



#### **STATEMENT**

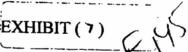
Place: NCISRA Camp Fallujah, Iraq Date: December 22, 2007		•
(b)(6),(b)(7)(C)	nake the following free and voluntary	(b)(6),(b)(7) y statement to(C)
Service. I make this statement of my own extended. I fully understand that this state Thair Hamid KHALAF by (b)(6),(b)(7)	ement is given concerning my knowled SMC, 3/21/ Military Transition Team	nde to me or promises edge of the shooting of
(b)(7)( br purposes of identification I am	(b)(6),(b)(7)(C) (b)(6),(b)(7)(C) (c) (c) (d)(b)(6),(b)(7)(C)	Ill weighing My (b)(6),(b)(7)(C) ed by L3 Titan as a CAT
on 22DEC07, V/KHALAF was turn approximately 1230 the MTT took custod V/KHALAF's hands were tied with plastic V/KHALAF (b)(7)(E)	s I knew he was wanted for insurgent y of V/KHALAF from the IA at Can c handcuffs and crossed over each ot Prior to le	activity. At app Manion. I saw. ther in front of him. aving (b)(6),(b)(7)(C)
asked V/KHALAF to sign a form for the lateral transport him and two rifles that were seized V/KHALAF could sign it and (b)(7)(E) the vehicle (7)(C)	ved with him. (b)(6),(b)(7)(C),(b)(7)(E)	was then helped into
rne MRAP that I was traveling in was the driving (b)(6),(b)(7)(C) was sitting in the from (b)(6),(b)(7)(C) was standing in the turret at passenger seat. Directly to my right was him (b)(6),(b)(7) had his M4 rifle placed V/KHALAF in his seatbelt, but he was sticked handcuffs (b)(6),(b)	ont passenger's seat. Behind them in as the gunner. I was seated in the dri V/KHALAF with (b)(6),(b)(7) sitting between his legs with the barrel poin	the passenger area (b)(6), ver's side middle directly across from ted down. I did not see
(b)(6), (b)(7)( While we drove towards the ITC on towards (b)(6),(b)(7) and rifle (b)(6),(b)(7) with his shoulders and head back on the so but after awhile he would lean forward ag back as he was told. This happened three (b)(6),	ain. Agair $(D)(D)(D)(D)$ asked me to t	back into his own chair  AF sat back in the chair,
(b)(7)(C) Im not sure how long we had been shoulder out the MRAP's window when I not knowing what made the sound. I hear him take out his pistol and begin shooting of him while he shot with his right. I remove	heard a bang that sounded like an M d (b)(6), say something like, "Fuck" at V/KHALAF. I say (b)(6), holdin	4. I turned to my right or "Shit" and then saw g up his left arm in front

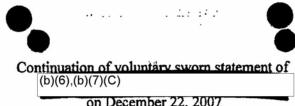
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NCIS 5580/26 (1/2001)

(Formerly NCISFORM 016/04-81)

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Continuation of voluntary sworn statement of
(b)(6),(b)(7)(C)
on December 22, 2007.
on December 22, 2007.
remember (b)(6), aying, "Clear" and checking V/KHALAF's pulse on his throat and checking me for gunshots. The convoy was stopped and (b)(6),(b)(7) called for (b) who entered the MRAP to check on V/KHALAF. (b)(6), id that he was dead and took a seat to the left of (b)(6), I moved up to the opposite side and the one seat from where I was sitting. The convoy began traveling again. I remember seeing (b)(6), holding V/KHALAF up in his seat, but after some time (b)(6), ind (b)(6), (b) placed him on his left side laying on two seats. I remember seeing blood coming out of V/KHALAF's mouth, but I did not see any other wounds. After we arrived at the ITC, I exited out of the MRAP through the front passenger door and went to the ITC internet café to rest. When I returned to the parking lot I saw that V/KHALAF had been placed in a black body bag and was laying on the ground behind the MRAI (b)(6),(b)
1 <u>/////-\</u>
This statement, consisting of this room and 1 other room(s) was typed for ma by
This statement, consisting of this page and 1 other page(s) was typed for me by
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 helief (b)(6),(b)(7)(C)
(S)(S),(S)(T)(S)
Signature: _
Sworn to and subscribed before me this 22day of 0.0 in the year 2007 at  NCIRA Fallujah  (b)(6) (b)(7)(C)
(b)(6),(b)(7)(C)
Witnessed:
AUTH: DERIVED FROM ARTICLE 136,
HOMI (10 HS C 936) AND SHS C 303

Page 2 of 2

(Formerly NCISFORM 016/04-81)

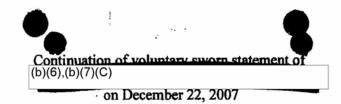
ACLU-RDI 5779 p.2-





## STATEMENT

	Place: NCISRA IRAO, CAMP FALLUJA	<u> </u>		
	Date: December 22, 2007			· ·
	i			
	(b)(6),(b)(7)(C)			
	SPECIAL AGEN (b)(6),(b)(7)(C)			nd voluntary statement to
	SPECIAL AGEN			ntative of the United States Naval
	Criminal investigative Service. I mak			
	made to me or promises extended. I f	-		
	(b)(6),(b)		e on 22Decu/	•
	(7)(C) $(b)(6),(b)$ $(b)(6),(b)$	(7)(C)	Ti	d to 2D ANGLICO attached to
	Tam $a_{(7)(C)}$ male, born of the MiTT team (3/2/1 Division) at CO	D 1 Tomion Imag 14		d to 2D ANGLICO attached to
	reside at (b)(6),(b)(7)(C)	P.Manion. Irad. M		in my current assignment since
			I have been	in my current assignment since
	(b)(6),	· .		
	On 22Dec07, the MiTT team that I am	accioned (3/2/1) s	vent on a sche	duled convoy at approximately
	1130 to travel to Camp Fallujah. The			
	Detention Facility. I had heard that the		•	
•	This was just rumors going around the ground (b)(7)(E) and zip tied in the	front He was sha	(b)(6	son that I saw as it was not cold
	outside. I heard the S-2 chief (b)(6),(b)	(7) tell the intern	eter (that was	traveling with us) to warn the
	detainee that if he tried anything stuni	d that force would	he used again	st him I cannot recall if (b)
(	(b)(6),(b) used lethal or deadly force but	I know the meanir	ig was given t	o the detainee not to do anything
u	stunid I continued walking and went	into the COC for t	he convoy bri	ef.
	(b)(6),(b) (7)(C)			
	During the brief, we went over safety	issues for the route	being used a	nd we then loaded up the
	vehicles after the brief. My assignmen		•	•
	convoy, one MRAP and two HMMWVs. I loaded up the MRAP with the M240 and ammunition. I put			
	on my gear and waited for the convoy to "roll". I did not see the detainee get loaded in the MRAP but I			
	knew he was going inside the MRAP. Once all the vehicles were loaded, we departed. I was up in the			
	gun turret and could not see the detainee.			
	(b)(6),(b)(7)(		;	
	We left COP Manion and began traveling to Camp Fallujah (it is about 20 miles). We were traveling			
	south on ASR Chicago and when we came up to the intersection of ASR Michigan we turned right to			
	get onto Michigan. Once we got on Michigan, I heard one shot from below get fired. My first			
·~.	impression was that it was possibly a negligent discharge but then less than a second later, I heard a			
	beine of the blow bo our than botter it ment them.			
	heard the five shots and $(b)(6),(b)(7)$ call out, I assumed the detainee got out of hand and was shot.			
	(b)(7)((b)(6),(b)(7) Thear (C) ask if everyone was	alright and told	)(6),(b)(7)	(b)(6),
				all up(b)(7) (corpsman) ed in the middle of ASR
Į	Was riding in one			did not take my eyes off the
	area. We were stopped for about five in			
	Iraqi Training Center. The only thing	Could hear was hi	ts of nieces o	(b)(6),(b)(7) explaining what had
(k	(b)(6),(b)(7)(C)	could near was or	is of pieces o	(C) captaining what had
,			-	
		Page 1 of 2		
				(Formerly NCISFORM 016/04-81)
		ACLU-RDI 57	779 n 3	EVUIDIT (A)
			o p.o	EXHIBIT (8)



happened. He was saying that the detainee had grabbed his rifle and fired a round and he bullet (b)(6), pulled (b)(6),(b)(7) and shot him.

We arrived in Fallujah and went to the Iraqi Training Center and they told everyone in the other vehicles to stay away from the MRAP. We were told to stay where we were and someone took pictures of the inside of the MRAP. They were taking pictures to show where the detainee was and where the bullet holes were. After the pictures were taken, I was told to dismount from the gun turret. I got out and left the MRAP. I did not see the detainee get moved from the MRAP but once I dismounted I saw him laying on a black body bag on the ground. I did not look at the detainee closely and I stood by for further instructions. We were told to go ahead and take off our gear and those that were in the MRAP were told to stay and stand by for NCIS to show up. I waited and we drove over to the NCIS office at Cann Fallujah.

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

This statement, consisting of this page and 1 other page(s) was typed for me b (b)(6),(b)(7)(C) is 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 heat of the boat of the land helief.

Signatur

Sworn to and subscribed before me this 22nd at

NCISRA (amp FALCAUA)

Witnessed:

Req
AUTH: DERIVED FROM ARTICLE 136,

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6/48

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



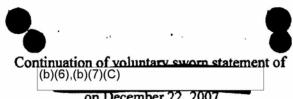
## **STATEMENT**

b)(6), b)(7)(C) ace : <u>NCISRA I</u>	rag, Camp Fall. 22, 2002 (B)(6),(b)(7)(C)	>	*
te : <u>December</u>	22, 2002 (0)(0),(0)(7)(0)		
(F)(C) (F)(Z)(O)			
(b)(6),(b)(7)(C)	make the	following free and vo	luntary statement to Special Agent
(b)(6),(b)(7)(C)		0	States Naval Criminal Investigative
Service. I make th	his statement of my own fro	e will and without any	y threats made to me or promises
extended. I fully t	understand that this statement	ent is given concerning	g my knowledge of (b)(6), h of a
	nsported from COP Mannii	ng to the RDF aboard	Camp Fallujah, Ira (b)(7)
(b)(6), (b)(7) r nurnoses of id	entification, I am a (7)(C)	male (c) (b tall we	ighing approximately (6) (pounds.
(C) have (b)(6), hair	and $(b)(6)$ , yes. I was born	on $(b)(6),(b)$ ir $(b)(6),(b)$	)(7)(C) I am currently assigned
to the Military Ira	ansition leam (MII) 3-2-1	, which is a training to	eam for the Iraqi Army at Company
Outpost (COP) Ma (b)(6),(b)(7)(C)	anning. My current contac	t information is my fat	ther $(6)(6)(6)(7)$ who resides at
		and his phone number	er is (b)(b),(b)(7)(c)
(b)(6), (b)(7)(C) (the MTT Tea	m) picked up the detainee	at approximately 1030	on 22Dec07 from the Iraqi Army
to take him to the	Regional Detention Facility	y aboard Camp Falluja	ah, Iraq from COP Manning. Before
the detainee was p	placed in the vehicle (b)(6),(b)		ons to the detainee with the aid of
our interpreter (b)(	told the de	tainee, "We're taking	you, you're going to Camp Falluich
don't talk unless y	ou nave a neam problem o	or something is bother	ing you, and don't move around (7)(C)
(b)(6), e detainee was	loaded up in the MRAP, ar	nd was seated on the di	river's side all the way in the back.
believe (b)(b),(b)(1	() was sitting directly acro	oss from the detainee a	and that (b)(7)(C) was sitting besides.
the detainer on mis	(7)(C)		
b)(6),(b)( <b>@)(100e)n left COP</b>	Manning for Camp Falluis	h at approximately 11	30 on 22Dec07. The convoy was
uneventful up unti	il we got to the Karmah are	a and the 1st thing I he	ard was $(b)(6),(b)(7)$ yelling up at
(b)(6),(b)(7)(C) that	the detainee keeps leaning	forward and sitting to	wards the edge of the seat. I recall
hearing(b)(b)(b)(r)	telling the detainee, "Qu nately five times during the	it leaning forward, sit	back. $\binom{(b)(6),(b)(7)}{(b)(6),(b)(7)}$ said this to the asked $\binom{(b)(6),(b)(7)}{(b)(6)}$ if he could re-
position the detain	nee somehow so he couldn'		n (b)(6),(b)(7) yelled up to(b)
	e detainee(b) ing around,	I tel	approximately five times,
tell him t	to sit back in Le chole +	(b)(6),(b)(7)(C)	
(b)(6),(b)	y the interportion of Chica	go and Michigan turn	ing onto Michigan, I heard one clear
munchest which ac	unded to me like on M A	Immadiataly fallowing	a I board governal manus above but
could not recognize	ze what type of weapon wa	s firing. I thought the	firing which sold like the M-4
came from the turn	ret and didn't know if the o	other shots were from o	outside cont
(b)(6),(b) heard (c)	b)(7)	s clear." I started stop	(b)(6),(b)(7)
(7)(C) on heard(C)			K. I had then completely stopped
			s fired, unknown at this tin
heard someone in b)(6),(b)(7)(C)	the back yell, "He's hit, he	's hit." I then radioed	again, "Be advised, we h/(b)(6),(b)
~,(~),(~)(~)	,		(/)(C)
NOIS EFROME (1 MOOL)		Page 1 of 2	(F
NCIS 5580/26 (1/2001)			(Formerly NCISFORM 016/04-81)

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EXHIBIT (9)

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on December 22	2, 2007
(b)(6),(b) (7)(C) .ded at this time." I noticed (b)(6), was sitting between the detainee being shot). (b)(6),(b)(7) called	ween me and (b)(6),(b)(7)(C)  Litink he was fc (b)(6),(b)(7)(C)
(b)(6),(b) (7)(C) erheard (C) (C) (R) (R) (R) (R) (R) (R) (R) (R) (R) (R	I." I called on the radio, "Detainee is (6),(b)(7)
(b)(6),(b) (7)(C) drive from COP Manning to the intersection of Chic minutes, as we drive at 25 mph approximately. From the proximately 5 minutes, and then another 5-10 minutes (b)(6),(b)	The Design of the State of the
(7)(C)was sitting in the driver's seat the entire time and did not the weapons and people yelling commands and relaying	
(b)(6),(b)(7) and not know anything about the detainee, other the (C) and that he was known for insurgent activitive (b)(6),(b)(C)	brought back three rifles that belonged to
(C) statement, consisting of this page and 1 other page (C) iscussed its contents. I have read and understand the abopportunity to make any changes or corrections. This statement is the truth to the	bove statement. I have been given the to make and have placed my initial ver the
changes or corrections. This statement is the truth to the (b)(6),(b)(7)(C)	(b)(7)(C)
Sworn to and subscribed before me this 22	n the year 2007 at
NEBRA 1800, CAMP FALLUTAIL	(b)(6),(b)(7)(C)
Witnessed:	
	AUTH: DERIVED FROM ARTICLE 136, UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

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NCIS 5580/26 (1/2001)

(Formerly NCISFORM 016/04-81)







#### U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVE	STI	CAT	TVE	ACT	TON

24DEC07

	ONTROL: 22DEC07-24IZ-0236~7HMA
V/AL ALWANI, THAIR HAMID KHALAF HASSA M/W/FNIZ/N//01JAN79/IRAQ	AN/CIV .
(b)(6),(b)(7)(C)	
PHOTOGRPAHS OBTAINED BY	USMC (b)(6),(b)(7)(C)
1. On 22Dec07, photographs were obta	ained from
USMC, during an interview regarding to	
enclosures (A) through (I) pertain.	,
(p)(e)(p)	(b)(6),(b)(7)(C)
(7)(C) stated the photographs were	
	the Iraqi Training Center (ITC)
Camp Fallujah, Iraq on 22Dec07.	the itaqi itaining center (itc)
camp railujan, iraq on 22Deco7.	
ENCLOSURE (S)	9
	laufas en eide is MDRD
(A) Photograph depicting V/AL ALWANI	
(B) Photograph o (b)(6),(b)(7) in middle (C)	e seat across from V/AL
ADMANI	_
(C) Photograph of V/AL ALWANI's bonds	
(D) Photograph of interior of MRAP	(D)(6),(D)(7) and V/AL (C)
VINUE	(-)
(E) Photograph of projectile inside N	
(F) Photograph of M-4 and impact hole	
(G) Photograph of impact hole underne	
<ul><li>(H) Photograph of M-4, impact hole un</li></ul>	nderneath seat, and 5.56 shell
casing	,
(I) Photograph of V/AL ALWANI on body	y bag
(b)(6),(b)(7)(C)	
REPORTED BY: Special	Agent
OFFICE: NCISRA Iraq, Camp Falls	ujah

FOR OFFICIAL 1 5 - ONLY

Page 1 L ST (b)(6), (b)(7) V2 LNY

WARNING EXHIBIT (10)

# NAVAL CRIMINAL INVESTIGATIVE SERVICE

# DELETED PAGE INFORMATION SHEET

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<u></u>

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