

PREVIEW OF 52093730LN. IN:SSD #17094 OUT:TEMPLATE

//23B/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

03JUL05

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

ACQUISITION OF IRAQI MINISTRY OF HEALTH DOCUMENT

1. On 28Jun05, Reporting Agent (RA) received documentation from the Iraqi Ministry of Health, Coronary Department, regarding the post mortem examination of an unidentified Military-aged Arab Male (MAM), killed on 26Jun05, while attempting to flee from a U.S. Marine and Iraqi Armed Forces vehicle check point; Enclosure (A) pertains. Ambulatory Services attached to Hadithah Iraqi Hospital were notified of the incident and dispatched to the vicinity of Al Haqlaniya, 15km south of Haditha Dam, to retrieve the body. The body was then taken back to Hadithah Hospital to be processed for burial.

2. The documentation provided by Hadithah Hospital was written in Arabic, therefore RA contacted (B)(6)(7C) a CalNet (Titan Corp) Category II Arabic Linguist assigned to the Intelligence Shop for 2nd Marine Air Wing, Al Asad Airbase, Iraq, who provided a sworn translation of the document; Enclosure (B) pertains. (B)(6)(7C) stated the document was from (B)(6)(7C), Iraqi Coronary Doctor, who performed the post mortem examination, and detected one oval entry wound in the back and subsequent exit wound in the left chest area. There was also an oval wound on the left shoulder. No determination was provided as to the identity of the victim or cause and manner of death.

ENCLOSURE

- (A) Iraqi Ministry of Health, First Coronary Report/Undated
- (B) Sworn Translation of Ministry of Health Document/02Jul05

REPORTED BY: (B)(6)(7C) SPECIAL AGENT
OFFICE: NCISRU AL ASAD AIRBASE, IRAQ

CCS ENTRY:	DATE	INITIALS
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DTD MAILED:	DATE	INITIALS
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(B)(6)(7C)

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ACLU-RDI 5813 p.1

EXHIBIT (2)

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Page(s) ✓ 58 - 59, Encl (A) & (B)

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Comments: Write to: Iraqi Ministry
of Health

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(B)(6)(7C) I certify that I am CalNet CAT II Linguist, assigned to the Intel Shop for 2nd MAW, Al Asad, Iraq. I further certify that this is a true, accurate and complete translation of the attached Iraqi Coronary Report.

(B)(6)(7C)

Sworn and subscribed before me, this 2 day of JULY, in the year 2005, at BLOG 106; 2nd MAW, ALASAD AIRBASE, IRAQ.

(B)(6)(7C)

b6/b7c

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PREVIEW OF 52095801UO IN:SSD #17094 OUT:TEMPLATE 2

//23B/BJ//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07JUL05

CONTROL: 09JUN05-MEBJ-0328-7HMA

I/II MEF, IRAQ/DEATH OF UNIDENTIFIED DETAINEE ESCAPEE

VEHICLE CHECK POINT DEATH SCENE EXAMINATION

NOTIFICATION:

1. On 26Jun05, (SSA) (B)(6)(7C) Naval Criminal Investigative Service Field Office (NCISFO), Middle East (MEBJ), temporarily assigned to Camp Fallujah, Iraq, contacted Reporting Agent (RA) regarding the death of a Military-aged Arab Male (MAM) of unknown identity. The death occurred on Main Supply Route Bronze, near the city of Al Haqlaniyah, at Vehicle Checkpoint #9, 15km south of Haditha Dam. The death occurred when a MAM of Syrian Descent, was killed while attempting to escape U.S. Marine and Iraqi Armed Forces' custody.

2. SSA (B)(6)(7C) advised he would need the assistance of the Al Asad Resident Unit to conduct a death investigation, including the Death Scene Examination (DSE), as the accident occurred in the NCISRU Al Asad Area of Responsibility.

DEATH SCENE EXAMINATION OVERVIEW:

3. The Scope of this examination was limited to a description of the incident scene and documentation, including scene diagram and scene photography.

4. At approximately 0700, on 29Jun05, RA traveled via armored patrol to the incident scene on MSR Bronze, which is located approximately 15km south of Haditha Dam, near the city of Al Haqlaniyah, Iraq. Due to the hostile area around VCP-9, urgency was paramount. It was reported this area was prone to Indirect Fire and small arms ambushes. For this reason, the 3/25 Regimental Combat Team (RCT-2) established a security perimeter prior to the scene examination. Upon arrival, preparation was made for the DSE, which involved surveying the scene, marking any evidentiary items, and determining a plan of action.

5. As background, on 26Jun05, U.S. Marines from 3rd Battalion, 25th Marine Regiment (3/25) and 2-4-1 Iraqi Armed Forces (IAF), forward deployed to Camp Haditha, Iraq, were manning a stationary vehicle checkpoint 3km south of Al Haqlaniyah, Iraq, on Main Supply Route Bronze. IAF observed a maroon Opel carrying four (4) MAMs approaching the VCP, so they stopped and searched the vehicle and occupants. False Iraqi Identification and Syrian accents provided reason to detain and question these individuals, therefore they were moved approximately 100-150 meters from the road surface where the Marines were providing over watch. IAF and Marine personnel interviewed the MAMs, via an Interpreter. One of the MAMs admitted

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EXHIBIT (3)

09JUN05-MEBJ-0328-7HMA

SUBJ: I/II MEF, IRAQ//DEATH OF UNIDENTIFIED DETAINEE ESCAPEE
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

to being a Syrian National, and possibly a Foreign Fighter in the country for Jihad. Marine Forces separated this individual, intending to place him in restraints, however he broke free from the Marine's grasp and ran toward the road. He was told by both Marines and IAF to stop or they will shoot, however he did not stop. Witnesses indicated IAF initially fired with their AK-47 Assault rifles, however missed. 3/25 members then engaged with M-16 rounds and the vehicle mounted 240 Gulf. The other three MAMs were detained and taken to Camp Haditha for interrogation. An Ambulance from a local Haditha Hospital recovered the deceased MAM the following morning.

6. At 0730, 29Jun05, RA completed a brief scene survey, then completed the scene sketch, measurements and photography. There were no items of evidentiary value for collection purposes.

DEATH SCENE DESCRIPTION

7. The death scene was found to be located on MSR Bronze, approximately 1.5km north of MSR Phoenix, and 3.5km south of the city of Al Haqlaniyah, Iraq. As this was the death of a civilian Third Country National, while under U.S. Marine control, under other than combat-related circumstances, the investigation, including the death scene examination was deemed to be NCIS jurisdiction for law enforcement purposes.

8. RA noted that this portion of MSR Bronze, was an "S" shaped curving stretch of roadway, with side roads leading to Al Haqlaniyah and ASR Uranium. At approximately 87 meters west of the road surface, several 50-caliber shell casings were observed on the ground as markers. At approximately 22.8 meters west of the road surface was indications of a blood pool soaked into the dirt, where the Syrian fell and subsequently died after fleeing and being engaged with deadly force. The surrounding area was flat and unremarkable with small abandoned brick shacks approximately 1km to the west. There were buildings, but no inhabitants visible in the surrounding landscape. Additional measurements were documented on the DSE Sketch; Enclosure (A) pertains.

9. Photographic coverage, afforded this incident by RA will be reported via separate cover.

PHYSICAL EVIDENCE DOCUMENTATION:

10. There was no collectable physical evidence at the scene pertinent to this investigation. There were 50cal shells at the scene, evidence of a previous combat encounter at his scene.

WEATHER CONDITIONS:

11. Weather conditions for 29Jun05, listed infra, were obtained for Al Asad, Iraq.

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09JUN05-MEBJ-0328-7HMA

SUBJ: I/II MEF, IRAQ/DEATH OF UNIDENTIFIED DETAINEE ESCAPEE
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Date Reported: 28Jun05
 Report Time: 0730 Dubai
 Temperature: 113 Degrees Fahrenheit,
 Dew Point: 52 Degrees Fahrenheit
 Visibility: 4-5 statute miles
 Barometric Pressure: 29.67 inches of mercury
 Wind Speed: NW 8-12 Knots gusting to 25 knots
 Conditions: Blowing widespread, Dust, Haze
 Clouds: Sky Clear

LIGHTING CONDITIONS:

12. The following astronomical data was obtained from the United States Naval Observatory, Astronomical Applications Department. Information was obtained for Haditha, Iraq for the period of 29Jun05. All times are for Dubai Daylight Times.

Wednesday
 29 June 2005 Universal Time + 4

SUN
 Begin Civil Twilight 0534
 Sunrise 0609
 Sun Transit 1347
 Sunset 2124
 End civil Twilight 2159

MOON
 Moonset 1324 on previous day
 Moonrise 0140
 Moon transit 0801
 Moonset 1435
 Moonrise 0201 on following day

ENCLOSURE

(A) Escaped Detainee Death Scene Sketch/29Jun05

REPORTED BY: (B)(6)(7C) SPECIAL AGENT
 OFFICE: NCISRU AL ASAD, IRAQ

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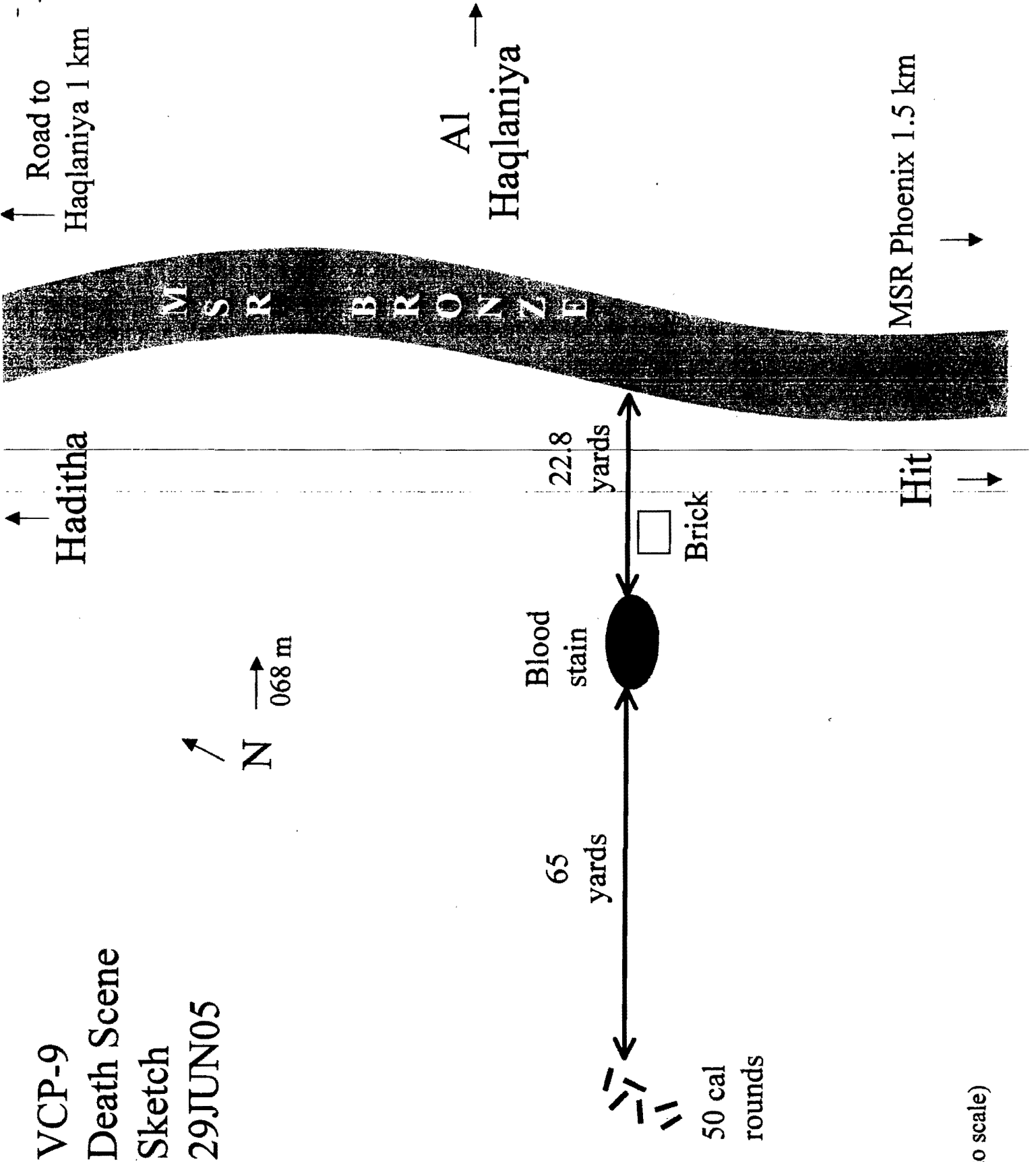
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ENCLOSURE (A) 14



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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07JUL05

CONTROL: 09JUN05-MEBJ-0328-7HMA

I/II MEF, IRAQ/DEATH OF UNIDENTIFIED DETAINEE ESCAPEE

PHOTOGRAPHIC COVERAGE OF DEATH SCENE EXAMINATION

1. On 29Jun05, a Death Scene Examination was conducted at Vehicle Checkpoint 9 on Main Supply Route Bronze, in the vicinity of Al Haqlaniyah, Iraq, the location where a Syrian Detainee was killed while attempting to flee from U.S. Marines and Iraqi Armed Forces' control. Photographic coverage was conducted to visually document the condition of the scene at the time of the incident. Photographs were taken utilizing a Sony Cyber-shot DSC-P93VX Digital Camera. Aperture, shutter speed and flash settings were set to automatic. The photographic images were saved on the camera's internal memory card and then transferred to a secure computer hard drive. All of the photographic images were then saved onto a non-rewriteable compact disk, which is contained within the case notes of this investigation.

2. The following photographs are presented as scene documentation:

- | NO. | PHOTOGRAPH DESCRIPTION |
|-----|-----------------------------------|
| 1. | Overall - East toward MSR Bronze |
| 2. | Overall - Northeast |
| 3. | Overall - North |
| 4. | Overall - Northwest |
| 5. | Overall - West |
| 6. | Overall - Southwest |
| 7. | Overall - South |
| 8. | Overall - Southeast |
| 9. | 50 caliber shell casings and shoe |
| 10. | Midrange - Blood stain in dirt |
| 11. | Close-up - Blood stain in dirt |

ENCLOSURE(S)

(A) Photographs 1-11/UNDATED

REPORTED BY: (B)(6)(7C) SPECIAL AGENT
OFFICE: NCISRU AL ASAD, IRAQ

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07JUL05

CONTROL: 26JUN05-MEBJ-0378-7HMA

I/II MEF, IRAQ/DEATH OF AN UNIDENTIFIED DETAINEE ESCAPEE

RESULTS OF RETRIEVAL OF BODY AND INTERVIEW OF AMBULANCE DRIVER

1. On 28Jun05, the body of an unidentified detainee was retrieved from Camp Haditha, Iraq. Per prior arrangement, the body was driven from Haditha Hospital to Camp Haditha by ambulance, inspected for explosive devices by (B)(6)(7C) 8TH ENGINEERING SUPPORT BATTALION, Camp Haditha, and turned over to Reporting Agent.

2. The ambulance driver, (B)(6)(7C) (NFI) was interviewed with the aid of interpreter (B)(6)(7C) (NFI) (B)(6)(7C) provided that he was also the ambulance driver who brought the body to Haditha Hospital initially (B)(6)(7C) said that on 26Jun05, the Marines called Haditha Hospital and reported there was a body in the street for pick-up. (B)(6)(7C) stated he could not find the body on 26Jun05.

3. (B)(6)(7C) recalled that the Marines called again on 27Jun05, and accompanied him to the body. (B)(6)(7C) said he brought the body to Haditha Hospital.

4. (B)(6)(7C) indicated many people came to look at the body in an effort to identify it. (B)(6)(7C) stated that Haditha Hospital personnel called people in the towns of Rawah and Anah to come view the body as well, but nobody could identify it. (B)(6)(7C) said that it is unusual for a body not to be identified.

5. (B)(6)(7C) related that on 28Jun05, the body was washed and prepared for burial. Nobody had yet come to claim it, and the Marines called the hospital to say they wanted it brought to Camp Haditha.

6. The body was transported by convoy to Al Asad Airbase Iraq and turned over to Mortuary Affairs.

REPORTED BY: (B)(6)(7C) Special Agent
OFFICE: NCIS Det Al Asad Iraq

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PREVIEW OF 52104250QL IN:SSD #17094 OUT:TEMPLATE

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

08JUL05

CONTROL: 09JUN05-MEBJ-0328-7HMA

I/II MEF, IRAQ/DEATH OF UNIDENTIFIED DETAINEE ESCAPEE

PHOTOGRAPHIC COVERAGE OF DETAINEE BY MORTUARY AFFAIRS

1. On 28Jun05, SA (B)(6)(7C) (infra) received the remains of an unidentified Syrian detainee killed on 26Jun05 at Vehicle Checkpoint 9 on Main Supply Route Bronze, in the vicinity of Al Haqlaniyah, Iraq. The remains were received at Camp Haditha, Iraq, location of Regimental Combat Team (RCT-2), 3rd Battalion, 25th Marine Regiment. Per prior arrangement, the body was driven from Haditha Hospital, a local Iraqi civilian hospital, to Camp Haditha by ambulance and inspected for explosives by members of the 8th Engineering Support Battalion.

2. SA (B)(6)(7C) took custody of the body and via armored convoy, transported the remains to the Mortuary Affairs Detachment, Al Asad Airbase, Iraq. Mortuary Affairs, as part of their in-processing procedures, took photographs of the body, prior to placing him in a sealed container for transport to the Armed Forces Institute of Pathology in Dover, DE, for post mortem examination.

2. The following photographs taken by Mortuary Affairs are presented as documentation:

NO. PHOTOGRAPH DESCRIPTION

1. Syrian National - Midrange of Head
2. Syrian National - Close-up of Face
3. Syrian National - Midrange of Upper Body
4. Syrian National - Midrange of Lower Body

PARTICIPANT

(B)(6)(7C) NCIS Special Agent, NCISRU Al Asad, Iraq

ENCLOSURE(S)

(A) Photographs 1-4/UNDATED

REPORTED BY:

(B)(6)(7C)

SPECIAL AGENT

OFFICE:

NCISRU AL ASAD, IRAQ

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MORTUARY AFFAIRS
AL ASAD, H & S BN
2ND MLG (FWD), UIC 73667
FPO AE 09509-3667

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