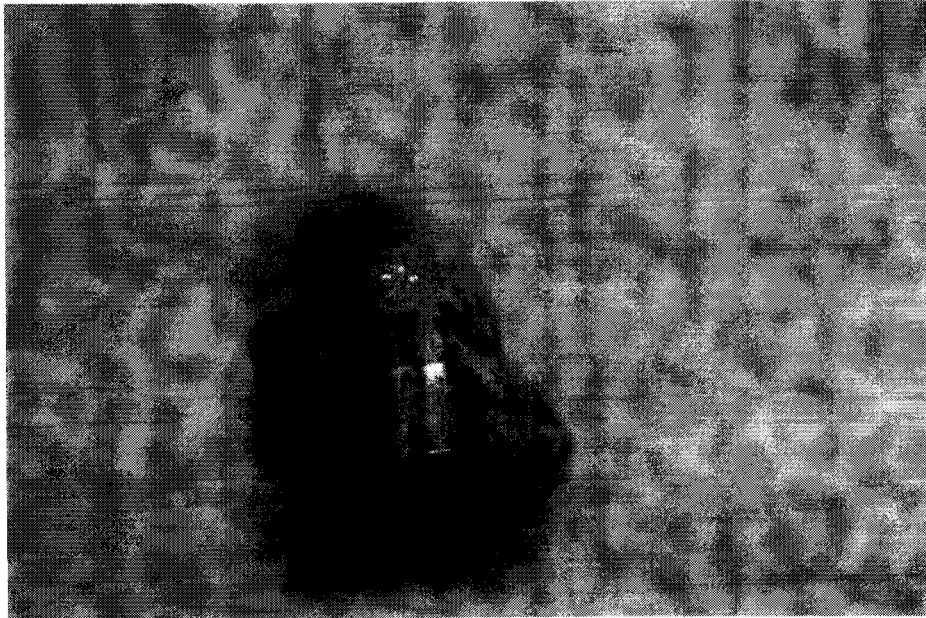
Close up of bullet after being partially unearthed.



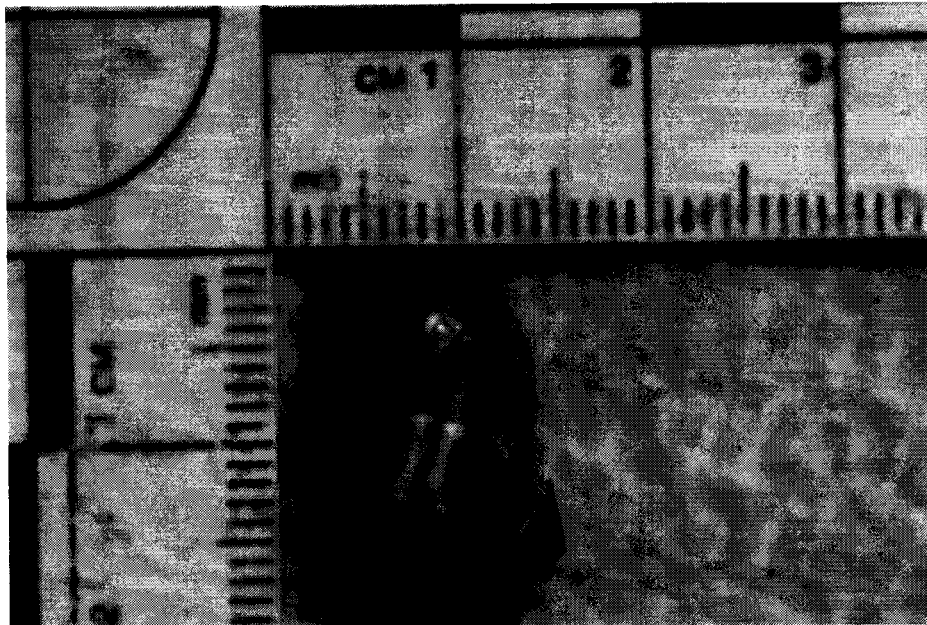
Close up of the bullet after being unearthed (with scale added).

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

PHOTOGRAPHIC PACKET
Photos of the evidence



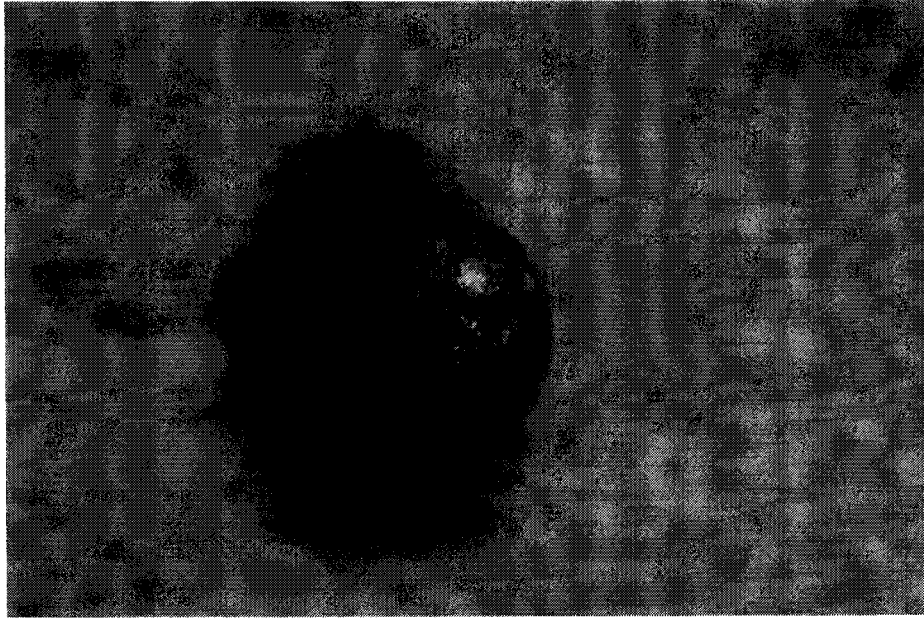
Close up of the bullet collected from the alley (side view).



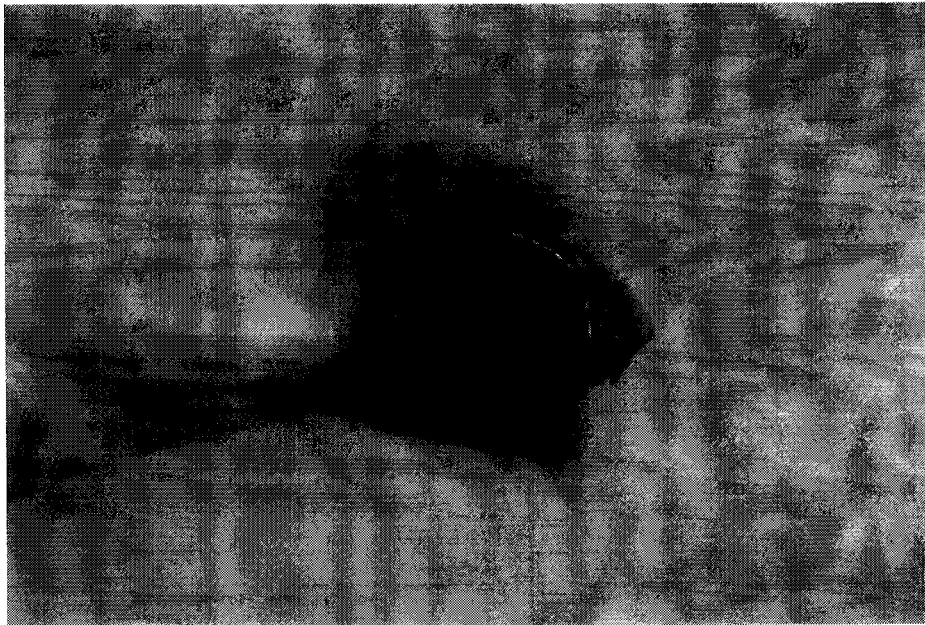
Close up of the bullet collected from the alley (side view with scale).

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

PHOTOGRAPHIC PACKET
Photos of the evidence



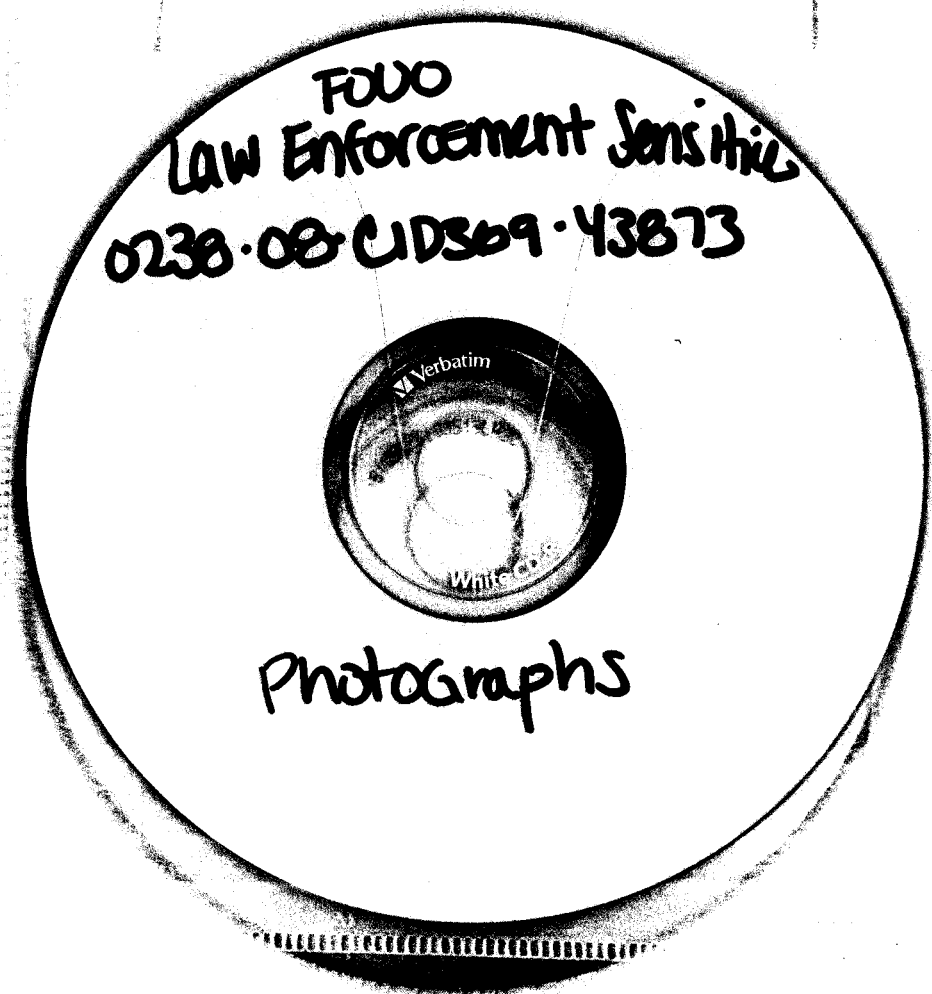
Close up of the bullet (nose end).



Close up of the bullet (tail end).

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COMPACT DISC (0238-08-CID369- 43873)
CONTAINING ALL ORIGINAL IMAGES
ASSOCIATED WITH EXHIBIT __.



FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE



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



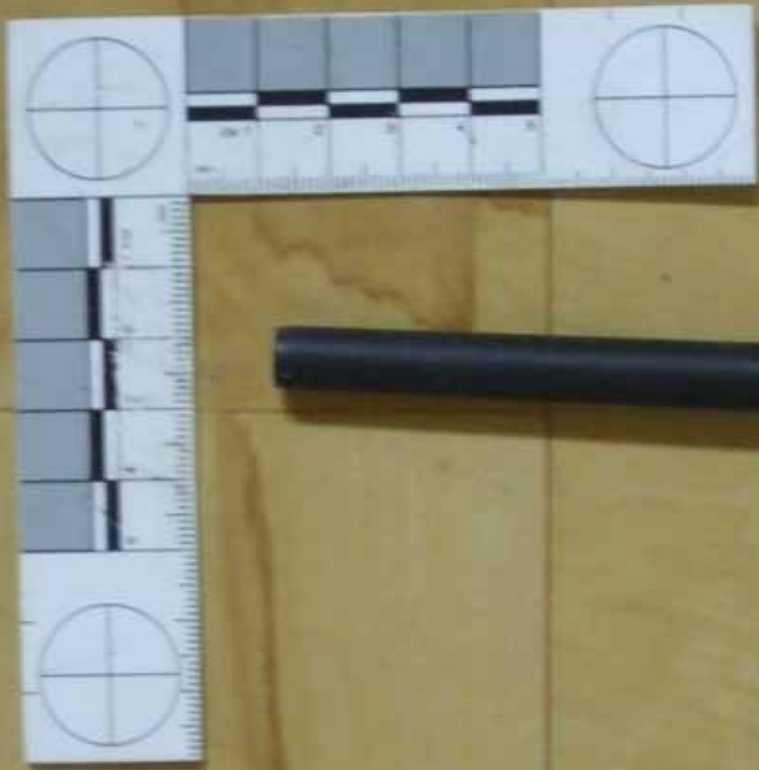






(b)(6), (b)(7)(C)













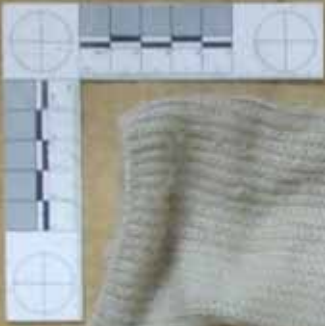






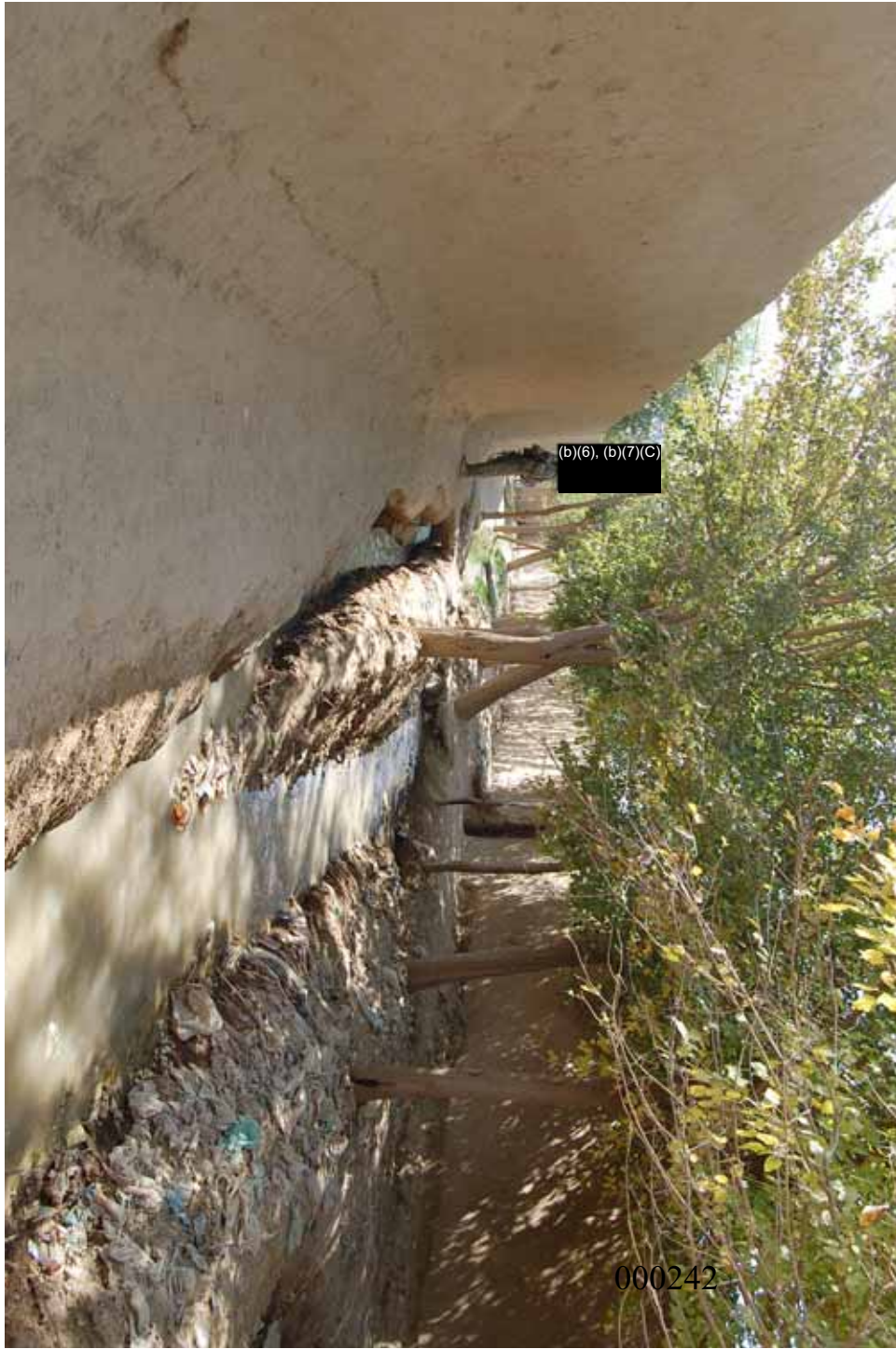


























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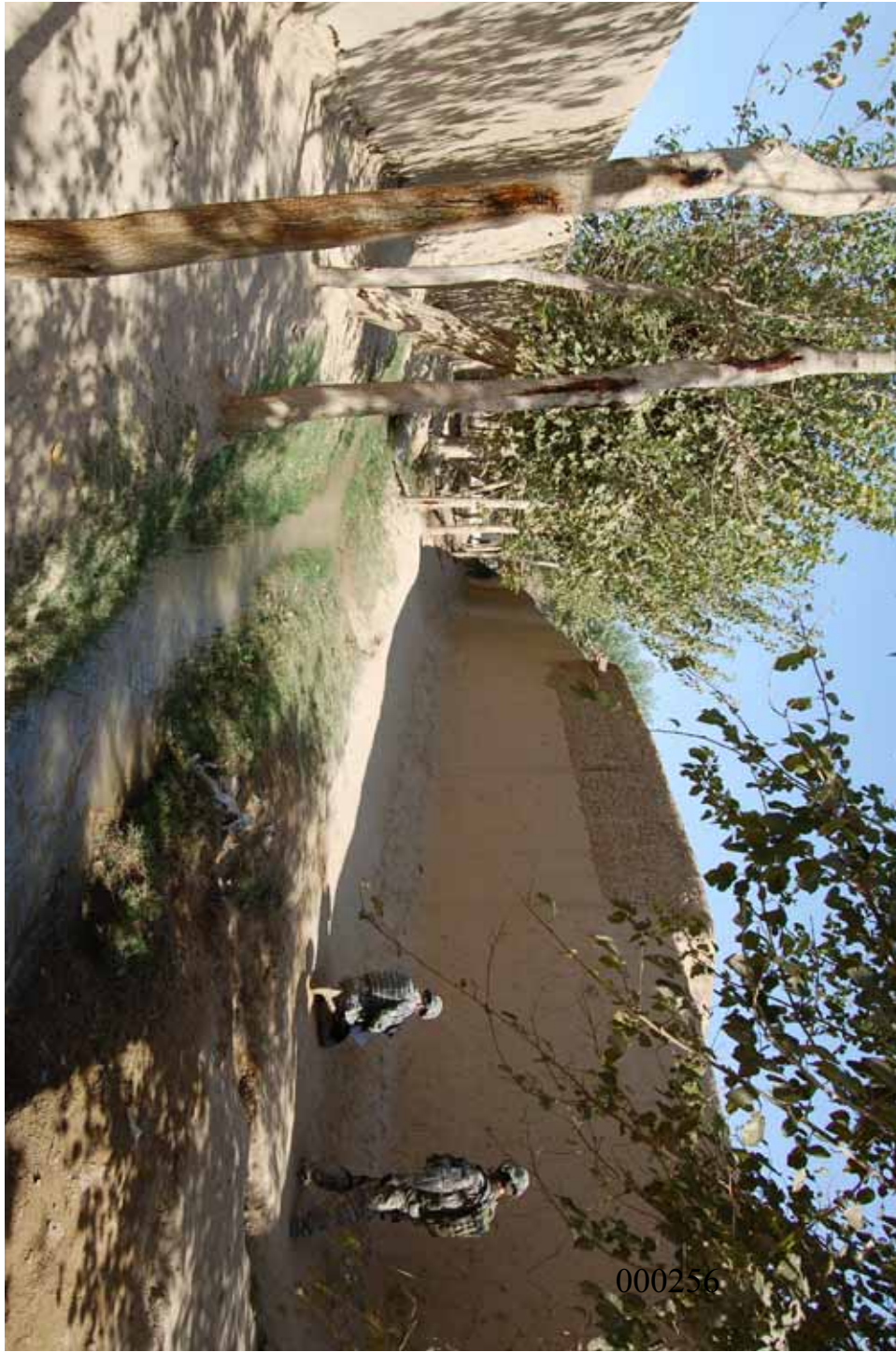


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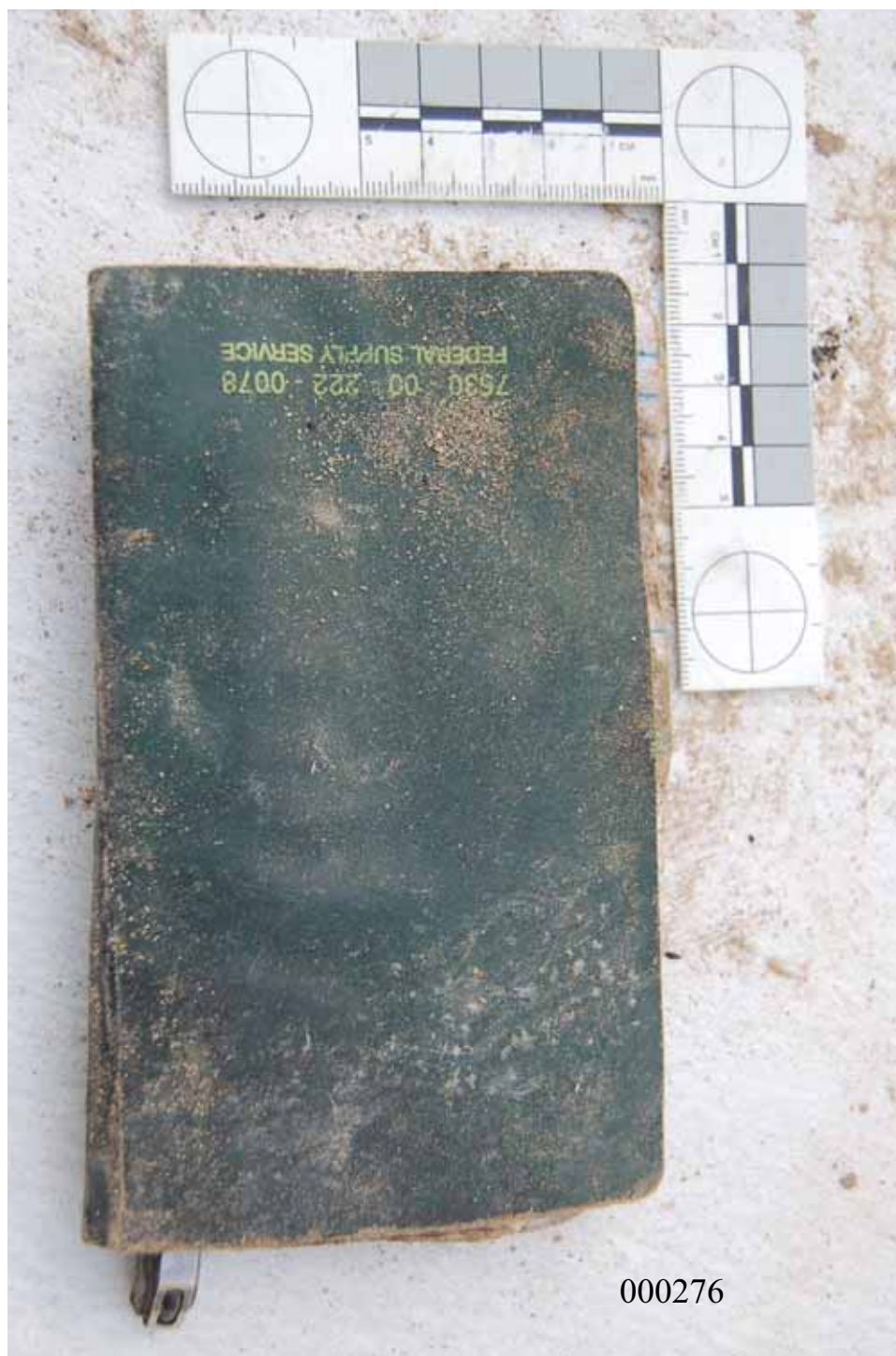
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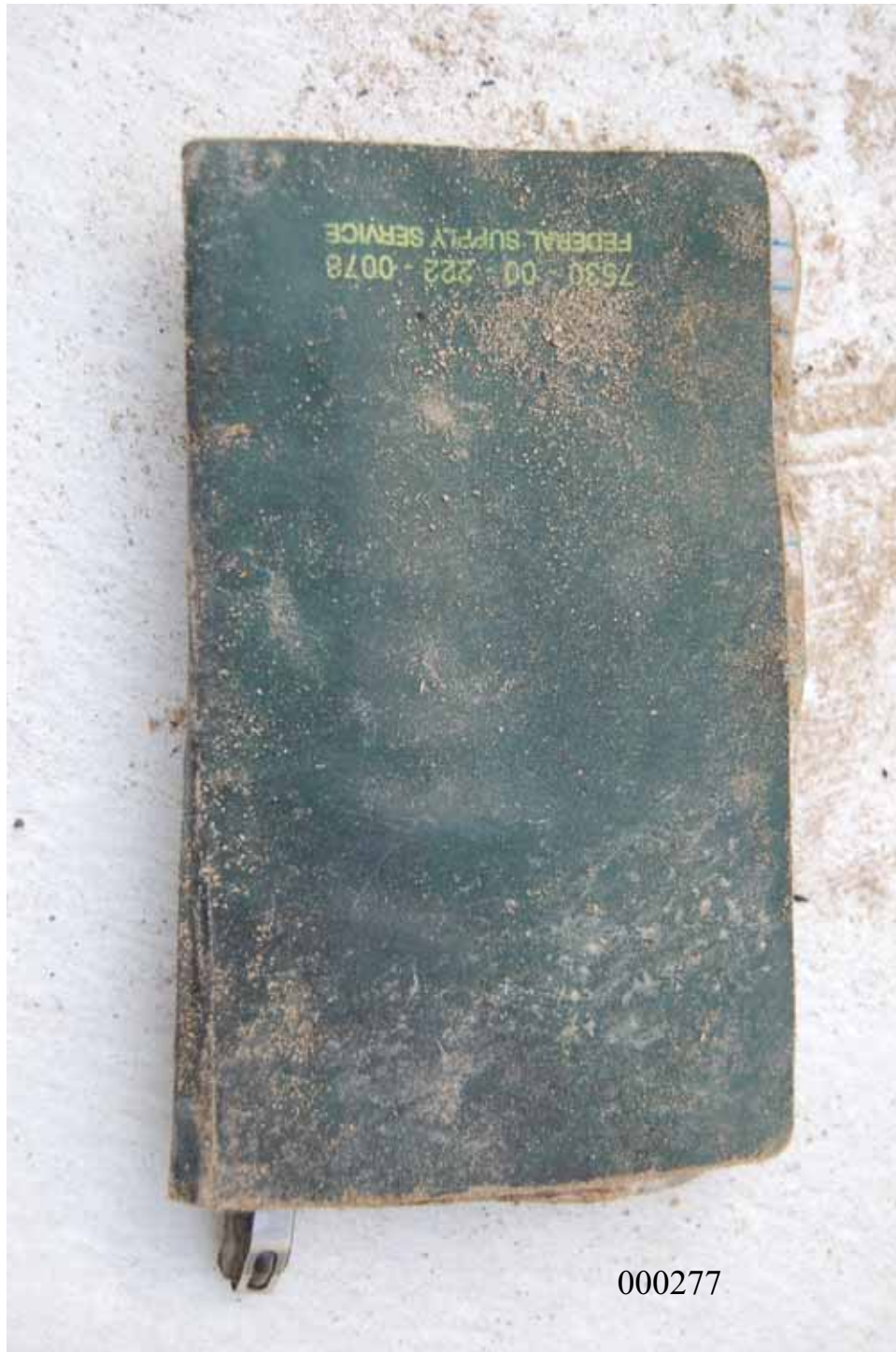


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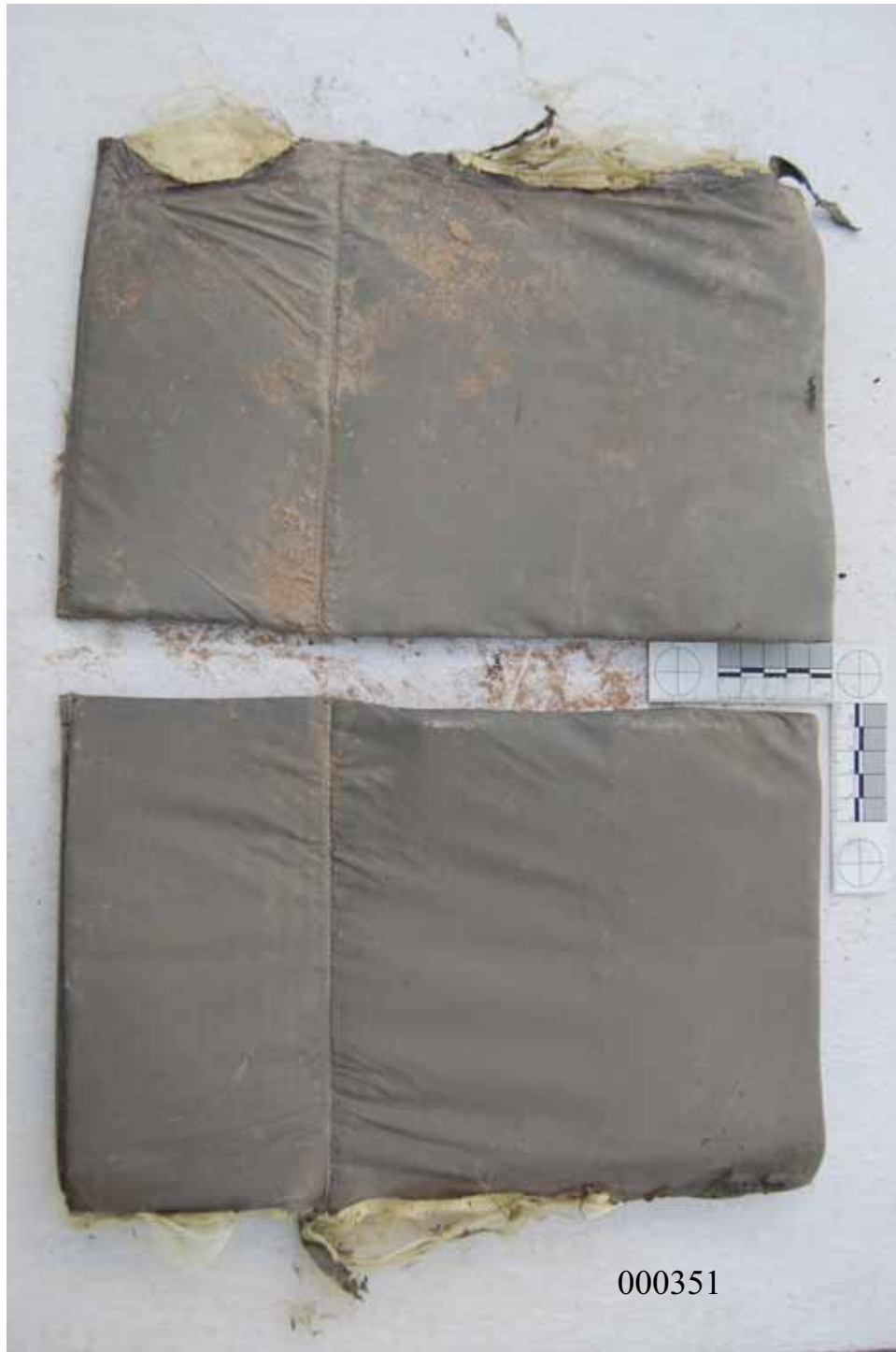


000347

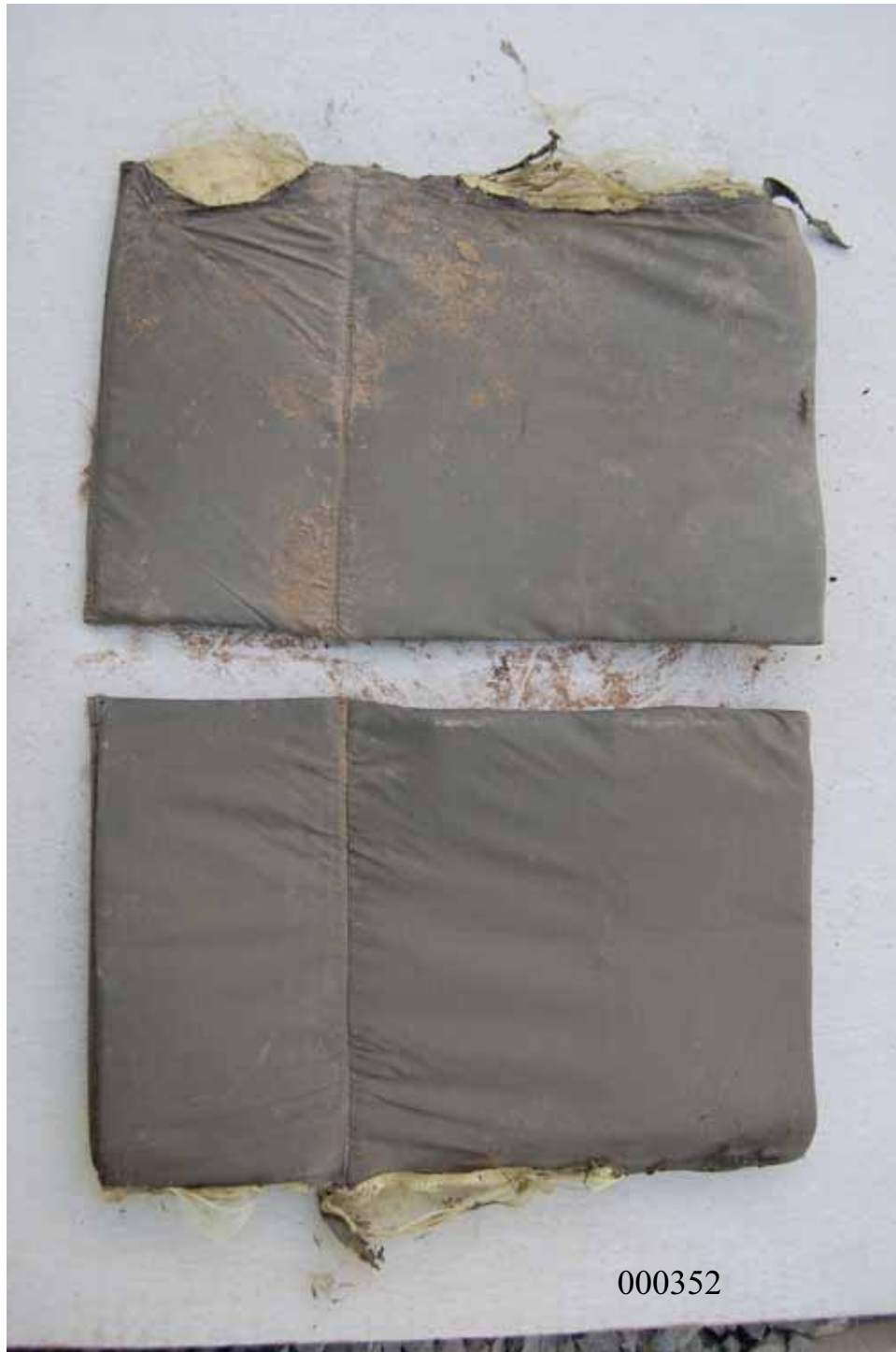








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(b)(6), (b)(7)(C)











(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)



















0238 08 369 43873

EVIDENCE PROPERTY CUSTODY DOCUMENT

For use of this form see AR 195-5 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

MPR/CID SEQUENCE NUMBER
0238-08-CID369
CRD REPORT/CID ROI NUMBER
43873

RECEIVING ACTIVITY Afghanistan CID Office	LOCATION Bagram Airfield, Afghanistan, APO AE 09354
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER Death Scene <input checked="" type="checkbox"/> OTHER	ADDRESS (Include Zip Code) N/A
LOCATION FROM WHERE OBTAINED From the ground in an alley in the village of Chehel Gazi, Afghanistan, vicinity of grid coordinate 41R PR94790028	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1235/ 5 Nov 08

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include make/model, serial number, condition and unusual marks or scratches)</i>
1 //////	1 ////////////////	Bullet, copper and gray in color, metal construction, about 1/2" x 1/2", deformed shape, has striations on the sides, sealed in an appropriate container and marked for ID with 1235, 5 Nov 08, (b)(6), (b)(7)(C) POSSIBLE BIOHAZARD Last Item

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	5 Nov 08	SIGNATURE N/A	(b)(6), (b)(7)(C)	Evaluation as evidence
		NAME, GRADE OR TITLE Death scene	NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	
1	10 NOV 2008	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	Release to CID evidence custodian SLRCM
		NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE SA (b)(6), (b)(7)(C)	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete.

LOCATION

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

DOCUMENT NUMBER 183 / 08
EXHIBIT 70

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0238-08-CID369-43873

PAGE 1 OF 1 PAGES

DETAILS:

About 0900, 18 Nov 08, SA (b)(6), (b)(7)(C) submitted a Forensic Laboratory Examination Request to the United States Army Criminal Investigation Laboratory (USACIL) requesting the gloves, battle shirt and M9 pistol be tested for blood residue and, if present, to determine if it is human. The gloves and battle shirt would also be examined for gunshot residue.

About 1535, 28 Nov 08, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) regarding the condition of Miss LOYD. Mr. (b)(6), (b)(7)(C) said Miss LOYD's condition had deteriorated. Miss LOYD had pneumonia and was on a ventilator. She had been in and out of consciousness since she became ill. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

Afghanistan CID Detachment
Bagram Airfield, APO AE 09354

DATE

28 Nov 08

EXHIBIT

71

ONLY - LAW ENFORCEMENT SENSITIVE

(Automated)

Protective Marking is Excluded From Automatic Termination (Para 13, AR 34-16)

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)

Trace Evidence: Examine Exhibit 4 and 5 for Gunshot Residue (GSR).

Serology: Examine Exhibit 4 and 5 for blood residue and determine if it is human.

Serology: Examine Exhibit 1 for blood residue and determine if it human. Please refer to Forensic Laboratory Examination Request dated 13 Nov 08, Voucher 184/08, case number 0238-08-CID369-43873.

14.a. INVESTIGATOR AND ALTERNATE POC
(Typed or Printed) (REQUIRED)

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

b. TELEPHONE (Primary/Alt): _____
c. DSN (Primary/Alt): (b)(6), (b)(7)(C) _____
d. Fax: _____
e. E-Mail: (b)(6), (b)(7)(C) @us.army.mil, (b)(6), (b)(7)(C) @us.army.mil

15. I CERTIFY EVIDENCE HAD NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION

a. DATE
17 Nov 08

b. TYPED/PRINTED NAME OF REQUESTOR

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

c. SIGNATURE

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

d. TELEPHONE (Primary/Alt): _____
e. DSN (Primary/Alt): (b)(6), (b)(7)(C) _____
f. Fax: _____
g. E-Mail: (b)(6), (b)(7)(C) @us.army.mil

16. Lab Use Only

Lab Case #

FORENSIC LABORATORY EXAMINATION REQUEST

1. TO: LABORATORY DIRECTOR US ARMY CRIMINAL INVESTIGATION LABORATORY <input checked="" type="checkbox"/> 4930 N. 31 st Street Forest Park, GA 30297-5205 <input type="checkbox"/> Other (Specify): Attn: Trace Evidence, Serology	2. FROM: SPECIAL AGENT IN CHARGE Afghanistan CID Office, APO AE 09354	4. EXAM PRIORITY: ROUTINE <input checked="" type="checkbox"/> EXPEDITE <input type="checkbox"/> Trial/Article 32/39A* <input checked="" 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
	3. RETURN EVIDENCE TO: SPECIAL AGENT IN CHARGE ATTN: Evidence Custodian Afghanistan CID Office APO AE 09354		

6. SUBMITTING AGENCY CASE NUMBER 0238-08-CID369-43873	7. TYPE OF OFFENSE: Murder
---	-----------------------------------

8. PREVIOUS EVIDENCE SUBMITTED

DATE: 13 Nov 08 MAIL METHOD: Registered Mail #546496457US LAB CASE #: SUSPECT(S): (b)(6), (b)(7)(C)

9. SUSPECT(S) [Last, First and Middle Name(s)] (b)(6), (b)(7)(C)	9. VICTIM(S) [Last, First and Middle Name(s)] SALAM, Ahmad
--	--

11. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE OR ADDITIONAL DOCUMENTATION ATTACHED (i.e., Summary of investigation, crime scene sketches/photographs, statements)

On 4 Nov 08, Mr. (b)(6), (b)(7)(C) was with a patrol when Mr. SALAM was detained. Mr. (b)(6), (b)(7)(C) knelt over Mr. SALAM and shot Mr. SALAM in the head with a pistol, close contact. Mr. (b)(6), (b)(7)(C) was wearing gloves and a US Army Battle Shirt, which were seized.

12. EVIDENCE SUBMITTED	
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT
4	Gloves, Item 3, Voucher (VO) 184/08
5	Battle Shirt, Item 3, Voucher (VO) 186/08

19 NOV 2008

REGISTERED

NO. RA 546 524 572 05

DD FORM 2922, JUL 2006

**FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE**

EXHIBIT 72

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0238-08-CID369-43873

PAGE 1 OF 1 PAGES

DETAILS:

About 1115, 3 Dec 08, SA (b)(6), (b)(7)(C) interviewed SSG (b)(6), (b)(7)(C) regarding the flex cuffs that were brought to the Tactical Operations Center (TOC). SSG (b)(6), (b)(7)(C) related about 1500, 4 Nov 08, he saw an orange bag and a box on the floor of the TOC and knew it was evidence from the incident in the village. SSG (b)(6), (b)(7)(C) saw the flex cuffs on a table and asked where they came from, as they were not in the bag or box. SSG (b)(6), (b)(7)(C) was told the flex cuffs were brought in with the evidence. SSG (b)(6), (b)(7)(C) thought the flex cuffs were placed on the table for a reason and left them there. SSG (b)(6), (b)(7)(C) did not know the flex cuffs were missing until CID agents asked where they were the next day. SSG (b)(6), (b)(7)(C) said he searched the TOC including the trash but could not find the flex cuffs. SSG (b)(6), (b)(7)(C) believed they were thrown out by someone, who did not know the flex cuffs were evidence during TOC maintenance. SSG (b)(6), (b)(7)(C) asked SSG (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) night shift, if they had any knowledge of the flex cuffs. They all saw the flex cuffs but did not know what happened to them.

About 0950, 4 Dec 08, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) regarding the altercation with Mr. SALAM. SPC (b)(6), (b)(7)(C) believed Mr. SALAM was still a threat even though his hands were secured behind his back. Mr. SALAM had attacked Miss LOYD causing serious injuries, gave them a hard fight to get him down and was still resisting attempts to detain him by moving his body from side to side and kicking at them prior to being shot.

About 1635, 6 Dec 08, SA (b)(6), (b)(7)(C) interviewed MAJ (b)(6), (b)(7)(C) who stated he received the M9 pistol from CSM (b)(6), (b)(7)(C) 2-2 INF, FOB Ramrod, Afghanistan, APO AE 09355, who brought the pistol from FOB Hutul.

//LAST ENTRY//

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		Afghanistan CID Detachment	
(b)(6), (b)(7)(C)		Bagram Airfield, APO AE 09354	
		DATE	EXHIBIT
		6 Dec 08	73

LAW ENFORCEMENT SENSITIVE

(Automatic)

Protective Marking is Excluded From Automatic Termination (Para 13, AR 34-16)

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0238-08-CID369-43873

PAGE 1 OF 2 PAGES

DETAILS

About 2016, 19 Dec 08, Mr. (b)(6), (b)(7)(C) Assistant United States Attorney, Eastern District of Virginia, Alexandria Division, opined probable cause existed to believe Mr. (b)(6), (b)(7)(C) committed the offense of murder. Mr. (b)(6), (b)(7)(C) informed this office Mr. (b)(6), (b)(7)(C) was charged with 2nd degree murder in the U.S. District Court of the Eastern District of Virginia.

About 1158, 30 Dec 08, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) who stated as far as he could remember he released Mr. (b)(6), (b)(7)(C) M11 pistol to SSG (b)(6), (b)(7)(C)

About 1353, 1 Jan 09, SA (b)(6), (b)(7)(C) interviewed CSM (b)(6), (b)(7)(C) 2-2 Infantry, FOB Ramrod, Afghanistan, who clarified the chain of custody for both weapons; the M16 was wrapped in a black plastic trash bag, the M9/magazine, M16 magazine and other equipment was placed in a MRE box. All of Mr. (b)(6), (b)(7)(C) equipment was controlled by one Soldier who was in charge of the inventory. SSG (b)(6), (b)(7)(C) had everything inventoried/tagged and placed in an MRE box. Once the inventory was complete he (SSG (b)(6), (b)(7)(C)) ensured the box was taped and sealed with Army 100 mile hour tape. He placed a guard on the M16 and the MRE box, which included the M9 inside the box with additional equipment, as he had other Soldiers going in the sleep area to gather the remainder of Mr. (b)(6), (b)(7)(C) TA-50/gear. The Soldier kept a guard on the gear/MRE box until CSM (b)(6), (b)(7)(C) was ready to depart and return to FOB Ramrod. Prior to CSM (b)(6), (b)(7)(C) returning to FOB Ramrod, he (SSG (b)(6), (b)(7)(C)) placed the equipment in the trailer of CSM (b)(6), (b)(7)(C) MRAP in which CSM (b)(6), (b)(7)(C) was riding. All this was under the close supervision and control of SSG (b)(6), (b)(7)(C) and CSM (b)(6), (b)(7)(C). Both wanted to ensure they did not contaminate any of the evidence, assisted by verbal guidance from a civilian Law Enforcement Professional (LEP), due to his experience as a civilian police officer and in evidence collection. After arriving at FOB Ramrod, CSM (b)(6), (b)(7)(C) had the driver pull around to the BN TOC, where he removed all the equipment from the trailer and placed it the BN TOC on the right side on the floor with the M16 in the black trash bag on top of the MRE box, and CSM (b)(6), (b)(7)(C) knew it would be under 24hr surveillance on a daily basis. CSM (b)(6), (b)(7)(C) informed both his battle captain and OPS SGM the equipment was part of an on going investigation and wasn't to be touched or moved until CID arrived and took control of the equipment. Upon arrival a day or two after the incident occurred, CID arrived and gained control of the MRE box with the M9 inside and the M16 in the black trash bag still on top of the MRE box. It was a day or two later because CID flew into FOB Hotal and talked to the Soldiers of C Company prior to them (CID) arriving at FOB Ramrod.

About 1400, 14 Jan 09, SA (b)(6), (b)(7)(C) interviewed Mr. (b)(6), (b)(7)(C) civilian, BAE, Bagram Airfield Afghanistan, APO AE 09354, who stated he, Mr. (b)(6), (b)(7)(C) Ms. LOYD and approximately 20 soldiers assigned to C Company, 2-2 Infantry, FOB Hotal, APO AE 09355, were on foot patrol on 4 Nov 08, near the village of Chehel Gazi. The mission was to meet local shoppers in an open market and collect data on current food prices as well as availability of goods. Mr. (b)(6), (b)(7)(C) stated Ms. LOYD was engaged in conversation with a local

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Office
Bagram Airfield, Afghanistan,
APO AE 09354

DATE

20 Feb 09

EXHIBIT

74

CID FORM 94

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0238-08-CID369-43873

PAGE 2 OF 2 PAGES

DETAILS

national male, who doused her with gasoline and subsequently set her on fire. Mr. (b)(6), (b)(7)(C) and a medic immediately placed Ms. LOYD in a nearby creek and attended to her injuries, when Mr. (b)(6), (b)(7)(C) heard what he believed were two to three shoots being fired. Shortly thereafter, Mr. (b)(6), (b)(7)(C) joined Mr. (b)(6), (b)(7)(C) and the medic, stating he (Mr. (b)(6), (b)(7)(C)) had shot the man who set Ms. LOYD on fire. Mr. (b)(6), (b)(7)(C) related he did not see Mr. (b)(6), (b)(7)(C) shoot the local national male.

About 1433, 15 Jan 09, Mr. (b)(6), (b)(7)(C) rendered a sworn statement wherein he detailed the assault on Ms. LOYD and subsequent shooting of Mr. SALAM by Mr. (b)(6), (b)(7)(C)

About 1737, 16 Feb 09, Mr. (b)(6), (b)(7)(C) provided this office with Department of Justice Memorandums pertaining to Mr. (b)(6), (b)(7)(C) plea agreement. Ms. (b)(6), (b)(7)(C) Acting United States Attorney for the Eastern District of Virginia, through the undersigned attorneys for the government, the defendant, (b)(6), (b)(7)(C) and the defendant's counsel have entered into an agreement pursuant to Rule 11 of the Federal Rules of Criminal Procedure. The terms of the agreement were as follows:

1. Offense and Maximum Penalties

The defendant agrees to waive indictment and plead guilty to a single count criminal information charging the defendant with voluntary manslaughter, in violation of title 18, United States Code (U.S.C.) Section 1112 and 3261(a). The maximum penalties for this offense are a maximum of 15 years of imprisonment, a fine of \$250,00 a special assessment, and three years of supervised release.

About 2010, 20 Feb 09, this office received the DNA Branch Final Report indicating no blood was detected on Mr. (b)(6), (b)(7)(C) gloves and/or shirt.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Office
Bagram Airfield, Afghanistan,
APO AE 09354

DATE

20 Feb 09

EXHIBIT

74

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SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief (b)(6), (b)(7)(C) Personnel.

LOCATION Afghanistan CID Office, Bagram Airbase	DATE 15 Jan 09	TIME 14:33	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS GS-15	
ORGANIZATION OR ADDRESS (b)(6), (b)(7)(C) Airfield, Afghanistan, APO AE 09354			

I, (b)(6), (b)(7)(C) want to provide the following statement, under oath: We were assigned to 2-2 BN of the 1st INF DIV and were working specifically with C Company on FOB HUTAL. FOB Hotal is located near the District Market in the Maiwand District Kandahar Province, Afghanistan. On the 4th of November 2008 our Human Terrain Team (HTT) left FOB Hotal on a routine patrol to the Maiwand District Market and the village of Chehel Gazi which was located just south of the market. The members of our team were: myself, (b)(6), (b)(7)(C) Paula Loyd, our social scientist, and (b)(6), (b)(7)(C) our research manager. We walked through the bazaar and set up a perimeter in an open area just inside the village. We were interested in finding out the value of commodities within the bazaar. Several days previous we'd been through the bazaar polling local merchants about the cost of various grains, fuel, bread, as well as other items. We were also trying to map out the local leadership structure as well as to find out more about a coalition of merchants working together within the Bazaar. There were dozens of children walking through the area on their way to school and we were handing out pens to the older kids and candy to the smaller children. Villagers would be roughly screened by soldiers at the perimeter and Paula and I would talk to them. People were very friendly and nothing seemed out of the ordinary. All three of us had served previously in Afghanistan and we all had experience working directly with the villagers. This was perhaps the 25th or so mission we'd gone on with various platoons within the Battalion. (b)(6), (b)(7)(C) joined soldiers at the southern end of the perimeter which was at the end of a long narrow alleyway through which ran a small stream. We were only there about 15 or so minutes when Abdul Salam, I learned his name later, approached us and started to talk. I shook his hand and he thanked us in broken English for being there to help Afghanistan. He was carrying a container of gasoline in his right hand and Paula began asking him questions about fuel prices. He mentioned that it was needed to fuel a water pump. Paula asked him how much the fuel was and how much fuel was needed for the season, as well as other questions. It was not out of the ordinary for a person in the Bazaar to be carrying fuel in such a manner. Looking back I now realize that he was trying to shoo the kids away, perhaps in an attempt to clear the area. I broke contact with (b)(6), (b)(7)(C) and Abdul and began talking to another villager. A few moments later there was a huge explosion of flame and Paula stumbled backwards and fell. I saw Abdul running away through the alley to the southern end of the perimeter where (b)(6), (b)(7)(C) and other soldiers were located. My attention was immediately focused on Paula. The flames were very intense and the heat forced me away several times. Paula kept calling my name over and over asking for me to help. I had on fire proof gloves and Spc (b)(6), (b)(7)(C) and I were finally able to grab Paula by her ankles and pull her into the stream. By this time her clothing had burned off, but she was still very hot. I pulled her melted watch off her wrist. Spc (b)(6), (b)(7)(C) handed me a pair of scissors and we began cutting of her helmet and body armor. She was shaking violently from shock and perhaps the cold of the stream. She kept calling my name and she begged me not to leave and stay with her to the hospital. I promised Paula that I would stay with her no matter what it took to do so. She said that she was very cold; I calmed her by telling her that she was always cold not to worry. I was afraid to look at her and expected to see burned skin sloughing off her body. I cut off her helmet and her hair was still intact and I could still recognize her. She must have turned to the left when the flames hit as her right ear looked very severally burned. She was fully conscience and kept looking at her fingers. She asked me if I thought she'd be able to type again. She asked me how she looked and (b)(6), (b)(7)(C) her miserably, I told her (b)(6), (b)(7)(C)

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT _____ PAGE 1 OF 4 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."

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EXHIBIT 75

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

0238-08-CID369-43873 08-CID369-

STATEMENT OF [REDACTED] TAKEN AT Bagram Airbase, Afghanistan DATED 15 Jan 09, CONTINUED:

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

[REDACTED] fine and that the burns didn't look severe. The situation was very surreal. She asked me to get her cell phone and to call her fiancée and asked me not to wake up her mother so she wouldn't be worried. She asked me to make sure I delivered a report that she'd been working on the previous evening to Col. (b)(6), (b)(7)(C) Paula was very scared, and the only way I could comfort her was by running my fingers through her hair. Everything else was severely burned. I heard what I thought were several gun shots to the south followed by machine gun fire to the north. I had somehow taken my own body armor off during the process of trying to get Paula into the water, but my attention was still fully focused on her. Just a couple of minutes later (b)(6), (b)(7)(C) came up and stood over Paula. He asked about her condition. He was visibly shaken and upset. I'm sure I looked the same. I remember him telling me that they'd taken his gun away. An Afghan national police truck pulled up and we loaded Paula into the back on an old mattress. I looked back at (b)(6), (b)(7)(C) and that was the last time I saw him. I have talked to him several times on the phone since then, but our conversations have only been about Paula and about (b)(6), (b)(7)(C) current disposition. We have never talked about details of the incident considering the charges made against him. I was able to keep my promise to Paula and I stayed with her as we were flown via helicopter to FOB Bastion and then onto Germany. I met her mother at the hospital Brooks Army Medical Center and was very grateful to deliver her to the loving care of her family. I know Paula was targeted because she was a woman, because she was obviously a well educated woman and a person of some importance. Other woman in the Bazaar wore the full head to toe coverings usually associated with more radical forms of Islam. Although Paula always kept herself covered she stood out and represented to the Taliban everything they were trying to suppress. They could have easily taken anyone of us, but in a cowardly act they targeted a person who was very obviously engaged in humanitarian work. She wore no uniform. I have worked with many people down range, but never have I met someone more purely motivated than her. She wanted to make a difference. In a way she did. She will never be forgotten.

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

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

Q: Did you type the above statement?

A: Yes.

Q: During the verbal interview on 14 Jan 09, you stated Mr. (b)(6), (b)(7)(C) told you what he did to the local national male who set Ms. LOYD on fire. What did Mr. (b)(6), (b)(7)(C) tell you he did?

A: He said he shot the man. I did not know he killed him

Q: Did you witness this shooting?

A: No.

Q: What was Mr. (b)(6), (b)(7)(C) demeanor when he told you what he did to the local national male who set Ms. LOYD on fire?

A: He showed a lot of concern for Ms. LOYD, he kept asking how she was doing, how serious her injuries were.

Q: Did Mr. (b)(6), (b)(7)(C) show any concern for what he did to Mr. SALAM?

A: Not that I was aware of, he was obviously very upset.

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

A: Really good, we practically lived together for the last three months prior to this incident. We went through training together at Fort Leavenworth which was approximately six months; he was in a different class however. We went out to dinner, socially, a couple of times, prior to coming here.

Q: What type of person is Mr. (b)(6), (b)(7)(C) How does he handle stress and/or dangerous situations? (b)(6), (b)(7)(C)

EXHIBIT _____ INITIALS OF PERSON MAKING STATEMENT _____ 2 PAGE OF 9 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES."

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EXHIBIT 75

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Bagram Airbase, Afghanistan DATED 15 Jan 09, CONTINUED:

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

(b)(6), (b)(7)(C) is really calm, cool and collective. He always seemed calm under pressure.

Q: Have you and/or Mr. (b)(6), (b)(7)(C) received formal training pertaining to detainees and/or weapons handling?

A: Yes I have. I was a senior interrogator with the 165th MI BN, as a contractor. In Kandahar.

Q: Do you know if Mr. (b)(6), (b)(7)(C) had formal training on detainee handling?

A: I don't think so.

Q: Were you armed on 4 Nov 08?

A: Yes, I had an M16.

Q: Was Mr. (b)(6), (b)(7)(C) armed on 4 Nov 08?

A: Yes, he had an M16 and an M9 (pistol).

Q: Where did you and Mr. (b)(6), (b)(7)(C) obtain your weapons from?

A: From the BN, 2-2 Infantry Battalion.

Q: Did you witness the apprehension of Mr. SALAM?

A: No.

Q: Did you see Mr. SALAM being flex cuffed?

A: No.

Q: Did you see Mr. SALAM after he was shot by Mr. (b)(6), (b)(7)(C)

A: No.

Q: Did any of the soldiers, present during the patrol and the attack on Ms. LOYD, and subsequent shooting of Mr. SALAM, discuss what they saw with you?

Q: No.

Q: Did you see what happened to Mr. (b)(6), (b)(7)(C) after you assisted Ms. LOYD onto the vehicle to be transported to FOB Huta?

A: No, I went with her.

Q: Did Mr. (b)(6), (b)(7)(C) ever express to you how he felt about what he did to Mr. SALAM?

A: No, we never discussed the matter, we made sure not to discuss it. We mostly talked about Paula (Ms. LOYD)

Q: How do you feel about what Mr. (b)(6), (b)(7)(C) did to Mr. SALAM?

A: I feel Mr. SALAM'S life was not worth (b)(6), (b)(7)(C) jeopardizing his own wellbeing..

Q: What do you think should happen to Mr. (b)(6), (b)(7)(C)

A: It's hard for somebody who was not there to understand the emotion behind something like this; I mean the attack on Paula. We were all very close. Paula's safety was always our number one concern. We felt a huge responsibility to protect her. We let her down. I think (b)(6), (b)(7)(C) has paid a pretty high price and will continue to pay for the rest of his life.

Q: Do you have anything else 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 3 OF 4 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."

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EXHIBIT 75

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

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STATEMENT OF [REDACTED] TAKEN AT Bagram Airbase, Afghanistan DATED 15 Jan 09, CONTINUED:

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

AFFIDAVIT

I, (b)(6), (b)(7)(C) [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 15th DAY OF January 2009 AT B [REDACTED]

SA (b)(6), (b)(7)(C) [REDACTED]
(Name of Person Administering Oath)

10 USC 936
(Authority to Administer Oath)

EXHIBIT _____

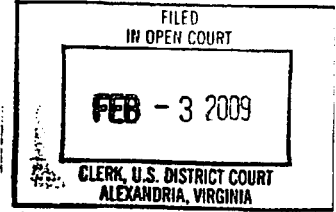
INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 4 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _ OF _ PAGES."

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EXHIBIT 75



IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA) CRIMINAL NO. 1:08cr474
v.)
(b)(6), (b)(7)(C))
Defendant.)

CRIMINAL INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

On or about November 4, 2008, defendant (b)(6), (b)(7)(C) was employed by the Armed Forces outside the United States, as defined in 18 U.S.C. §3267(1), that is, he was employed by Strategic Analysis, Inc., a subcontractor of BAE Systems Technology Solutions & Services Inc., a contractor of the Department of Defense in Afghanistan, was present or residing outside the United States in connection with his employment, and was not a national of or ordinarily a resident in Afghanistan.

On that date, the conduct described herein constituted an offense, which would have been punishable by imprisonment for more than 1 year had the conduct been engaged in within the special maritime and territorial jurisdiction of the United States.

On or about November 4, 2008, in Chehel Gazi, Afghanistan, (b)(6), (b)(7)(C) upon heat of passion and without malice did

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EXHIBIT 76

unlawfully and intentionally kill Abdul Salam by shooting him in the head with a 9mm semiautomatic pistol.

(In violation of Title 18, United States Code, Sections 1112 & 3261(a).)

Respectfully submitted,

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

Acting United States Attorney

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

By

Assistant United States Attorney

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

By

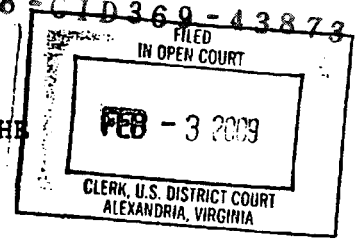
for Trial Attorney
U.S. Department of Justice

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

By:

Special Assistant

0238-08-CID369-43873



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)
)
 v.)
 (b)(6), (b)(7)(C))
)
 Defendant.)

CRIMINAL NO. 1:08cr474

PLEA AGREEMENT

(b)(6), (b)(7)(C) Acting United States Attorney for the
Eastern District of Virginia, through the undersigned attorneys
for the government, the defendant, (b)(6), (b)(7)(C) and the
defendant's counsel have entered into an agreement pursuant to
Rule 11 of the Federal Rules of Criminal Procedure. The terms of
the agreement are as follows:

1. Offense and Maximum Penalties

The defendant agrees to waive indictment and plead guilty to
a single count criminal information charging the defendant with
voluntary manslaughter, in violation of Title 18, United States
Code, Sections 1112 and 3261(a). The maximum penalties for this
offense are a maximum term of 15 years of imprisonment, a fine of
\$250,000, a special assessment, and three years of supervised
release. The defendant understands that this supervised release
term is in addition to any prison term the defendant may receive,
and that a violation of a term of supervised release could result

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EXHIBIT 77

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in the defendant being returned to prison for the full term of supervised release.

2. Detention Pending Sentencing

The defendant understands that this case is governed by Title 18, United States Code, Sections 3143(a)(2) and 3145(c). These provisions provide that a judicial officer shall order that a person who has pled guilty to an offense of this kind be detained unless there are statutory justifications why such person's detention would not be appropriate.

3. Factual Basis for the Plea

The defendant will plead guilty because the defendant is in fact guilty of the charged offense. The defendant admits the facts set forth in the statement of facts filed with this plea agreement and agrees that those facts establish guilt of the offense charged beyond a reasonable doubt. The statement of facts constitutes a stipulation of facts for purposes of Section 1B1.2(a) of the Sentencing Guidelines.

4. Assistance and Advice of Counsel

The defendant is satisfied that the defendant's attorney has rendered effective assistance. The defendant understands that by entering into this agreement, defendant surrenders certain rights as provided in this agreement. The defendant understands that the rights of criminal defendants include the following:

- a. the right to plead not guilty and to persist in that plea;

- b. the right to a jury trial;
- c. the right to be represented by counsel - and if necessary have the court appoint counsel - at trial and at every other stage of the proceedings; and
- d. the right at trial to confront and cross-examine adverse witnesses, to be protected from compelled self-incrimination, to testify and present evidence, and to compel the attendance of witnesses.

5. Recommended Sentencing Factors

The United States and the defendant agree that the defendant has assisted the government in the investigation and prosecution of the defendant's own misconduct by timely notifying authorities of the defendant's intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the government and the Court to allocate their resources efficiently. If the defendant qualifies for a two-level decrease in offense level pursuant to U.S.S.G. § 3E1.1(a) and the offense level prior to the operation of that section is a level 16 or greater, the government agrees to file, pursuant to U.S.S.G. § 3E1.1(b), a motion prior to, or at the time of, sentencing for an additional one-level decrease in the defendant's offense level. Additionally, the parties recognize that the facts in this case may warrant the application of a departure or variance pursuant to U.S.S.G. Sections 5K2.0 and the factors set forth in Section 3553(a).

0 2 3 8 - 0 8 - C I D 3 6 9 - 4 3 8 7 3

Aside from the foregoing, the parties have no other agreements as to the application of the sentencing guidelines or applicable guideline factors.

6. Role of the Court and the Probation Office

The defendant understands that the Court has jurisdiction and authority to impose any sentence within the statutory maximum described above, but that the Court will determine the defendant's actual sentence in accordance with 18 U.S.C. §3553. The defendant understands that the Court has not yet determined a sentence and that any estimate of the advisory sentencing range under the U.S. Sentencing Commission's Sentencing Guidelines Manual the defendant may have received from the defendant's counsel, the United States, or the Probation Office, is a prediction, not a promise, and is not binding on the United States, the Probation Office, or the Court. Additionally, pursuant to the Supreme Court's decision in *United States v. Booker*, 125 S.Ct. 738 (2005), the Court, after considering the factors set forth in 18 U.S.C. §3553(a), may impose a sentence above or below the advisory sentencing range, subject only to review by higher courts for reasonableness. The United States makes no promise or representation concerning what sentence the defendant will receive, and the defendant cannot withdraw a guilty plea based upon the actual sentence.

7. Waiver of Appeal, FOIA and Privacy Act Right

The defendant also understands that Title 18, United States Code, Section 3742 affords a defendant the right to appeal the

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sentence imposed. Nonetheless, the defendant knowingly waives the right to appeal the conviction and any sentence within the statutory maximum described above (or the manner in which that sentence was determined) on the grounds set forth in Title 18, United States Code, Section 3742 or on any ground whatsoever, in exchange for the concessions made by the United States in this plea agreement. This agreement does not affect the rights or obligations of the United States as set forth in Title 18, United States Code, Section 3742(b). The defendant also hereby waives all rights, whether asserted directly or by a representative, to request or receive from any department or agency of the United States any records pertaining to the investigation or prosecution of this case, including without limitation any records that may be sought under the Freedom of Information Act, Title 5, United States Code, Section 552, or the Privacy Act, Title 5, United States Code, Section 552a.

8. Waiver of DNA Testing

The defendant also understands that Title 18, United States Code, Section 3600 affords a defendant the right to request DNA testing of evidence after conviction. Nonetheless, the defendant knowingly waives that right. The defendant further understands that this waiver applies to DNA testing of any items of evidence in this case that could be subjected to DNA testing, and that the waiver forecloses any opportunity to have evidence submitted for DNA testing in this case or in any post-conviction proceeding for

0238-08-CID369-43873

11. Immunity from Further Prosecution in this District

The United States will not further criminally prosecute the defendant in the Eastern District of Virginia for the specific conduct described in the information or statement of facts, except that the United States may prosecute the defendant for any crime of violence or conspiracy to commit, or aiding and abetting, a crime of violence not charged in the information as an offense. In such a prosecution the United States may allege and prove conduct described in the information or statement of facts. "Crime of violence" has the meaning set forth in 18 U.S.C. section 16.

12. Breach of the Plea Agreement and Remedies

This agreement is effective when signed by the defendant, the defendant's attorney, and an attorney for the United States. The defendant agrees to entry of this plea agreement at the date and time scheduled with the Court by the United States (in consultation with the defendant's attorney). If the defendant withdraws from this agreement, or commits or attempts to commit any additional federal, state or local crimes, or intentionally gives materially false, incomplete, or misleading testimony or information, or otherwise violates any provision of this agreement, then:

- a. The United States will be released from its obligations under this agreement, including any obligation to seek a downward departure or a reduction in sentence. The defendant, however, may not withdraw the guilty plea entered pursuant to this agreement;

b. The defendant will be subject to prosecution for any federal criminal violation, including, but not limited to, perjury and obstruction of justice, that is not time-barred by the applicable statute of limitations on the date this agreement is signed. Notwithstanding the subsequent expiration of the statute of limitations, in any such prosecution, the defendant agrees to waive any statute-of-limitations defense; and

c. Any prosecution, including the prosecution that is the subject of this agreement, may be premised upon any information provided, or statements made, by the defendant, and all such information, statements, and leads derived therefrom may be used against the defendant. The defendant waives any right to claim that statements made before or after the date of this agreement, including the statement of facts accompanying this agreement or adopted by the defendant and any other statements made pursuant to this or any other agreement with the United States, should be excluded or suppressed under Fed. R. Evid. 410, Fed. R. Crim. P. 11(f), the Sentencing Guidelines or any other provision of the Constitution or federal law.

Any alleged breach of this agreement by either party shall be determined by the Court in an appropriate proceeding at which the defendant's disclosures and documentary evidence shall be admissible and at which the moving party shall be required to establish a breach of the plea agreement by a preponderance of the evidence.

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13. Nature of the Agreement and Modifications

This written agreement constitutes the complete plea agreement between the United States, the defendant, and the defendant's counsel. The defendant and his attorney acknowledge that no threats, promises, or representations have been made, nor agreements reached, other than those set forth in writing in this plea agreement, to cause the defendant to plead guilty. Any modification of this plea agreement shall be valid only as set forth in writing in a supplemental or revised plea agreement signed by all parties.

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

Acting United States Attorney

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

By

Assistant United States Attorney

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

By:

Trial Attorney
U.S. Department of Justice

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

By

United States Attorney

Defendant's Signature: I hereby agree that I have consulted with my attorney and fully understand all rights with respect to the pending criminal information. Further, I fully understand all rights with respect to 18 U.S.C. §3553 and the Sentencing

EXHIBIT 77

0 2 3 8 - 0 8 - C I D 3 6 9 - 4 3 8 7 3

Guidelines Manual that may apply in my case. I have read this plea agreement and carefully reviewed every part of it with my attorney. I understand this agreement and voluntarily agree to it.

Date: January 14, 2009

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

Defense Counsel Signature: We are counsel for the defendant in this case. We have fully explained to the defendant the defendant's rights with respect to the pending information. Further, we have reviewed 18 U.S.C. §3553 and the Sentencing Guidelines Manual, and we have fully explained to the defendant the provisions of those Guidelines that may apply in this case. We have carefully reviewed every part of this plea agreement with the defendant. To our knowledge, the defendant's decision to enter into this agreement is an informed and voluntary one.

Date: 1/16/09

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

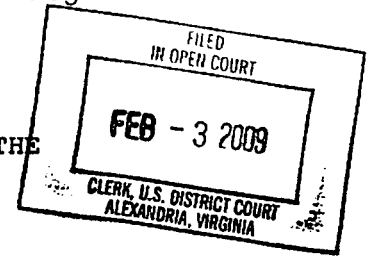
Counsel for the Defendant

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

Esq.

Counsel for the Defendant

EXHIBIT 77



IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA) CRIMINAL NO. 1:08cr474
v.)
(b)(6), (b)(7)(C))
Defendant.)

STATEMENT OF FACTS

Were this case to go to trial, the government would prove beyond a reasonable doubt by competent and admissible evidence the following:

1. At all times pertinent, defendant, (b)(6), (b)(7)(C) was employed as a Human Terrain Team (HTT) member in Afghanistan, U.S. Army Central Command Area of Operations, by Strategic Analysis, Inc., a subcontractor of BAE Systems Technology Solutions & Services Inc., a contractor of the Department of Defense in Afghanistan; was present or residing outside the United States in connection with his employment; and was not a national of or ordinarily a resident in Afghanistan. Furthermore, voluntary manslaughter, in violation of 18 U.S.C. §1112, was punishable by imprisonment for more than 1 year had it been committed within the special maritime and territorial jurisdiction of the United States.

2. On November 4, 2008, (b)(6), (b)(7)(C) and two other HTT members (P.L. and C.C.) joined a walking patrol from Forward Operating

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EXHIBIT 78

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Base Hotal, Afghanistan, into the adjacent village of Chehel Gazi, Afghanistan, approximately 80 kilometers west of Kandahar, Afghanistan. The patrol consisted of one platoon of U.S. Army infantry Soldiers of C Company, 2-2 Infantry Battalion. While in the village distributing candy and speaking with villagers, P.L. was attacked by Abdul Salam, an Afghan national from Kandahar, Afghanistan, who lit a container of flammable liquid and threw it on P.L. setting her on fire and causing second and third degree burns over approximately sixty percent or more of her body. The Taliban took responsibility for the attack on P.L., who subsequently died of her injuries on January 7, 2009.

3. Salam immediately fled the scene and ran about 50 meters toward (b)(6), (b)(7)(C) drew his 9mm semiautomatic pistol but did not fire at Salam out of concern for the safety of the HTT members and soldiers behind the fleeing attacker. AYALA instead tried to physically apprehend Salam (b)(6), (b)(7)(C) attempted to subdue Salam and was assisted after a short amount of time by soldiers from the platoon who responded to the scene because Salam strenuously resisted capture. Salam was eventually restrained with plastic restraints around his wrists, which were behind his back. (b)(6), (b)(7)(C) kept his pistol trained at Salam's head. Salam continued to resist detention, but there were several soldiers around him, and he was effectively immobilized. After several minutes, a soldier and an interpreter approached the location where (b)(6), (b)(7)(C) had Salam detained. The interpreter yelled at Salam and kicked him into the adjacent creek (b)(6), (b)(7)(C) then retrieved him

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from the creek and placed him back on the path. He was then advised that P.L. had been badly burned. Whereupon (b)(6), (b)(7)(C) pushed his pistol against Salam's head and shot him, killing him instantly.

4. Defendant (b)(6), (b)(7)(C) unlawfully and intentionally killed Salam upon heat of passion and without malice. His actions as described herein did not result from accident, mistake or other innocent reason.

Respectfully submitted,

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

Acting United States Attorney

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

By: _____

Assistant United States Attorney

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

By: _____

Trial Attorney
U.S. Department of Justice

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

By: _____

United States Attorney

78

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After consulting with my attorney and pursuant to the plea agreement entered into this day between me and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States could have proved the same beyond a reasonable doubt.

January 14, 2009

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

Defendant

We are (b)(6), (b)(7)(C) attorneys. We have carefully reviewed the above Statement of Facts with him. To our knowledge, his decision to stipulate to these facts is an informed and voluntary one.

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

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

Esq.

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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-DNA

9 February 2009

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, AFGHANISTAN CID, APO AE,
09354

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-2392
Submitter Case Number 0238-08-CID369-43873

EXHIBITS:

- 4 - Gloves (b)(6), (b)(7)(C) (Item 3, Log 184-08).
 - 4.1 - Right glove.
 - 4.2 - Left glove.
- 5 - Battle shirt (b)(6), (b)(7)(C) (Item 3, Log 186-08).

FINDINGS:

1. No blood was detected on the right or left gloves (b)(6), (b)(7)(C) or the battle shirt (b)(6), (b)(7)(C).
2. The above listed exhibits will be returned to the submitting agency upon the completion of laboratory testing.
3. This report was completed at or near the time of forensic examinations and prepared in the ordinary course of business by the person identified below. This report was made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. The point of contact is Email (b)(6), (b)(7)(C)@us.army.mil, Commercial (b)(6), (b)(7)(C) and DSN (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Forensic DNA Examiner

AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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EXHIBIT 79

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0238-08-CID369-43783

PAGE 1 OF 1 PAGES

DETAILS

About 1125, 9 Apr 09, SA (b)(6), (b)(7)(C) received the Final Information Report from the Fort Sam Houston CID Office pertaining to Ms. LOYD's medical information and Death Certificate. LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Office
Bagram Airfield, Afghanistan, APO AE 09354

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

DATE

9 Apr 09

EXHIBIT

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AGENT'S INVESTIGATION REPORT

0238-09-01D369-43870 0014-09-CID044

CID Regulation 195-1

Page 1 of 3

On 8 Jan 09, the Fort Myer CID Office notified this office Ms Paula G. LOYD, XXX-(b)(6), (b)(7)(C) British Aerospace (BAE) Systems, Department of Defense (DOD) Contractor, may have expired due to injuries sustained during an assault which occurred while she was in Afghanistan. A determination was made by this office to obtain the medical records of Ms LOYD.

AGENT'S COMMENT: This office previously conducted a Request for Assistance (RFA) for the Fort Myer CID Office in reference to Ms LOYD under case 0446-08-CID044.

About 1048, 8 Jan 09, SA (b)(6), (b)(7)(C) coordinated with Mrs. (b)(6), (b)(7)(C) (SSN Not Provided), Release of Legal Information, Brooke Army Medical Center (BAMC), Fort Sam Houston, TX 78234 (FSHTX) and submitted a DA Form 4254, Request for Private Medical Information. Requested a copy of Ms LOYD'S medical records, Mrs (b)(6), (b)(7)(C) conducted a cursory review of the medical records and related they were extensive. Mrs. (b)(6), (b)(7)(C) estimated it would take approximately four weeks to complete the request.

About 1056, 8 Jan 09, SA (b)(6), (b)(7)(C) coordinated with Mr (b)(6), (b)(7)(C) Decedent Affairs, BAMC, FSHTX, who related Ms LOYD was pronounced dead at 1400, 7 Jan 08 by Dr. (b)(6), (b)(7)(C) (NFI). SA (b)(6), (b)(7)(C) reviewed the clinical note generated by Dr (b)(6), (b)(7)(C) which indicated Ms LOYD expired due to complications which stemmed from her burn injuries, specifically: Cardiovascular decompression, respiratory distress and sepsis. During the coordination, Mr (b)(6), (b)(7)(C) reported the autopsy of Ms LOYD was pending, however the Armed Forces Medical Examiner's (AFME) regional office at Wilford Hall Medical Center (WHMC) related the Bexar County Medical Examiner's Office had jurisdiction and would conduct the autopsy. During the coordination with Mr (b)(6), (b)(7)(C) he received a telephone call from the Bexar County Medical Examiner's Office and requested SA (b)(6), (b)(7)(C) speak with them. SA (b)(6), (b)(7)(C) coordinated with Medical Investigator (b)(6), (b)(7)(C) Badge (b)(6), (b)(7)(C) Bexar County Medical Examiner's Office, 7337 Luis Pasteur Dr, San Antonio, TX 78229 (SATX) who related as Ms LOYD was a civilian not under contract with the Department of Defense, the Bexar County Medical Examiner's Office had jurisdiction and would conduct the autopsy. INV (b)(6), (b)(7)(C) requested details pertaining to the

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

FORT SAM HOUSTON CID OFFICE
1490 WILSON STREET, BUILDING 268
FORT SAM HOUSTON, TX 78234

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

Date:
17 Mar 09

Exhibit:

CID Form 94

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EXHIBIT

FOR OFFICIAL USE ONLY- LAW ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

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CID Regulation 195-1

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assault of Ms LOYD to include the time, date, location and circumstances involved with the assault.

About 1100, 8 Jan 09, SA (b)(6), (b)(7)(C) this office, received a telephone call from LtCol (Dr) (b)(6), (b)(7)(C) Pathology, Wilford Hall Medical Center (WHMC), Lackland Air Force Base (LAFB), TX. Dr (b)(6), (b)(7)(C) wanted to ensure CID was aware of the death and there were plans to send the remains of Ms LOYD to Bexar County, TX for an autopsy. SA (b)(6), (b)(7)(C) advised there was a CID interest in the case, due to a murder of the suspect who burned Ms LOYD. Dr (b)(6), (b)(7)(C) stated he called AFIP, who was not aware of the death until he called. Armed Forces Institute of Pathology (AFIP) was not aware of the circumstances surrounding Ms LOYD's death. SA (b)(6), (b)(7)(C) advised Dr (b)(6), (b)(7)(C) that CID would brief AFIP.

About 1115, 8 Jan 09, SA (b)(6), (b)(7)(C) briefed Investigator (b)(6), (b)(7)(C) Armed Forces Medical Examiner's Office (AFME), AFIP on the details of this investigation. INV (b)(6), (b)(7)(C) was provided information for the Bexar County Medical Examiner's Investigation.

About 1145, 8 Jan 09, SA (b)(6), (b)(7)(C) briefed Dr (b)(6), (b)(7)(C) on the AFIP coordination. Dr (b)(6), (b)(7)(C) stated his point of contact for Bexar County Medical Examiner was (b)(6), (b)(7)(C) (NFI).

About 1159, 8 Jan 09, SA (b)(6), (b)(7)(C) coordinated with INV (b)(6), (b)(7)(C) who confirmed the Bexar County Medical Examiner's Office had jurisdiction and would conduct the autopsy of Ms LOYD on 9 Jan 08.

About 0940, 9 Jan 09, SA (b)(6), (b)(7)(C) coordinated with Dr (b)(6), (b)(7)(C) Medical Examiner (ME), Bexar County Medical Examiner's Office (BCMEO), 7337 Louis Pasteur Drive, San Antonio, TX 78229 (SATX), (210)335-4001, to attend the autopsy of Ms Paula LOYD. The autopsy began at 1100 and ended at 1220, 9 Jan 09. Dr (b)(6), (b)(7)(C) stated the preliminary cause of death was complications of conflagration and cause of death homicide. Dr (b)(6), (b)(7)(C) further stated routine toxicology tests would be performed. Dr (b)(6), (b)(7)(C) stated the final autopsy report would be completed in about two months and any further coordination's should be made through the BCMEO'S Medical Investigator's office.

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

FORT SAM HOUSTON CID OFFICE
1490 WILSON STREET, BUILDING 268
FORT SAM HOUSTON, TX 78234

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

Date:
17 Mar 09

Exhibit:

CID Form 94

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EXHIBIT

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AGENT'S INVESTIGATION REPORT

0014-09-CID044

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CID Regulation 195-1

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About 1230, 9 Jan 09, SA (b)(6), (b)(7)(C) coordinated with Mr (b)(6), (b)(7)(C) Medical Investigator (ME INV), BCMEO, 7337 Louis Pasteur Drive, SATX (210)335-4011, to request the final autopsy report, compact disc of autopsy photographs, and toxicology results. ME INV (b)(6), (b)(7)(C) stated the BCMEO would contact the CID office when the requested documents are ready. The ME case number is 09-0042.

About 1300, 29 Jan 09, SA (b)(6), (b)(7)(C) coordinated with Mrs (b)(6), (b)(7)(C) who provided the medical records for Ms LOYD.

About 1030, 17 Mar 09, SA (b)(6), (b)(7)(C) coordinated with the BCMEO and obtained a copy of the final autopsy report to include a Compact Disk (CD) of the autopsy photographs. The cause of death was listed as complications of conflagration injuries and the manner of death was homicide.

About 1430, 17 Mar 09, SA (b)(6), (b)(7)(C) coordinated with the Bexar County Bureau of Vital Statistics, 719 S Santa Rosa Ave, San Antonio, TX 78204, and obtained the death certificate of Ms. LOYD. SA (b)(6), (b)(7)(C) expended \$21.00 of .0015 funds for the death certificate. The expenditure was documented on a DA Form 5070-R, Justification Statement for .0015 Contingency Funds.///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

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

Date:
17 Mar 09

Exhibit:

CID Form 94

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EXHIBIT

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

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DETAILS

About 1552, 24 Apr 09, MAJ (b)(6), (b)(7)(C) SJA, opined probable cause existed to believe Mr. SALAM committed the offense of murder, when he dowsed Ms. LOYD with gasoline and set her on fire. Ms. LOYD died as a result of Mr. SALAM's actions.

About 2310, 27 Apr 09, SA (b)(6), (b)(7)(C) received the Trace Evidence Branch Final Report and the Firearms Branch Final Report. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

Afghanistan CID Office
Bagram Airfield, Afghanistan, APO AE 09354

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

DATE

27 Apr 09

EXHIBIT

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0238-09-10369-43873

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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-TE

17 December 2008

SPECIAL AGENT IN CHARGE
AFGHANISTAN CID OFFICE
AFGHANISTAN CID OFFICE
APO AE, 09354

SUBJECT: Trace Evidence Branch - Final Report
USACIL Case Number: 2008-CID131-2392
Submitter Case Number: 0238-08-CID369-43873

EXHIBITS:

- 4 - Gloves, ECD: 184-08, Item#: 3.
 - 4.1 - Glove- Right.
 - 4.1.1 - SEM Sample from Right Glove.
 - 4.2 - Glove- Left.
 - 4.2.1 - SEM Sample from Left Glove.
- 5 - Shirt, ECD: 186-08, Item#: 3.
 - 5.1 - SEM Sample from Right Sleeve.
 - 5.2 - SEM Sample from Left Sleeve.

FINDINGS:

1. Samples from the outside of Exhibits 4.1, 4.2 (gloves), and samples from the outside of the sleeves of Exhibit 5 (cuff to elbow) were analyzed by scanning electron microscopy/energy dispersive x-ray spectrometry.
2. Particles characteristic of gunshot residue were detected on Exhibits 4.1.1 and 4.2.1 (sample from the right and left gloves, respectively). Based on these results, the following possibilities exist:
 - a. The gloves were in contact with a discharged firearm.
 - b. The gloves were in close proximity to a discharging firearm.
 - c. The gloves were in contact with an object containing particles characteristic of gunshot residue.
3. It should be noted that the detection of particles



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

EXHIBIT: 87

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

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CILA-TE

0238-09-10369-43873

SUBJECT: Trace Evidence Branch - Final Report
USACIL Case Number: 2008-CID131-2392
Submitter Case Number: 0238-08-CID369-43873

characteristic of gunshot residue cannot be associated with a particular shooting event.

4. No particles characteristic of gunshot residue were detected on Exhibits 5.1 and 5.2. Based on these results, the following possibilities exist:

a. The sampled areas were not in contact with a discharged firearm.

b. The sampled areas were in close proximity to a discharging firearm, but particles characteristic of gunshot residue were not deposited.

c. The sampled areas were in close proximity to a discharging firearm that deposited particles characteristic of gunshot residue, however, due to washing, wiping, or other activity, the particles were removed.

5. No other areas of Exhibit 5 were examined for particles characteristic of gunshot residue as these types of particles were detected on the gloves in Exhibit 4.

6. Exhibits 4.1, 4.2, and 5 were also examined for the presence of smokeless gunpowder particles, however, none were found.

7. Hair, fibers, plant debris and unidentified debris were found on Exhibits 4.1 and 5. Fibers, plant debris and unidentified debris were found on Exhibit 4.2.

8. This report was completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the person identified below. This report was made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory.

EXHIBIT: 87

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

CILA-TE

SUBJECT: Trace Evidence Branch - Final Report
USACIL Case Number: 2008-CID131-2392
Submitter Case Number: 0238-08-CID369-43873

Point of Contact: (b)(6), (b)(7)(C) @us.army.mil,
CM (b)(6), (b)(7)(C) DSN (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)
Forensic Chemist

EXHIBIT: 88

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



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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

06 March 2009

CILA-FA

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, AFGHANISTAN CID
OFFICE, BAGRAM AIR FIELD, APO AE, 09354

SUBJECT: Firearms Branch - Final Report
USACIL Case Number: 2008-CID131-2392
Submitter Case Number: 0238-08-CID369-43873

EXHIBITS:

- 1 - Pistol; 9mm Beretta M9, SN: 1026412 (ECD: 184-08, Item 1)
- 2 - Two magazines and twenty-eight cartridges; 9mm (ECD: 184-08, Item 2)
- 3 - Bullet; 9mm (ECD: 183-08, Item 1)

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 6.25 pounds and the double-action trigger pull is approximately 9.75 pounds. Exhibit 1 was test fired using Exhibit 2 (Magazine) and the test fired bullets and cartridge cases were recovered.
2. Microscopic examination of Exhibit 3 (Bullet) disclosed that it was fired through Exhibit 1.
3. Examination of Exhibit 2 (Cartridges) disclosed that they are unfired, intact and designed to be fired in Exhibit 1. The Exhibit 2 magazines are operational.
4. This report was completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the person identified below. This report was made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory.



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

EXHIBIT:

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

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CILA-FA

SUBJECT: Firearms Branch - Final Report
USACIL Case Number: 2008-CID131-2392
Submitter Case Number: 0238-08-CID369-43873

Point of Contact: (b)(6), (b)(7)(C) ARMY.MIL,
CM (b)(6), (b)(7)(C) DSN (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)
Firearms Examiner

EXHIBIT: 88

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