

NAVAL CRIMINAL INVESTIGATIVE SERVICE
INVESTIGATIVE FILE (F)

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NAVAL CRIMINAL INVESTIGATIVE SERVICE
RECORDS MANAGEMENT DIVISION
LAW ENFORCEMENT RECORDS

NAME: ^{AL} ALWANI THAIR HAMID KHALAF HASSAN

AKA:

IDENTIFICATION:

Context: V

Date of Birth: 19790101 (YYYYMMDD) State of Birth: Country of Birth: IQ

FILE IDENTIFICATION #: 22DEC0724IZ0236

DCII INDEX CODE

K C = 5 YEARS F = 15 YEARS G = 25 YEARS K = 50 YEARS

DATE CLOSED

20080603 (YYYYMMDD)

RECORDS SERIES

5580/4d(1)(b)	C	F	G	K
	5580/4b(1)(a)	5580/4d(1)(a)	5580/4a(1)(a)	5580/4a(1)(b)
	5580/4d(1)(b)		5580/4b(1)(b)	5580/4a(2)(c)2
	5580/4b(2)(c)2		5580/4c(1)(b)	5580/4c(1)(a)
	5580/4d(2)		5580/4d(5)	

Polygraph Conducted Y ☒ N Final Disposition Reported to FBI Y ☒ N
Fingerprints Submitted to Code 24B3 Y ☒ N Sexual Offender Registry Completed Y ☒ N

Disclosure/Accountability Statement: If this investigation is disseminated outside NCIS, complete NCIS Form 009/10-80, and ensure it is retained in the case file.

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CIS (Date/Initials) (b)(6),(b)(7)(C) / 23 JUN 08

Closed Status ☒ DUP Titles ☒ DUP CCN ☒ DISP DATA

I, SSA (b)(6),(b)(7)(C) certify that this document has been reviewed and is complete.

Typed Name of SSA

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

SIGNATURE

DATE

6/6/08

NCIS 5000/3 (12-06)

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ACLU-RDI 5773 p.2

JUN 25 2008

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CLOSED)

03JUN08

DEATH (II)

CONTROL: 22DEC07-24IZ-0236-7HMA/C

V/AL ALWANI, THAIR HAMID KHALAF HASSAN/CIV
M/W/FNIZ/N//01JAN79/IRAQ

COMMAND/REGIMENTAL COMBAT TEAM 6 (FWD), FALLUJAH, IRAQ/12151

MADE AT/24IZ/CAMP FALLUJAH IRAQ (b)(6),(b)(7)(C), SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/04Jan08 (Contains Exhibits 1-15)
- (B) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/05Jan08 (Contains Exhibit 16)
- (C) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/03Feb08 (Contains Exhibit 17)
- (D) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/02Mar08 (Contains Exhibit 18)
- (E) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/02Apr08
- (F) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/18Apr08 (Contains Exhibits 19-21)
- (G) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/25Apr08 (Contains Exhibit 22)

EXHIBIT(S)

(23) DNA Final Report/21May08... (Copy All)

EXECUTIVE SUMMARY

1. This investigation was initiated on 22Dec07, upon notification by Command regarding the death of V/AL ALWANI, a detainee who was being transferred from Combat Outpost (COP) Manion to the Camp Fallujah, Iraq Regional Detention Facility (RDF) by personnel assigned to the Military Transition Team (MITT), Regimental Combat Team 6 (RCT-6), Camp Fallujah, Iraq. V/AL ALWANI was being transported to the RDF for allegedly producing Improvised Explosive Devices (IED) and attacks against Coalition Forces (CF). V/AL ALWANI was being transported to the RDF via a Mine Resistant Ambush Protected (MRAP) vehicle; wherein, he grabbed (b)(6),(b)(7)(C) M4 rifle and fired a round below (b)(6),(b)(7)(C) groin area. (b)(6),(b)(7)(C) retrieved his Beretta pistol and shot V/AL ALWANI. V/AL ALWANI was pronounced dead by a MITT corpsman immediately after the shooting. A death scene examination was conducted, evidence was recovered, and photos were obtained. USMC personnel in the vehicle during the shooting indicated they did not witness the shooting but heard one shot that was followed by a rapid succession of additional shots. Interpreter (b)(6),(b)(7)(C) who was sitting beside V/AL ALWANI, heard a shot; he turned to look and saw (b)(6),(b)(7)(C) shoot V/AL ALWANI. (b)(6),(b)(7)(C) was interrogated and provided he acted in self-defense after V/AL ALWANI grabbed his M-4 rifle, took it off safety, and fired a shot between his legs.

2. On 17Apr08, the Final Autopsy Report was received, Final Death

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22DEC07-24IZ-0236-7HMA, C

SUBJ: V/AL ALWANI, THAIR HAMID KHALAF HASSAN/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Certificate, and the results of toxicology testing, reporting the manner of death of V/AL ALWANI to be multiple gunshot wounds. On 02Jun08, RA received a copy of the United States Army Investigation Laboratory (USACIL) DNA Final Report. All requested laboratory examination have been completed and returned to NCISRA Camp Fallujah, testing showing no discrepancies. This investigation was reviewed by

(b)(6),(b)(7)(C), Staff Judge Advocate, Camp Fallujah, Iraq, and

concluded there are no Law of Armed Conflict Violations and that (b)(6),(b)(7)(

(b)(6),(b)(7)(acted in self defense. All evidence related to this investigation has been returned from USACIL and will be maintained at NCISRA Camp Fallujah, Iraq for a period of one year. This investigation is closed.

NARRATIVE

1. This investigation was conducted to determine if any Law of Armed Conflict (LOAC) violations occurred concerning V/AL ALWANI's death.

2. Reference (A) through (G) details investigation to date.

3. On 22Apr08, contact was made with (b)(6),(b)(7)(C), Staff Judge Advocate, Camp Fallujah, Iraq, USMC, who stated a determination was made there were no Law of Armed Conflict Violations and that (b)(6),(b)(7)(

(b)(6),(b)(7)(acted in self defense, and no disciplinary or administrative action will be required or warranted.

4. On 02Jun08, Reporting Agent (RA) received a copy of the United States Army Investigation Laboratory (USACIL) DNA Final Report, documenting both swabs matched the DNA profile of V/AL AWANI. All evidence related to this investigation has been returned from USACIL and will be maintained at NCISRA Camp Fallujah, Iraq for a period of one year and will be purged on 03Jun09, Exhibit (23) pertains. This investigation is closed.

DISTRIBUTION

NCISHQ: 0023B (M)

INFO: 024C/24IZ/11C12 (CCCR Package-RMB, Files section (M)

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ACLU-RDI 5773 p.4

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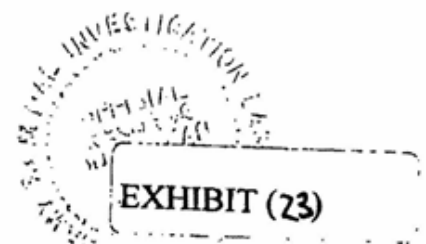
21 May 2008

FINAL LABORATORY EXHIBIT LISTING

SUBJECT: USACIL Case Number 2008-CID131-0060/A1/A2/A3/A4
Submitter Case Number 22DEC07-24IZ-0236-7HMA

EXHIBITS:

- 1 - Handgun (Item A, Log 107-07).
- 2 - Rifle SN:W249925 and launcher SN: 181591 (Item B, Log 107-07).
- 3 - Magazine (Item A, Log 108-07).
- 4 - Ammunition (Item B, Log 108-07).
- 5 - Cartridge case (Item A, Log 109-07).
- 6 - Cartridge case (Item B, Log 109-07).
- 7 - Bullet projectile (Item C, Log 109-07).
- 8 - Bullet projectile (Item D, Log 109-07).
- 9 - Cartridge case (Item E, Log 109-07).
- 10 - Bullet projectile (Item A, Log 110-07).
- 11 - Cartridge case (Item B, Log 110-07).
- 12 - Cartridge case (Item C, Log 110-07).
- 13 - Cartridge case (Item D, Log 110-07).
- 14 - Cartridge case (Item E, Log 110-07).
- 15 - Cartridge case (Item F, Log 110-07).
- 16 - Cartridge case (Item G, Log 110-07).
- 17 - Bullet projectile (Item B, Log 112-07).
- 18 - Bullet fragments (Item C, Log 112-07).
- 19 - Fingernail clippings (Item C, Log 337-07).
- 20 - Metal fragments (Item L, Log 337-07).
- 21 - Metal fragments (Item M, Log 337-07).
- 22 - Control swab (Item A, Log 001-08).
- 23 - Swab (Item B, Log 001-08).
- 24 - Swab (Item C, Log 001-08).
- 25 - DNA profile of AL ALWANI (ME07-1381).

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ACLU-RDI 5773 p.5

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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-DNA

1 May 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE, NCISRA CAMP FALLUJAH, IRAQ, FPO AE 09387

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-0060-A3/A4
Submitter Case Number 22DEC07-24IZ-0236-7HMA

EXHIBITS:

- 22 - Control swab (Item A, Log 001-08).
- 23 - Swab from seat (Item B, Log 001-08).
- 24 - Swab from seat (Item C, Log 001-08).
- 25 - Known DNA profile of AL ALWANI, generated by and submitted from AFDIL (b)(6),(b)(7)(C).

FINDINGS:

1. Blood was identified on the swabs (Exhibits 23 and 24).
2. DNA (deoxyribonucleic acid) was extracted from the swabs (Exhibits 23 and 24) and compared to the known DNA profile of AL ALWANI.
3. DNA profiles were obtained using PCR (polymerase chain reaction) technology on the fifteen STR (short tandem repeat) loci D8S1179, D21S11, D7S820, CSF1PO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, D5S818, FGA, and the gender identification locus Amelogenin.
4. The DNA profile obtained from the swabs (Exhibits 23 and 24) matches the DNA profile of AL ALWANI (D2S1338 and D19S433 not used for comparison). The frequency of occurrence of this

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

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CILA-DNA

SUBJECT: DNA Branch - Final Report
USACIL Case Number 2008-CID131-0060-A3/A4
Submitter Case Number 22DEC07-24IZ-0236-7HMA

profile among unrelated individuals selected at random from the
U.S. population is estimated to be:

Caucasian	1 in 360 quadrillion
Black	1 in 320 quadrillion
Hispanic	1 in 62 quintillion.

5. No examinations were performed on Exhibit 22.
6. Exhibits 22-24 will be returned to the submitting agency upon the completion of laboratory testing.
7. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

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

~~Forensic DNA Examiner~~

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

25APR08

DEATH (II)

CONTROL: 22DEC07-24IZ-0236-7HMA

V/AL ALWANI, THAIR HAMID KHALAF HASSAN/CIV
M/W/FNIZ/N//01JAN79/IRAQ

COMMAND/REGIMENTAL COMBAT TEAM 6 (FWD), FALLUJAH, IRAQ/12151

MADE AT/24IZ/CAMP FALLUJAH IRAQ (b)(6),(b)(7)(C), SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/04Jan08 (Contains Exhibits 1-15)
- (B) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/05Jan08 (Contains Exhibit 16)
- (C) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/03Feb08 (Contains Exhibit 17)
- (D) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/02Mar08 (Contains Exhibit 18)
- (E) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/02Apr08
- (F) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/18Apr08 (Contains Exhibits 19-21)

EXHIBIT(S)

(22) Firearms Branch Final Report/21Mar08...(Copy All)

EXECUTIVE SUMMARY

1. This investigation was initiated on 22Dec07, upon notification by Command regarding the death of V/AL ALWANI, a detainee who was being transferred from Combat Outpost (COP) Manion to the Camp Fallujah, Iraq Regional Detention Facility (RDF) by personnel assigned to the Military Transition Team (MITT), Regimental Combat Team 6 (RCT-6), Camp Fallujah, Iraq. V/AL ALWANI was being transported to the RDF for allegedly producing Improvised Explosive Devices (IED) and attacks against Coalition Forces (CF). V/AL ALWANI was being transported to the RDF via a Mine Resistant Ambush Protected (MRAP) vehicle; wherein, he grabbed (b)(6),(b)(7)(C) M4 rifle and fired a round below (b)(6),(b)(7)(C) groin area. (b)(6),(b)(7)(C) retrieved his Beretta pistol and shot V/AL ALWANI. V/AL ALWANI was pronounced dead by a MITT corpsman immediately after the shooting. A death scene examination was conducted, evidence was recovered, and photos were obtained. USMC personnel in the vehicle during the shooting indicated they did not witness the shooting but heard one shot that was followed by a rapid succession of additional shots. Interpreter (b)(6),(b)(7)(C) who was sitting beside V/AL ALWANI, heard a shot; he turned to look and saw (b)(6),(b)(7)(C) shoot V/AL ALWANI. (b)(6),(b)(7)(C) was interrogated and provided he acted in self-defense after V/AL ALWANI grabbed his M-4 rifle, took it off safety, and fired a shot between his legs. On 28Dec07, parts of the MRAP vehicle were seized as evidence and were sent to the US Army Criminal Investigations Laboratory (USACIL) for latent fingerprint analysis. On 05Jan08, (b)(6),(b)(7)(C) was re-interviewed and provided additional details regarding the incident. On 17Apr08, RA received the Final Autopsy Report,

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22DEC07-24IZ-0236-7HMA

SUBJ: V/AL ALWANI, THAIR HAMID KHALAF HASSAN/CIV
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Final Death Certificate, and the results of toxicology testing, reporting the manner of death of V/AL ALWANI to be multiple gunshot wounds. This investigation has been forwarded to (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) Staff Judge Advocate, Camp Fallujah, Iraq, who is reviewing this investigation for Law of Armed Conflict Violations. This investigation remains pending the results of DNA Analysis.

NARRATIVE

1. This investigation is being conducted to determine if any Law of Armed Conflict (LOAC) violations occurred concerning V/AL ALWANI's death.

2. Reference (A) through (F) details investigation to date.

3. On 16Apr08, Reporting Agent (RA) received a copy of the United States Army Investigation Laboratory (USACIL) Firearms Branch Final Report, documenting both firearms (handgun and rifle) used in shooting were deemed operational, Exhibit (22) pertains.

4. Subsequent to the submission Reference (A) through (F), this investigation was mistakenly forwarded to the Contingency Response Field Office (CRFO) Death Review Panel (DRP) for review. (b)(6),(b)(7)(C) USMC, Staff Judge Advocate (SJA) has since been apprised and is currently reviewing this investigation.

5. This case remains pending the results of DNA Analysis

6. Due to Case Agent's upcoming re-deployment, this investigation is being reassigned to Special Agent (b)(6),(b)(7)(C) This investigation remains pending the receipt of results of DNA Analysis.

DISTRIBUTION

NCISHQ: 0023B (M)

ACTION: 0024C (M)

INFO: 24IZ/SJA, RCT-1, Camp Fallujah, Iraq (H)

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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-FA

21 March 2008

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE, NCISRA CAMP FALLUJAH, IRAQ, FPO AE 09387

SUBJECT: Firearms Branch - Final Report
USACIL Case Number 2008-CID131-0060/A1/A2
Submitter Case Number 22DEC07-24IZ-0236-7HMA

EXHIBITS:

- 1 - Pistol; 9mm Beretta, SN:1338398 (Item A, Log 107-07).
- 2 - Rifle; 5.56mm Colt, SN:W249925 with grenade launcher;
40mm Colt, SN:181591 (Item B, Log 107-07).
- 3 - Magazine; 9mm (Item A, Log 108-07).
- 4(1-10) - Ten cartridges; 9mm (Item B, Log 108-07).
- 5 - Bullet jacket fragment; 9mm (Item A, Log 109-07).
- 6 - Bullet jacket fragment; 9mm (Item B, Log 109-07).
- 7 - Lead core (Item C, Log 109-07).
- 8 - Lead core (Item D, Log 109-07).
- 9 - Bullet jacket fragment; 9mm (Item E, Log 109-07).
- 10 - Lead core (Item A, Log 110-07).
- 11 - Cartridge case; 5.56mm (Item B, Log 110-07).
- 12 - Cartridge case; 9mm (Item C, Log 110-07).
- 13 - Cartridge case; 9mm (Item D, Log 110-07).
- 14 - Cartridge case; 9mm (Item E, Log 110-07).
- 15 - Cartridge case; 9mm (Item F, Log 110-07).
- 16 - Cartridge case; 9mm (Item G, Log 110-07).
- 17 - Metal fragment (Item B, Log 112-07).
- 18(1-3) - Three metal fragments (Item C, Log 112-07).
- 20(1-3) - Bullet jacket and metal fragments
(Item L, Log 337-07).
- 21(1-2) - Bullet jacket and metal fragments
(Item M, Log 337-07).



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1 of 3

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CILA-FA

SUBJECT: Firearms Branch - Final Report
USACIL Case Number 2007-CID131-0060/A1/A2
Submitter Case Number 22DEC07-24IZ-0236-7HMA

FINDINGS:

1. Examination of Exhibit 1 (Pistol) disclosed that it is operational with its incorporated safety features working properly. The single-action trigger pull is approximately 6 pounds, and the double-action trigger pull is approximately 9.5 pounds. Exhibit 1 was test fired using Exhibit 3 (Magazine) and the test fired bullets and cartridge cases were recovered.
2. Examination of Exhibit 2 (Rifle) disclosed that it is operational with its incorporated safety features working properly. The trigger pull is approximately 7.75 pounds in semi-automatic mode and approximately 10 pounds in burst mode. Exhibit 2 was test fired and the test fired bullets and cartridge cases were recovered.
3. Microscopic examination of Exhibits 5, 6, 9, 20(1), and 21(1-2) and Exhibits 12-16 (bullets and cartridge cases) disclosed that they were fired through and in Exhibit 1.
4. Microscopic examination of Exhibit 11 (cartridge case) disclosed that it was fired in Exhibit 2.
5. Examination of Exhibit 4(1-10) (cartridges) disclosed that they are unfired and intact.
6. Examination of Exhibits 7, 8, 10, 17, 18(1-3), and 20(2-3) (lead cores and metal fragments) disclosed that there are insufficient individual characteristics present for comparison purposes.
7. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory.

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CILA-FA

SUBJECT: Firearms Branch - Final Report
USACIL Case Number 2007-CID131-0060/A1/A2
Submitter Case Number 22DEC07-24IZ-0236-7HMA

Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

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

Branch Chief

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

Forensic Firearms Examiner

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F-11

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

20APR08

DEATH (II)

CONTROL: 22DEC07-24IZ-0236-7HMA

V/AL ALWANI, THAIR HAMID KHALAF HASSAN/CIV
M/W/FNIZ/N//01JAN79/IRAQ

COMMAND/REGIMENTAL COMBAT TEAM 6 (FWD), FALLUJAH, IRAQ/12151

MADE AT/24IZ/CAMP FALLUJAH IRAQ (b)(6),(b)(7)(C) SPECIAL AGENT

REFERENCE(S)

(A) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/18Apr08

NARRATIVE

1. Reference (A) requested the Contingency Response Field Office (CRFO) Death Review Panel (DRP) conduct a DRP on captioned investigation. This matter was being investigated to determine if any violations of the Law Of Armed Conflict (LOAC) occurred resulting in V/AL ALWANI's death. (b)(6),(b)(7)(C) I MEF (FWD) SJA has been apprised of this investigation and is currently reviewing this investigation for LOAC violations. To date, no violations have been identified.

2. Inasmuch as V/AL ALWANI'S death is being investigated as a LOAC, and not deemed accidental, natural or suicide, this investigation was mistakenly forwarded to the CRFO DRP for review.

ACTION

✓ R.024C: Cancel tasking to conduct a CRFO DRP.

DISTRIBUTION

NCISHQ: 0023B(E)
ACTION: 0024C (E)
INFO: 024IZ (E)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

18APR08

DEATH (II)

CONTROL: 22DEC07-24IZ-0236-7HMA

V/AL ALWANI, THAIR HAMID KHALAF HASSAN/CIV
M/W/FNIZ/N//01JAN79/IRAQ

COMMAND/REGIMENTAL COMBAT TEAM 6 (FWD), FALLUJAH, IRAQ/12151.

MADE AT/24IZ/CAMP FALLUJAH IRAQ (b)(6),(b)(7)(C), SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/04Jan08 (Contains Exhibits 1-15)
- (B) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/05Jan08 (Contains Exhibit 16)
- (C) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/03Feb08 (Contains Exhibit 17)
- (D) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/02Mar08 (Contains Exhibit 18)
- (E) NCISRA Iraq, Camp Fallujah ROI (INTERIM)/02Apr08

EXHIBIT(S)

- (19) Certificate of Death/28Dec07... (Copy All)
- (20) Report of Toxicological Examination/04Jan08... (Copy All)
- (21) Autopsy Examination Report/23Jan08... (Copy All)

EXECUTIVE SUMMARY

1. This investigation was initiated on 22Dec07, upon notification by Command regarding the death of V/AL ALWANI, a detainee who was being transferred from Combat Outpost (COP) Manion to the Camp Fallujah, Iraq Regional Detention Facility (RDF) by personnel assigned to the Military Transition Team (MITT), Regimental Combat Team 6 (RCT-6), Camp Fallujah, Iraq. V/AL ALWANI was being transported to the RDF for allegedly producing Improvised Explosive Devices (IED) and attacks against Coalition Forces (CF). V/AL ALWANI was being transported to the RDF via a Mine Resistant Ambush Protected (MRAP) vehicle; wherein, he grabbed (b)(6),(b)(7)(C) M4 rifle and fired a round below (b)(6),(b)(7)(C) groin area (b)(6),(b)(7)(C) retrieved his Beretta pistol and shot V/AL ALWANI. V/AL ALWANI was pronounced dead by a MITT corpsman immediately after the shooting. A death scene examination was conducted, evidence was recovered, and photos were obtained. USMC personnel in the vehicle during the shooting indicated they did not witness the shooting but heard one shot that was followed by a rapid succession of additional shots. Interpreter (b)(6),(b)(7)(C) who was sitting beside V/AL ALWANI, heard a shot; he turned to look and saw (b)(6),(b)(7)(C) shoot V/AL ALWANI. (b)(6),(b)(7)(C) was interrogated and provided he acted in self-defense after V/AL ALWANI grabbed his M-4 rifle, took it off safety, and fired a shot between his legs. On 28Dec07, parts of the MRAP vehicle were seized as evidence and were sent to the US Army Criminal Investigations Laboratory (USACIL) for latent fingerprint analysis. On 05Jan08, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) was re-interviewed and provided additional details regarding the incident. On 17Apr08, RA received the Final Autopsy Report, Final Death Certificate, and the results of toxicology testing,

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F. B

22DEC07-24IZ-0236-7HMF

SUBJ: V/AL ALWANI, THAIR AMID KHALAF HASSAN/CIV
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

reporting the manner of death of V/AL ALWANI to be multiple gunshot wounds. This investigation is being forwarded to the Contingency Response Field Office (CRFO), for review and authority to close by members of the Death Review Panel (DRP).

NARRATIVE

1. This investigation is being conducted to determine if any Law of Armed Conflict (LOAC) violations occurred concerning V/AL ALWANI's death:
2. Reference (A) through (E) details investigation to date.
3. On 17Apr08, Reporting Agent (RA) received the Final Autopsy Examination Report documenting V/AL ALWANI'S death was due to multiple gunshot wounds. A copy of V/AL ALWANI'S Toxicology examination, documenting drug screening results, indicated "None were found". Additionally, RA received a copy of V/AL ALWANI'S Certificate of Death. Exhibits (19) through (21) pertains.
4. Due to Case Agent's upcoming re-deployment, this investigation is being reassigned to Special Agent (b)(6),(b)(7)(C) This investigation remains pending review by the CRFO DRP.

ACTION

- DIST: Active investigation complete. Investigation pending review at the CRFO DRP.
- R.024C: Conduct Field Office DRP. If the DRP determines all investigative activity has been completed, request authority to close this investigation. Request receipt confirmation of lead tasking and provide estimated date of completion.

DISTRIBUTION

NCISHQ: 0023B (M)
 ACTION: 0024C (M)
 INFO: 24IZ/SJA, RCT-1, Camp Fallujah, Iraq (H)

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LAW

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

V2 LNY

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MSD

PAGE 03/05

CERTIFICATE OF DEATH (OVERSEAS) Acte de décès (D'Outre-Mer)			
NAME OF DECEASED (Last, first, middle) Nom du défunt (prénoms et nom de famille) AL Alwan, Thair Hamid, Kholef Haseen		GRADE Grade Civilian	SOCIAL SECURITY NUMBER Numéro de Sécurité Sociale
ORGANIZATION Organisation	NATION (in full name) Pays	DATE OF BIRTH Date de naissance	SEX Sexe <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE
RACE Race <input checked="" type="checkbox"/> CAUCASOID Caucasien	MARITAL STATUS Statut civil <input type="checkbox"/> SINGLE Célibataire <input type="checkbox"/> DIVORCED Divorcé <input type="checkbox"/> SEPARATED Séparé <input type="checkbox"/> WIDOWED Veuve		RELIGION Religion <input type="checkbox"/> PROTESTANT Protestant <input type="checkbox"/> CATHOLIC Catholique <input checked="" type="checkbox"/> OTHER (Specify) Autre (Spécifier)
NAME OF NEXT OF KIN Nom du plus proche parent		RELATIONSHIP TO DECEASED Rapport du défunt avec le mort	
STREET ADDRESS Adresse à l'adresse		CITY OR TOWN OR STATE (Include ZIP Code) Ville (Indiquer le code postal)	
MEDICAL STATEMENT Déclaration médicale			
CAUSE OF DEATH (Enter only one cause per line) Cause du décès (Préciser une seule cause par ligne) Multiple gunshot wounds			INTERNAL OR EXTERNAL CHIEF AND DEATH Intérieur ou extérieur Cause principale et date du décès
DISEASE OR CONDITION DIRECTLY LEADING TO DEATH Maladie ou condition directement responsable du décès		Multiple gunshot wounds	
ANTICIPATED CAUSE Cause anticipée	SECONDARY CONDITION, IF ANY, LEADING TO PRIMARY CAUSE Condition secondaire, s'il y a lieu. Répondre à la question principale		INTERNAL OR EXTERNAL CHIEF AND DEATH Intérieur ou extérieur Cause principale et date du décès
Specimens preserved for test Échantillons conservés pour test	UNDERLYING CAUSE, IF ANY, LEADING TO PRIMARY CAUSE Cause sous-jacente, s'il y a lieu. Répondre à la question principale		
OTHER SIGNIFICANT CONDITIONS Autres conditions significatives			
MODE OF DEATH Cause du décès	AUTOPSY PERFORMED Autopsie effectuée <input checked="" type="checkbox"/> YES OUI <input type="checkbox"/> NO NON		DEATH DUE TO INTERNAL CAUSES Changement de la mort intérieure par des causes internes
<input type="checkbox"/> NATURAL Mort naturelle	REPORTED BY Déclaré par		DEATH DUE TO EXTERNAL CAUSES Changement de la mort extérieure par des causes externes
<input type="checkbox"/> ACCIDENT Mort accidentelle	NAME OF PHYSICIAN Nom du médecin MAJ Philip J. Berman, MD		
<input type="checkbox"/> SUICIDE Suicide	DATE Date 28 December 2007		DEATH DUE TO EXTERNAL CAUSES Changement de la mort extérieure par des causes externes
<input checked="" type="checkbox"/> HOMICIDE Meurtre	DATE OF DEATH Date du décès 22 December 2007		DEATH DUE TO EXTERNAL CAUSES Changement de la mort extérieure par des causes externes
I HAVE VIEWED THE REMAINS OF THE DECEASED AND DEATH OCCURRED AT THE TIME INDICATED AND FROM THE CAUSES AS STATED ABOVE. J'ai vu les restes du défunt et la mort s'est produite à l'époque indiquée et à la cause indiquée ci-dessus.		PLACE OF BIRTH Lieu de naissance Iraq	
NAME OF MEDICAL OFFICER Nom du médecin Philip J. Berman		OFFICIAL CAPTION Titre officiel Deputy Medical Examiner	
GRADE Grade MAJ	REGISTRATION OR ADDRESS Régistration ou adresse Dover AFB, Dover DE		
DATE Date 12/28/2007			

DD FORM 2064

EXHIBIT (19)

(REMOVE, REVERSE AND RE-INSERT CARBONS BEFORE COMPLETING THIS SIDE)

DISPOSITION OF REMAINS			
NAME OF MORTICIAN PREPARING REMAINS	GRADE	LICENSE NUMBER AND STATE	OTHER
INSTALLATION OR ADDRESS 436 SVC/SVD 118 28th Street, Dover AFB DE 19902	DATE	SIGNATURE	
NAME OF CEMETERY OR CREMATORY	LOCATION OF CEMETERY OR CREMATORY		
TYPE OF DISPOSITION		DATE OF DISPOSITION	
REGISTRATION OF VITAL STATISTICS			
REGISTRY (Town and Country)	DATE REGISTERED	FILE NUMBER	
		STATE	OTHER
NAME OF FUNERAL DIRECTOR	ADDRESS		
SIGNATURE OF AUTHORIZED INDIVIDUAL			

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