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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

02APR08

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)

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. Case pending receipt of Final Autopsy Report, Final Death Certificate, and, results of toxicology testing.

NARRATIVE

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

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22DEC07-24IZ-0236-7HM

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

2. Reference (A) through (D) details investigation to date.
3. This investigation remains pending receipt of the Final Autopsy Report, Final Death Certificate, and results of toxicology testing.

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INFO: 0024C (M)/0024IZ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

04MAR08

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), FALLJUAH, IRAQ/12151

MADE AT/0023/WASHINGTON DC (b)(6),(b)(7)(C), SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA CAMP FALLUJAH IRAQ ROI (OPEN)/23DEC07
- (B) NCISHQ WASHINGTON DC ROI (ACTION)/02JAN08

EXHIBIT(S)

- (1) V/AL ALWANI Final Autopsy Report/23JAN08... (Copy 24IZ only)
- (2) V/AL ALWANI Results of Toxicology Analysis/04Jan08... (Copy 24IZ only)
- (3) V/AL ALWANI Certificate of Death/28Dec07... (Copy 24IZ only)

NARRATIVE

1. Lead tasking in Reference (A) was answered by in Reference (B) with the coverage of the autopsy attendance. The autopsy occurred on 28DEC07 at the Dover Port Mortuary, Dover Air Force Base, DE. The autopsy was assigned case number #ME07-1381. All final reports have now been obtained from the Office of the Armed Forces Medical Examiner (OAFME), exhibits (1-3) pertain. The autopsy examination report and certificate of death list the cause of death as multiple gunshot wounds, and the manner of death as Homicide. No illicit drugs were identified in the toxicology analysis. Lead tasking is hereby complete.

ACTION

24IZ: Lead tasking set forth in Reference (A) and acknowledged in Reference (B) is hereby complete. Final autopsy Report, Toxicology Report, and Final Certificate of Death reports are complete, exhibits (1)-(3), and have been forwarded to Case Agent electronically. All remaining evidence collected at autopsy will be forwarded to NCISRA Camp Fallujah unless directed otherwise. Reporting Agent previously forwarded various items of evidence to the US Army Criminal Investigation Laboratory, and requested those items be returned to NCISRA Camp Fallujah at the conclusion of the lab examinations.

DISTRIBUTION

NCISHQ: 0023B

ACTION: 24IZ (E)

INFO: 0024C (E)/MPMP (ATTN: SA (b)(6),(b)(7) FORENSIC CONSULTANT) (E)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

02MAR08

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)

EXHIBIT(S)

- (18) IA: Autopsy of V/AL ALWANI/03Jan08...(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. The results of which failed to identify any suitable prints for comparison. On 05Jan08, (b)(6),(b)(7)(C) was re-interviewed and provided additional details regarding the incident. Case pending receipt of Final Autopsy Report, Final Death Certificate, and, results of toxicology testing.

NARRATIVE

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22DEC07-24IZ-0236-7HMA

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

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) and (C) details investigation to date.
3. On 29Feb08, Reporting Agent received the NCISHQ Washington DC Autopsy Report for V/AL ALWANI, attended by Participating Agent (PA), (b)(6),(b)(7) detailing photographic coverage V/AL ALWANI's autopsy, to include photographs of V/AL ALWANI's clothing items. Exhibit (18) pertains.
4. This investigation remains pending receipt of the Final Autopsy Report, Final Death Certificate, and results of toxicology testing.

PARTICIPANT(S)

(b)(6),(b)(7)(C) . Special Agent, NCISHQ Washington DC

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NCISHQ: 0023B

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PREVIEW OF 80030134LW IN:SSD #17094 OUT:TEMPLATE 32

//24/23/IZ/WA/MP//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

03JAN08

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

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

AUTOPSY OF V/AL ALWANI

1. On 28Dec07, the autopsy of the person believed to be (BTB) V/AL ALWANI was conducted at the Dover Port Mortuary, Dover Air Force Base, DE. The autopsy was conducted by (b)(6),(b)(7)(C) US Army, Deputy Medical Examiner, Office of the Armed Forces Medical Examiner (OAFME). (b)(6),(b)(7)(C) was assisted by (b)(6),(b)(7)(C) CIV, Autopsy Technician, OAFME. Photographic coverage was completed by (b)(6),(b)(7)(C) CIV, Forensic Photographer, OAFME. The autopsy of V/AL ALWANI was assigned OAFME case number #ME07-1381. Photographic documentation was conducted throughout the autopsy (enclosure (A) pertains). A CD containing all autopsy photos will be provided by RA to the Case Agent.

BACKGROUND

2. For background, V/AL ALWANI is believed to be an Iraqi male, and was detained by US military forces in Iraq. V/AL ALWANI was killed during transport by US military forces when he reached for a weapon belonging to a US Marine, and fired shots into the floor of the transport vehicle. No positive identification could be made at the time of the autopsy.

PHYSICAL DESCRIPTION

3. V/AL ALWANI arrived at the autopsy in a body bag, fully clothed, with brown paper bags covering both hands, but with only his right sandal on his foot. A red bag containing V/AL ALWANI's left sandal, and a pair of cut flexicuffs were packaged separately from the body bag. A red/white patterned scarf, bloodstained, and tied at the ends with numerous holes was located under V/AL ALWANI's head in the body bag. Additionally, all of the shirts and lower body garments on V/AL ALWANI were cut down the center of the garments for apparent medical intervention prior to V/AL ALWANI's transport to the Dover Port Mortuary.

4. Reporting Agent (RA) documented various measurements pertaining to V/AL ALWANI's body:

WEIGHT: 167 lbs.

HEIGHT: 67.5"

DISTANCE FROM RIGHT SHOULDER TO MIDDLE FINGERTIP: 32.5"

DISTANCE FROM LEFT SHOULDER TO MIDDLE FINGERTIP: 31"

DISTANCE FROM TOP OF PELVIS TO TOP OF HEAD: 28"

5. V/AL ALWANI had two gunshot wounds to the chest, and a third gunshot wound to the head. The two gunshot wounds to the chest appear to have exited via V/AL ALWANI's back; no bullet fragments were recovered from these wounds. A posterior dissection of V/AL ALWANI's body was conducted, and was negative for signs of additional

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

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

injuries/trauma. V/AL ALWANI's hyoid bone was in tact; no injuries were noted to V/AL ALWANI's hands, but fingernail scrapings and swabs for gunshot residue testing were collected. Detailed descriptions of injuries and wound paths will be reported in the Final Autopsy Report; no other significant injuries were noted during the autopsy.

EVIDENCE DESCRIPTION

6. Photographs of clothing items of evidence seized from the autopsy of V/AL ALWANI were taken by (b)(6),(b) (enclosure (B) pertains). During examination of the red/white head scarf, it was noted that the white ends of the scarf were still tied together. RA untied the scarf for examination, and labeled the two previously tied ends "L" and "R." The untied scarf was then laid flat, and was shaped like a triangle, with the "L" on one side opposite the "R" and a third point was labeled "B." Only one side of the folded scarf was labeled by RA; photo markers were then placed on the scarf to indicate clusters of defects or individual defects; twelve areas were identified and photographed. When the scarf was unfolded, two partial bullet fragments were recovered from the scarf (collected as DCWA evidence log number #337-07, Item M).

7. Additional bullet fragments were recovered from V/AL ALWANI's head, and were collected as DCWA evidence log number #337-07, Item L. Additionally, it was noted that V/AL ALWANI had a healed injury on the right side of his jaw; dissection of this area revealed a piece of apparent shrapnel metal below the skin and above the right mandible (collected as DCWA evidence log number #337-07, Item N).

8. The white, cut flexicuffs contained in the red plastic bag exterior to V/AL ALWANI's body bag was examined. RA re-approximated the flexicuffs to both of V/AL ALWANI's wrists and confirmed that the flexicuffs do fit around both of V/AL ALWANI's wrists. The flexicuffs were collected as DCWA evidence log number #337-07, Item O.

9. V/AL ALWANI had multiple layers of clothing on his upper body. These layers of clothing were blood-soaked, and all layers had two defects in the chest area which appeared consistent with the gunshot wounds to V/AL ALWANI's chest. There were also two defects in the back of each clothing layer, consistent with the exit wounds in V/AL ALWANI's back. Additional defects were noted on some of the layers of clothing, but were not associated to any injuries on V/AL ALWANI's body. All layers of clothing were collected as evidence. The following is a description of the upper body layers of clothing, from the innermost to the outermost layers as found on V/AL ALWANI's body:

INNERMOST: White tank top
 Black t-shirt
 White t-shirt
 Black long sleeve sweatshirt
 Tan calf-length long sleeve shirt
 OUTERMOST: Black/brown corduroy jacket

10. A detailed list of items collected at the autopsy is as follows:

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22DEC07-24IZ-0236-7HMA

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

DCWA EVIDENCE LOG NUMBER #337-07

ITEM BRIEF DESCRIPTION

- A Left hand swab in swab box
- B Right hand swab in swab box
- C Brown paper bag from V/AL ALWANI's left hand and left hand fingernail clippings
- D Brown paper bag from V/AL ALWANI's right hand and right hand fingernail clippings
- E Major case fingerprints from V/AL ALWANI
- F Three items: white cotton tank top, black t-shirt, white t-Shirt
- G Black long sleeve sweatshirt with "Christian Dior" sewn on left Chest
- H Tan in color calf-length long sleeve shirt
- I Black/Brown in color reversible corduroy jacket
- J Brown leather sandals: right and left foot
- K Four items: grey pair of pants, pair of white boxer shorts, pair of black socks
- L Three metal bullet fragments from V/AL ALWANI's head
- M Two metal bullet fragments from the red/white scarf (Item P)
- N One metal fragment from V/AL ALWANI's right jaw
- O White, cut flexicuffs
- P Red and white patterned scarf

11. After transport to the Washington Field Office, some items of evidence remained wet from blood saturation, and were placed in temporary storage in the locked drying chamber. The remaining items were entered into permanent custody. Detailed conclusions will be available upon completion of the Final Autopsy Report, Final Death Certificate, and results of toxicology testing.

ENCLOSURE(S)

- (A) Autopsy photographs of V/AL ALWANI (37 pages)/28Dec07
- (B) Photographs of V/AL ALWANI's clothing items (15 pages)/28Dec07

REPORTED BY: (b)(6),(b)(7)(C) SPECIAL AGENT
 OFFICE: NCISHQ WASHINGTON, DC

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