

538182 15:30 20061024 IN:SSDEMAIL #12068 OUT:23EXLIFE #10110

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

08OCT06

DEATH (II)

CONTROL: 24SEP06-MEIZ-005B-7HMA

V/AHMED, ISMAIL NA-AMA/CIV
 M/W/FNIZ/N//01JUL70/HADITHA, IRAQ
 A/AHMED, ISMAIL NEAMA//
 A/AL JUGHAYFI, HASHUM HUMOUDI HUMAIDI//
 A/JABER, HMOOD MIHEDEY//

COMMAND/2ND BATTALION, 3RDMARINES/13120

MADE AT/MEIZ/NCIS AL ASAD IZ (b)(6),(b)(7)(C) SPECIAL AGENT

EXHIBIT(S)

- (1) IA: Results of Interview with (b)(6),(b)(7)(C) 27Sep06... (Copy all)
- (2) Statement: (b)(6),(b)(7)(C) 25Sep06... (Copy all)
- (3) Statement: (b)(6),(b)(7)(C) 25Sep06... (Copy all)
- (4) Statement: (b)(6),(b)(7)(C) 25Sep06... (Copy all)
- (5) Statement: (b)(6),(b)(7)(C) 25Sep06... (Copy all)
- (6) Statement: (b)(6),(b)(7)(C) 5Sep06... (Copy all)
- (7) IA: Photocopy of Logbook Entries/27Sep06... (Copy all)
- (8) IA: Results of Interview with (b)(6),(b)(7)(C) 27Sep06... (Copy all)
- (9) IA: Results of Interview with (b)(6),(b)(7)(C) 27Sep06... (Copy all)
- (10) IA: Results of Interview with (b)(6),(b)(7)(C) 27Sep06... (Copy all)
- (11) IA: Identification Documents: V/AHMED/27Sep06... (Copy all)
- (12) IA: Detainee Health Record for Detainee E007 (V/AHMED)/27Sep06... (Copy all)
- (13) IA: Death Scene Examination/29Sep06... (Copy all)
- (14) IA: Results of Interview with (b)(6),(b)(7)(C) 27Sep06... (Copy all)
- (15) IA: Results of Interview with (b)(6),(b)(7)(C) 29Sep06... (Copy all)
- (16) IA: Results of Interview with (b)(6),(b)(7)(C) 29Sep06... (Copy all)
- (17) IA: Receipt of Death Certificate: V/AHMED/29Sep06... (Copy all)
- (18) Preliminary Autopsy Report/01Oct06... (Copy all)

EXECUTIVE SUMMARY

1. On 24Sep06 at approximately 1600, NCIS Al Asad was notified by (b)(6),(b)(7)(C) Staff Judge Advocate (SJA), Regimental Combat Team 7 (RCT-7), USMC, Camp Ripper, Al Asad, Iraq regarding the detainee death which occurred at approximately 1430 on 24Sep06 at Echo Company, 2nd Battalion, 3rd Marines (2/3) Forward Operating Base (FOB), Haditha, Iraq. According to command, Echo 2/3 FOB is a joint base of operations between USMC personnel, Iraqi Army (IA) and Iraqi Police (IP), although USMC runs the FOB. Allegations by the command were that the detainee, V/AHMED, was beaten by several Iraqi Police Officers and later died as a result from the injuries received in the Echo FOB detainee collection center.

2. NCIS Al Asad and Fallujah responded to Echo Company FOB, Haditha, Iraq, and several interviews were conducted with Marines and USN Corpsmen. There were eyewitness accounts that the (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and three IPs beating V/AHMED in

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D 88

24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL NA-AMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

an interrogation room across the courtyard of the detainee collection center cells. Interviews also resulted in the discovery that there were no U.S. personnel in the interrogation room, and that V/AHMED was in IP custody until they placed V/AHMED in his cell. The USMC personnel posted at the detainee collection center, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) USMC and (b)(6),(b)(7)(C) USMC stopped the beating, and retrieved the Sergeant of the Guard, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) USMC and Sergeant of the Watch, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) USMC who ordered the IPs to return V/AHMED to his cell and halt any further interrogations.

3. Three attempts to interview the IP (b)(6),(b)(7)(C) and his three subordinates met with negative results. A death scene examination was conducted, with no items of evidential value seized. V/AHMED's remains were transported to Al Asad Mortuary Affairs on 25Sep06, and his remains were sent via air to Balad, Iraq, then onto the Armed Forces Institute of Pathology. Two detainees that were in the cell with V/AHMED during the time of his abuse and his death related IPs abused V/AHMED and US Coalition Forces tried to assist and give aid to V/AHMED.

NARRATIVE

4. On 24Sep06 at approximately 1600, NCIS Al Asad received notification from (b)(6),(b)(7)(C) SJA, RCT-7, USMC, Camp Ripper, Camp Al Asad, Iraq, that at approximately 1430 on 24Sep06, a detainee, V/AHMED, was pronounced dead, and the cause of his death was due to an earlier beating on 24Sep06 by Iraqi Police Officers at Echo 2/3 FOB detainee collection center, Haditha, Iraq. (b)(6),(b)(7)(C) RCT-7 Commanding Officer (CO), USMC and (b)(6),(b)(7)(C) RCT-7 Executive Officer (XO), USMC provided immediate air support for NCIS Special Agents to conduct the investigation. As background, 2/3 had only arrived in the area approximately one week from the death of V/AHMED.

5. Special Agents assigned to NCIS Al Asad and Fallujah responded on 24Sep06 via aircraft to 2/3 Battalion Camp Haditha Dam, Haditha, Iraq and then via convoy on 25Sep06 to Echo 2/3 FOB, Haditha, Iraq.

6. On 25Sep06, upon arrival at Echo 2/3 FOB, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) USMC, Echo Company CO was interviewed at the CO's living space, Echo 2/3 FOB, Haditha, Iraq, exhibit (1) pertains. (b)(6),(b)(7)(C) stated he received notification on 23Sep06 from (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) Iraqi (b)(6),(b)(7)(C) Haditha, Iraq, that nine to ten of his IPs were kidnapped while returning from leave from Mosul, Iraq on 23Sep06. (b)(6),(b)(7)(C) stated (b)(6),(b)(7)(C) provided names of local Iraqis in the Haditha area that were involved in the kidnappings. (b)(6),(b)(7)(C) stated (b)(6),(b)(7)(C) brother was one of the kidnapped IPs. (b)(6),(b)(7)(C) stated a joint IP/USMC operation was created on 23Sep06, after (b)(6),(b)(7)(C) notification, to assist detaining the individuals involved in the kidnappings. (b)(6),(b)(7)(C) related that on 23Sep06, during the evening hours, the joint patrol came upon V/AHMED's house. (b)(6),(b)(7)(C) stated he, (b)(6),(b)(7)(C) Police Transition Team, USMC (b)(6),(b)(7)(C) and several IPs went into V/AHMED's residence, while the USMC patrol kept perimeter outside the residence. (b)(6),(b)(7)(C) stated (b)(6),(b)(7)(C) pointed at

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Page 2

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D 81

24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL NA-AMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

the vehicle that was in V/AHMED's driveway, and told (b)(6), the vehicle was involved in the kidnappings.

7. (b)(6), stated he witnessed IP's striking V/AHMED, twice in the back and once across the face. (b)(5), stated he then had USMC personnel in the patrol detain V/AHMED and two other Iraqis that were being held by the IPs to save them from further abuse. (b)(6), stated after the Iraqis were detained, the joint operation ended and the three detainees (included was V/AHMED) were placed in the detainee collection center, Echo 2/3 FOB. (b)(6), explained that on the late morning of 24Sep06, he had received word from his Marines that V/AHMED was abused by several IPs. (b)(6), was not present during the abuse, but inquired as to what had occurred. (b)(6), stated two USMC guards were posted at the detainee collection center, and (b)(6), (b)(7)(C) told the two guardsmen, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that he wanted to interrogate V/AHMED. Both PFC's allowed (b)(6), (b)(7)(C) take custody of V/AHMED, and three IPs joined (b)(6), (b)(7)(C) to take V/AHMED to the interrogation room. (b)(6), stated sometime in the late morning of 24Sep06, both PFCs witnessed V/AHMED being beaten by IPs. (b)(6), stated he was told one of the PFCs stopped the IPs from beating V/AHMED, and went back to his post, where the beatings began again soon thereafter. (b)(6), stated one of the PFCs went to retrieve the Sgt of the Guard (SOG), (b)(6), (b)(7)(C) and the Sgt of the Watch (SOW), (b)(6), (b)(7)(C) to stop the IPs from abusing V/AHMED. (b)(6), (b)(7)(C) related (b)(6), (b)(7) and (b)(6), (b)(7)(C) arrived, and stopped the abuse, and made the IPs place V/AHMED back in his cell. (b)(6), (b)(7)(C) stated new USMC guards were posted and were the witnesses in V/AHMED's death. (b)(6), stated the two USMC guards, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) retrieved Corpsmen and tried to assist V/AHMED before his demise.

8. On 25Sep06 (b)(6), (b)(7)(C) USN, was interviewed in the Company Gunnery's Office, Echo 2/3 FOB, Haditha, Iraq, regarding the death of V/AHMED, exhibit (2) pertains. (b)(6), (b)(7)(C) stated he is the senior Corpsman for Echo 2/3 FOB, Haditha, Iraq. (b)(6), (b)(7)(C) stated he had only heard that V/AHMED was "bruised up" from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) USN when (b)(6), (b)(7)(C) checked on V/AHMED after the abuse. (b)(6), (b)(7)(C) stated his involvement was when a Marine (could not recall name) came by the Battalion Aid Station (BAS) and told him (b)(6), (b)(7)(C) that one of the detainees stopped breathing. (b)(6), (b)(7)(C) stated he immediately went to the detainee collection center and witnessed (b)(6), (b)(7)(C) performing CPR on V/AHMED. (b)(6), (b)(7)(C) stated he checked V/AHMED's eyes, which were fixed and dilated. (b)(6), (b)(7)(C) stated V/AHMED had no pulse, no breathe sounds, and his heart was not beating. (b)(6), (b)(7)(C) stated he and (b)(6), (b)(7)(C) conducted CPR for approximately ten minutes, and then asked a Marine (could not recall name) to assist (b)(6), (b)(7)(C) stated V/AHMED had clear fluid coming from his mouth when CPR was conducted and had to clear it. (b)(6), (b)(7)(C) contacted the battalion surgeon, (b)(6), (b)(7)(C) USN to give him the status of V/AHMED. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) agreed to stop the CPR and make the call that V/AHMED was deceased. (b)(6), (b)(7)(C) stated V/AHMED appeared to have some bruises: a bruised lip, a bad eye. (b)(6), (b)(7)(C) believed the bad eye was from "a while ago", and bruising around the head and neck. (b)(6), (b)(7)(C) believed V/AHMED had cuts on his face as well.

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Page 3

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24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL NA-AMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

9. On 25Sep06, (b)(6),(b)(7)(C) USN was interviewed in the First Sergeant's Office, Echo 2/3 FOB, Haditha, Iraq, regarding the death of V/AHMED, exhibit (3) pertains. (b)(6),(b)(7)(C) stated that at approximately 1300 on 24Sep06, a Marine (could not recall name) came to the BAS, Echo 2/3 FOB, Haditha, Iraq to notify him (b)(6),(b)(7)(C) that an Iraqi detainee (V/AHMED) had been "beat up" by IPs and that he (b)(6),(b)(7)(C) needed to check on V/AHMED. (b)(6),(b)(7)(C) stated he grabbed his first aid gear and went to the detainee collection center, Echo 2/3 FOB, Haditha, Iraq, which is approximately 200 meters from the BAS. (b)(6),(b)(7)(C) stated the Marines (NFI) took (b)(6),(b)(7)(C) to V/AHMED's cell. (b)(6),(b)(7)(C) stated V/AHMED was in the third cell with two other detainees. (b)(6),(b)(7)(C) stated he examined V/AHMED, who was (b)(7)(E) with his hands flexi-cuffed in front of his body. (b)(6),(b)(7)(C) stated V/AHMED appeared coherent and was talking in Arabic, and could not understand what V/AHMED was saying. (b)(6),(b)(7)(C) stated V/AHMED pointed to his body where he was injured, specifically V/AHMED's left shoulder, which had a small chunk of skin missing (in the left shoulder area). (b)(6),(b)(7)(C) stated the bruising around the injury to V/AHMED's left shoulder was the size of a baseball. (b)(6),(b)(7)(C) stated he then conducted a full body examination on V/AHMED, which concluded V/AHMED had swelling around the back of the neck to the right clavicle about two inches away from the carotid artery. (b)(6),(b)(7)(C) stated he viewed what appeared to be marks left by a wooden baton on both arms of V/AHMED. (b)(6),(b)(7)(C) stated he did not view any markings on V/AHMED's chest or abdomen. (b)(6),(b)(7)(C) stated he discovered bruising on V/AHMED's left lower back, shins, right knee, and the back of V/AHMED's right thigh. (b)(6),(b)(7)(C) stated based on V/AHMED's contusions and soft tissue injuries, (b)(6),(b)(7)(C) gave V/AHMED two (2) 325-milligram Tylenol pills. (b)(6),(b)(7)(C) stated he witnessed V/AHMED take the pills and drink water. (b)(6),(b)(7)(C) stated he did not notice any evidence of head trauma, no distention of the abdomen or no broken bones. (b)(6),(b)(7)(C) stated as he was leaving the detainee collection center, he witnessed an IP carrying a bent baton. (b)(6),(b)(7)(C) witnessed (b)(6),(b)(7)(C) tell the IPs to leave the detainee collection center, and (b)(6),(b)(7)(C) point out to (b)(6),(b)(7)(C) that two of the IPs were the ones that beat V/AHMED.

10. (b)(6),(b)(7)(C) stated at approximately 1430 on 24Sep06 (b)(6),(b)(7)(C) came by the BAS and told (b)(6),(b)(7)(C) that V/AHMED was vomiting. (b)(6),(b)(7)(C) stated he went to the detainee collection center, and V/AHMED was still in the same cell as the two detainees. (b)(6),(b)(7)(C) stated he viewed what appeared to be vomit in the cell. (b)(6),(b)(7)(C) stated V/AHMED was lying on the floor, (b)(7)(E) and flexi-cuffed (in the front). (b)(6),(b)(7)(C) stated V/AHMED was moaning, and (b)(6),(b)(7)(C) shook V/AHMED to let V/AHMED know (b)(6),(b)(7)(C) was there. (b)(6),(b)(7)(C) stated he checked V/AHMED's abdomen and head and did not find anything irregular (nothing indicated V/AHMED had a concussion from the examination). (b)(6),(b)(7)(C) told the USMC personnel on guard to contact him if V/AHMED had any other problems. (b)(7)(A),(b)(7)(C) did not give V/AHMED any medication because (b)(6),(b)(7)(C) had given him the Tylenol earlier.

11. (b)(6),(b)(7)(C) stated at approximately 1520 on 24Sep06, (b)(6),(b)(7)(C) came into the BAS and told (b)(6),(b)(7)(C) that the USMC guards at the detainee collection center told (b)(6),(b)(7)(C) that V/AHMED had a faint pulse. (b)(6),(b)(7)(C) stated there was a period of five minutes where he

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Page 4

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24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL NA-AMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

could not leave the BAS for the detainee collection center due to Quick Reaction Force (QRF), which meant only emergency travel outside the buildings because of something happening (incoming/small arms fire close to the FOB). (b)(6),(b)(7)(C) stated after approximately five minutes he and (b)(6),(b)(7)(C) went to the detainee collection center.

(b)(6),(b)(7)(C) stated that on his way to the detainee collection center, (b)(6),(b)(7)(C) told him V/AHMED stopped breathing. (b)(6),(b)(7)(C) stated upon his arrival at the detainee collection center, he noticed V/AHMED in the same cell lying on his back on the mattress on the cell floor.

(b)(6),(b)(7)(C) stated he checked V/AHMED for a pulse and breath, which he stated V/AHMED had no breath or pulse. (b)(6),(b)(7)(C) stated he started CPR, and during the CPR, he had to clear V/AHMED's airway approximately four times, and had (b)(6),(b)(7)(C) retrieve (b)(6),(b)(7)(C).

(b)(6),(b)(7)(C) stated the fluid that came out of V/AHMED's nose and mouth was clear, with no visible traces of blood. (b)(6),(b)(7)(C) stated he performed CPR on V/AHMED for approximately five minutes by himself.

(b)(6),(b)(7)(C) stated (b)(6),(b)(7)(C) entered the cell, and helped (b)(6),(b)(7)(C) give V/AHMED chest compressions. (b)(6),(b)(7)(C) related after another five minutes of performing CPR on V/AHMED, (b)(6),(b)(7)(C) went to contact the battalion surgeon at the Camp Haditha, Haditha Dam, and Iraq.

(b)(6),(b)(7)(C) stated (b)(6),(b)(7)(C) arrived and assisted in taking V/AHMED out of the detainee cell and continued to apply CPR on V/AHMED. (b)(6),(b)(7)(C) stated he and (b)(6),(b)(7)(C) conducted CPR on V/AHMED for ten more minutes until (b)(6),(b)(7)(C) returned and pronounced V/AHMED dead.

12. On 25Sep06, (b)(6),(b)(7)(C) USMC, was interviewed in the Company Gunny's Office, Echo 2/3 FOB, Haditha, Iraq, regarding his knowledge of the abuse and death of V/AHMED, exhibit (4) pertains. (b)(7)(C) stated he was on guard at the detainee collection center starting at approximately 0800 on 24Sep06. (b)(6),(b)(7)(C) stated on of the detainees had to use the head at approximately 1030 on 24Sep06, and he escorted the detainee to the head. (b)(6),(b)(7)(C) stated that when he took the detainee to the head, one of the IPs took V/AHMED out of his cell. (b)(6),(b)(7)(C) stated when he brought back the detainee from the head; he realized that V/AHMED was taken by IPs to the wooden shack, which is used as an interrogation room, across from the detainee cells in the detainee collection center. (b)(6),(b)(7)(C) stated he thought the IPs were interrogating V/AHMED, and at approximately 1200 on 24Sep06, he witnessed V/AHMED being beaten by four IPs in the interrogation room. (b)(6),(b)(7)(C) stated he and (b)(6),(b)(7)(C) witnessed the IPs striking V/AHMED all over his body, and then threw V/AHMED to the floor (or V/AHMED fell, (b)(6),(b)(7)(C) was not sure). (b)(6),(b)(7)(C) stated he witnessed an IP with a nightstick. (b)(6),(b)(7)(C) stated (b)(6),(b)(7)(C) went to the interrogation room and told (b)(6),(b)(7)(C) and the three other IPs to stop beating V/AHMED. (b)(6),(b)(7)(C) stated the beatings stopped, and (b)(6),(b)(7)(C) returned to his post. (b)(6),(b)(7)(C) stated shortly after (b)(6),(b)(7)(C) returned to his post, the IPs were beating V/AHMED again. (b)(6),(b)(7)(C) stated he told (b)(6),(b)(7)(C) that V/AHMED is in USMC custody and cannot allow V/AHMED to be beaten by the IPs. (b)(6),(b)(7)(C) stated he left his post to retrieve (b)(6),(b)(7)(C) the Sergeant of the Guard, to tell him the situation. (b)(6),(b)(7)(C) stated (b)(6),(b)(7)(C) went to the IPs and told them to stop what they were doing and place V/AHMED back into his detainee cell. (b)(6),(b)(7)(C) stated the whole incident took place in a matter of approximately 15 minutes, and he thought the time the IPs placed

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Page 5

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24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL NA-AMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

V/AHMED back into his cell was at approximately 1215. (b)(6),(b) stated he viewed blood on V/AHMED's clothing and a gash under V/AHMED's right eye. (b)(6),(b) stated when V/AHMED was placed back in his cell, V/AHMED was sitting upright. (b)(6),(b) stated he was relieved from his post after telling the Company First Sergeant what had transpired.

13. On 25Sep06, (b)(6),(b)(7)(C) USMC was interviewed in the Company Gunny's Office, Echo 2/3 FOB, Haditha, Iraq regarding his knowledge of the abuse and death of V/AHMED. (b)(6),(b) stated he was posted as a guard at the detainee collection center starting at approximately 0800 on 24Sep06. (b)(6),(b) stated he was on duty with (b)(6),(b)(7)(C) stated (b)(6),(b) took a detainee to use the head in the facilities, which was approximately 3-4 hours after they started their duty as guards. (b)(6),(b) related that during the time (b)(6),(b) took a detainee to the head, an Iraqi (b)(6),(b) approached (b)(6),(b) looked in the detainee cells, and pointed out a detainee that he wanted to speak to. (b)(6),(b) stated (b)(6),(b)(7)(C) came into the cell area by himself. (b)(6),(b) stated (b)(6),(b)(7)(C) and three other IPs took V/AHMED to a shed used as an interrogation room. (b)(6),(b) stated the IPs were interrogating V/AHMED, writing things down, and then at some point (could not specify a time), started yelling at V/AHMED, which drew (b)(6),(b) attention.

14. (b)(6),(b) stated he then witnessed the IPs beating V/AHMED with nightsticks. (b)(6),(b) stated he went to the IPs and told them to stop beating V/AHMED. (b)(6),(b) stated he specifically told (b)(6),(b)(7)(C) to stop beating V/AHMED, which (b)(6),(b) stated (b)(6),(b)(7)(C) and the IPs did stop beating V/AHMED. (b)(6),(b) stated he stayed there for a minute while they were talking to the detainee, and thought everything was "OK." (b)(6),(b) stated he went back to his post, and stated he and (b)(6),(b) talked about the IPs beating V/AHMED. (b)(6),(b) stated (b)(6),(b) decided to go inform the Sgt of the Guard, (b)(6),(b)(7)(C), and tell him what transpired. (b)(6),(b) stated once (b)(6),(b) left; the IPs started beating V/AHMED again. (b)(6),(b) stated (b)(6),(b) arrived and stopped the beating. (b)(6),(b) stated when he first viewed V/AHMED, V/AHMED appeared bruised up, and after the IPs beat V/AHMED, he appeared the same. (b)(6),(b) stated V/AHMED was sitting up when the IPs placed him back in his cell.

15. On 25Sep06, an interview was conducted with (b)(6),(b)(7)(C) (b)(6),(b)(C) USMC, who was the Sgt of the Guard during the death of V/AHMED. (b)(6),(b)(C) was interviewed in the Company First Sergeant's Office, Echo 2/3 FOB, Haditha, Iraq, exhibit (6) pertains. (b)(6),(b)(C) stated that on 24Sep06, at approximately 1120 (b)(6),(b)(7) who was posted as a USMC guard at the detainee collection center, told (b)(6),(b) that IPs had removed V/AHMED from his cell and started beating him. (b)(6),(b)(C) stated he retrieved (b)(6),(b)(7)(C) and went immediately to the detainee collection center. (b)(6),(b) stated when he got to the detainee collection center; he witnessed two IPs in the interrogation room across from the detainee cells. (b)(6),(b) stated he witnessed V/AHMED lying on the floor, (b)(7)(E) with his hands flexi-cuffed on one hand while the other one was free. (b)(6),(b)(C) stated he witnessed one of the IPs poised to strike V/AHMED with a collapsible baton, which (b)(6),(b) stated appeared bent. (b)(6),(b)(7)(C)

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Page 6

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24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL NA-AMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

stated he yelled at the IP to stop in Arabic, and the IP stopped before striking V/AHMED. (b)(6),(b)(7) stated he believed (b)(6) was standing off to the side when this happened. (b)(6),(b)(7) stated (b)(6),(b)(7) told the IPs to return V/AHMED back to his cell. (b)(6),(b)(7) stated he escorted the IPs and V/AHMED back to the detainee cells to ensure the IPs placed V/AHMED back into his cell.

16. (b)(6),(b)(7) related (b)(6),(b)(7) had (b)(6),(b)(7) conduct a medical examination of V/AHMED. (b)(6),(b)(7) stated he then went back to his duty. (b)(6),(b)(7) stated sometime later (b)(6),(b)(7)(C) who relieved (b)(6),(b)(7) and (b)(6),(b)(7) approximately 1200, came to him and told him V/AHMED was moaning and groaning. (b)(6),(b)(7) stated (b)(6),(b)(7) told him V/AHMED had a low pulse. (b)(6),(b)(7) stated there was ORF for approximately five minutes, and (b)(6),(b)(7) returned and told him V/AHMED had stopped breathing. (b)(6),(b)(7) stated he retrieved (b)(6),(b)(7) and when they arrived at the detainee collection center (b)(6),(b)(7) was performing CPR on V/AHMED. (b)(6),(b)(7) stated one of the USMC guards went to retrieve (b)(6),(b)(7)(C) stated (b)(6),(b)(7) and (b)(6),(b)(7) performed CPR on V/AHMED for approximately 15-20 minutes. (b)(6),(b)(7) provided a copy of the logbook entries for 24Sep06, specifically the times of V/AHMED's abuse and death, exhibit (7) pertains.

17. On 26Sep06, an interview was conducted with (b)(6),(b)(7)(C) (b)(6),(b)(7) USMC, in the VIP room aboard Echo 2/3 FOB, Haditha, Iraq, exhibit (8) pertains. The interview was conducted with (b)(6),(b)(7) regarding the death of V/AHMED. (b)(6),(b)(7) stated that on 24Sep06, he was on his off time when he was told by a Non-Commissioned Officer (NCO) that he was to stand duty as a guard at the detainee collection center, Echo 2/3 FOB, Haditha, Iraq at approximately 1200. (b)(6),(b)(7) stated when he started his duty, he recalled V/AHMED as moaning and groaning in his detainee cell. (b)(6),(b)(7) stated he noticed blood on V/AHMED's clothes, around the left knee, with little cuts and scrapes noticeable on V/AHMED's lower legs. (b)(6),(b)(7) could not recall if V/AHMED had any markings about his (V/AHMED's) face or head. (b)(6),(b)(7) stated he and the other Marine on watch (b)(6),(b)(7)(C) would check V/AHMED and in one instance V/AHMED was lying on the floor. (b)(6),(b)(7) stated he and (b)(6),(b)(7) checked V/AHMED and noticed a low pulse but no breathing. (b)(6),(b)(7) stated he went to retrieve (b)(6),(b)(7)(C) (b)(6),(b)(7) stated (b)(6),(b)(7) tried to assist V/AHMED by performing CPR, which lasted approximately 15-20 minutes.

18. On 26Sep06, an interview was conducted with (b)(6),(b)(7)(C) (b)(6),(b)(7) USMC, in the VIP room, Echo 2/3 FOB, Haditha, Iraq. The interview was conducted with (b)(6),(b)(7) regarding the death of V/AHMED, exhibit (9) pertains. (b)(6),(b)(7) stated he was posted as a guard at the detainee collection center who relieve (b)(6),(b)(7) and (b)(6),(b)(7)(C) stated he watched over the three detainees and noticed one, V/AHMED, moaning. (b)(6),(b)(7) stated V/AHMED was talking to the other detainees, and that V/AHMED walked around his cell for a "little while." (b)(6),(b)(7) recalled (b)(6),(b)(7) tell (b)(6),(b)(7) to go get a Corpsman after V/AHMED was lying down in his cell. (b)(6),(b)(7) stated he retrieved (b)(6),(b)(7)(C) who performed CPR for approximately 15-20 minutes, and at some point (b)(6),(b)(7) arrived to assist. (b)(6),(b)(7) stated that (b)(6),(b)(7) made the call that V/AHMED was deceased. (b)(6),(b)(7) stated he assisted (b)(6),(b)(7) and

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Page 7

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24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL NA-AMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

(b)(6),(b)(7) with placing the body in a body bag, and noticed several bruises on V/AHMED's back, which (b)(6),(b)(7) told (b)(6),(b)(7) was lividity settling in.

19. On 26Sep06, an interview was conducted with (b)(6),(b)(7)(C) (b)(6),(b)(7) USMC, in the VIP room, Echo 2/3 FOB, Haditha, Iraq. The interview was conducted with (b)(6),(b)(7) regarding the abuse and death of V/AHMED, exhibit (10) pertains. (b)(6),(b)(7) stated he is the Guard (b)(6),(b)(7) for the detainee collection center in Echo 2/3 FOB. (b)(6),(b)(7) stated he does not recall the time, but on 24Sep06 (b)(6),(b)(7)(C) who was the Sgt of the Guard, notified him of IPs beating a detainee (V/AHMED). (b)(6),(b)(7) stated he and (b)(6),(b)(7) went to the detainee collection center, and observed V/AHMED lying on the ground, and viewed an IP strike V/AHMED with a collapsible baton, which appeared to be bent. (b)(6),(b)(7) stated he told the IPs to stop what they were doing and place V/AHMED back into his cell, which the IPs complied. (b)(6),(b)(7) stated he called a Corpsman to examine V/AHMED. (b)(6),(b)(7) stated (b)(6),(b)(7) told him V/AHMED was beaten "pretty bad," so (b)(6),(b)(7) had V/AHMED placed in his own cell. (b)(6),(b)(7) stated at some point, approximately 1400 on 24Sep06, he was notified that V/AHMED had "passed out." (b)(6),(b)(7) did not witness the CPR or assist with V/AHMED's CPR. (b)(6),(b)(7) relinquished copies of the Standard Operating Procedures (SOP) from the prior unit, 3rd Battalion, 3rd Marines (3/3) and an SOP for 2/3, which was in the process of being drafted.

20. Photocopies of V/AHMED's identification cards seized during V/AHMED's detention and the original health record for V/AHMED were obtained, exhibits (11) and (12) pertains. The identification cards all had various aliases. The original health record for V/AHMED, dated 23Sep06 (no time), indicates bleeding under the right eye and two large bruises on V/AHMED's back, which confirm (b)(6),(b)(7) and (b)(6),(b)(7) witnessing V/AHMED's initial abuse at V/AHMED's residence by IPs.

21. On 26Sep06, a death scene examination was conducted, exhibit (13) pertains. The examination includes photographs and a scene sketch.

22. On 26Sep06, an interview was conducted with (b)(6),(b)(7)(C) (b)(6),(b)(7) USMC Reserve, Police Transition Team (PTT), RCT-7, in the VIP room aboard Echo 2/3 FOB, Haditha, Iraq. (b)(6),(b)(7) is a Special Agent with the Federal Bureau of Investigation (FBI) apart from his USMC reserve status. The interview was conducted with (b)(6),(b)(7) regarding the abuse and death of V/AHMED, exhibit (14) pertains. (b)(6),(b)(7) provided a timeline of events, all times were approximate. (b)(6),(b)(7) witnessed the IPs beat V/AHMED in his residence and witnessed USMC take control of V/AHMED and two other detainees to protect them from further violence. (b)(6),(b)(7) stated when the detainees were brought back to the detainee collection center, Echo 2/3 FOB, Haditha, Iraq, there were three other detainees caught prior that were at the detainee collection center. (b)(6),(b)(7) stated there were interrogations with all six detainees with the HET and IPs from 2400 on 23Sep06 to 0130 on 24Sep06. (b)(6),(b)(7) stated he monitored all interrogations from approximately 15 feet away, and stated there was

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Page 8

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24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL NA-AMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

no abuse by either HET or the IPs during these interrogations.

(b)(6),(b)(7)(C) who is the advisor for (b)(6),(b)(7)(C) attempted to arrange an interview between NCIS and (b)(6),(b)(7)(C) along with the three IPs involved in V/AHMED's abuse. (b)(6),(b)(7)(C) would not be interviewed.

23. On 26Sep06, NCIS Special Agents left via convoy from Echo 2/3 FOB to 2/3 Battalion at Haditha Dam, Haditha, Iraq, to conduct interviews with the two detainees that were in V/AHMED's cell, exhibits (15) and (16) pertains. On 26Sep06, (b)(6),(b)(7)(C) was interviewed at the battalion detention center, Haditha Dam, Haditha, Iraq, regarding his knowledge of V/AHMED's abuse and death. (b)(6),(b)(7)(C) stated he was in a detainee cell with his brother and V/AHMED. (b)(6),(b)(7)(C) related V/AHMED was placed in the cell with he and his brother, and was beaten by the IPs. (b)(6),(b)(7)(C) stated an American doctor was nice to V/AHMED and gave V/AHMED medicine. (b)(6),(b)(7)(C) stated he could see that V/AHMED was beaten from "head to toe." (b)(6),(b)(7)(C) stated he heard one of the IPs tell V/AHMED, "You killed my brother." (b)(6),(b)(7)(C) stated he heard V/AHMED beaten for "about an hour." (b)(6),(b)(7)(C) stated the American doctor came in to give medicine to V/AHMED the first time and tried to help V/AHMED breathe the second time. (b)(6),(b)(7)(C) stated that the American doctor and the American Forces tried to "save" V/AHMED.

24. On 26Sep06, (b)(6),(b)(7)(C) was interviewed regarding the abuse and death of V/AHMED. (b)(6),(b)(7)(C) stated one or two days prior to being questioned by NCIS, V/AHMED was beaten with "iron sticks" so bad that V/AHMED later died from his injuries. (b)(6),(b)(7)(C) stated V/AHMED was not beaten in the same cell, and for an undetermined time V/AHMED was beaten and then placed back into his cell, where an American doctor gave aid to V/AHMED. (b)(6),(b)(7)(C) stated he moved his (b)(7)(E) to see and witnessed the American doctor treating V/AHMED. (b)(6),(b)(7)(C) stated he heard the IPs telling V/AHMED that V/AHMED was killing people for money, not religion, and that V/AHMED was an insurgent, that V/AHMED had killed his "12 year old brother (NFI)", and V/AHMED killed innocent people. (b)(6),(b)(7)(C) stated when the IPs started beating V/AHMED with "iron sticks," the American Forces stopped the IPs and tried to help V/AHMED.

25. On 26Sep06, NCIS Al Asad obtained V/AHMED's death certificate and took photographs of V/AHMED's body at the Al Asad Mortuary Affairs Office, Camp Al Asad, Iraq, exhibit (17) pertains. V/AHMED's remains were sent from Mortuary Affairs, Al Asad, Iraq, to Dover Air Force Base, Armed Force Institute of Pathology (AFIP).

26. On 01Oct06, an autopsy was conducted on V/AHMED's remains, and a preliminary autopsy report was obtained, exhibit (18) pertains.

27. On 09Oct06, (b)(6),(b)(7)(C) Supra, was briefed on this investigation. (b)(6),(b)(7)(C) advised that based on the results of the investigation, no adjudication will be sought for USMC personnel by Command. Investigation is pending the final autopsy report for V/AHMED.

DISCLOSURE ACCOUNTING

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Page 9

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24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL NA-AMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

28. A Copy of this report and exhibits will be given to the Iraqi Ministry of Interior, who has jurisdiction over Iraqi Police matters.

PARTICIPANTS

(b)(7)(C) Special Agent, NCIS Camp Fallujah, Iraq
 (b)(6),(b)(7)(C) Special Agent, NCIS Camp Fallujah, Iraq
 (b)(6),(b)(7)(C) Special Agent, NCIS Al Asad, Iraq
 (b)(6),(b)(7)(C) Special Agent, NCISHQ Code 23B AFIP REP
 (b)(6),(b)(7)(C) Agent, USMC CID, Al Asad, Iraq

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INFO: 02P/MEBJ (M)/MEIZ (M)/CO, RCT-7 (H)/SJA, RCT-7 (H)

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Page 10

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(b)(7)(C)

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INVESTIGATIVE ACTION

27SEP06

CONTROL: 24SEP06-MEIZ-0058-7HMA

V/AHMED, ISMAIL NA-AMA/CIV
M/W/FNIZ/N//01JUL70/HADITHA, IRAQ

RESULTS OF INTERVIEW WITH (b)(6),(

1. On 25Sep06, an interview was conducted with (b)(6),(b)(7)(C). (b)(6),(b) Echo Company (b)(6),(b)(7)(C) 2nd Battalion, 3rd Marines (2/3), Haditha, Iraq regarding the death of V/AHMED. The interview was conducted in the Company CO's office, aboard Echo Company 2/3 Forward Operating Base (FOB), Haditha, Iraq.
2. (b)(6),(b) stated that on 23Sep06, he had received word from (b)(6),(b)(7)(C) of the Iraqi Police (IP) in Haditha, Iraq, (b)(6),(b)(7)(C) (b)(6),(b) that he had nine to ten IP's kidnapped on their way to Haditha, Iraq from Mosul, Iraq. (b)(6),(stated one of the IP's that was kidnapped was (b)(6),(b)(7)(C) brother (NFI). (b)(6),(stated (b)(6) (b)(6),(b) gave him the names of Iraqis living in the local Haditha area. (b)(6),(related a joint operation between USMC personnel and IPs was executed to detain those individuals involved in the kidnappings (NFI). (b)(6),(b) stated that he, (b)(6),(b)(7)(C) and (b)(6) (b)(6),(b) along with several IP's and a USMC patrol (NFI) went to V/AHMED's residence and two other residences involved in the kidnappings.
3. (b)(6),(related that (b)(6),(b)(7)(C) and the IPs busted windows and threw debris in V/AHMED's house. (b)(6),(advised he also witnessed the IPs striking V/AHMED and the other two individuals (NFI) at one point. (b)(6),(b) stated that he took all three individuals into USMC custody to protect them from further violence. (b)(6),(stated V/AHMED had been beaten on his back at least twice, and he (b)(6),(b) observed a gash under one of V/AHMED's eyes.
4. (b)(6),(b) stated the evening of 23Sep06, V/AHMED and the other two detainees were detained in the Echo FOB detainee collection point detention facilities, Hadithah, Iraq. (b)(6),(b) stated all three detainees were placed in one cell in the Echo FOB detainee collection center.
5. (b)(6),(explained there were two guards posted at the Echo FOB detention facilities, one to keep watch on the detainees, and one to allow the detainees to use the head. (b)(6),(stated the two PFCs posted were (b)(6),(and (b)(6),(NFI), which were present during an incident when (b)(6),(b)(7)(C) and three IPs took V/AHMED from his cell, and brought him to the interrogation room across from the detainee cells. (b)(6),(b) stated the PFCs on post observed the IPs striking V/AHMED during their interrogation, and one of the PFCs (NFI) went to the interrogation room and told (b)(6),(b)(7)(C) that the IPs could not strike or harm V/AHMED. According to (b)(6),(the PFC (NFI) then went back to his post after the IPs stopped beating V/AHMED. However, the IPs continued beating V/AHMED shortly after the PFC (NFI) returned back to his post. (b)(6),(b) stated that one of the PFCs (NFI) went to

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Exhibit (1)

24SEP06-MEIZ-0058-7HMA

SUBJ: V/AHMED, ISMAIL OAMA/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

retrieve the Sergeant of the Guard (SOG). (b)(6),(b)(7)(C) related that the SOG arrived and stopped the abuse, and made (b)(6),(b)(7)(C) and the IPs place V/AHMED back in his detainee cell.

6. (b)(6),(b)(7)(C) stated there were new USMC guards (NFI) posted, who witnessed V/AHMED's demise, after an unsuccessful attempt by the USMC guards (NFI) and two USN Corpsmen (NFI) to resuscitate V/AHMED.

7. (b)(6),(b)(7)(C) explained (b)(6),(b)(7)(C) has a command presence, and is the key to leading the IPs to reclaiming Hadithah, Iraq. (b)(6),(b)(7)(C) stated (b)(6),(b)(7)(C) knows all the main "players", meaning insurgents in Hadithah, Iraq, and is not afraid to deal with them.

PARTICIPANT(S)

(b)(6),(b)(7)(C) Special Agent, NCIS Fallujah, IZ

(b)(6),(b)(7)(C) Special Agent, NCIS Fallujah, IZ

(b)(6),(b)(7)(C) Agent, USMC CID, Al Asad, IZ

REPORTED BY: (b)(6),(b)(7)(C)
OFFICE: NCIS Al Asad, IZ

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Page 2

LAST

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(6),(b)

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D 99

STATEMENT

Place : Forward Operating Base Echo, Haditha, Iraq

Date : 25Sep06

(b)(6),(b)(7)(C) make the following free and voluntary statement to Special Agent
 (b)(6), (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative
 (b)(6), (b)(7)(C) Service. I make this statement of my own free will and without any threats made to me or promises
 (b)(6), (b)(7)(C) extended. I fully understand that this statement is given concerning my knowledge of the death of
 Hashim Humoudi Humaidi AL JUGHAYFI.

For purposes of identification, I am a (b)(6), (b)(7)(C) male (b)(6), (b)(7)(C) tall, weighing approximately (b)(6), (b)(7)(C) pounds. I have
 (b)(6), (b)(7)(C) hair and (b)(6), (b)(7)(C) eyes. I was born on (b)(6), (b)(7)(C) and my Social Security
 (b)(6), (b)(7)(C) number is (b)(6), (b)(7)(C). I am attached to 2nd Battalion, 3rd Marines as a USN corpsman. I am
 (b)(6), (b)(7)(C) assigned to Echo Forward Operating Base, Haditha, Iraq.

We receive detainees every day, and we do medical screenings on them when they first arrive. (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) knows more about the death of the detainee on 24Sep06 than I do. I cannot recall when the
 (b)(6), (b)(7)(C) incident happened on 24Sep06, but (b)(6), (b)(7)(C) came to me and told me that one of the detainees was all
 (b)(6), (b)(7)(C) bruised up after an inspection. There may have been a 20 minute window (b)(6), (b)(7)(C) when (b)(6), (b)(7)(C) told
 me that a detainee was all bruised up and that the detainee was not breathing.

A Marine (cannot recall name) came by and told me that a detainee was not breathing, and we went
 there about five minutes later. I grabbed my medical bag and went to the scene. I witnessed (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) giving CPR to a detainee (b)(6), (b)(7)(C) was giving mouth to mouth CPR. I checked his eyes and his
 (b)(6), (b)(7)(C) pupils were fixed and dilated. The detainee had no pulse, no breath sounds, and his heart was not
 doing anything. Myself and (b)(6), (b)(7)(C) worked on the detainee for approximately 10 minutes, and asked
 a Marine to assist with (b)(6), (b)(7)(C) to conduct CPR. The detainee had clear fluid coming from his mouth
 when we conducted CPR, so we had to clear it to continue. I then made a call to (b)(6), (b)(7)(C) acting
 battalion surgeon, Haditha Dam, Iraq, and told him the status of the detainee (b)(6), (b)(7)(C) agreed to stop the
 CPR. I made the call at approximately 1445 24Sep06.
Can't remember exact time.

(b)(6), (b)(7)(C) The detainee appeared to have some bruises. I noticed he had a bruised lip. The detainee had a bad
 eye (but I believe it was from a while ago). The detainee's head had bruising and around his neck
 (cannot recall where). Lividity had already settled on his back and his buttocks. I think the detainee
 had cuts on his face.

D 100

Continuation of voluntary sworn statement of
Specialist (b)(6),(b)(7)(C)
on August 30, 2006 ~~September 25th, 2006~~

(b)(6),
(b)(7)(C) had heard that the Iraqi Police took the detainee and over-exercised their authority. All I know is
what I heard, and that is that there were a few Iraqi Policemen that caused harm to the detainee.

This statement, consisting of this page and 1 other page(s) was typed for me by Special Agent (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C) we discussed its contents. I have read and understand the above statement. I have been
given the opportunity to make any changes or corrections I desire to make and have placed my initials
over the changes or corrections. This statement is (b)(6),(b)(7)(C) of my knowledge and belief.

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

Sworn to and subscribed before me this 25 day of September in the year 2006 at
at Echo FOB Haditha IRAQ

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

(b)(6),(b)(7)(C)
Representative, Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

10

STATEMENT

(b)(6), (b)(7)(C) At this time, I, (b)(6), (b)(7)(C) desire to make the following voluntary statement to Special Agent (b)(6), (b)(7)(C) whom I know to be a representative of the United States Naval Criminal Investigative Service. It is made with no threats or promises having been extended to me. This statement is regarding my knowledge of the death of Iraqi detainee Hashim Humoudi Humaidi AL JUGHAFYI. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) For identification purposes, I am a (b)(6), (b)(7)(C) male (b)(6), tall, weighing approximately (b)(6), pounds. I have (b)(6), hair and (b)(6), eyes. I was born on (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C). I am currently assigned as a Corpsman with Echo Company, Second Battalion, Third Battalion (2/3) and currently deployed to the FOB Haditha, Iraq. My permanent duty station is Kaneohe Bay, HI. My telephone number is (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) On 24 Sep 06, around 1300, one of the Marine runners came to the Battalion Aid Station (BAS), Forward Operating Base (FOB), Haditha, Iraq, where I work as a Corpsman. The Marine runner (I do not know his name) told me that an Iraqi detainee had been beat up by the Iraqi Police and that I needed to check him out. I saw (b)(6), (b)(7)(C) and he told me this Iraqi detainee got beat up pretty good by the Iraqi Police and that I should go check him out. I grabbed my gear and went over to the detention facility which is located about 200 meters from the BAS. When I arrived at the detention facility I went into the facility and the Marine guards directed to the cell where the injured detainee was. The Iraqi detainee was in the third cell with two other Iraqi detainees. I opened the cell door, went in and started an examination of the injured Iraqi detainee. The Iraqi detainee was lying on a mattress on the floor in the cell, (b)(7)(E) and his hands were flexi-cuffed in front of his body. The injured Iraqi appeared coherent and was talking in Arabic so I could not understand what he was saying. The Iraqi detainee pointed on his body where he was injured. The Iraqi detainee pointed to his left shoulder. I saw on the Iraqi detainees left shoulder a small chunk of skin was missing. There was also quite a bit of bruising around where the chunk of skin was missing from the Iraqi detainees left shoulder area. The bruising was round and was about the size of a baseball. I then conducted a full body examination of the Iraqi detainee. I observed the Iraqi detainee also appeared to have swelling which started at the back of the neck about an inch from the spine area around the neck to the right clavicle about two inches below the carotid artery. I also observed what appeared to be marks left possibly by an ASP wooden stick on both arms of the Iraqi detainee. There were probably two or three of these long cylindrical marks on the Iraqi detainee's arms. I did not find injuries on the Iraqi detainee's chest and abdomen areas. I did find bruising on the left lower back above the pelvic bone on the Iraqi detainee. These marks were also long and cylindrical. I also found long cylindrical marks (bruising) on the Iraqi detainee's shins and he also had bruising and chunk of skin missing from his right knee. I think the Iraqi detainee had bruising on the back of his right thigh. Based on the Iraqi detainee having contusions and soft tissue injuries I gave the detainee two 325 milligram Tylenol pills. I saw the Iraqi detainee take the two pills and swallow them and wash them down with a bottle of water I gave him. I did not find any evidence of head trauma, no distention of the abdomen or no crepitus (no broken bones). As I was leaving I was walking out form the detention facility I saw three Iraqi Police on the other side of the fence walking towards the detention facility. I noticed one of the Iraqi Policemen was carry an ASP that was bent. (b)(6), (b)(7)(C) was standing outside with the Marine guards and told the Iraqi Police to leave area. To me it looked like the Iraqi Police were trying to enter the detention facility but (b)(6), (b)(7)(C) told them to go away. I heard one of the Marine guards either (b)(6), (b)(7)(C) or the other Marine guard (NFI) tell (b)(6), (b)(7)(C) that it was two of those Iraqi Police that had beaten up the Iraqi detainee. (b)(6), (b)(7)(C)

Exhibit (3)

15 100

(b)(6), (b)(7)(C) around 1430, 24Sep06, (b)(6), (b)(7)(C) came to the BAS and informed me the same Iraqi detainee was now vomiting. I grabbed my gear and went back to the detention facility. The injured Iraqi was still in the same cell with the other two Iraqi detainees. The injured Iraqi was lying on the mattress in the cell. I went in the cell and saw vomit on the floor (the vomit was clear fluid with no food or mucus) next to the Iraqi detainee. The Iraqi detainee was lying there (b)(7)(E), flexi-cuffed in the front and was moaning and I shook him a little to let him know I was there. There was no interpreter there so I touched the Iraqi detainee's abdomen to make sure it was not tender and I got no response that it was. I checked the head area of the detainee and did not notice anything that showed the detainee might have had a concussion. I did not give the Iraqi detainee any medication because I had given him some earlier. I told the Marine guards to call me if anything else happened and I left the area.

(b)(6), (b)(7)(C) around 1520 or so, 24Sep06 (b)(6), (b)(7)(C) came into the BAS and told me that the Marine guards had told him that the same Iraqi detainee had a faint pulse. I grabbed my medical gear, went into the hallway. (b)(6), (b)(7)(C) told there was a QRF (Quick Reaction Force) so there could only be emergency travel outside the buildings because there was something going on close to the base. I walked back to the BAS and about five minutes later (b)(6), (b)(7)(C) came and told me it was all clear so I grabbed my gear and went to the detention facility. (b)(6), (b)(7)(C) was one of the new Marine Guards came over and told me the Iraqi detainee stopped breathing. I ran over to the detention facility and the injured Iraqi detainee was in the same cell lying on his back on the mattress on the floor of the cell. I checked for breathing and there was no breathing or no pulse from the detainee. I then gave the Iraqi detainee two rescue breaths. My breaths went into the detainee just fine but I could tell there was fluid in the Iraqi detainee's airway. I sent (b)(6), (b)(7)(C) back to get (b)(6), (b)(7)(C). I then started performing CPR on the Iraqi detainee. I also tipped the Iraqi detainee on his side about four times and fluid would come from his mouth and nose. The fluid was clear except from his nose some snot came out. No blood came out of the Iraqi detainee's mouth or nose. I performed CPR on the detainee for about five minutes by myself. (b)(6), (b)(7)(C) showed up and took over chest compressions while I kept administering respirations. After another five minutes (b)(6), (b)(7)(C) left to call the Battalion Surgeon at the Haditha Dam to see if we could get the detainee medical aid. (b)(6), (b)(7)(C) took over doing the chest compressions. (b)(6), (b)(7)(C) and I grabbed the Iraqi detainee and dragged him to the concrete floor outside the cell so we could have more room to perform lifesaving techniques on the detainee. The other two detainees were in the cell the whole time. While moving the Iraqi detainee we noticed the Iraqi detainee had fluid on his back area. We pretty much knew the Iraqi detainee was dead at that time. We continued CPR for about ten more minutes until (b)(6), (b)(7)(C) came back. I checked for a pulse and respiration and there was none. (b)(6), (b)(7)(C) called the Iraqi detainee dead. (b)(6), (b)(7)(C) and I placed the Iraqi a body bag along with his clothing (b)(7)(E). The Iraqi detainee had been wearing loose fitting pants (white), long shirt (grayish or light blue) and tan sandals. The (b)(6), (b)(7)(C) was an American flag bandana. We took the body and put it in a freezer and put some ice in the freezer to keep the body cool. The freezer was right outside the BAS. I did not ever know the Iraqi detainees name. I do know the Iraqi detainees are given a health screening (detention physical) when detainees are brought in. On 25Sep06, I provided Special Agent (b)(6), (b)(7)(C) with two statements (b)(6), (b)(7)(C).

Page 2 of (b)(6), (b)(7)(C)

103

(b) (6) provided to my command regarding the Iraqi detainee who died. I also provided the medical care sheet I filled out on the Iraqi detainee (b) (6), (b) (7) (C)

(b) (6), (b) (7) (C) This statement, consisting of this page and 2 other page(s) was typed for me by (b) (6), (b) (7) (C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief (b) (6), (b) (7) (C)

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

Sworn to and subscribed before me this 25th day of September in the year 2006 at 1957 at FOB, Haditha Iraq

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

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

UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

D 104

STATEMENT

Place : Forward Operating Base Echo, Haditha, IraqDate : September 25, 2006

(b)(6), (b)(7)(C), (b)(6), (b)(7)(C) make the following free and voluntary statement to Special Agent (C), (b)(6), (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the death of Hashim Humoudi Humaidi AL JUGHAYFI.

(b)(6), (b)(7)(C) For purposes of identification, I am a (b)(6) male, (b)(6) tall, weighing approximately (b)(6) pounds. I have (b)(6) hair and (b)(6) eyes. I was born (b)(6), (b)(7)(C), and my Social Security Number is (b)(6), (b)(7)(C). I am attached to 2nd Battalion, 3rd Marines as a rifleman. I am assigned to Echo Forward Operating Base, Haditha, Iraq.

(b)(6), (b)(7)(C) was on guard at the PUC center (detainee collection point) with (b)(6), (b)(7) I started at approximately 0800 on 24Sep06. One of the detainees (not the victim) had to use the head around 1030, and when I went to the head with the detainee, one of the Iraqi Police officers took the victim out of the detainee cell and took him to one of the sheds where they interrogate detainees. The sheds are open doorway, so you can see inside from the post I was at. I came back, and didn't realize it when I got there, but the victim was gone. I looked down by the sheds and four Iraqi police officers were beating the victim. This all started at approximately 1200. (b)(6) also witnessed the Iraqi Police beating the victim. They were striking the detainee all over his body, then the detainee fell or was thrown down, and then the Iraqi Police started kicking the detainee. One of the Iraqi Police was using a nightstick. (b)(6) went to the Iraqi police who were beating the victim and he told (b)(6), (b)(7) who was one of the four Iraqi police that he and his policemen can't beat the detainee (the victim). The beating stopped, and (b)(6) came back to his post. We looked down again and heard the Iraqi police raising their voice, then proceeded to beat the detainee some more. We could here thumping noises, like something hitting off the side of the shed. Then I told (b)(6), (b)(7) that the detainee was in our (USMC) custody and we cannot allow the Iraqi Police to beat the detainee. I left my post to find (b)(6), (b)(7) who was the Sergeant of the Guard, and when I found him, I told him the situation. (b)(6), (b)(7)(C) went to the four Iraqi Police and told them to stop beating the detainee. The Iraqi Police brought the detainee back to his cell and then they left, which was at approximately 1215. The Iraqi Police were beating the detainee for approximately 10-15 minutes. The detainee had blood on his clothing, and a gash under his right eye. Where we are positioned at our post to the detainee cells was four feet. After the detainee was brought back by the Iraqi Police, he was sitting upright.

(b)(6), (b)(7)(C) and I were approached by (b)(6), (b)(7) who wanted to know what had happened, and after we told him, we filled sandbags until approximately 1400. I do not know who replaced (b)(6), (b)(7) and I. When we returned at 1400, we noticed the victim lying on his back with his arms open, and the (b)(6) was the one that pointed it out. The (b)(6) pulled each one of us into his office and read us our rights for Manslaughter.

105

STATEMENT

Place : Forward Operating Base Echo, Haditha, Iraq

Date : September 25, 2006

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) make the following free and voluntary statement to Special Agent (b)(6), (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the death of Hashim Humoudi Humaidi AL JUGHAYFI.

(b)(6), (b)(7)(C) For purposes of identification, I am a (b)(6), (b)(7)(C) male, (b)(6), (b)(7)(C) tall, weighing approximately (b)(6), (b)(7)(C) pounds. I have (b)(6), (b)(7)(C) hair and (b)(6), (b)(7)(C) eyes. I was born on (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C), and my Social Security Number (b)(6), (b)(7)(C). I am attached to 2nd Battalion, 3rd Marines as a rifleman. I am assigned to Echo Forward Operating Base, Haditha, Iraq.

(b)(6), (b)(7)(C) was on post with (b)(6), (b)(7)(C) at approximately 0800 at the detainee watch center (b)(6), (b)(7)(C) took one of the detainees to the pisser within close distance from the detainee cells. I do not recall the exact time, but it was 3-4 hours from when we started our watch. During that time (b)(6), (b)(7)(C) took the detainee to the pisser), an Iraqi (b)(6), (b)(7)(C) came up to me, looked at the detainees in the cells, and pointed at one of the detainees, and told me that he wanted to speak to the detainee (victim). The Iraqi (b)(6), (b)(7)(C) came in by himself. The Iraqi (b)(6), (b)(7)(C) and three other Iraqi Police took the detainee (victim) to the shed. The shed is a little building with a map inside it that is visible from our post, and someone can see the doorway from my post, but could not really see the entire room. The Iraqi Police were interrogating him and writing things down, and then I heard the Iraqi Police yelling at him, which drew my attention.

(b)(6), (b)(7)(C) The Iraqi Police were beating the detainee (victim) with a nightstick, I believe it was multiple Iraqi Police with nightsticks. I went to the Iraqi Police and told them to stop. I couldn't really communicate with them, but told them to stop in Arabic, and the Iraqi Police stopped striking the detainee. The Iraqi (b)(6), (b)(7)(C) acknowledged me. I stayed there for a minute while they were talking to the detainee, and thought everything was OK. I went back to my post and (b)(6), (b)(7)(C) and I talked about the Iraqi Police beating the detainee. (b)(6), (b)(7)(C) decided to go to the Sergeant of the guard (b)(6), (b)(7)(C), and tell him what had happened. There was another detainee coming in, and during that time the Iraqi Police were beating the victim again.

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) arrived, and told me to go get a corpsman to look at the new group of detainees and I told the corpsman (b)(6), (b)(7)(C) about the detainee getting beat before (b)(6), (b)(7)(C) arrived at the detainee area. I don't recall whether (b)(6), (b)(7)(C) looked at the victim.

(b)(6), (b)(7)(C) When we first got the victim, he was already bruised up. After the Iraqi Police had him, he looked the same, and I couldn't tell if he had any other bruises. The victim was sitting up when the Iraqi Police placed him back in the cell. (b)(6), (b)(7)(C) came by to see what was going on. (b)(6), (b)(7)(C) and I told the (b)(6), (b)(7)(C) what had happened, and the (b)(6), (b)(7)(C) chewed our ass for letting the Iraqi Police talk to the detainee.

Exhibit (5)

D 107

Continuation of voluntary sworn statement of

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

on August 30, 2006 September 25th, 2006

(b)(6),(b)(7)(C) I were then sent to fill sandbags, and we were replaced by (b)(6),(b)(7)(C) came by and told us to come with him. We walked and met with (b)(6),(b)(7)(C) who made us go with them to the detainee cells. The (b)(6),(b)(7)(C) pointed at the walkway next to the detainee cells and I noticed that the victim was lying on the ground. (b)(6),(b)(7)(C) chewed (b)(6),(b)(7)(C) and me out again and said we caused the victim's death.

(b)(6),(b)(7)(C) I did not witness any USMC personnel nor any Americans from the Police advisors that train Iraqi Police present when the Iraqi Police took the detainee (victim) from his cell and to the interrogation room (b)(6),(b)(7)(C) and I did not harm the detainee in any way. There seems like a huge gray area with regards to who is allowed access to detainees. When an Iraqi (b)(6),(b)(7)(C) comes up and asks to interrogate a detainee, than I don't know why he wouldn't be allowed unless I had specific instructions on that, which I did not.

This statement, consisting of this page and 1 other page(s) was typed for me by Special Agent (b)(6),(b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

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

Sworn to and subscribed before me this 25 day of September in the year 2006 at

Echo FOB Haditha Iraq
Witnessed: (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)
Representative Service

Repr AUTH: DERIVED FROM ARTICLE 136, UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

D 108

STATEMENT

(b)(6),(b)(7)(C) this time, I, (b)(6),(b)(7)(C) desire to make the following voluntary statement to Special Agents (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) whom I know to be a representative of the United States Naval Criminal Investigative Service. It is made with no threats or promises having been extended to me. This statement is regarding my knowledge of the death of Iraqi detainee Hashim Humoudi Humaidi AL JUGHAFY (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) for identification purposes, I am a (b)(6),(b)(7)(C) male, weighing approximately (b)(6),(b)(7)(C) pounds. I have (b)(6),(b)(7)(C) hair and (b)(6),(b)(7)(C) eyes. I was born on (b)(6),(b)(7)(C) in (b)(6),(b)(7)(C). I am currently assigned to Echo Company, Second Battalion, Third Marine Division (2/3) and currently deployed to the FOB Haditha, Iraq. My permanent duty station is Kaneohe Bay, HI. My telephone number is (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) On 24Sep06, at 1120, I was performing my duties as the Sergeant of the Guard at the main Headquarters building at the Forward Observation Base (FOB), Haditha, Iraq. (b)(6),(b)(7)(C) who was one of the Marine Guards at the Detention Facility came and told me three Iraqi Police came to the Detention Facility and removed an Iraqi detainee from a cell and was beating him. I got (b)(6),(b)(7)(C) and we rushed over to the detention facility. I came into the detention facility and then to the interrogation room I saw two Iraqi Police and an Iraqi detainee. The Iraqi detainee was (b)(6),(b)(7)(C) had one flexi-cuff on one hand, the other hand was free, and he was lying on the ground. One of the Iraqi Policemen had his ASP out and was getting ready to hit the detainee. I noticed the Iraqi Policeman's ASP was bent. I yelled at the Iraqi Policeman "AGULF, (means stop). The Iraqi Policeman stopped and did not hit the Iraqi detainee. I think (b)(6),(b)(7)(C) was standing off to the side during all of this. The two Iraqi Police started questioning the Iraqi detainee and (b)(6),(b)(7)(C) told them the detainee had to go back to his cell. The Iraqi Police guided him by his arms back to his cell. The Iraqi had blood on his clothes and head and I noticed the Iraqi had a cut on his knee. I escorted them to make sure the Iraqi Police put the detainee back in the cell. (b)(6),(b)(7)(C) left to inform the chain of command and get a Corpsman for the injured Iraqi detainee. (b)(6),(b)(7)(C) came back and the two Iraqi Policemen left. (b)(6),(b)(7)(C) questioned (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) I was on his way to check out the injured detainee. I ran back over to the main building to grab my log book to make an entry regarding this issue. When I got back to the detention facility (b)(6),(b)(7)(C) was on scene and was questioning (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) as to what had happened. I logged in the incident and went back to my post. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) On 24Sep06 (b)(6),(b)(7)(C) a Marine Guard at the detention facility, who came on duty sat 1200, and took over for (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) came and told me that the injured Iraqi detainee was moaning and groaning. Checked his pulse and it was faint. At that time it was emergency travel only because there were units involved in activity and we were expecting possible fire from the enemy. (b)(6),(b)(7)(C) came back about five minutes later the Iraqi detainee had stopped breathing. (b)(6),(b)(7)(C) was there and left for the detention facility. I went and got (b)(6),(b)(7)(C) and went to the detention facility. (b)(6),(b)(7)(C) was performing CPR on the injured Iraqi detainee. One of the Marine guards went to get (b)(6),(b)(7)(C). There appeared to be vomit that had come from the Iraqi detainee. At one point they cut off the detainee's shirt and it looked like he had bruising on his lower back and back upper shoulder area. (b)(6),(b)(7)(C) left to inform the Chain of Command. (b)(6),(b)(7)(C) arrived and assisted (b)(6),(b)(7)(C) with CPR. (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) showed up and was informed of what happened and went to coordinate a medical evacuation. (b)(6),(b)(7)(C) showed up and assisted for 15 to 20 minutes (b)(6),(b)(7)(C) arrived on scene. The Corpsman brought the detainee out of the cell where they could better perform lifesaving techniques. (b)(6),(b)(7)(C) arrived back on scene and the Iraqi detainee was declared dead. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) also helped with Page 1 of 2
CPR (b)(6),(b)(7)(C)

TO
(b)(6),(b)(7)(C)
RETURN TO THE
SECTION AND ATTEMPT
TO STOP THE ABUSE.
I noticed
I returned me
to the location
of the detainee
to
situation and was standing by for the
All clear.

Exhibit (6)

D 109

(b) (6) On 25Sep06, I provided a copy of the Sergeant of the Guard (SOG) log entries for the 24Sep06,
(b) (7) regarding the injured Iraqi detainee (b) (6), (

(b) (6) This statement, consisting of this page and 1 other page(s) was typed for me by (b) (6), (b) (7) (C)
(b) (7) as we discussed its contents. I have read and understand the above statement. I have been given the
opportunity to make any changes or corrections I desire to make and have placed my initials over the changes
or corrections. This statement is the truth to the best of my knowledge and belief. (b) (6),
(b) (7)

Signature _____

Sworn to and subscribed before me this 25th day of September in the year 2006 at
2108 FOB Haditha Iraq (b) (6),

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

Witne _____

Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303.

b6

b7C

D 110

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

27SEP06

CONTROL: 24SEP06-MEIZ-0058-7HMA

V/AHMED, ISMAIL NA-AMA/CIV
M/W/FNIZ/N//01JUL70/RADITHA, IRAQ

PHOTOCOPY OF LOGBOOK ENTRIES/(b)(6),(b)(7)(B)

1. On 24Sep06, Participants (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) interviewed (b)(6),(b)(7)(C) USMC and received a photocopy of a duty logbook containing entries made during the events that transpired around V/AHMED's death, enclosure (A) pertains.
2. The logbook was dated 24Sep06, and reflects that (b)(6),(b)(7)(C) was assigned as duty at 0700. (b)(6),(b)(7)(C) placed an entry at 1120, indicating (b)(6),(b)(7)(C) informed him and the Guard Chief, (b)(6),(b)(7)(C) USMC, that Iraqi Police (IP) were beating a detainee. (b)(6),(b)(7)(C) entry at 1120 indicated he and (b)(6),(b)(7)(C) stopped the abuse, and that "higher" is informed (meaning chain of command). (b)(6),(b)(7)(C) logbook entry indicated at 1200, 24Sep06 (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) were relieved by (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) at the detainee collection center.
3. The logbook entry further indicated that at 1435 (b)(6),(b)(7)(C) informed (b)(6),(b)(7)(C) that a detainee was moving around and had a low pulse. (b)(6),(b)(7)(C) immediately informed (b)(6),(b)(7)(C) the duty Corpsman, but the Forward Operating Base (FOB) was in an emergency travel only status due to incoming and out going rounds. (b)(6),(b)(7)(C) indicated in the logbook entry that approximately five minutes later, (b)(6),(b)(7)(C) returned to (b)(6),(b)(7)(C) and told him the detainee (NFI) had stopped breathing. The logbook entry also indicated (b)(6),(b)(7)(C) left for the scene and both he and (b)(6),(b)(7)(C) arrived, to find (b)(6),(b)(7)(C) was performing Cardio Pulmonary Resuscitation (CPR) on the detainee. The logbook entry further stated a runner (NFI) was sent for the senior Corpsman, (b)(6),(b)(7)(C) who arrived approximately two minutes later to assist with the CPR. The logbook indicated approximately 15 minutes later, (b)(6),(b)(7)(C) pronounced the detainee dead.

PARTICIPANT(S)

(b)(6),(b)(7)(C) Special Agent, NCIS Fallujah, IZ
(b)(6),(b)(7)(C) Special Agent, NCIS Fallujah, IZ

ENCLOSURE(S)

(A) Photocopy of Logbook Entry Obtained from (b)(6),(b)(7)(C) /24Sep06

REPORTED BY: (b)(6),(b)(7)(C)

OFFICE: NCIS Al Asad, IZ

~~FOR OFFICIAL USE ONLY~~

Page 1 LAST (b)(6) V2 LNY

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Exhibit (7)

D 110

NAVAL CRIMINAL INVESTIGATIVE SERVICE

DELETED PAGE INFORMATION SHEET

Page(s) P 112 - 113, End (A)

withheld entirely at this location. One or more of the following explain this decision:

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