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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
BALAD CID OFFICE, LSA ANACONDA, APO AE 09391

22 Nov 2006

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - CORRECTED FINAL/SSI -
0136-2006-CID919-77463 - 5H9B / 5C1N

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 02 OCT 2006, 1758 - 02 OCT 2006, 2016; SALAH AD PROVINCE, EAST OF AD
DUJAYL, IRAQ, IN VICINITY OF MGRS MC 31734 41034, AD DUJAYL, IRAQ

DATE/TIME REPORTED: 03 OCT 2006, 1219

INVESTIGATED BY:

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

SUBJECT:

1. UNKNOWN-1880930-0136-2006-CID919-I ; [UNDETERMINED MANNER OF
DEATH], [AGGRAVATED ASSAULT] (NFI)

VICTIM:

1. (b)(6), (b)(7)(C) ABDULLAH; CIV; IRAQ; 1 JAN 1969; DUJAILA,
IRAQ; MALE; OTHER; [AGGRAVATED ASSAULT]

2. NEJIM-OBAID, MUHAMMED ABDULLAH (DECEASED) ; CIV; IRAQ; 1 JAN
1971; DUJAILA, IRAQ; MALE; OTHER; [UNDETERMINED MANNER OF DEATH]

INVESTIGATIVE SUMMARY:

1

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This is an Operation Iraqi Freedom Investigation.

This investigation was initiated when MAJ (b)(6), (b)(7)(C) Brigade Judge Advocate, 3rd Brigade Combat Team, 82d Airborne Division (3 BCT, 82d ABD), Contingency Operating Base Speicher (COB Speicher), Tikrit, IZ, notified this office of an undetermined manner of death and possible aggravated assault of two local national (LN) males in the vicinity of Military Grid Reference System (MGRS) MC 31734 41034.

Investigation disclosed on 2 Oct 06, Crescent Security Group (CSG) (NFI), was providing convoy security for AEGIS, Defense Services Limited (Headquarters 39 Victoria Street, London, SW LH 0EU, United Kingdom) when an Improvised Explosive Device (IED) reportedly detonated near the convoy. Approximately 30 minutes after the detonation, CSG personnel observed and detained two unidentified LN males riding a motorcycle which was reported to have Iraqi Police (IP) markings. CSG personnel reported one of the males attempted to escape, and a CSG employee fired warning shots, then shot and killed one LN. CSG personnel reported the deceased LN had approximately 50 meters of balled up copper wire with leaves and twigs intertwined. The second LN was transported to Forward Operating Base O'Ryan (FOB O'Ryan) where he was released to (b)(6), (b)(7)(C) Commander, D Company, 1/8 Infantry (D CO, 1/8 IN)(NFI). (b)(6), (b)(7)(C) assumed custody of the LN after the CSG personnel related they would take the LN "out to the field". (b)(6), (b)(7)(C) related the LN appeared badly beaten and he was looking out for the welfare of the LN. The deceased LN was released to the IP at the scene.

Further investigation disclosed the surviving LN, Mr. (b)(6), (b)(7)(C), was an Iraqi Police Officer who was serving subpoenas. The passenger was his brother, Mr. A. NEJIM-OBAID, who he said he was carrying a grape basket when they were fired upon by men in trucks. Mr. (b)(6), (b)(7)(C) reported he heard his brother plead for his life. Mr. (b)(6), (b)(7)(C) heard gunshots, afterwards he did not hear his brother say anything. Mr. (b)(6), (b)(7)(C) stated he was informed by the responding Iraqi Police his brother was dead.

CSG personnel on the scene responsible for escorting Mr. (b)(6), (b)(7)(C) to FOB O'Ryan, Iraq, were Mr. (b)(6), (b)(7)(C) Defense Agency, Department of Defense (DOD) Contractor, (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) Air Force, DOD Contractor, (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) Marine Corps Individual Ready Reserve not on active duty, (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) were interviewed and related the convoy had been struck by an IED. They pushed through the kill zone and returned to look for the "triggerman." They admitted to have engaged the NEJIM-OBAID brothers; and after Mr. A. NEJIM-OBAID attempted to escape, he was shot and killed. Mr. (b)(6), (b)(7)(C) was not interviewed.

2

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On 15 Nov 06, this case was referred to the Federal Bureau of Investigation, U.S. Embassy, Baghdad, Iraq, none of the personnel involved in this investigation were soldiers or Department of the Army civilians.

STATUTES:

Undetermined Manner of Death

Article 128, UCMJ: Aggravated Assault

EXHIBITS/SUBSTANTIATIONS:

ATTACHED:

1. Agent's Investigation Report (AIR) of SA (b)(6), (b)(7)(C) 5 Aug 06, detailing the initial notification; interviews of (b)(6), (b)(7)(C) Mr. NEJIM-OBAID, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) receipt of Detainee Packet; and photo packet.
2. Sworn Statement of (b)(6), (b)(7)(C) 4 Oct 06, wherein he detailed his conversation with Crescent Security Group personnel.
3. Sworn Statement of (b)(6), (b)(7)(C) 4 Oct 06, wherein he stated he believed the Crescent Security Group personnel over-reacted.
4. Sworn Statement of (b)(6), (b)(7)(C) 4 Oct 06, wherein he stated Mr. (b)(6), (b)(7)(C) had been the subject of abuse.
5. Sworn Statement and translation of Mr. (b)(6), (b)(7)(C) by Mr. (b)(6), (b)(7)(C) 4 Oct 06, wherein he stated his knowledge of the incident.
6. Translation of the narrative portion of the Sworn Statement of Mr. (b)(6), (b)(7)(C), 4 Oct 06, by Mr. (b)(6), (b)(7)(C)
7. Sworn Statement of (b)(6), (b)(7)(C) 4 Oct 06, wherein he stated he thought Crescent Security Group personnel made an error in judgment.
8. Sworn Statement of (b)(6), (b)(7)(C) 4 Oct 06, wherein he stated his knowledge of the incident.

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9. Copy of Sworn Statement of (b)(6), (b)(7) 2 Oct 06, wherein he stated his knowledge of the incident.

10. Copy of Sworn Statement of (b)(6), (b)(7)(C) 2 Oct 06, wherein he stated his knowledge of the incident.

11. Copy of 3rd Unit of Action Detainee Packet, 2 Oct 06.

12. AIR of SA (b)(6), (b)(7)(C) 25 Oct 06, detailing the transfer of the interview of Mr. NEJIM-OBAID onto digital video disc, name checks, Staff Judge Advocate and Law Enforcement coordinations; receipt of external reports; interviews of Constable (b)(6), (b)(7)(C) 2LT (b)(6), (b)(7)(C) 1LT (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) sketches; crime scene verification; and the collection of evidence.

13. Crescent Security Group Incorporated Incident Investigation, 2 Oct 06.

14. Coalition Provisional Authority Memorandum Number 17, 26 Jun 04.

15. Copy of Iraqi Police Report and translation of report documents by (b)(6), (b)(7)(C) 4 Oct 06.

16. Interview Worksheets and Sketches, 18 Oct 06.

17. AIR of (b)(6), (b)(7)(C) 31 Oct 06, detailing the initial notification; command coordinations; and the interviews of Mr. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C)

18. Non-Wavier Certificate of Mr. (b)(6), (b)(7)(C) 30 Oct 06.

19. Non-Wavier Certificate of (b)(6), (b)(7)(C) 30 Oct 06.

20. Photographic packet comprised of 8 photographs (Injuries to Mr. (b)(6), (b)(7)(C)).

21. Photographic packet comprised of 8 photographs (Blast Site).

22. Photographic packet comprised of 8 photographs (Neck Bruise on Mr. (b)(6), (b)(7)(C)).

23. Compact Disc 0677463.919 containing all photographic images of Exhibits 20, 21, and 22 (USACRC copy only).

24. (24.1 through 24.2) Copy of DA Form 4137, Evidence/Property Custody Document,

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voucher (VO) 0840-06, 17 Oct 06; 0849-06, 23 Oct 06.

25. CID Form 118-E-R, Disclosure Accounting Record (USACRC and File only).

NOT ATTACHED:

Retained in the 10th Military Police Battalion (CID), Evidence Depository, Camp Victory, Baghdad, IZ APO AE 09342.

26. 8mm Video Cassette (Interview), VO# 0840-06.

27. (10) shell casings (Crime Scene), VO# 0849-06.

28. 5.56mm round (Crime Scene), VO# 0849-06.

The originals of Exhibits 1 through 8, 12, 14, 16 through 23 and 25 are attached to the USACRC copy of this report. The originals of Exhibits 9, 10, and 11 are retained in the files of the 1st Battalion, 8th Infantry Regiment, FOB O'Ryan, Iraq. The originals of Exhibit 13 are retained in the files of the Crescent Security Group Incorporated. The originals of Exhibit 15 are retained in the files of the Iraqi Police station of Al-Ghadir. The originals of Exhibits 24 are retained in the files of the 10th Military Police Battalion (CID), Evidence Depository, Camp Victory, Baghdad, IZ APO AE 09342.

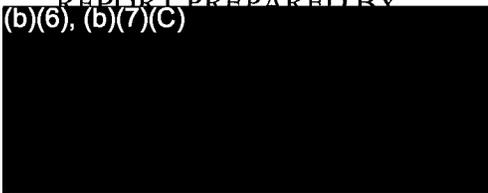
STATUS: This is an Initial/Final Referred Report. On 13 Nov 06, this investigation was referred to the Federal Bureau of Investigation, who assumed all investigative and prosecutorial responsibility. A Commander's Report of Disciplinary Action is not required.

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REPORT PREPARED BY

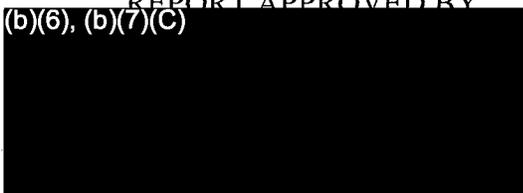
(b)(6), (b)(7)(C)



Special Agent

REPORT APPROVED BY

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



Special Agent-in-Charge

DISTRIBUTION:

1-Dir, USACRC, Ft Belvoir, VA 22060

1-US Embassy, Baghdad, Iraq, APO AE 09316; Attn: FBI, Legat Office

1-Cdr, 3D MP GP (CID), ATTN: Operations

1-Commander, US Army Criminal Investigation Command, ATTN: CIOP-COP-CO,
6010 6th Street, Ft Belvoir, VA 22060

1-CDR, 10th Military Police BN (CID), BLDG 121 Sapper Str, Camp Victory, APO
AE 09432

1-FILE

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
BALAD CID OFFICE, LSA ANACONDA, APO AE 09391

21 Nov 2006

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/REFERRED/SSI -
0136-2006-CID919-77463 - 5H9B / 5C1N

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 02 OCT 2006, 1758 - 02 OCT 2006, 2016; SALAH AD PROVINCE, EAST OF AD
DUJAYL, IRAQ, IN VICINITY OF MGRS MC 31734 41034, AD DUJAYL, IRAQ

DATE/TIME REPORTED: 03 OCT 2006, 1219

INVESTIGATED BY:

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

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SUBJECT:

1. UNKNOWN-1880930-0136-2006-CID919-I ; [UNDETERMINED MANNER OF
DEATH], [AGGRAVATED ASSAULT] (NFI)

VICTIM:

1. (b)(6), (b)(7)(C) ; CIV; IRAQ; 1 JAN 1969; DUJAILA,
IRAQ; MALE; OTHER; [AGGRAVATED ASSAULT]

2. NEJIM-OBAID, MUHAMMED ABDULLAH (DECEASED) ; CIV; IRAQ; 1 JAN
1971; DUJAILA, IRAQ; MALE; OTHER; [UNDETERMINED MANNER OF DEATH]

INVESTIGATIVE SUMMARY:

1

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This investigation was initiated when MA. (b)(6), (b)(7)(C) Brigade Judge Advocate, 3rd Brigade Combat Team, 82d Airborne Division (3 BCT, 82d ABD), Contingency Operating Base Speicher (COB Speicher), Tikrit, IZ, notified this office of an undetermined manner of death and possible aggravated assault of two local national (LN) males in the vicinity of Military Grid Reference System (MGRS) MC 31734 41034.

Investigation disclosed on 2 Oct 06, Crescent Security Group (CSG) (NFI), was providing convoy security for AEGIS, Defense Services Limited (Headquarters 39 Victoria Street, London, SW LH 0EU, United Kingdom) when an Improvised Explosive Device (IED) reportedly detonated near the convoy. Approximately 30 minutes after the detonation, CSG personnel observed and detained two unidentified LN males riding a motorcycle which was reported to have Iraqi Police (IP) markings. CSG personnel reported one of the males attempted to escape, and a CSG employee fired warning shots, then shot and killed one LN. CSG personnel reported the deceased LN had approximately 50 meters of balled up copper wire with leaves and twigs intertwined. The second LN was transported to Forward Operating Base O'Ryan (FOB O'Ryan) where he was released to (b)(6), (b)(7)(C) Commander, D Company, 1/8 Infantry (D CO, 1/8 IN)(NFI) (b)(6), (b)(7)(C) assumed custody of the LN after the CSG personnel related they would take the LN "out to the field". (b)(6), (b)(7)(C) related the LN appeared badly beaten and he was looking out for the welfare of the LN. The deceased LN was released to the IP at the scene.

Further investigation disclosed the surviving LN, (b)(6), (b)(7)(C), was an Iraqi Police Officer who was serving subpoenas. The passenger was his brother, Mr. A. NEJIM-OBAID, who he said he was carrying a grape basket when they were fired upon by men in trucks. Mr. M. (b)(6), (b)(7)(C) reported he heard his brother plead for his life. Mr. (b)(6), (b)(7)(C) heard gunshots, afterwards he did not hear his brother say anything. Mr. (b)(6), (b)(7)(C) stated he was informed by the responding Iraqi Police his brother was dead.

CSG personnel on the scene responsible for escorting Mr. (b)(6), (b)(7)(C) to FOB O'Ryan, Iraq, were Mr. (b)(6), (b)(7)(C) Defense Agency, Department of Defense (DOD) Contractor, (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Air Force, DOD Contractor, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) Marine Corps Individual Ready Reserve not on active duty (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) were interviewed and related the convoy had been struck by an IED. They pushed through the kill zone and returned to look for the "triggerman." They admitted to have engaged the NEJIM-OBAID brothers; and after Mr. A. NEJIM-OBAID attempted to escape, he was shot and killed. (b)(6), (b)(7)(C) was not interviewed.

On 15 Nov 06, this case was referred to the Federal Bureau of Investigation, U.S. Embassy, Baghdad, Iraq, none of the personnel involved in this investigation were soldiers or Department of the Army civilians.

STATUTES:

Undetermined Manner of Death

Article 128, UCMJ: Aggravated Assault

EXHIBITS/SUBSTANTIATIONS:

ATTACHED:

1. Agent's Investigation Report (AIR) of SA [REDACTED] 5 Aug 06, detailing the initial notification; interviews of [REDACTED] Mr. NEJIM-OBAID (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) receipt of Detainee Packet; and photo packet.
2. Sworn Statement of (b)(6), (b)(7)(C) 4 Oct 06, wherein he detailed his conversation with Crescent Security Group personnel.
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22. Photographic packet comprised of 8 photographs (Neck Bruise on Mr. (b)(6), (b)(7)(C)).
23. Compact Disc 0677463.919 containing all photographic images of Exhibits 20, 21, and 22 (USACRC copy only).
24. (24.1 through 24.2) Copy of DA Form 4137, Evidence/Property Custody Document,

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voucher (VO) 0840-06, 17 Oct 06; 0849-06, 23 Oct 06.

NOT ATTACHED:

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27. 5.56mm round (Crime Scene), VO# 0849-06.

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STATUS: This is an Initial/Final Referred Report. On 13 Nov 06, this investigation was referred to the Federal Bureau of Investigation, who assumed all investigative and prosecutorial responsibility. A Commander's Report of Disciplinary Action is not required.

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REPORT PREPARED BY

REPORT APPROVED BY

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

Special Agent

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

Special Agent-in-Charge

DISTRIBUTION:

1-Dir, USACRC, Ft Belvoir, VA 22060

1-US Embassy, Baghdad, Iraq, APO AE 09316; Attn: FBI, Legat Office

1-Cdr, 3D MP GP (CID), ATTN: Operations

1-Commander, US Army Criminal Investigation Command, ATTN: CIOP-COP-CO,
6010 6th Street, Ft Belvoir, VA 22060

1-CDR, 10th Military Police BN (CID), BLDG 121 Sapper Str, Camp Victory, APO
AE 09432

1-FILE

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0136-06-CID919-77463

PAGE 1 OF 4 PAGES

DETAILS

About 1219, 3 Oct 06, this investigation was initiated when MAJ (b)(6), (b)(7)(C) Brigade Judge Advocate, 3rd Brigade Combat Team, 82d Airborne Division (3 BCT, 82d ABD), Contingency Operating Base Speicher (COB Speicher), Tikrit, IZ, notified this office of an undetermined manner of death and possible aggravated assault of two local national (LN) males in the vicinity of Military Grid Reference System (MGRS) MC 31734 41034.

About 1050, 4 Oct 06, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) Commander, D Company, 1/8th Infantry Battalion (IN BN), Forward Operating Base (FOB) O'Ryan, Iraq, regarding his knowledge of the death of Mr. Muhammed Abdullah NEJIM-OBAID, Dujaila, Hay Al-jamieyeh, Iraq, and the assault on Mr. (b)(6), (b)(7)(C), Police Officer, Central Office of Hay Al-Askery Police Department, Al-Dujail, Iraq. CPT (b)(6), (b)(7)(C) stated on the evening of 3 Oct 06, he dispatched an Improvised Explosive Device (IED) team to the vicinity of MGRS-3173441034. CPT (b)(6), (b)(7)(C) stated the IED response team met with the Crescent Security Group (CSG) employees, who reported they killed one triggerman and captured another. When the captive was transported to the 1/8th Infantry Detention Cell, FOB O'Ryan, one of the CSG employees asked CPT (b)(6), (b)(7)(C) to release the custody of the captive to him. When CPT (b)(6), (b)(7)(C) asked the CSG employee why he would like to take the custody of the captive, he responded, "Take him out to the field." (See Sworn Statement)

About 1305, 4 Oct 06, SA (b)(6), (b)(7)(C) interviewed 1LT (b)(6), (b)(7)(C) D Company, 1/8th IN BN, FOB O'Ryan, Iraq, regarding his knowledge of the death of Mr. M. NEJIM-OBAID, and the assault on Mr. (b)(6), (b)(7)(C). 1LT (b)(6), (b)(7)(C) stated when he arrived at the IED attack scene, he met with employees of the CSG. He stated the CSG employees informed him one of the triggermen was killed the other was captured. 1LT (b)(6), (b)(7)(C) stated he noticed the captive was severely assaulted by the CSG. (See Sworn Statement)

About 1438, 4 Oct 06, SA (b)(6), (b)(7)(C) interviewed SGT (b)(6), (b)(7)(C) D Company, 1/8th IN BN, FOB O'Ryan, Iraq. SGT (b)(6), (b)(7)(C) stated he medically treated Mr. (b)(6), (b)(7)(C) after he arrived at FOB O'Ryan. SGT (b)(6), (b)(7)(C) stated when Mr. (b)(6), (b)(7)(C) arrived he had blood coming from his left ear. Upon further examination SGT (b)(6), (b)(7)(C) observed Mr. (b)(6), (b)(7)(C) had a possible rupture in his left ear. (See Sworn Statement)

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		90th MP DET (CID)	
(b)(6), (b)(7)(C)		LSA Anaconda, APO AE 09391	
		DATE	EXHIBIT
		5 Oct 06	/

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0136-06-CID919-77463

PAGE 2 OF 4 PAGES

DETAILS

About 1440, 4 Oct 06, SA (b)(6), (b)(7)(C) this office, interviewed Mr. (b)(6), (b)(7)(C), Police Officer, Central Office of Hay Al-Askery Police Department, Al-Dujail, Iraq, regarding his involvement with the IED that exploded in the vicinity of MGRS 3173441034 and the death of a local national who was riding a motorcycle with him. Mr. (b)(6), (b)(7)(C) identified himself a police officer of the Central Office of Hay Al-Askery Police Department, 3 Aware Region, Iraq and the deceased as his younger brother, Mr. Muhammed Abdullah NEJIM-OBAID, Dujaila, Hay Al-jamieyeh, Iraq. Mr. (b)(6), (b)(7)(C) stated on the evening of 2 Oct 06, on his way home after serving three subpoenas to the villagers, he met his younger brother, who was standing alongside the road to look for a ride to his house. Mr. (b)(6), (b)(7)(C) stated while they were riding his motorcycle to his house, they encountered a group of approximately ten men who hand signaled them to get down to the ground and started shooting at them. Mr. (b)(6), (b)(7)(C) stated when the shots were fired; he and his brother fell off the motorcycle to the ground and were captured by the group of men. Mr. (b)(6), (b)(7)(C) stated the group of men assaulted him and killed his brother for no apparent reason. (See English translation for details)

Agent's Comment: The interview was conducted and the statement was translated into English with the linguistic assistance of Mr. (b)(6), (b)(7)(C)

About 1615, 4 Oct 06, SA (b)(6), (b)(7)(C) this office, interviewed SPC (b)(6), (b)(7)(C) Headquarters and Headquarters Company (HHC), 1/8th IN BN, FOB O'Ryan, Iraq, regarding his knowledge of the death of Mr. M. NEJIM-OBAID, and the assault on Mr. (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) related one of the CSG employees told his interpreters to tell Mr. (b)(6), (b)(7)(C) "I'm glad we killed your brother. Now, we are going to go home and celebrate." (See Sworn Statemnet)

About 1615, 4 Oct 06, SA (b)(6), (b)(7)(C) interviewed CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) D Company, 1/8th IN BN, FOB O'Ryan, Iraq, regarding his knowledge of the death of Mr. M. NEJIM-OBAID, and the assault on Mr. (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) stated on the evening of 3 Oct 06, Mr. (b)(6), (b)(7)(C) (NFI) and Mr. (b)(6), (b)(7)(C) CSG, (NFI), employees of CSG, transported Mr. (b)(6), (b)(7)(C) to his unit and reported

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		90 th MP DET (CID)	
(b)(6), (b)(7)(C)		LSA Anaconda, APO AE 09391	
		DATE	EXHIBIT
		5 Oct 06	1

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0136-06-CID919-77463

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DETAILS

he was one of the two men who were responsible for the IED explosion. CPT (b)(6), (b)(7) stated he never saw a detainee who was beaten as bad as Mr. (b)(6), (b)(7)(C) stating the CSG employees used an unnecessary amount of force on him. (See Sworn Statement)

About 1630, 4 Oct 06, SA (b)(6), (b)(7)(C) obtained the following documents from CPT (b)(6), (b)(7)(C)

The 3rd Unit of Action Detainee Packet containing the Detainee Packet Checklist, Coalition Provisional Authority Forces Apprehension Form, Detainee photograph, Sworn Statements of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C), Crescent Security Group, (NFI), Standard Form 600, Chronological Record of Medical Care, Evidence/Property Custody Document (DA Form 4137), Detainee Screening Report, Summary of Incident, EOD Brief, and Detention Facility Rules.

About 1655, 5 Oct 06, SA (b)(6), (b)(7)(C) reviewed the Detainee Packet. A review of the packet revealed the following information:

A review of the Coalition Provisional Authority Forces Apprehension Form (CPAFA Form) documented copper wire Mr. M. NEJIM-OBAID possessed at the scene when he was captured. The CPAFA Form also documented Mr. M. NEJIM-OBAID was shot when he attempted to flee the scene. (See CPAFA Form details)

A review of the photograph of Mr. (b)(6), (b)(7)(C) revealed the extent of injuries. (See Photograph)

A review of the Sworn Statement of (b)(6), (b)(7)(C) revealed he and (b)(6), (b)(7)(C) located two local nationals that were traveling on a motorcycle. Mr. (b)(6), (b)(7) stated one of the two men was wearing ear-plugs and detonation cord in his possession and other captive had a cell phone. (b)(6), (b)(7)(C) stated when the man with detonation cord attempted to flee the scene, a warning shot was fired. (b)(6), (b)(7)(C) stated when the man with detonation cord kept running, another shot was fired at him at which time he fell to the ground. (See Sworn Statement)

A review of (b)(6), (b)(7)(C) sworn statement revealed he encountered an IED attack on his convoy. (b)(6), (b)(7)(C) stated when two local nationals on a

TYPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

90th MP DET (CID)

LSA Anaconda, APO AE 09391

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

DATE

5 Oct 06

EXHIBIT

1

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

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PAGE 4 OF 4 PAGES

DETAILS

motorcycle approached them after the attack, the CSG team detained them. (b)(6), (b)(7)(C) stated one of the Iraqi men began to run when he was shot and killed. (See Sworn Statement)

A review of the Chronological Record of Medical Care (Standard Form 600) revealed Mr. (b)(6), (b)(7)(C) sustained swellings on his face, blood in his left ear, and raspy lung sounds. (See the Standard Form 600)

A review of an Evidence/Property Custody Document (DA Form 4137) revealed a blue Nokia cell phone, \$10,000 Iraqi Dinar, and 1,000 Iraqi Dinar were collected from Mr. (b)(6), (b)(7)(C)

A review of the Detainee Screening Report revealed the biological information of Mr. (b)(6), (b)(7)(C). (See Detainee Screening Report)

A review of the Summary of Incident revealed Mr. (b)(6), (b)(7)(C) s detainment, the shooting and killing of Mr. M. NEJIM-OBAID, the actions taken by the members of CSG during the capture, and the actions taken the military personnel on the scene. (See Summary of Incident)

A review of the EOD Brief revealed no fragmentation of the suspected IED was located at the explosion site. (See EOD Brief)

About 1700, 4 Oct 06, SA (b)(6), (b)(7)(C) this office, took photographs of (b)(6), (b)(7)(C) injuries sustained on his face, arms, and legs as a result of the assault, using a Cool Pix995 Digital Camera. (See Photographic Packet).

About, 5 Oct 06, (b)(6), (b)(7)(C) interviewed a local national identified as an interpreter assigned to the 1/8th Infantry Battalion, FOB O'Ryan, Iraq, (NFI), who related one of the contractors with a blonde beard had him translate to (b)(6), (b)(7)(C) "I am glad we killed your brother, we are gong to go home and celebrate."

Agent's Comment: The local national related he preferred to remain anonymous, declining to provide his name.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)
SIG

ORGANIZATION

90th MP DET (CID)
LSA Anaconda, APO AE 09391

DATE

5 Oct 06

EXHIBIT

/

SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff for Personnel.

LOCATION Forward Operating Base (FOB) O'Ryan, Iraq	DATE 4 Oct 06	TIME 1050	FILE NUMBER (b)(6), (b)(7)
(b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	GRADE/STATUS O-3

ORGANIZATION OR ADDRESS
 A Company, 1-8 Infantry Battalion, FOB, O'RYAN, Iraq, APO AE 09391
 (b)(6), (b)(7)(C) want to make the following statement under oath:

received a call from my command post that civilian security contractors were attacked by an IED at approximately 021800 Oct 06. The initial report claimed the civilian security group engaged and killed the IED triggerman. I shortly arrived at my command post and monitored the situation. I sent my Knight Green platoon and EOD out to conduct post blast analysis and to establish a company presence on the scene. I was told the security group had one detainee from the attack. I instructed the security group and detainee to be brought to my FOB for further questioning. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Not USED

The security group arrived and identified themselves as members of the Crescent Security Group. They told me some of their story, and I instructed them to write sworn statements testifying to this. One member of the security group asked to take the detainee with them. When asked what they would do to the detainee, he responded "Take him out to the field." I refused and told them the detainee was now in my custody. My S-2 gathered their sworn statements and the security group left for LSAA. I instructed my TH1 to question the detainee and get a statement from him. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Not USED

The detainee was badly beaten, and my medic treated him for his injuries. (b)(6), (b)(7)(C) Not USED

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES 3 (b)(6), (b)(7)(C)
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _ TAKEN AT _ DATED _ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _ OF _ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

10-L-0126 ACLU DD II CID ROI 4667

EXHIBIT 17 2

I spoke to the detainee 3 Oct 06. He informed me the security group beat him, thus causing his injuries. He also told me he believes they killed his brother unjustly. (b)(6), (b)(7)(C)

Q: SA (b)(6), (b)(7)(C)

A: CPT (b)(6), (b)(7)(C)

Q: Who in the command Post informed you of the incident?

A: I can't recall. One of my RTO's.

Q: What is an IED?

A: Improvised Explosive Device, or a bomb that Anti-Iraqi Forces use against U.S.

Q: What did you mean when you wrote "021800 Oct 06"?

A: The time being 1800 and the date as being 2 Oct 06.

Q: Do you know the names of the civilian security group?

A: I only recall one name; (b)(6), (b)(7)(C)

Q: What can you tell me about Mr. (b)(6), (b)(7)(C)?

A: He is just a member of the group. He gave his business card to me before the civilian security force left the FOB.

Q: When the Knight Green platoon and EOD arrived on the scene was the civilian security team and the one detainee still at the scene?

A: Yes. They were still there.

Q: Who is on the Knight Green platoon and EOD team?

A: 1LT (b)(6), (b)(7)(C) was in charge of the Knight Green platoon. I don't recall who was on the EOD team.

Q: To your knowledge, did 1LT (b)(6), (b)(7)(C) notice anything suspicious on scene?

A: Yes. He told me things didn't seem right about the security team. He said there seemed like there was too many holes in their story. The security group claimed to have found copper wire, used for activating IED's, on the body of the Iraq-frag killed. The wire was clumped with twigs and leaves intermingled. I have never seen AIF collect copper wire previously used. They always leave it. It is highly unlikely they were even able to see the triggerman and identify him as such. Also, the copper wire was only about 50 meters long. That would have been too short for an IED.

Q: Who hired the Crescent Security Group?

A: I have no idea. To the best of my knowledge they are contractors.

Q: What was your interpretation when one of the security team members told you he was going to "take him out to the field"?

A: They want to kill him. They want to murder him. There is no doubt in my mind; none. They want to (b)(6), (b)(7)(C) take him out to some secluded area and kill him.

Q: Do you know the name of the security member that said this?

A: No.

(b)(6), (b)(7)(C) Can you describe him?

A: I can't. All three members were white. The one who made this statement was the smaller one. He was about 55". Cont. on pg. 3

INITIALS OF PERSON MAKING STATEMENT

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

~~FOUO~~

PAGES 2 OF 2 PAGES

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

EXHIBIT 18

Q: Did [redacted] see any of the security members beat, shoot, or kill any of the detainees? No.

A: No. The one local national was dead when he got there and the other one was badly beaten.

Q: Can you describe what you meant when you wrote "badly beaten" referring to the detainee?

A: I could visibly see the man's face was swollen, his face had bruises on them, and he had an injury to his ear.

Q: Do you know the detainee's name?

A: I can't remember. Also, the injuries he had did not happen from falling off a motorcycle, there would have been scrape marks on his face. The bruises I saw were by blows to his face.

Q: Did the detainee give you any details about the incident?

A: He said he and his brother were on one motor cycle together when they were drove near the security group. The security group then started yelling at them and they started shooting at them. The detainee just knew shots were fired in their direction but he and his brother wasn't hit. He said the Americans told them to get off their motor cycle and when they did the Americans ran upon them and started beating them. The detainee never saw much else after that because he was getting beat and he was covering his face. He was informed later that his brother had been shot.

Q: Is there anything else you would like to add to your statement?

A: One of the things about what the security team stated that didn't make sense is when they stated they found the "triggermen" a half-hour later about a mile away. It didn't make sense because people are always on the road.

Q: Is there anything else you would like to add to your statement?

A: No. // END OF STATEMENT //

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

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 4th DAY OF Oct, 2006 AT FOB, O'RYAN, IRAQ, APO AE 09391

(Signature of Person Administering Oath)

SA (Name of Person Administering Oath)

Art. 136, UCMJ (Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT PAGES 3 OF 3 PAGES

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff for Personnel.

LOCATION Forward operating Base (FOB) O'RYAN, Iraq	DATE 4 Oct 06	TIME 1805	NUMBER (b)(6), (b)(7)(C)
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS (b)(6), (b)(7)(C)	021 AD
ORGANIZATION OR ADDRESS R Company, 1/8th Infantry Battalion, FOB O'RYAN, Iraq, APO AE 09391 (b)(6), (b)(7)(C)			

want to make the following statement under oath:

at about 1800 02 Oct 06 I was notified by Knight CP that an IED had Detonated in the vic of CP24 in the north bound Lane of MSR Tampa. Being on ORF that day my duties included EOD escort. I was briefed by Knight CP that the IED detonated against a civilian CLP and that they were on the scene and had killed the trigger man and had two detainees. At about 1920 02 Oct 06 I SP from O'Ryan with 1 MRA20DS, 2 I114s, & 1 EOD Jerve. Turned left on ASR Milton headed west towards DS and Tampa. 300 meters from the entrance to O'Ryan I encountered the convoy that had been hit and Dismounted my I114 to get a face to face. I do not recall the names of the individuals but their trucks had a "CS" sticker on the side. They told me the Grid of the blast MC (b)(6), (b)(7)(C) and that it was on the far shoulder of the North bound Lane. They told me they had one detainee and LD that they killed was turned over to the IP. I informed him he needed to drop the detainee at O'Ryan and fill out the needed paper work. The American civilians told me the man they killed had the command wire in his pocket and ear pluggs in. Which is odd since IED employers never reel in their command wire the leave on scene. After conversing with the American contractors I took a look at three detainees and noticed that he had been beaten. I then remounted my vehicle and continued mission to conduct the Post Blast analysis. Upon arrival at the Grid I set up security to allow EOD to do their job. Upon getting a all clear from them, I investigated the scene and surrounding area. EOD told me that it was undetermined what type of round it was due to the fact there was no visible fragmentation. I was not able to locate the command wire from the scene by either. I then consolidated and RPEL FOB O'Ryan. (b)(6), (b)(7)(C) Cont. on page 2

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE OF ANOTHER COPY OF THIS FORM.		

DA FORM 2823

~~FOUO~~

LAW ENFORCEMENT AGENCY

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

Q: SA

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

A: 1 LT

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

Q: What is Knight CP?

A: CP means command post and its the call sign for my company Headquarters

Q: What is Vic?

A: Vicinity.

Q: How far out is MSR Tampa, CP 24?

A: Between 20 to 25 minute drive going about 15 to 20 miles per hour.

Q: Who did you meet up with at the scene?

A: I don't know their names. I only know they were young, caucasian and hadn't shaved with long hair. They weren't military and 'CS' was on the sides of their escort vehicles.

Q: How many were there?

A: Less than a dozen Americans and the rest were Kurds. There may have been about a dozen Kurds.

Q: Who did they work for and what was their reason for being in a convoy?

A: I don't know who they worked for but what one of them told me is they came up from Kuwait and was headed to USA Anaconda for an overnight. I just know they were headed north.

Q: What did you see when you first got on scene?

A: I didn't see but minor damage to the vehicle that they reported was hit by the IED.

Q: What is an IED?

A: An improvised explosive device, normally its made of an Artillery round or home made metal or pipe that is detonated against Americans. Via, command wire, radio frequency, or victim initiated.

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

Q: What kind of vehicles were in the convoy that were reported to be IED hit them?

A: They looked like up armored Chevy Avalanches.

Q: What is CLP?

A: Combat Logistics Patrol.

Q: What is SP?

A: Start Point, but sometimes I mean it as a verb for leaving.

Q: Did you see anything suspicious about this incident?

A: The only thing I thought suspicious at first is the lack of command wire. It wasn't until I read their statements I started thinking the convoy and the ones who reported the incident were overreacted.

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

Q: What do you mean by "overreacted"?

A: In this case, responsibility on IED Emplacer does not reel in his command wire after detonation, he leaves it. Second an IED emplacer does not ride a motorcycle into an armed cordan 30 minutes after detonation with the command in his possession.

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

Q: Did you ever see command wire or earplugs?

Cont. on page 3

INITIALS OF PERSON MAKING STATEMENT

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

PAGES 2 OF 3 PAGES

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

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

STATEMENT OF

TAKEN AT FOB O'RYAN, Iraq DATED 4 Oct 06 CONTINUED:

Q: I saw some command wire made of copper that the convoy team brought back to Head quarters. I never saw the earplugs.

Q: Where did the command wire come from?

A: I don't know.

Q: Was it used to detonate the IED that was reported by the convoy?

A: I don't know. I didn't find any on scene along the road as reported.

Q: What shape was the detainee in on scene?

A: Face down, back of truck, zip cuffed, lots of dirt on his face, and his face was swelled up like someone worked him. I didn't see a lot of blood.

Q: Did you see the detainees get shot at or beat?

A: No, I also didn't notice any brass from shot rounds.

Q: Did anyone on the convoy tell you why one of the detainees was shot and killed?

A: I was told by one of the guys in the convoy that the detainee was shot because he started to run.

Q: Was the detainee shot in the front or back?

A: I don't know.

Q: What is the Rules of Engagement for a fleeing detainee suspected of detonating an IED?

A: It depends. With the time lapse you are not authorized lethal force.

Q: Do the Rules of Engagement apply to American civilians such as were in the convoy?

A: I don't know.

Q: Do you have anything else to add to your statement?

A: No. /// END OF STATEMENT ///

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

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

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

AFFIDAVIT

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR WITHOUT FEAR OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL

(Signature of Person Making Statement)

WITNESSES:

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 4th DAY OF Oct, 20 06 AT FOB, O'RYAN, Iraq

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Name of Person Administering Oath)

Art. 136, UCMJ

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGES 3 OF 3 PAGES

~~FOUO~~

SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff for Personnel.

LOCATION Forward Operating Base (FOB) O'RYAN, Iraq	DATE 4 Oct 06	TIME 1438	MEMBER (b)(6), (b)(7)
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS E-5/AD	

ORGANIZATION OR ADDRESS
D Company, 1/A Infantry Battalion, FOB, O'RYAN, Iraq APO AE 09391
(b)(6), (b)(7)(C)

want to make the following statement under oath:

ON OR ABOUT THE 1ST OF OCT I WAS IN THE TOC AREA AT FOB O'RYAN when I received a call from the detainee guard. The detainee guard then informed me that there was a detainee that was just brought in and was in need of medical screening. I then proceeded to the detainee facility sometime between the hours of 1900 and 2400. Upon arrival at the detainee facility I began to prep my equipment and paperwork. (b)(6), (b)(7)(C) and I discussed the incident that brought this detainee to be in our custody. I asked (b)(6), (b)(7)(C) "what happened?" and he told me that the detainee and his brother were in the area when an IED exploded on a private security force that was traveling on Tampa. The private security force then detained him and his brother was shot while trying to escape. At this time an interpreter was summoned so that I could begin my medical screenings. The interpreter (b)(6), (b)(7)(C) and I then moved back into the holding area. My general impression of the detainee was that he had been subject to abuse. His face, especially his left side, was swollen, and the right side of his face was covered in dirt. I asked the detainee via the interpreter, "what happened?". The detainee said that he was beaten by the private security force. I asked if the detainee had any medical issues that we should be aware of? He told me that he has cardiac issues, he was not able to explain to me exactly what his condition was, but what he described to me sounded like angina. He also told me that he had possible renal/G.I. issues. I then asked the detainee to remove his "nav dress" and T-shirt so that I (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE OF ANOTHER COPY OF THIS FORM.

~~could that I~~ could inspect his torso and legs for signs of abuse. no signs of abuse were present on the detainees torso or left leg, he had a small abrasion on upper part of his right calf. he also had bruising and swelling around both wrists where the flex cuffs were used. later, I asked (b)(6), (b)(7)(C) about the flex cuffs, he said "They were on so tight that he could barely get the scissors under them to cut them off." I then took (b)(6), (b)(7)(C)'s blood pressure and pulse, both were within normal limits. I used my stethoscope to listen to his heart beat and lung sounds in all four quadrants with no significant findings. Next I used an otoscope to look into his ears. Nothing significant on the right side, but on the left side I observed blood in the outer ear and what appeared to be a rupture in the tympanic membrane. The detainee had significant swelling of the ear, cheek, and surrounding area. He also had abrasions on his right cheek and he had dirt all over the right side of his face. I observed that the detainee was having trouble speaking clearly so I asked him to open his mouth. He said he couldn't because the trauma to his face made it very painful to open his mouth. I checked the detainee's nose and eyes with no significant findings. I told the detainee to move his arms and legs, and asked him if those motions caused him any pain. He said the movements did not cause him any pain. I told the detainee that he could get dressed and he was put back into his cell. I then proceeded to the office area of the detainee facility to document my findings. I told (b)(6), (b)(7)(C) to keep an eye on him, because of the fact that he has cardiac issues, and to give me a call if something changes. I then left the (b)(6), (b)(7)(C) detainee facility and returned to the TOC area. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Q: SA (b)(6), (b)(7)(C)
A: SGT (b)(6), (b)(7)(C)

Q: What is a TOC?

A: Tactical Operations center, where headquarters is located and all radio transmissions come through it.

Q: What was the extent of the detainee's injuries?

A: Mostly facial injuries, with swelling in both cheeks, face, dirt on the right side of his face with abrasions, and he was in pain with difficulty opening his mouth.

Q: Was the detainee offered any food or drink while detained?

A: Not to my knowledge. I was only there for his medical care. When I saw him today I noticed he had 2 food boxes and some water.

Q: What did you do if anything to treat his injuries?

A: I just gave him some Aspirin. I gave him 2 aspirin.

Q: Was the detainee offered a opportunity to clean himself?

(b)(6), (b)(7)(C) A: Yes (b)(6), (b)(7)(C) said he was going to take the (b)(6), (b)(7)(C) continued on page 3

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7) Detainee to the showers after questioning to clean up. The detainee was also taken to clean up his face a little before being questioned.

Q: Do detainees normally come to the FOB with flex cuffs on as tight as this one?

A: Usually not. They are not supposed to be on tight so as to cut off circulation.

Q: How tight was the flex cuffs on the detainee and could it cause injury?

A: I didn't actually see the cuffs but it left an impression on (b)(6), (b)(7)(C). He was afraid he would cut the gap. I must have seen about 50 detainees and this is the first time I have seen cuffs leave marks and bruising on someone as badly as this one.

Q: What did the marks look like on the detainee by the cuffs?

A: Where the cuffs were around the wrists there are bruises and he is experiencing pain and difficulty moving in his right thumb.

Q: Did the detainee say where he obtained his injuries?

A: Yes. He said the security forces hit him but he didn't say how.

Q: Did the detainee attribute his ear injury to the beating?

A: Yes.

Q: Are you trained to recognize these types of injuries?

A: Yes. They are basic injuries to understand. By basic I mean obvious.

Q: Is there anything else the detainee may have told you about the incident?

A: He only told me about his injuries and medical background. Only thing I really knew about the incident itself is what SPC (b)(6), (b)(7)(C) told me.

Q: Do you have anything else to add to your statement?

A: No. // END OF STATEMENT // (b)(6), (b)(7)(C)

AFFIDAVIT

(b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C) (Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 4th DAY OF Oct, 20 06 AT FOB ORYAN, Iraq, APO AE 09391

(b)(6), (b)(7)(C) (Signature of Person Administering Oath)

SA (b)(6), (b)(7)(C) (Name of Person Administering Oath)

Art. 136, UCMJ (Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGES 3 OF 3 PAGES

~~FOUO~~

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

Name :

- 1 -

Location : FOB O'RYAN

Time : 1440

Date : 4 OCT 06

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

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

Q :

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

SA

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

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

A :

Q : Did you write the above narrative ?

A : Yes

Q : Who give you order to deliver the suponeas? when did you receive the orders.

A : Mr. (b)(6), (b)(7)(C) ordered me, at noon time on Monday, oct. 2nd.

Q : Where were you received the suponeas?

A : At police station

Q : What was the purpose of the ^{subponea} ~~suponea~~ and who received the ^{subponea} ~~suponea~~ ?

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

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

EXHIBIT 265

Name :

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

Location: FOB O'RYAN

Time : 1440 Date: 4 Oct 06

A: The purpose was that some of those receivers had conflict with the others because of irrigation conflict -

Q: When you received the order what did you do?

A: I went back home to change my uniform, because in official uniform as you know is dangerous to fool-around, but in civilian cloth will be safer -

Q: Describe your uniform?

A: A blue shirt and a navy blue trouser -

Q: Is there any signs and patches on your uniform?

A: There were some signs and patches written in both Arabic and English showing police group.

Q: How did you travel from police station to your home after receiving the order?

A: I have a police motorcycle use on my duty.

Q: Describe the police motorcycle that you were riding on Monday, Oct 2nd?

A: A Honda make, with a police sign on it, even that motorcycle was heat and was out of use, the fuel tank was blue with a written (police) in English, and the rest was white -

Q: Do you carry weapons while you are on duty?

A: Mostly, I carry a ^{pistol} pistol -

Q: Describe the ^{pistol} pistol?

A: A ^{pistol} pistol of 9 mm. made by American

Q: ^{pistol} Where were you carrying a pistol when the group shut on you in counter you?

A: No, I did not carry weapon that day.

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

FOUO

EXHIBIT 5

NAME:

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

Location: FOB O'Ryan

TIME: 1440

DATE: 4 OCT 06

Q: Why did not carry weapon that day? don't you know the weapon protects you from others?

A: There are some places safe enough to not carry any weapon, but some other places need weapons by all means, plus, probably I was lucky not to have a weapon in that particular day.

Q: Where was your weapon that day?

A: It was at home

Q: Where is your weapon right now?

A: At home, but probably the police department has taken it from home because of this situation going in.

Q: Do you have any other weapon or any other explosive devices at home?

A: No.

Q: What did you leave home, and where did you go?

A: About 4:00 o'clock p.m., and went to deliver the above mentioned ^{Subpoenas} ~~subpoenas~~ (b)(6), (b)(7)(C)

Q: What road did you take to deliver the ^{Subpoenas} ~~subpoenas~~, and where?

A: As you know a village has no more than one straight street, and the houses come one after the other, at the most did not take me more one hour and a half.

Q: What the name of the road you took?

A: Its name is 3-Awara.

Q: How far is your home to 3-Awara?

A: About 5-6 Km.

Q: How long does it take to get there?

A: About 1 hour driving motorcycle.

NAME:

Location: FOB O'Ryan

TIME: 1440 DATE: 4 OCT 06

Q: Was there any one else accompany you for delivery ~~subpoenas~~ ^{subpoenas} (b)(6), (b)(7)(C)?

A: No one was with me, I am specialized in this job.

Q: What did you leave 3-Awara and where did you go?

A: I went back home at 6:00 o'clock.

Q: What happened after you left 3-Awara?

A: On my way back home getting close to the main street, this group started shooting at us which my brother asked to give him a ride, which I did, and the distance between us and the group was 25-30 m. With their signals I understood that they want us to lay down facing ground and we did, but they were still shooting on us, after 5 minutes they came to us and inspect us and beating us as well, and they threatening us by shooting around us. While I was laid on the ground, they started kicking me on the face. I showed them all my legal papers to prove that I was an assistant officer in Iraqi police department but they did not believe me. They did not seem to me good people and they did not related to coalition forces at all, because their behaviour was very bad. As soon as I heard some shooting behind me, I heard my brother begging them to leave him a life for the sake of his children. At that crucial situation the ~~AMERICAN~~ soldiers arrived and rescued my life.

NAME:

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

Location: FOB O'RYAN

Time: 1440 DATE: 4 OCT 06

Q: How you made any prior coordination to meet your brother there? (b)(6), (b)(7)(C)

A: No. but he works at our farm taking care of the grape trees, and at that moment I passed by (b)(6), (b)(7)(C) he was waiting on the road for a ride. And fortunately I was the one who gave that favor -

Q: How far is the farm from the place where you met your brother.

A: One Km.

Q: What time did meet your brother on the road?

A: About 6:00 o'clock.

Q: How far did drive with your brother behind you?

A: Approximately about 15-20 minutes.

Q: Describe the basket of the grape -

A: It is made up of straws, and holds one kg. or a little more.

Q: Before you meet your brother, did you hear bombs or explosive devices?

A: No, plus we do not rush if an explosion happens.

Q: When were you confronted by the group?

A: As soon as getting close to the hwy, they attacked us.

Q: When they saw you, how did they signaled you to stop?

A: By waving in a stop signal with their hands and at same time they were shooting at us. meanwhile I fell of the (b)(6), (b)(7)(C) motorcycle.

Q: Describe the group?

A: They were dressed in ~~the~~ black, with cars marked G.M.e. about above 10 persons

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

~~FOUO~~

EXHIBIT 5

30

5

NAME:

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

Location: FOB O'RYAN

TIME: 1440 DATE: 4 OCT 06

Q: How many people approached you after falling from your motorcycle?

A: Approximately 3-4 of them.

Q: What did they tell you?

A: Nothing, but beating and kicking, and I keep yelling I am a police, and they kept denying in spite of ~~my~~ ^{(b)(6), (b)(7)(C)} my legal papers I showed.

Q: At that time you were facing the ground, what was your brother's situation?

A: I could not see him too much because he was behind me and he was beaten as well.

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

Q: ~~Do you know who took~~ To whom did you provide your document, describe him and the documents as well?

A: Because I was beaten bitterly I could not recognize the person who took my documents which they are: next copy of ~~my~~ ^{(b)(6), (b)(7)(C)} ~~suponee~~ ^{subpower} ~~(b)(6), (b)(7)(C)~~ driver license, personal ID, police identification card along with 75,000.00 I.D.

Q: can you recognize those three persons who assaulted you?

A: Not all of them but the killer of my brother is well recognized.

Q: Was the killer one of the three who ^{assault} ~~assaulted~~ you?

A: No, but the killer came to me and told that he had killed my brother.

Q: when did he tell that he killed your brother,

A: on Monday, Oct. 2nd, at 8:00 p.m. at detain center

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

~~FOUO~~

EXHIBIT 316

10-L-0126 ACLU DD II CID ROI 4681

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

NAME:

LOCATION: FOB O'RYAN

TIME: 1440 DATE: 4 OCT 06

Q: Describe the person who killed your brother?

A: He is a well built and rough and tough person with blond beard.

Q: Can you recognize him if you see him once more?

A: Yes.

Q: Did you see him while shot on his head?

A: No, I did not.

Q: When the Iraqi police arrived, and how did you know for the first time your brother ^{was} killed?

A: After 10-15 minute, the Iraqi police arrived, and they were talking with each other that my brother was killed.

Q: Was your brother carrying any weapons or explosive devices?

A: Nothing, but a pack of cigarette and a lighter, Mayami cigarettes.

Q: Was your brother wearing ear-plugs?

A: No, he was putting cotton in his infected ear, just one ear, No ear-plugs.

Q: Did you know that your brother had copper wire in his ~~possession~~ possession?

A: No, he had never heard about copper wire and never had it, I haven't heard about copper wire as well.

Q: Describe your injury caused during assault?

A: My face, my left hand, my right shoulder and some other bruises on my legs.

Q: What happened after Iraqi ~~police~~ arrival?

EXHIBIT

A: They took my brother's body to police station and ³²

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

872 p. 32

101-0126 ACLU DD II CID ROI 4682

was brought by the contractors with help of America soldiers.

NAME:

Location: POB OIRYAN

TIME: 1440 DATE: 4 OCT 06

to this place -

Q: Did you identify yourself to the Iraqi police at the scene?

A: Yes I did, and they introduce me to the rest as their coworkers.

Q: What were you doing before become a police officer?

A: I used to be a labor like any other in the area.

Q: Do you know the name of police officer at the scene?

A: Yes I know Lt 2nd (b)(6), (b)(7)(C) and Lt (b)(6), (b)(7)(C).

Q: Do you know where they working?

A: They work at the directorate of Dujail's police department. Also he named another Lt. by name of (b)(6), (b)(7)(C).

Q: Did your brother made any attempt to flee out of the scene?

A: Never

Q: How did you know that while he was out of your sight?

A: Of course I could not see him, but I heard his voice loudly, saying "please leave me alone, I have too many kids".

Q: When did you realize stoppin your brothers voice cut off?

A: After the shots which they 3-4 shots fired.

Q: What was your brother wearing?

A: A long, light, blue garment.

NAME

Location: FOB OIRYAN

TIME: 1440 DATE 4 OCT 06

Q: How was the day light?

A: Clear and sunny, and I could see everything in the environment

Q: Is he your biological brother?

A: Yes.

Q: Do you have anything else to add to this statement?

A: Yes, I want the justice take its right way to regain my and my brothers rights.

END OF STATEMENT

It was written and translated by (b)(6), (b)(7)(C)

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

~~FOUO~~

EXHIBIT 5

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

Case #

STATEMENT OF

EN AT FOB O'Ryan

DATED 4 Oct 06 CONTINUED:

NOT USED

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

AFFIDAVIT

I, _____ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 10. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT (b)(6), (b)(7)(C) OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL I

(Signature of Person Making Statment)

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

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 4 DAY OF OCT, 2006 AT FOB O'Ryan

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

(Signature of Person Administering Oath)

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

(Name of Person Administering Oath)

Article 136, UCMJ
(Authority to Administer Oath)

ORGANIZATION OR ADDRESS
90th MP Detachment (CID)
1SA Anacosta, Balad
TRAC
 ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGES 10 OF 10 PAGES

DA Form 2823 (AUTOMATED)

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

~~FOUO~~

-0126 ACLU DD II CID ROI 4685

EXHIBIT 6

I am as a carrier of the police department of Hay-Al-Askery, have received an order from the directorate of police department and from the governor of Dujail to spread some supona to the people in the area, and I did spread out some of it on (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) telling them to attend a meeting in the assigned place that was shown on the subpoena^{ena}s, that was in 3/Aware region, when I had done my job and received back the second copy of each subpoena that was signed by the receiver, I hurried back home.

One the way back home I saw my brother Muhammed Abdullah Nejim, was on the side of the road waiting for some one (anyone) to give him a ride, luckily I was the one who give him that ride. I was about 25-30 meters away from the main road when a group who so called Iraqi security forces, started shooting at ~~us~~ us, and was terrified and immediately fell of the bike that I was driving meanwhile the group kept waving to us to ~~lay~~ lie down facing the ground, which we did, and they rushed on us and started beating us mercilessly and inspecting us roughly, I was lying^{and} suffering with pain of the boots. I have heard my brother way behind me keep begging them to leave him alone, because he has to take care of his wife and 4 children, all of a sudden I heard 3-4 shots with which my brother's voice was cut ~~up~~ off. Finally Iraqi police forces as well as American forces attend the scene and rescued my life otherwise I was getting killed same as my brother.

This is my testimony.

SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff for Personnel.

LOCATION FOB O'RYAN, IRAQ	DATE 4 OCT 06	TIME 1553	(b)(6), (b)(7)(C)	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS SP4 / AO	

ORGANIZATION OR ADDRESS
HHC 1/8 INF BN

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

want to make the following statement under oath:

ON 022000 OCT 2006 (b)(6), (b)(7)(C) INFORMED ME THAT A DETAINEE WAS EN ROUTE TO FOB O'RYAN FOR PROCESSING. AT 022045 OCT 2006 THE CRESENT SECURITY GROUP ARRIVED AT FOB O'RYAN ALONG WITH ONE DETAINEE. WHEN I OPENED UP THE BACK DOOR OF THE DETENTION CENTER I SAW ONE DETAINEE STANDING AGAINST THE WALL GUARDED BY THE SOG. I BROUGHT THE DETAINEE INSIDE THE FACILITY AND PLACED HIM UP AGAINST THE WALL BESIDE THE CELL. WHEN I WENT TO CUT OFF HIS FLEXICUFFS I NOTICED THAT THEY WERE VERY TIGHTLY ZIPPED AND THAT HIS LEGS HAD ALSO BEEN TIGHTLY ZIPPED IN FLEXICUFFS. I COULD BARELY GET MY SCISSORS THROUGH TO CUT THEM. ONCE OFF I NOTICED BANDING MARKS ON BOTH WRISTS AND ONE ANKLE FROM THE FLEXICUFFS. HIS FACE APPEARED TO BE VERY SWOLLEN AND IT APPEARED THAT HE WAS LAYING ON THE GROUND DUE TO ALL OF THE DIRT ON HIS FACE. ONCE THE DETAINEE WAS IN HIS CELL I PROCEEDED TO START THE PAPERWORK ON THE DETAINEE. I GUIDED THE SECURITY GROUP THROUGH THEIR SWORN STATEMENTS AS THEY TOLD ME WHAT HAPPENED, THEY SAID THAT THEY WERE ON THEIR WAY TO LSAA FOR THE NIGHT WHEN THEY WERE HIT BY AN IED BESIDE HORSESHOE LAKE ROAD. THEY SAID THAT THEY PUSHED THROUGH THE BLAST SITE AND LAID DOWN 360° FIRE SUPPRESSION, THEY SAID THAT AFTER 30 MINUTES 2 GUYS RODE UP ON A MOTOR CYCLE. THEY WERE STOPPED AND TOLD TO GET OFF THE BIKE. THE TWO SUSPECTS WERE SEARCHED AND DET CORD AND EAR PLUGS WERE FOUND ON ONE OF THE LNS. THEY SAID THAT ONE OF THE SUSPECTS TRIED TO RUN SO THEY SHOT AND KILLED HIM. THE DET CORD I RECEIVED WAS NO MORE THAN 100 FEET LONG AND COVERED WITH VEGETATION. THEY CLAIMED THE DET CORD WAS WRAPPED AROUND THE DEAD SUSPECTS BODY. THEY SAID THE EARPLUGS WERE COTTON WHICH IS MOST COMMONLY USED FOR EAR INFECTIONS. THE SECURITY GROUP APPEARED TO HAVE NO REMORSE IN THEIR ACTIONS AND EVEN TOLD MY INTERPRETER TO TELL THE DETAINEE "I'M GLAD WE KILLED YOUR BROTHER NOW WE ARE GOING TO GO HOME AND CELEBRATE."

(Continued on page #2)

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

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823

Not Used

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

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

AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL I (b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Organization or address line 1

Organization or address line 2

Organization or address line 3

Organization or address line 4

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 4 DAY OF OCT, 2006 AT FOB O'RYAN, IRAQ

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

SA (b)(6), (b)(7)(C) (Name of Person Administering Oath)

Art 136 UCMJ (Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

PAGES 2 OF 2 PAGES

~~FOUO~~

SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff for Personnel.

LOCATION

Forward Operating Base (FOB), O'RYAN, Iraq

DATE

4 Oct 06

TIME

1615

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

FILE NUMBER

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

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

GRADE/STATUS

03 / AD

ORGANIZATION OR ADDRESS

D Company, 4th Infantry Battalion, FOB O'RYAN, Iraq, APO AE 09391

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

want to make the following statement under oath:

When the report came in that the Crescent Security patrol had been struck by an IED Ivo CP D12, I was at in the Company BUB. Immediately after the BUB was complete, I left the conference room and saw three Americans dressed in civilian clothes and wearing body armor. They were carrying Glock's but I did not see any rifles. The three men were

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

who appeared to be the team leader, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

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

I know their names because of the sworn statements the latter two wrote and because of the business card the former left with the CP before he left. One of the latter (I don't know which) was rather "amped up" whereas the other two were noticeably calm. The "amped up" guy was shorter and blonder than the other two. All were ex-military. The one who was "amped up" was prior-Army, as was (b)(6), (b)(7)(C) the other, noticeably calm, guy was ex-Marine. The "amped up" guy was carrying some copper wire. He said that the copper wire had been on a person that had come up approached their security cordon. // NOT USED //

It was at this point in time, at approximately 021830 OCT 06, that one (I don't know which) of the men related that he had killed a LN after the attack. He spoke of the LN as the "triggerman" for the IED, and at that point, he held up the copper wire and showed it to me, CPT (b)(6), (b)(7)(C) and several other CP personnel. He had initially termed the copper wire as "det cord," but he was mistaken. Det cord is red and as much as 7mm thick whereas this was copper wire and only about 1mm thick. He had no more than 50m of copper wire at this time. There were thistles and weeds caught up in the clump of wire that he handed over for us to inspect. At this point, I began thinking, "ugh. They probably did not get the triggerman for the IED." I thought this for two reasons. One triggermen do not normally police up their command wire. Even if they do, the

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE OF ANOTHER COPY OF THIS FORM.

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

STATEMENT OF

TAKEN AT FOB O'RYAN, Iraq DATED 4 Oct 06 CONTINUED:

would not keep it on their person. Command wire is like kite string. If it gets tangled, it's far easier to buy another roll than it is to unravel.

At this point in time, I was told that the men had brought a detainee to FOB O'Ryan. I am responsible for detainee operations at FOB O'Ryan, although my NCOIC is the one who deals directly with prisoners. I led the three men down to the detainee facility (IPOC - initial point of capture) so that they could complete sworn statements on the events that they had just described to me. At this point, I felt that they had probably made an error in judgment, but due to the fact that they had brought the detainee in, I felt like they were not out of control. // NOT USED //

The 3 men did state that they had been hit by 3 IED's in 6 days on the road. This probably affected their judgment as well. // NOT USED //

Before we left for the detainee facility, I witnessed the "amped up" guy state that he wanted to take the detainee off into a field and finish him off like the guy had finished off the dead local national. CPT said that this was not going to happen.

The men's sworn statements were fairly short and to the point, but they were not without some inconsistencies and irregularities. The "amped up" man went back and yelled at the detainee, telling him, "I shot your brother," after he finished his statement.

The specifics of the incident are contained in the sworn statements completed by the CSG personnel and the detainee's testimony as told to the Tactical Humint Team leader. // NOT USED //

The other man, (the ex-Marine) and the team leader seemed very calm throughout. I engaged in conversation with as to the specifics of his follow-on mission, which was to travel through Diyala province to Kirkuk. We talked for about 5 minutes on this subject. I made copies of the sworn statements made by the other two personnel and returned the detainee facility to give them to the men. They left after dropping off three business cards to the CP. // NOT USED //

Here's what I think about the whole situation, having read both sworn statements made by the CSG personnel, the detainee's testimony as told to and ten months of experience with AIF activity in this area of operations. I am very familiar with AIF TTPs due to the length of time I have dealt with such matters.

The men stated that they drove the entire convoy (18 vehicles) through the Kill Zone after the lead vehicle had been struck by the IED. 18 vehicles is a fairly long convoy, and I concur with the man who said that the convoy was a mile north of the site by the time it came to a halt. One man also said that it was "up to 30 minutes" later that they were approached from the west by two men on a motorcycle. The men reported stopping the motorcycle at surprise and searching the two men. They reported that one of the men tried to run when they turned their backs to get handcuffs. In all my time in Iraq, in processing 312 detainees at the IPOC, I have never had my NCOIC report to me any incident where a detainee tried to run, break out, or resist control in any way whatsoever. Iraqis are a very subversive people, but they are extremely subtle about it. They won't shoot you in the chest, they'll stab you in the back, but only if they think they can get away with it. The same goes with IED attackers. They avoid contact with CF at all costs. That the IED triggermen would have approached a convoy that hit from a fairly main (though unimproved) road that intersects with MSR Tampa is next to unbelievable.

INITIALS OF PERSON MAKING STATEMENT

FOUO

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

PAGES 2 OF 4 PAGES

STATEMENT OF

TAKEN AT FOB O'Ryan, Iraq DATED 4 Oct 06 CONTINUED:

(b)(6),
(b)(7)(C) In ten months, after some 400 IEDs and SAF incidents in my area of operations, I have come across only one incident where CF (ground forces) were able to kill an attacker, and that was after an immediate ~~short~~ direct fire response to their attack.

I think that something went terribly wrong at the scene of the attack. I think that the command wire was not found on the dead man like they said; rather, I think the CS6 personnel plucked it up from the ground near the IED site. I do believe that wire might have been used in the IED attack, but there is no way of knowing for sure.

There is no doubt in my mind that these CS6 personnel used an unnecessary amount of force against a man who showed no hostile intent by running (as they reported) away from their position. They shot him in the back, for heaven's sake, if that's all.

The IPs came to take away the dead body and told the CS6 personnel that the living man worked for the Iraqi police. This may be why his life was spared. The only property brought to the FOB by the man was a cell phone. All of his ID cards had been removed from his person by the CS6 personnel, according to the detainee. This stands to reason because the average Iraqi does not leave home without his ID cards.

I ~~think~~ think that these CS6 personnel did the right thing by bringing the man they did not kill to FOB O'Ryan. I'm just not sure what they were thinking by

(b)(6), (b)(7)(C) killing the other Iraqi LN at the scene of the crime. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Q: SA

(b)(6), (b)(7)(C) A: CPT

Q: What is an IED?

A: Improvised Explosive Device, normally military grade ordnance is used with detonation cord, plastic explosive, and various other items to target coalition forces.

Q: What is IVO?

A: In vicinity of.

Q: What is a BUB?

A: Battle update brief which is done every other day at 1800.

Q: Can you describe Mr. (b)(6), (b)(7)(C)?

A: About 40 years old, brown hair, brown eyes, his hair is not short but not long. A little facial hair. He was a darker skinned white man. About 6

Q: Can you describe (b)(6), (b)(7)(C)?

A: No.

Q: Can you describe (b)(6), (b)(7)(C)?

A: NO. I can describe them but I can't tell you which one it is by name. (b)(6), (b)(7)(C) The "amped up" guy was about 5'9", 170 lbs, blonde hair, a little facial hair, he acted very animated. The other guy was an ex-marine, soft spoken, fair skin, dark eyes, dark hair, 6'3".

Q: Who hired Crescent Security?

A: I don't know.

Q: What is "021830 Oct 06"?

A: 2 Oct 06, 1830 hrs.

Q: What is a security cordon?

A: Military jargon for none in and none out.

Q: What is a LN?

A: Local National

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

INITIALS OF PERSON MAKING STATEMENT

~~FOUO~~

(b)(6), (b)(7)(C) PAGES 3 OF 4 PAGES

Continued on page 4

(b)(6), (b)(7) STATEMENT OF

TAKEN AT

Q: What is AIF and TTP's?

A: AIF is Anti-Iraqi Forces, TTP is Tactic technique and/or procedures.

Q: Did any of the security force personnel say that they hit or beat the detainees?

A: No

Q: Did they say why they shot and killed one of the detainees?

A: They said they shot him because he tried to run.

Q: Who shot and killed the detainee?

A: I don't know.

Q: What are the policies, procedures, and/or rules of engagement for civilians shooting and killing a detainee that is fleeing?

A: I don't know what their SOP is but ours states once a detainee is in our control he should be treated as an enemy combatant protected by the Geneva Convention. If someone has not presented an hostile action or hostile intent ^{is not} perceived by the soldier on the ground, then EoF procedures may not be employed by that soldier.

Q: Do you have anything else to add to your statement?

A: I have never come in to contact with a detainee beat to the same extent to which this detainee was beat. Although I am not in close proximity to the detainees held at the IPOC, I do view each of their pictures, taken from the shoulders up, within 24 hours of their arrival to the IPOC. I have not seen a picture that depicted someone as badly torn up as this detainee.

Q: Do you have anything else to add to your statement?

A: No. /// END OF STATEMENT ///

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

AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 4th DAY OF Oct, 20 06 AT FOB, ORYAN, Iraq, APO AE 09391

(Signature of Person Administering Oath)

SA (Name of Person Administering Oath)

Act. 136, UCMJ (Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGES 4 OF 4 PAGES

FOUO

EXHIBIT

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB O'RYAN
2. DATE (YYYYMM): 20061002
TIME: 1900
NUMBER: (b)(6), (b)(7)(C)
5. LAST NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
GRADE/STATUS: ES12
8. ORGANIZATION OR ADDRESS: CRESCENT SECURITY GROUP

(b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

WE left scania at 12:30 pm on route Tampa
convoying to Anaconda to spend night
before completing mission to Kirkuk.
at grid MC 3173441034 an IED exploded
to the right of the point vehicle. we
pushed convoy forward about 1 mile
forward of IED sight. Myself and
(b)(6), (b)(7)(C) went back to the sight to
look for a trigger man. No more than
30 minutes two guys show up on a motorcycle
shouting they were Iraqi police. None were
wearing uniforms. we searched both guys
one guy was wearing ear plugs had det
cord and the other one a cell phone. we
went to get cuffs as we turned around the

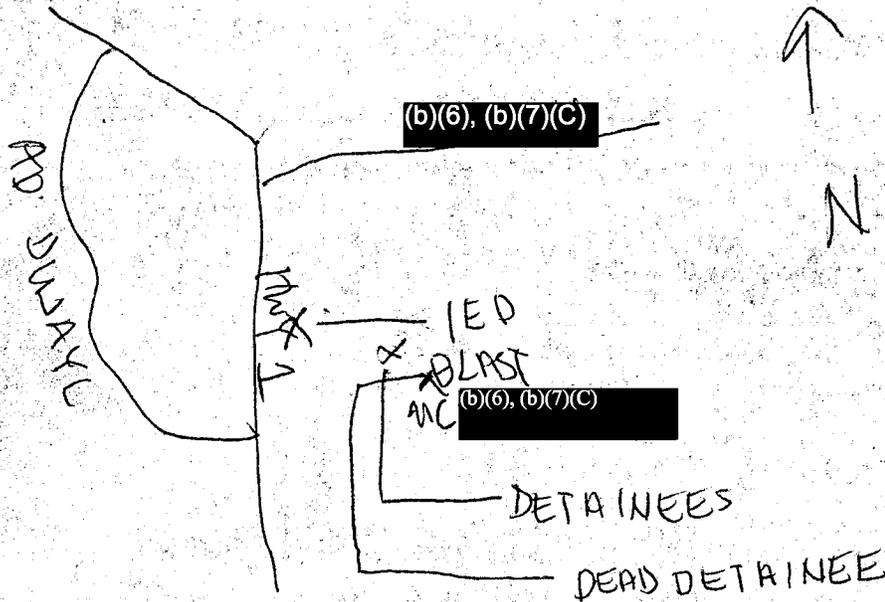
10. EXHIBIT
11. INITIAL: (b)(6), (b)(7)(C) STATEMENT
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER
MUST BE BE INDICATED.

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB O'RYAN DATED 2006/002 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

man with det cord and ear plugs ran away from where we left him. one warning shot was fired. the second shot was fired at him at which point he fell to the ground. END STATEMENT 02 OCT 2006 (b)(6), (b)(7)(C)



INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES (b)(6), (b)(7)(C)

~~FOUO~~

EXHIBIT 44 9

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

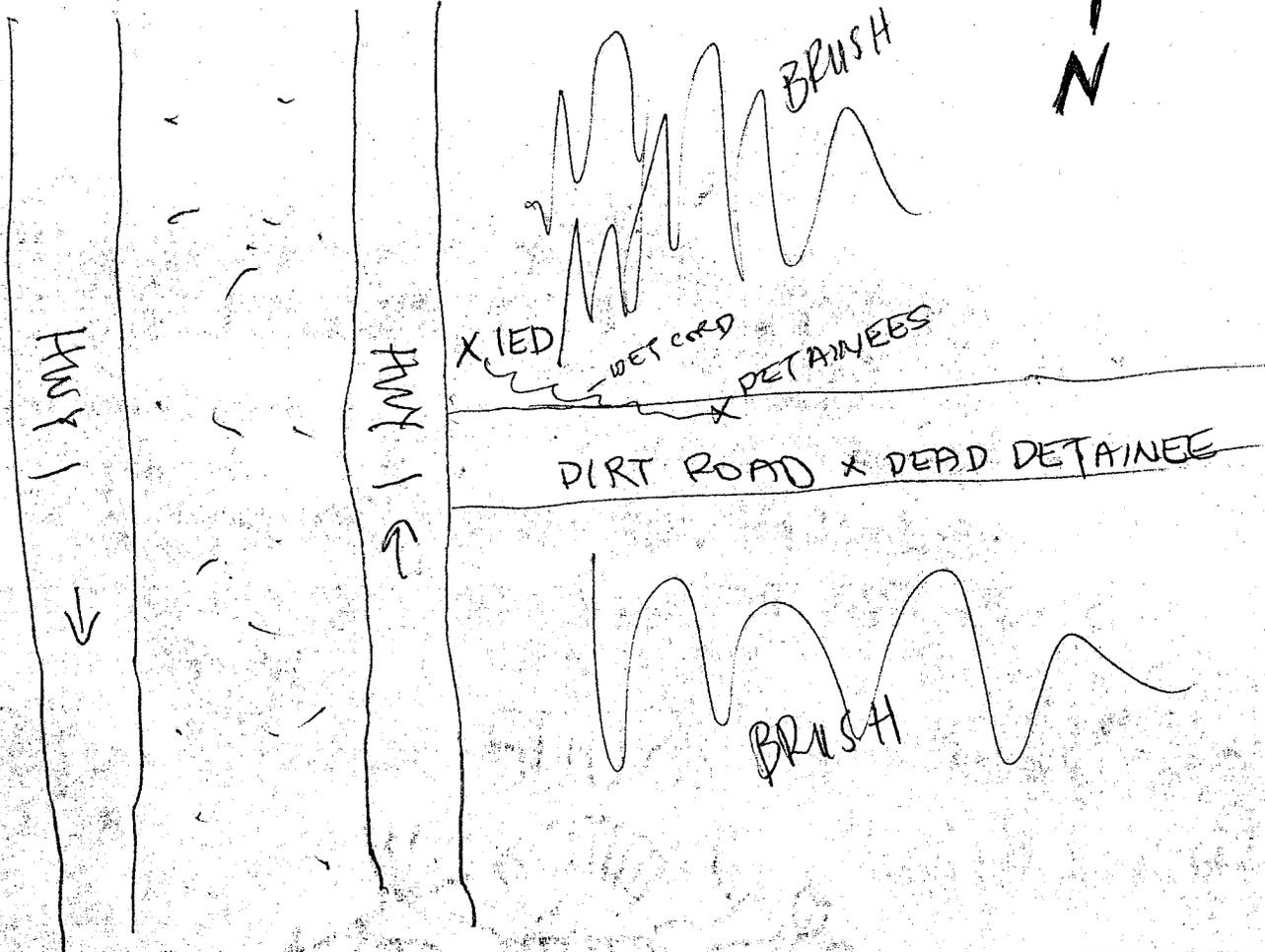
(b)(6), (b)(7)(C)

STATEMENT OF

TAKEN AT FOB O'Ryan

DATED 2006 10 02

9. STATEMENT (Continued)



AFFIDAVIT

I, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT

(b)(6), (b)(7)(C)
(Signature of Person Making Statement)

WITNESSES:

CPL (b)(6), (b)(7)(C)
 D Co 1-8 INF
 FOB O'Ryan
 ORGANIZATION OR ADDRESS (b)(6), (b)(7)(C)

SPC (b)(6), (b)(7)(C)
 D Co 1-8 INF
 FOB O'Ryan
 ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2nd day of October, 2006 at FOB O'Ryan
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)
(Signature of Person Administering Oath)

(b)(6), (b)(7)(C)
(Typed Name of Person Administering Oath)

ARTICLE 136(b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)

~~FOUO~~

PAGE 3 OF 3 (b)(6), (b)(7)(C)

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB O'RYAN
2. DATE (YYYYMMDD): 2006 10 02
3. TIME: 1843
4. FILE NUMBER: (b)(6), (b)(7)(C)
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6), (b)(7)(C)
6. SSN: (b)(6), (b)(7)(C)
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS: CRESCENT SECURITY GROUP

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

WE LEFT SCANIA AT 1230 HEADING NORTH ON MSR TAMPA. AT APPROX. 1700, WHILE CONDUCTING CONVOY OPERATIONS ENROUTE TO ANACONDA, WE WERE HIT @ MC 31734 41034 BY AN IED. IED PLACEMENT WAS ON THE RIGHT SIDE OF THE NORTH BOUND LANE ON THE SOUTH SIDE OF A CANAL THAT CROSSES MSR TAMPA. AFTER THE EXPLOSION, WE PUSHED THE CONVOY THROUGH THE KILL ZONE AND RETURNED TO SEARCH THE AREA. (b)(6), (b)(7)(C) PER CSG, SGT. WE FIRED IN A SWD TO MAKE SURE THERE WAS NOT ANOTHER ATTACK. AFTER OUR SEARCH, TWO IRAQI MALES APPROACHED US ON MOTORCYCLE FROM THE EAST MOVING WEST. WE DETAINED BOTH MEN AND STARTED SEARCHING THEM BY HAND, THE PASSENGER HAD COPPER WIRE AND EARPLUGS. WHEN WE RETURNED TO THE VEHICLE FOR FLEX CUFFS, THE MAN WITH EARPLUGS (b)(6), (b)(7)(C) TRIED TO RUN AND HE WAS SHOT AND KILLED. ABOUT 10-15 MIN. LATER, IRAQI POLICE SHOWED UP ON SITE AND THEY TOOK THE DEAD AND WE BROUGHT THE LIVING TO FOB OBRYAN.

END STATEMENT 02 OCT 2006 (b)(6), (b)(7)(C)

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)
PAGE 1 OF 3 PAGES

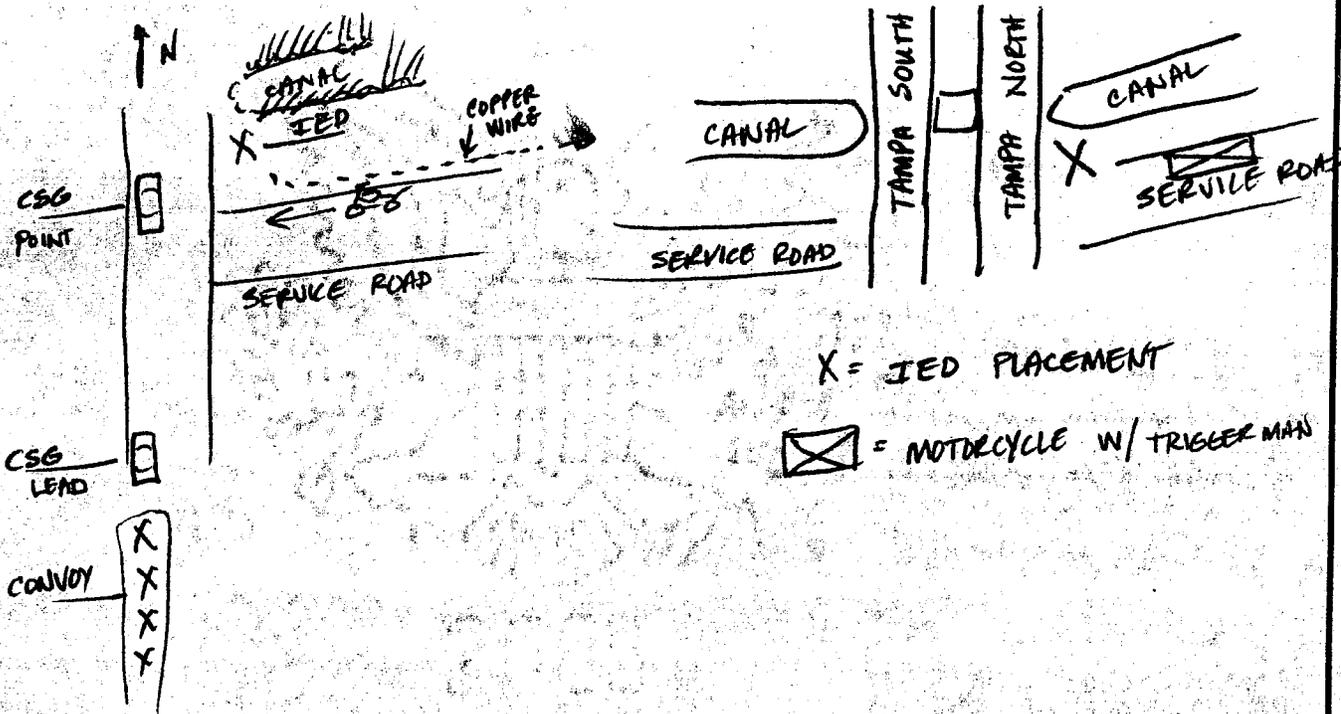
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

EXHIBIT 46/0

10-L-0126 ACLU DD II CID ROI 4696

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FOB O'RYAN DATED 3006 1002 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)



INITIALS OF PERSON MAKING STATEMENT

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

~~FOLIO~~

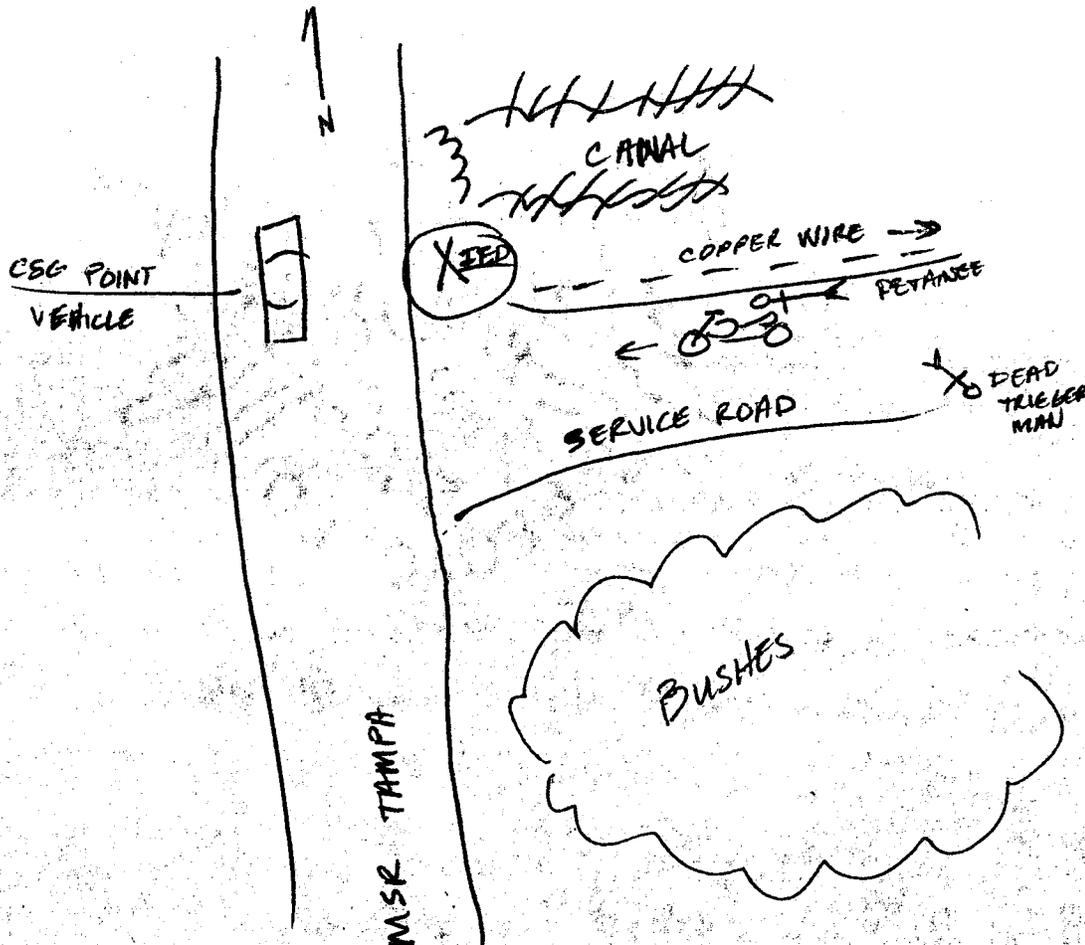
(b)(6), (b)(7)(C) PAGE 2 OF 3 PAGES

STATEMENT OF

TAKEN AT FOB O'Ryan

DATED 2006 10 02

9. STATEMENT (Continued)



AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE (b)(6), (b)(7)(C). I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

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

WITNESSES:

CPL (b)(6), (b)(7)(C)
 D Co 1-8 INF
 FOB O'Ryan
 ORGA (b)(6), (b)(7)(C)

SPC (b)(6), (b)(7)(C)
 D Co 1-8 INF
 FOB O'Ryan
 ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of OCTOBER, 2006

at FOB O'Ryan

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

(b)(6), (b)(7)(C) g Oath).

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

(Typed Name of Person Administering Oath)

ARTICLE 136(b)(4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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

PAGE 3 OF 3 PAGES

3rd Unit of Action Detainee Packet Checklist



Check Each Box or Write N/A for Each Entry Below

	Coalition Provisional Authority (CPA) Apprehension Form
	DD Form 2745 EPW Capture Tag or Equivalent Document containing information shown on DD Form 2745
	Photograph of Detainee
	At Least Two DA Form 2823s from individuals present at the time of capture—must discuss who, what, when, where, why, and how pertaining to detainee's capture.
	Medical Screening Documents must accompany detainee if he/she is determined to have a medical condition.
	DA Form 4137 documenting any property that was taken from the detainee since the time of capture. Weapons listed on the DA Form 4137 that are not transferred with the detainee require a disposition statement describing the weapons' location.
	Photographs of any property that was not transferred with the detainee for any reason.
	Target Folder or Other Supplemental Information supporting further internment of the detainee.

Capture Authority: (b)(6), (b)(7)(C)

Battalion S2:

Name	Point of Contact	Signature

BIF Authority:

Name	Point of Contact	Signature

Recommendation: Release Transfer to ~~FOUO~~ Civil Auth. Backhaul

EXHIE 49/

COALITION PROVINCIAL AUTHORITY FORCES APPREHENSION FORM
YELLOW FIELDS MUST BE FILLED IN, IF APPLICABLE, UPON APPREHENSION

Offense against Civilian(s) [check one] If "Other" then describe:

<input type="checkbox"/> Arson (I.P.C. 342)	<input type="checkbox"/> Burglary or Housebreaking (I.P.C. 428)
<input type="checkbox"/> Solicitation of Fornication/Prostitution (I.P.C. 399)	<input type="checkbox"/> Extortion/Communicating Threats (I.P.C. 430)
<input type="checkbox"/> Rape/Indecent/Sexual Assaults/Acts (I.P.C. 393-98, 402)	<input type="checkbox"/> Theft (I.P.C. 439)
<input type="checkbox"/> Murder (I.P.C. 405)	<input type="checkbox"/> Destruction of Property (I.P.C. 477)
<input type="checkbox"/> Aggravated Assault/Assault With Intent To Kill (I.P.C. 410)	<input type="checkbox"/> Obstructing a Public Highway/Place (I.P.C. 487)
<input type="checkbox"/> Maiming (I.P.C. 412)	<input type="checkbox"/> Discharging Firearm/ Explosive in City/Town/Village (I.P.C. 495)
<input type="checkbox"/> Simple Assault (I.P.C. 415)	<input type="checkbox"/> Riot or Breach of Peace (I.P.C. 495(3))
<input type="checkbox"/> Kidnapping (I.P.C. 421)	<input type="checkbox"/> Other

Offense against Coalition Forces [check one] If "Other" then describe:

<input type="checkbox"/> Violation of Curfew	<input type="checkbox"/> Trespass on Military Installation or Facility
<input type="checkbox"/> Illegal Possession of Weapon	<input type="checkbox"/> Photographing/Surveillance of Military Installation or Facility
<input checked="" type="checkbox"/> Assault/Attack on Coalition Forces	<input type="checkbox"/> Obstructing Performance of Military Mission
<input type="checkbox"/> Theft of Coalition Force Property	<input type="checkbox"/> Other

Apprehending Unit: CRESENT SECURITY GROUP Location Grid: MC 3173 4103

Date of Incident: (D/M/Y) 02/10/06 to 02/10/06 Time of Incident: 1700 hrs to 1730 hrs Date of Report: (D/M/Y) 02/10/2006 Time of Report: 2000 hrs

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

Key Connected Person: Victim Witness

Last Name: NAJEM Last Name: _____

First Name: AHMED Given Name: ABDULLAH First Name: _____ Given Name: _____

Hair Color: _____ Scars/Tattoos/Deformities: _____ Hair Color: _____ Scars/Tattoos/Deformities: _____

Eye-Color: _____ Weight: _____ lb Height: _____ in Eye-Color: _____ Weight: _____ lb Height: _____ in

Address: _____ Address: _____

Place of Birth: _____ Place of Birth: _____

Ethn/Tribe/Sect:	Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Phone#: _____	DOB D/M/Y: _____	<input type="checkbox"/> Mobile <input type="checkbox"/> Regular
Ethn/Tribe/Sect:	Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Phone#: _____	DOB D/M/Y: _____	<input type="checkbox"/> Mobile <input type="checkbox"/> Regular

Passport Dr. license Other (specify) _____ Passport Dr. license Other (specify) _____

Document #: _____ Document #: _____

Total Number of Persons Involved: 1 (list names/identifying info on reverse under "Additional Helpful Information")

Vehicle Information Vehicle Number _____ of _____ Vehicle(s) Owner: _____

Make: _____ Color: _____ VIN: _____

Model: _____ Type: _____ Plate No.: _____ Number of People in Vehicle: _____

Year: _____ Names of People in Vehicle: _____

Contraband/Weapons in Vehicle: _____

Property/Contraband Weapon Photo Taken of Suspect with Weapon/Contraband: Yes/ No

Type: _____ Model: _____ Color/Caliber: _____

Serial No.: _____ Quantity: _____ Make: _____ Receipt Provided to Owner: Yes/ No

Other Details: _____ Where Found: _____ Owner: _____

Name of Assisting Interpr: (b)(6), (b)(7)(C) Email, Phone, or Contact Info: _____

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

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

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

Unit Phone: _____ Date: 02/10/06 Unit Phone: _____ Date: 02/10/06

EXHIBIT 502

COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM

Why was this person detained? DETAINEE IS SUSPECTED OF EMPLACING AN IED ON
MSR TAMPA (HWY 1)

Who witnessed this person being detained or the reason for detention? Give names, contact numbers, addresses.

(b)(6), (b)(7)(C) - Crescent Security (b)(6), (b)(7)(C)
Jaffer - Iraqi - Crescent Security
Heider - Iraqi - Crescent Security

How was this person traveling (car, bus, on foot)? ON A MOTORCYCLE

Who was with this person? HIS BROTHER. THE BROTHER WAS SHOT AND KILLED AFTER
HE ATTEMPTED TO FLEE THE SCENE

What weapons was this person carrying?

NONE

What contraband was this person carrying?

NONE

What other weapons were seized?

COMMAND WIRE

What other information did you get from this person?

N/A

Additional Helpful Information:

N/A

~~FOUO~~

EXHIBIT 11

EVIDENCE/PROPER CUSTODY DOCUMENT

MPR/CID SEQUENCE NUMBER

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

CRD REPORT/CID ROI NUMBER

RECEIVING ACTIVITY	LOCATION: FOB O'RYAN
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER (b)(6), (b)(7)(C) <input type="checkbox"/> OTHER	ADDRESS (Include Zip Code)
LOCATION FROM WHERE OBTAINED MC (b)(6), (b)(7)(C)	REASON OBTAINED SAFE KEEPING
	TIME/DATE OBTAINED 1739 02 OCT 2006

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)
1	1	BLUE NOKIA CELL PHONE, S/N: 0512529
2	1	10,000 - IRAQI DINAR
3	2	1,000 - IRAQI DINAR
NOTHING FOLLOWS 02 OCT 2006 (b)(6) (b)(7)(C)		

ITEM NO.	DATE	CHAIN OF CUSTODY		PURPOSE OF CHANGE OF CUSTODY
		RELEASED BY	RECEIVED BY	
1-3	20 OCT 06	SIGNATURE	(b)(6), (b)(7)(C)	SAFE KEEPING
		NAME, GRADE OR TITLE (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE (b)(6), (b)(7)(C)	
		(b)(6), (b)(7)(C)	SIGNATURE	
		NAME, GRADE OR TITLE SPC (b)(6), (b)(7)(C)	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137, 1 JUL 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R, Privacy Act, 26 Sep 75 Which are Obsolete

LOCATION

DOCUMENT NUMBER

USAPPC V1.00

EXHIBIT 53

AC

CHAIN OF CUSTODY (Continue)

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

FINAL DISPOSAL ACTION

RELEASE TO OWNER OR OTHER (Name/Unit) _____

DESTROY _____

OTHER (Specify) _____

FINAL DISPOSAL AUTHORITY

ITEM(S) _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING _____ (Grade)
 _____ (Name) _____ (Organization) (IS) (ARE) NO LONGER

REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate correspondence.)

(Typed/Printed Name, Grade, Title)

(Signature)

(Date)

WITNESS TO DESTRUCTION OF EVIDENCE

THE ARTICLE(S) LISTED AT ITEM NUMBER(S) _____ (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE.

(Typed/Printed Name, Organization)

~~FOUO~~

(Signature)

DETAINEE SCREENING REPORT

INTERVIEWER: SPC (b)(6) (b)(7)(C)

CAP TAG#: 4318-313

FACILITY: FOB O'Ryan

P E R S O N A L

First Name: (b)(6), (b)(7)(C)
 Fathers Name: (b)(6), (b)(7)(C)
 Grand Fath. Nm: (b)(6), (b)(7)(C)
 Fourth Name: (b)(6), (b)(7)(C)
 Alias/AKA: _____
 Tribe Name: MAGADIMI Branch: OBEID SAEED
 Tribe Sheikh: SUHID NAJEM
 Branch Sheikh: JASIM MUHAMMED
 DOB: 1 JAN 1969 POB: AD DUJAYL
 Mother's name: (b)(6), (b)(7)(C)
 Home Address: (b)(6), (b)(7)(C)
 Mukhtar: _____
 Marital Status: M S W D
 Wives Names: (b)(6), (b)(7)(C)
 Children's Names/Sex /Ages: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
 Phone # NO

C A P T U R E

Date: 02 OCT 06 Time: 1730
 Grid: MC31734103
 Loc: MSR TAMPA NEAR HORSESHOE LAKE
 Cap Unit: _____
 Circumstances: SUSPECTED IED EMPLACER
 Documents: NONE
 Wpns/Equip: COMMAND WIRE (COPPER)
 Where Items were found: ON DETAINEE THAT WAS KILLED

M I L I T A R Y

* Ba'ath Party Rank: N/A
 Branch: AF AR CG MC NV
 Time Period (YY-YY): 84-92 Rank: PVT
 Job: GUARD
 F U D: 3RD ID, 4TH BN, 1ST CO
 Duty Stations: BASRA
 Training schools: _____
 Political Affiliation: _____

A S S E S S M E N T

Physical Condition: Sex: M F
 Wounded: Y N FACIAL EDEMA
 Remarks: NONE
 Distinctive Features: SCAR TISSUE ON LEFT LEG
 Tattoos: NONE
 Education = 8 Yrs (6 Elem; 3 Mid; 3 Second.)
 Intelligence: Ave + Ave Ave -
 Degree(S) PRIMARY Read/Write: YES
 Mental State STABLE
 Languages/skill level:
 Arabic- 4
 English- 1
 Language level codes: 5 = Native-educated Read/Write
 4 = Native-uneducated 3 = Non-native fluent
 2 = Casual converse 1 = Understands some phrases-tourist level

C I V I L I A N

Job: IP SOLDIER Earn: 625,000 DINAR/MONTH
 Org MOI _____
 Skills: _____
 Special Training: _____

D A T A

Screener: PFC (b)(6), (b)(7)(C)
 Interpreter: (b)(6), (b)(7)(C)
 Date: 02 OCT 06 Time: 1914
 Cooperation: (High) 1 2 3 (Low)
 Knowledge: (High) A B C (Low)
 BGW List: Y N Code _____
 Source Category: A B C D
 Approach: DIRECT, _____

EXHIBIT 11

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

SCREENING 20061002 FOB ORYAN

TRIBE-	MAGHADAMI
AGE-	37
SEX-	MALE
POB-	UNK
DOB-	1969
STATUS	MARRIED
OCCUPATION	IRAQI POLICE WARRANT SERVER

CAPTURE CIRCUMSTANCES:

(b)(6) (b)(7)(C) IS A 37 YEAR OLD MALE THAT SERVES WARRANTS FOR THE HI AL-ASKERI IRAQI POLICE STATION. AT APPROXIMATELY 021700COCT06, (b)(6), (b)(7)(C) LEFT THE AWARA AREA ON A LABELED, IRAQI-ISSUED POLICE MOTORCYCLE AND PICKED UP HIS BROTHER, MOHAMMED ABDULLAH NAJIM, AT THE SEHUL FARM. (b)(6), (b)(7)(C) WAS TRAVELING WEST TOWARDS MSR TAMPA TO BRING HIS BROTHER TO HIS HOUSE IN AD DUJAYL, WHEN THE FOLLOWING INCIDENT OCCURED:

AT //MGSRCOORD: 38SMC31734103//. SALAH AD DIN PROVINCE, IRAQ, NEAR MSR TAMPA, MEAR HORSESHOE LAKE, (b)(6), (b)(7)(C) AND MOHAMMED SAW 10-12 MEN IN BLACK SHIRTS AND VESTS, (COLLECTOR COMMENT—THESE MEN IDENTIFIED THEMSELVES AT FOB O'RYAN AS CRESCENT SECURITY FORCES OPERATING OUT OF KUWAIT) SOME 30M AHEAD OF THEM ON THE ROAD. SOME OF THESE MEN HELD UP THEIR HANDS AND SHOUTED 'AWGAF' AT THE BROTHERS TO MAKE THEM STOP THEIR BIKE. AT THE SAME TIME SOME OF THE MEN WERE SHOUTING, OTHERS IN THE GROUP BEGAN FIRING THEIR WEAPONS AT THEM, NEVER GIVING THE BROTHERS THE OPPORTUNITY TO STOP DRIVING. (b)(6), (b)(7)(C) WAS OPERATING THE MOTORCYCLE, AND WHEN THE MEN BEGAN SHOUTING AND SHOOTING AT HIM, HE ATTEMPTED TO STOP HIS BIKE, WHICH HE TIPPED OVER TO THE RIGHT AND SUBSEQUENTLY FELL OFF OF. MOHAMMED WAS RIDING BEHIND (b)(6), (b)(7)(C) AND WAS ABLE TO JUMP OFF OF THE BIKE AS IT TIPPED OVER, AND BOTH MEN IMMEDIATELY LAY PROSTRATE ON THE GROUND AS THE CRESCENT SECURITY FORCES CONTINUED TO FIRE ON THEM. (COLLECTOR COMMENT—(b)(6), (b)(7)(C) THINKS THEY FIRED APPROXIMATELY 30 ROUNDS AT THEM.) (b)(6), (b)(7)(C) WAS LYING IMMEDIATELY TO THE RIGHT OF HIS MOTORCYCLE, WITH MOHAMMED LYING APPROXIMATELY THREE METERS BEHIND BOTH HIM AND THE MOTORCYCLE.

(b)(6), (b)(7)(C) HEAD WAS TOWARDS THE MEN FIRING, AND HE WAS UNABLE TO PHYSICALLY SEE HIS BROTHER BECAUSE HIS FACE WAS PRESSED INTO THE DIRT. BOTH MEN REMAINED ON THE GROUND IN THE PRONE POSITION AS THE MEN CONTINUED TO FIRE ON THEM. AFTER APPROXIMATELY FIVE MINUTES, THE MEN RAN OVER TO (b)(6), (b)(7)(C) AND MOHAMMED AND BEGAN YELLING AT THEM AND KICKING THEM. (b)(6), (b)(7)(C) WAS KICKED IN THE FACE TWICE, ONCE ON THE RIGHT SIDE OF HIS FACE AND ONCE ON THE LEFT, AS HE LAY ON THE GROUND WITH HIS ARMS AND HANDS DOWN BY HIS SIDES. AFTER KICKING

~~FOUO~~

EXHIBIT // 57

(b)(6) (b)(7)
(c) TWICE IN THE FACE. ONE OF THE MEN ROUGHLY PLACED HIS BOOTED FOOT ON THE BACK OF (b)(6) (b)(7) (c)'S NECK AND PLACED THE MUZZLE OF HIS WEAPON TO (b)(6), (b)(7)(c) (c)'S HEAD. THE MEN THEN SEARCHED THROUGH (b)(6), (b)(7)(c) (c) POCKETS, PULLING OUT HIS PAPERWORK (IRAQI POLICE WARRANTS THAT HE WAS GOING TO SERVE), HIS MONEY, AND TWO TYPES OF PICTURE IDENTIFICATION. ONE OF THE IDENTIFICATION CARDS THAT (b)(6), (b)(7) (c) WAS CARRYING WAS AN ID ISSUED BY THE MINISTRY OF THE INTERIOR, AND THE OTHER ID WAS FROM THE IRAQI POLICE. BOTH IDENTIFICATION CARDS HAD HIS PICTURE ON THEM, AND BOTH WERE WRITTEN IN ARABIC AND ENGLISH.

AS THE MEN EMPTIED (b)(6), (b)(7)(c) (c) POCKETS, HE TOLD THEM THAT HE WORKED FOR THE IRAQI POLICE, TO WHICH HE WAS ANSWERED; YOU ARE 'NO POLICE'. THE CRESCENT SECURITY MEN EMPTIED (b)(6), (b)(7)(c) (c) POCKETS AS HE WAS LYING ON HIS STOMACH, AND THEY THREW EVERYTHING, TO INCLUDE HIS IDENTIFICATION CARDS, ON THE GROUND WITHOUT LOOKING AT THEM. AFTER EMPTYING HIS POCKETS, THE MEN RESUMED KICKING HIM REPEATEDLY IN THE HEAD, FACE, SHOULDERS, RIBS, ARMS, SIDES, AND LEGS. (COLLECTOR COMMENT - THE DETAINEE HAS MULTIPLE BRUISES ON HIS BODY AND FACE, AND HIS FACE WAS EXTREMELY SWOLLEN WHEN HE ARRIVED AT FOB O'RYAN FOLLOWING THIS INCIDENT). WHILE (b)(6), (b)(7) (c) WAS BEING KICKED, HE COULD HEAR MEN SPEAKING IN ARABIC, BUT THEY WERE NOT ADDRESSING HIM, THEY WERE TALKING AMONGST THEMSELVES.

(b)(6), (b)(7) (c) COULD NOT SEE HIS BROTHER DURING ANY OF THIS, BUT HE ASSUMES THAT HIS BROTHER WAS RECEIVING THE SAME TREATMENT BECAUSE HE COULD HEAR HIS BROTHER CRYING AND BEGGING MEN TO 'PLEASE STOP KICKING' HIM. AFTER A FEW MOMENTS, THE KICKING STOPPED AND (b)(6), (b)(7) (c) FELT HIS SHOES BEING REMOVED, HIS HANDS BEING BOUND BEHIND HIS BACK, AND HIS FEET BEING BOUND. UP UNTIL THE MOMENT THAT (b)(6), (b)(7) (c) WAS BEING TIED UP, HE COULD HEAR HIS BROTHER PLEADING WITH SOMEONE TO STOP KICKING HIM, (b)(6), (b)(7) (c) THEN HEARD A GUNSHOT, AND HE DID NOT HEAR HIS BROTHER CRYING ANYMORE. (b)(6), (b)(7) (c) LAY ON THE GROUND FOR APPROXIMATELY TEN MORE MINUTES UNTIL THE IRAQI POLICE SHOWED UP ON THE SCENE. (b)(6), (b)(7) (c) WAS STOOD UP, AND THE IRAQI POLICE INFORMED HIM THAT HIS BROTHER WAS DEAD FROM A GUNSHOT WOUND TO THE HEAD. THE IRAQI POLICE THEN INFORMED THE CRESCENT SECURITY MEN THAT (b)(6), (b)(7) (c) WORKED FOR THEM. (b)(6), (b)(7)(c) (c) WAS BROUGHT TO FOB O'RYAN BY THE CRESCENT SECURITY FORCES AND HIS BROTHER'S BODY AND THE MOTORCYCLE WERE LEFT WITH THE IRAQI POLICE.

UPON ARRIVING AT FOB O'RYAN, ONE OF THE CRESCENT SECURITY MEN TOLD (b)(6), (b)(7) (c) THAT HE WAS THE ONE THAT SHOT MOHAMMED AND THAT HE WAS GLAD THAT HE KILLED HIM. (b)(6), (b)(7) (c) ASKED THE MAN HOW HE WOULD FEEL GOING HOME TO HIS FAMILY AFTER KILLING HIS BROTHER, TO WHICH THE MAN REPLIED 'YOU ARE LUCKY THAT YOU ARE ALIVE, I WANTED TO KILL YOU TOO. GOD SAVED YOU; I AM GLAD I KILLED YOUR BROTHER'. (COLLECTOR COMMENT - (b)(6), (b)(7) (c) HAS DESCRIBED THE MAN THAT BRAGGED OF SHOOTING HIS BROTHER AS BEING AROUND 35 YEARS OF AGE, APPROXIMATELY 72 INCHES TALL, AND A 'BIG MAN'. THE MAN HAD DIRTY-BLONDE HAIR, A BLONDE

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EXHIBIT 58

MUSTACHE, AND A BLONDE BEARD. (b)(6) (b)(7) (C) HAS SAID THAT HE WOULD BE ABLE TO PHYSICALLY IDENTIFY THE MAN THAT CLAIMED TO HAVE KILLED HIS BROTHER. (b)(6) (b)(7) (C) ALSO SAID THAT HIS BROTHER MOHAMMED WAS CARRYING A LIGHTER, CIGARETTES, AND A LARGE BAG OF GRAPES, BUT NOTHING ELSE ON HIM WHEN THIS INCIDENT OCCURRED. (b)(6) (b)(7) (C) HAS SAID THAT THESE MEN WERE NOT ACTING LIKE THE COALITION FORCES, THEY WERE ACTING 'NOT LIKE PROFESSIONALS, [BUT] LIKE A GANG, LIKE A CRAZY GANG'. (b)(6) (b)(7) (C) INSISTS THAT HIS BROTHER WAS NOT CARRYING THE COMMAND WIRE THAT THE CRESCENT SECURITY FORCES BROUGHT IN AND CLAIMED THAT THEY FOUND IN MOHAMMED'S POCKET.

CAPTURED WITH: N/A

(b)(6) (b)(7) (C) BROTHER'S BODY WAS LEFT AT THE SCENE OF THE INCIDENT IN THE CARE OF THE IRAQI POLICE).

QUESTIONING APPROACH:

(b)(6) (b)(7) (C) WAS REASONABLY CALM DURING DIRECT QUESTIONING, BUT WAS UNDERSTANDABLY UPSET OVER THE SHOOTING AND SUBSEQUENT DEATH OF HIS BROTHER.

ADDITIONAL COLLECTOR'S COMMENTS:

THE THREE CRESCENT SECURITY MEN THAT RELATED THEIR VERSION OF THE AFORESAID EVENT TOLD A VERY DIFFERENT STORY FROM THAT OF (b)(6) (b)(7) (C) THEY AT FIRST CLAIMED THAT (b)(6) (b)(7) (C) AND MOHAMMED ARRIVED ON THE SCENE APPROXIMATELY TEN MINUTES AFTER THE IMPROVISED EXPLOSIVE DEVICE DETONATED ON THEIR VEHICLE. THE SECOND TIME THEY RECOUNTED THEIR STORY, THEY CHANGED THE TIMING OF THE BROTHER'S ARRIVAL TO 'THE BROTHERS DROVE UP THE ROAD THIRTY MINUTES AFTER THE EXPLOSION'. THEY SAID THAT MOHAMMED HAD A 'SHIT EATING GRIN' ON HIS FACE AND THAT HE WAS WEARING EARPLUGS, WHICH THEY DROPPED ON THE GROUND AND LEFT ON THE SCENE.

THE SECURITY FORCES DID NOT RELATE ANY OF THE BEATING INCIDENTS WHICH OCCURRED, AND THEY CLAIMED THAT THE BROTHERS WERE STANDING NEAR THE MOTORCYCLE AS THEY BEGAN TO SEARCH THROUGH (b)(6) (b)(7) (C) POCKETS. THE CRESCENT SECURITY FORCES SAID THAT WHEN THEY BEGAN TO SEARCH (b)(6) (b)(7) (C), MOHAMMED 'TOOK OFF RUNNING'. THEY FIRED ONE WARNING SHOT INTO THE AIR, AND THEN WHEN HE FAILED TO STOP, THEY FIRED A SINGLE SHOT WHICH KILLED HIM. THEY ALSO CLAIMED THAT (b)(6) (b)(7) (C)

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~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 59/

HAD NO PICTURE IDENTIFICATION, ONLY A SLIP OF PAPER WITH ARABIC WRITING ON IT.

DURING THEIR BRIEFING OF THE EVENT, ONE OF THE SECURITY MEN SAID THAT HE WOULD LIKE TO TAKE THE DETAINEE WITH HIM, AWAY FROM THE FOB, TO A FIELD, TO KILL HIM. AT THIS REMARK, CAPTIAN (b)(6) (b) STATED THAT (b)(6), (b) WAS IN HIS CUSTODY NOW, AND THAT ALL THEY HAD TO DO WAS TO FILL OUT THE PAPERWORK. THE CRESCENT SECURITY MEN FILLED OUT SWORN STATEMENTS ON THE EVENT AND WERE QUICKLY ON THEIR WAY TO FOB ANACONDA.

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 60/1

EOD Debrief

Time Out:
Time In: 2007
Date: 02OCT06
EOD Team Leader: SSgt (b)(6) (b)(7)(C)
Means of Initiation: unk -- maybe CW
Description of Explosive: unk
Location: MC 31734 41034
Debrief: East side of road at intersection of Horseshoe lake road and Tampa. IED detonated at 021800OCT06. SIGACT: IED Detonated: at 021800OCT06, an IED detonated on a Crescent Security patrol at MC 31734 41034 on the shoulder of the NB lane of MSR Tampa. FOB O’Ryan EOD determined that the IED was sub-surface lain and it detonated on the lead vehicle. EOD was unable to determine the type of round or means of initiation since no fragmentation was found.

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EXHIBIT 61

TF 1-8 INF REG DETAINEE RECORD SHEET

<p>INSERT PHOTO</p> <div data-bbox="284 1197 1177 1879" style="background-color: black; color: white; padding: 5px;"> <p>(b)(6) (b)(7)(C)</p> </div>	<p>NAME: ██████████</p>
<p>KNOWN ALIASES:</p>	<p>RELIGION:</p>
<p>RELIGION:</p>	<p>TRIBE:</p>
<p>TRIBE:</p>	<p>LOCATION:</p>
<p>LOCATION:</p>	<p>POSITION:</p>
<p>POSITION:</p>	<p>DATE OF LAST CONTACT:</p>
<p>DATE OF LAST CONTACT:</p>	<p>DISPOSITION:</p>
<p>DISPOSITION:</p>	<p>TAG NUMBER:</p>
<p>TAG NUMBER:</p>	<p>CAPTURING UNIT: Crescent Security Group</p>
<p>CAPTURING UNIT: Crescent Security Group</p>	<p>DATE OF CAPTURE: 021730OCT2006</p>
<p>DATE OF CAPTURE: 021730OCT2006</p>	<p>ARRIVAL AT SEAF:</p>
<p>ARRIVAL AT SEAF:</p>	<p>LOCATION OF CAPTURE: MC 3173 4103</p>
<p>LOCATION OF CAPTURE: MC 3173 4103</p>	<p>REASON FOR CAPTURE: Suspected IED Emplacer</p>
<p>REASON FOR CAPTURE: Suspected IED Emplacer</p>	<p>PREVIOUS ISSUES W/ COALITION:</p>
<p>PREVIOUS ISSUES W/ COALITION:</p>	<p>REMARKS:</p>
<p>REMARKS:</p>	<p>TELEPHONE NUMBER:</p>
<p>TELEPHONE NUMBER:</p>	<p>BA'ATH PARTY LEVEL:</p>
<p>BA'ATH PARTY LEVEL:</p>	<p>PAST HISTORY OF NOTE:</p>
<p>PAST HISTORY OF NOTE:</p>	

TOP SECRET

EXHIBIT 62

D / 1-8 IN ATTENTION FACILITY RULES

DETAINEE NAME (b)(6), (b)(7)(C)

DETAINEE ID. NUMBER (b)(6) (b)(7)(C)

DO NOT APPROACH, OR TOUCH ANY U.S. SOLDIER OR GUARD UNLESS INSTRUCTED TO BY THE GUARD.

FIGHTING IS PROHIBITED; NO ACTION WILL BE TAKEN AGAINST OTHER DETAINEES OR U.S FORCES. ANY FIGHTING WITH U.S SOLDIERS OR DETAINEES WILL BE CONSIDERED A HOSTILE ACT AND WILL BE DELT WITH SWIFTLY AND DELIBERATLY. ARGUING, FOUL OR OBSCENE GESTURES WILL BE CONSIDERED AN UNAUTHORIZED ACT AND DELT WITH SWIFTLY AND DELIBERATLY.

ANY UNLAWFUL ATTEMPT TO ENTER OR EXIT THE FACILITY WITHOUT AN ESCORT GUARD IS PROHIBITED AND DEADLY FORCE IS AUTHORIZED.

UNLESS ESCORTED BY A U.S SOLDIER DETAINEES WILL REMAIN IN THEIR CELLS.

ALL TRASH WILL BE PICKED UP AND DISCARDED AFTER BREAKFAST AND DINNER CHOW.

TALKING IS PROHIBITED, DO NOT SPEAK UNLESS YOU ARE SPOKEN TO BY U.S FORCES, TALKING INSIDE THE CELLS IS ALSO PROHIBITED

DESTRUCTION OF ANY KIND TO THE CELLS IS STRICTLY PROHIBITED.

CONTRABAND OF ANY KIND IS UNAUTHORIZED, (I.E LIGHTERS, KNIVES, GUNS TOBACCO PRODUCTS, ROPE) ALL PROPERTY WILL BE SURRENDERED TO U.S FORCES AND RETURNED OR TURNED OVER UPON RELEASE OR DELIVERY TO ANOTHER DETENTION FACILITY.

NO FOOD ITEMS WILL BE KEPT IN THE CELL, UPON COMPLETION OF YOUR MEAL ALL TRASH AND FOOD WILL BE THROWN AWAY.

PRAYER IS AUTHORIZED AS WELL AS READING OF THE KORAN.

LIGHTS OUT WILL BE 2100/9:00 PM

ALL DETAINEES WILL BE REQUIRED TO BATHE UPON INITIAL PROCESSING, ANY REFUSAL WILL RESULT IN THE PROPER MEANS NESSESARY TO BATHE THE DETAINEE.

ALL DETAINEES WILL BE PHOTOGRAPHED UPON ARRIVAL TO THE DETENTION FACILITY.

FACILITY NCOIC SIGNATURE

DETAINEE SIGNATURE

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

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

FOUC

EXHIBIT 63

~~LAW ENFORCEMENT SENSITIVE~~

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DETAILS

About 1645, 4 Oct 06, SA (b)(6), (b)(7)(C) this office, collected the original interview of Mr. (b)(6), (b)(7)(C) Police Officer, Central Office of Hay Al-Askery Police Department, Al-Dujail, Iraq, on 8mm tape utilizing a Sony Handycam. (See 8mm Tape)

About 1100, 7 Oct 06, SA (b)(6), (b)(7)(C) this office, conducted a name search through the Department of Defense Employee Interactive Data System (DEIDS) pertaining to Mr. (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) DEIDS revealed the following information: (b)(6), (b)(7)(C), Defense Agency, Department of Defense (DoD) Contractor, DOB (b)(6), (b)(7)(C) home address (b)(6), (b)(7)(C) (no area code was provided); (b)(6), (b)(7)(C) Air Force, DoD Contractor, DOB (b)(6), (b)(7)(C) home address (b)(6), (b)(7)(C) (b)(6), (b)(7)(C); and (b)(6), (b)(7)(C), Marine

Corps Individual Ready Reserve not on active duty, DOB (b)(6), (b)(7)(C) home address (b)(6), (b)(7)(C). (See DEIDS Report)

About 1130, 7 Oct 06, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) Brigade Judge Advocate, 3d Brigade Combat Team, 82d Airborne Division (3 BCT, 82d ABN), Contingency Operating Base Speicher (COB Speicher), Tikrit, Iraq, who related there would be no command investigation performed although the contracting office (NFI) would be conducting an investigation. MAJ (b)(6), (b)(7)(C) related the Rules of Engagement for the individuals involved were the same for everyone, only fire if hostile act was observed. MAJ (b)(6), (b)(7)(C) related he had no other information on the CSG.

About 1029, 9 Oct 06, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) Federal Bureau of Investigation (FBI) (NFI), who related the information provided to his office was to be presented to the Department of Justice (DOJ) Headquarters in Washington D.C. for an opine as to the jurisdiction.

About 1320, 9 Oct 06, SA (b)(6), (b)(7)(C) received the internal investigative report (Incident Investigation) that detailed Crescent Security Group (CSG) encountered on IED (Improvised Explosive Device) on Main Supply Route (MSR) TAMPA while en-route to LSA Anaconda, Balad, Iraq. (See

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6), (b)(7)(C), (b)(7)(F)		90 th Military Police Detachment (CID) Logistical Support Area Anaconda, APO AE 09391	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	25 Oct 06	12	

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DETAILS

Incident Investigation and Coalition Provisional Authority Memorandum Number 17)

About 0912, 11 Oct 06, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) who related he had not received any determination as to prosecution or investigative jurisdiction pertaining to this investigation. SA (b)(6), (b)(7)(C) further related for this office to continue with the investigation and if the DOJ or Department of State was going to assist he would contact us immediately.

About 1030, 16 Oct 06, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, coordinated with Mr. (b)(6), (b)(7)(C) Iraqi Police Liaison Officer, E CO, 1/8 Engineers, LSA Anaconda, Iraq, and (b)(6), (b)(7)(C) Iraqi Police Liaison Officer, E CO, 1/8 Engineers, LSA Anaconda, Iraq, who related they were performing an investigation into the death of Mr. M. NEJIM-OBAID. Mr. (b)(6), (b)(7)(C) related his team would attempt to perform a crime scene investigation, search victim's house, determine how IP were initially notified, interview all parties involved at Camp Orion, locate the body and any medical records available.

About 1000, 19 Oct 06, SA (b)(6), (b)(7)(C) SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) who provided the following information:

About 1000, 18 Oct 06, Mr. (b)(6), (b)(7)(C) coordinated with the Iraqi Police for the Iraqi Police Report. (See Iraqi Police Report)

Between 1000 and 1200, 18 Oct 06, Mr. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) interviewed Constable (b)(6), (b)(7)(C) IPO, Badge # 26 (NFI), 2LT (b)(6), (b)(7)(C) IPO, Badge # 94 (NFI), 2LT (b)(6), (b)(7)(C) IPO, Badge # 94 (NFI), 1LT (b)(6), (b)(7)(C) Badge # 9 (NFI), and 1LT (b)(6), (b)(7)(C) IPO, Identification # 3323 (NFI), who related they were notified about the incident through Al Dugal Police Department channels. All of them related the body of the victim was lying face down. Constable (b)(6), (b)(7)(C) there was blood on the face of the victim, but did not notice any wounds to the body. 1LT (b)(6), (b)(7)(C) related the body had been placed into a body bag before his arrival. 1LT (b)(6), (b)(7)(C) related he opened the body bag and observed 4 to 5 gunshots wounds to the back of the right side of the head. 2LT (b)(6), (b)(7)(C) related he witnessed an IP place the body in a body bag, but

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

90th Military Police Detachment (CID)
Logistical Support Area Anaconda, APO AE 09391

SIG

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

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did not observe holes in the head of the victim. 1LT (b)(6), (b)(7)(C) related the body was on the road with a hole in the right cheek and blood around the head. 1LT (b)(6), (b)(7)(C) further related he witnessed an IP place the victim in a body bag. All of them related the body was transported to Iel Sakeri, IP Sub-Station, where it was claimed by the family and buried in a cemetery near Camp O'Ryan. (See Interview Worksheets)

Between 1000 and 1200, 18 Oct 06, Mr. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) coordinated with 1LT (b)(6), (b)(7)(C) 2LT (b)(6), (b)(7)(C) and 1LT (b)(6), (b)(7)(C) who provided sketches of the victim, depicting him faced down with blood coming from the right area of the head. (See Sketches)

Agent's Comment: 1LT (b)(6), (b)(7)(C) identified 1LT (b)(6), (b)(7)(C), IPO (NFI), as an additional IP on the scene, who observed the gunshot wounds to the head of the victim.

Constable (b)(6), (b)(7)(C) (IPO) was unavailable for questioning (located in Tikrit during the interviews). Constable (b)(6), (b)(7)(C) was the only other IPO identified as being at the crime scene was not interviewed.

Mr. (b)(6), (b)(7)(C) spoke with the victim and related his account of the events that transpired had not changed.

About 1200, 18 Oct 06, Mr. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) performed a crime scene verification of coordinate 38S MC 3173441034, which was limited due to the danger of sniper activity. Mr. (b)(6), (b)(7)(C) found an area riddled with spent rounds. However, he was unable to locate any evidence of blood, which may have been attributed to recent precipitation. Additionally, Mr. (b)(6), (b)(7)(C) found what appeared to be the IED blast site that struck the convoy.

About 1200, 18 Oct 06, Mr. (b)(6), (b)(7)(C) collected several rounds as evidence.

About 1442, 19 Oct 06, SA (b)(6), (b)(7)(C) collected 10 shell casings and one live rifle cartridge from Mr. (b)(6), (b)(7)(C) International Police Liaison Officer (IPLO), LSAA, while at the 90th MP Det (CID) conference room, LSAA. SA (b)(6), (b)(7)(C) inventoried the evidence and completed a DA Form 4137

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Evidence/Property Custody Document which indicated Mr. (b)(6), (b)(7)(C) released the shell casings to SA (b)(6), (b)(7)(C). Mr. (b)(6), (b)(7)(C) related he collected the shell casings from Military Grid Reference System (MGRS) 38S MC 31734 41034 which was provided by this office. Additionally, Mr. (b)(6), (b)(7)(C) related there were more shell casings at the scene however, due to the high risk of Anti Iraqi Forces (AIF) in the area, the security detail was allowed only 10 minutes for the Crime Scene.

About 1400, 20 Oct 06, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) who related his command had directed him to resume his primary duty and stop all activity on this investigation. Additionally, Mr. (b)(6), (b)(7)(C) supplied three photos. Two of the photos were of the crime scene and the third was a photo of a bruise to back of the neck of Mr. (b)(6), (b)(7)(C) (See Photo Packets)

About 1700, 20 Oct 06, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) Interpreter, this office, for the translations of the IP documents, which were later determined to contained a copy of the Death Certificate, which listed cause of death as gunshot wounds. The locations of gunshot wounds were not noted. Manner of death was not established.

About 1500, 25 Oct 06, SA (b)(6), (b)(7)(C) briefed CPT (b)(6), (b)(7)(C) Staff Judge Advocate, COB Speicher, on the case. SA (b)(6), (b)(7)(C) related the FBI had been contacted and this office was awaiting further coordination from them to establish whether they would assist or assume the case.

About 1730, 25 Oct 06, SA (b)(6), (b)(7)(C) received a call from Mr. (b)(6), (b)(7)(C) who related that he is in Chicago, IL and will be leaving the U.S. on 4 Nov 06 to return to work with the CSG, Tallil Air Base, Iraq on 4 Nov 06. Mr. (b)(6), (b)(7)(C) stated that he had been contacted by both CID out of Balad, Iraq and the CSG and he would like to return to Iraq before making any further statements.

AGENTS COMMENT: Mr. (b)(6), (b)(7)(C) made a spontaneous statement of the events. Mr. (b)(6), (b)(7)(C) stated that an IED had exploded near their vehicle. Upon searching the area afterward they captured 2 guys on a motorcycle who had said they were Iraqi Police (IP). Mr. (b)(6), (b)(7)(C) did not believe the two guys due to they were both wearing civilian clothes and 1 had detonation cord

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA (b)(6), (b)(7)(C), (b)(7)(F)		90 th Military Police Detachment (CID) Logistical Support Area Anaconda, APO AE 09391	
SIGN	(b)(6), (b)(7)(C)	DATE	EXHIBIT
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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0136-06-CID919-77463

PAGE 5 OF 5 PAGES

DETAILS

and ear plugs. One of the guys started to run and was shot; the other guy was turned over to military control. Mr. (b)(6), (b)(7) stated they had been attacked five times while on that mission.///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
(b)(6), (b)(7)(C)		90 th Military Police Detachment (CID) Logistical Support Area Anaconda, APO AE 09391	
SIGNATURE	DATE	EXHIBIT	
(b)(6), (b)(7)(C)	25 Oct 06	12	

C

Date: 02 Oct 06 ~~Highlight/Red/Bold~~ Appropriate Report **FIRST** - INTERIM - FINAL

Who: (List NAME(s), Organization or Contractor/Contract)

Crescent Security Group GTR 026

What/Where: (Detail what happened and WHERE it happened Provide Grid)

Ambush on MSR Tampa just south of the turn off to the south gate of Camp Anaconda at Grid MC 31734 41034. The ambush was triggered by an IED on the point vehicle followed by SAF. The team returned fire and moved clear of the kill zone by approximately 400m. The team sent elements back to the area to render assistance to civilians caught in the cross fire and search two vehicles that were acting suspicious. The team also stopped two IP's on a motorcycle who were loitering around the scene and found them in possession of det cord, cell phones and other bomb making/detonating equipment. During the search one IP resisted and attempted to flee the scene and was shot in the process. There was one civilian injured who was treated for a gun shot wound by our team members and handed off to the IP's to be taken to hospital. The IP's collected the body of the dead IP and took control of the area. Our team departed in possession of second trigger man and met with the QRF north of the ambush site. More to follow.

When: (WHEN the incident happened and when GRD LEADERSHIP NOTIFIED)

021720 October 2006 LMCC notified 021726 October 2006

What is Impact on GRD Operations: (What is the So What?)

Team is moving to Camp Anaconda. It will asses all damage and future ops from that location.

Other: (List any other information that might be relevant to the incident)

The IP's who attended did not make any firm demands regarding returning there apprehended Officer.

Actions Required: (List any actions that are required and who should take the action)

CSG Ops will update LMCC NLT 030800 October 2006 of future intentions regarding push times from Anaconda.

Contact Information of Person Taking Report:

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

Ops Manager

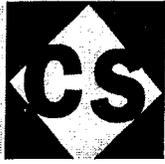
Select Applicable CCIR: (delete others)

Indicate criteria for CCIR:

7. Any enemy or criminal action against GRD/PCO or contractor personnel (e.g., attack, kill, kidnap, threat or intimidation) or GRD/PCO construction projects (immediate).

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CCIR (b)(6), (b)(7)
EXHIBIT 1370



Crescent Security Group Inc.

To: CEO, Crescent Security Group.

Through: Director of Security, Crescent Security Group.

INCIDENT INVESTIGATION: AMBUSH ON C/S WOLF 2 SOUTH OF BALAD/LSA ANACONDA AT GD MC 31734 41034.

REF A.

A. CCIR report dated 02 Oct 06

Investigating Officer: (b)(6), (b)(7)(C) Operations Manager

Unit/Team Involved: Wolf 2, (b)(6), (b)(7)(C) (Team Leader (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)) and (b)(6), (b)(7)(C)

1. As stated in Ref. A. Wolf 2 was hit with an IED initiated ambush at the grid listed above. Below is the background of the event:

- a. *Ambush on MSR Tampa just south of the turn off to the south gate of Camp Anaconda at Grid MC 31734 41034. The ambush was triggered by an IED on the point vehicle followed by SAF. The team returned fire and moved clear of the kill zone by approximately 400m. The team sent elements back to the area to render assistance to a civilian caught in the cross fire and searched two vehicles that were acting suspicious. The team also stopped two personnel on a motorcycle who were loitering around the scene they claimed to be IP's. They were searched and found to be in possession of det cord, cell phones and other bomb making/detonating equipment. During the search one IP resisted and attempted to flee the scene and was shot in the process. There was one civilian injured who was treated for a flesh wound by our team members and handed off to the IP's to be taken to hospital. The IP's collected the body of the dead IP and took control of the area. Our team departed in possession of second trigger man and met with the QRF north of the ambush site. The team moved to FOB O'Ryan where they handed the detainee over and completed statements regarding the event. Once this process was completed the team moved to LSA Anaconda for the night.*

2. Wolf 2 returned from the mission on the 4th of October and gave me a full brief on the above incident. The team was in turn questioned by me regarding the incident and in particular the two men apprehended. I asked for clarification on the shooting of the one alleged trigger man and received the following response:

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- a. *"Once we had ascertained that these men could well be the trigger men we removed them from the motorcycle and searched them. This is when we found the bomb making equipment. During the search one of the men tried to escape and in the following struggle and pursuit was shot" Or words to that effect.*
3. I also questioned them on the actual ambush itself and was satisfied that they reacted accordingly within the parameters of SOP's. The team were co-operative with the IP's that arrived and rendered assistance to a Local National who was hit by shrapnel. Throughout the duration of the incident LMCC were kept informed of all events and all information was passed to them for review and processing. There are a few points which raise concern regarding the mission and may be cause for caution in future missions they are as follows:
- a. The alleged trigger men claimed to be IP's
- b. The IP's that arrived on the scene were there very quickly and in the team leaders mind almost too quickly as if they were expecting the incident
- c. The IP's did not show any concern for the two men who were captured and were very quick to clear the scene of evidence.
4. I conclude that the team responded accordingly to the threat at hand and followed all guidelines/SOP/ROE. The team rendered assistance to a wounded civilian and were co-operative with all uniformed services involved.
5. Should there be further questions please notify the Ops room for clarification or further investigation.

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

MBE

Operations Manager
Crescent Security Group

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COALITION PROVISIONAL AUTHORITY MEMORANDUM NUMBER 17

**REGISTRATION REQUIREMENTS FOR
PRIVATE SECURITY COMPANIES (PSC)**

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolutions 1483, 1511 (2003) and 1546 (2004),

Recognizing that all Private Security Companies (PSC) need to be registered with the Ministry of Trade and regulated by the Ministry of Interior, and that various CPA orders and memoranda, and Iraqi law provide guidance for PSC operations (see Annex C),

Noting that a number of PSC and their employees are already operating in Iraq without the benefit of appropriate registration and authorization of the Ministry of Interior and Trade,

Desiring to establish a mechanism whereby all PSC will be registered, regulated and vetted and to update Iraqi law as it relates to PSC,

I hereby promulgate the following:

**Section 1
Purpose and Definitions**

- 1) This Memorandum provides guidance for PSC that intend to operate within Iraq. Annex A provides binding Rules for the Use of Force that must be adhered to by all PSC, their officers and employees. Annex B is a Code of Conduct that all PSC must follow.
 - a) "Private Security Company" means a private business, properly registered with the Ministry of Interior (MOI) and Ministry of Trade (MOT) that seeks to gain commercial benefits and financial profit by providing security services to individuals, businesses and organizations, governmental or otherwise.
 - b) "Weapons Card" means a card issued by the MOI under Section 6 of this Memorandum.
 - c) "Business License" means a document issued by the MOT under Company Law No. 21 of 1997, as amended by CPA Order 64 that proves that the PSC has been validly registered to carry on business in Iraq.
 - d) "Operating License" means a license issued by the MOI under this Memorandum, which permits PSC to operate in Iraq.

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Section 2
Registration, Vetting and Licensing

- 1) PSC may not operate in Iraq without a:
 - a) Business License and an Operating License, or
 - b) Temporary Operating License.

Any PSC operating without the necessary Licenses will be in breach of Iraqi law and subject to prosecution.
- 2) In order to obtain a Business License PSC shall apply to the MOT for registration under the Company Law, No. 21 of 1997, as amended by CPA Order 64.
- 3) PSC that have been granted or applied for a Business License may apply to the PSC Registration and Vetting Office of the Ministry of Interior for an Operating License.
- 4) An application for an Operating License must include the following information:
 - a) a copy of the PSC Business License or proof that an application for a Business License has been lodged;
 - b) the full names of all employees, company officers and directors, and proof of registration of the company, and if the PSC is registered in a State other than Iraq proof of registration of the company in its home State;
 - c) details of the work PSC will be carrying out in Iraq, including any relevant documentation (e.g. a copy of any contracts for services or statement of intent to hire the PSC, including details of number of employees and customers); and
 - d) details and serial numbers of all weapons that may be used by the PSC.
- 5) PSC, their officers and employees will be vetted by the MOI according to the criteria below to ensure that any criminal or hostile elements are identified and to prevent attempts by illegal organizations (e.g. criminal organizations, illegal militias) to legitimize their activities.
- 6) In order to comply with MOI vetting standards, employees of PSC must:
 - a) Be older than 20 years;
 - b) Be mentally and physically fit for duties;
 - c) Be willing to respect the law and all human rights and freedoms of all citizens of the country;
 - d) Pass a security/background check, that confirms:

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- i. compliance with the amended CPA Order Number 1 (De-Ba'athification of Iraqi Society);
 - ii. no prior felony convictions; and
 - iii. no history of involvement in terrorist activity; and
- e) Receive operations and weapons training to the minimum standard set for the Facilities Protection Service.
- 7) For non-Iraqi employees, the MOI may accept a copy of a comparable certification from a foreign Governmental authority issued pursuant to its official rules and procedures to meet some or all of the requirements in Section 2(6), above
- 8) Other reasonable vetting procedures and requirements may be added by the MOI to ensure necessary standards are met. In such case, new procedures and requirements shall be published no less than 60 days before they are to take effect.

Section 3 Bonds and Insurance

- 1) PSC must submit a minimum refundable bond of US\$25,000 or the equivalent sum in Iraqi Dinars, to the MOI before commencing operations in Iraq and being granted an Operating License or Temporary Operating License. Additional bonds, to be determined by the MOI, may be required depending on the number of employees of the PSC. The amount of the bond will increase as the number of employees increases, in accordance with an internationally recognized pro-rata industry-wide scale to be determined by the MOI. This scale shall be published 30 days before any additional bond requirement are to take effect. Any changes in bonding requirements will be approved by the Minister of Interior, and published in writing no less than 60 days before institution.
- 2) Failure to provide information to the MOI as required by Section 7 may result in forfeiture of the bond lodged in accordance with Section 3(1) or part thereof. MOI shall provide the PSC with written notice of any breaches and allow a one week grace period to come into compliance before any forfeiture of the bond or part thereof takes effect.
- 3) While the standards laid out in this Memorandum provide the minimum requirements, any breaches of Iraq or other applicable law by employees or companies may result in forfeiture of the bond by the MOI lodged in accordance with Section 3(1) or part thereof and may result in a review and revocation of the Operating License of the PSC. Where a PSC, or an employee of that PSC, breaches this Memorandum or any other law in force in Iraq, the MOI may declare

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the bond or any part thereof forfeit. Any such decision to declare the bond forfeit must be based on reasonable grounds and be proportional to the breach of the law initiating such action. The MOI will take into account actions taken by the PSC with respect to individual violations (e.g. termination, prompt and open coordination with law enforcement) in determining whether a PSC should forfeit its bond or any part thereof.

- 4) PSC must submit evidence that they have sufficient public liability insurance to cover possible claims against them for a reasonable amount to be advised and published by the MOI. If securing such insurance is not practicable the PSC will inform the MOI in writing and seek an exemption from this requirement.
- 5) Bonds will be refunded within 30 days if PSC ceases operation in Iraq unless there are reasonable grounds to believe that PSC have failed to comply with this Memorandum.

Section 4

Refusal, Suspension or Revocation of Licenses, and Provisional Licenses

- 1) The MOI will grant Temporary Operating Licenses pending completion of the licensing processes of the MOT and MOI. The minimum requirements for the grant of a Temporary license are:
 - a) Submission to MOI of proof that an application for a Business License has been lodged with the MOT; and
 - b) Submission to the MOI of an application for an Operating License, including any other requirements that the MOI may notify.
- 2) Operating Licenses may be suspended, revoked or refused in accordance with the following provisions:
 - a) The MOI may, at their sole reasonable discretion, refuse to grant an Operating License if the conditions of this Memorandum are not met. The reason for the decision shall be communicated to the applicant in writing. The applicant may reapply for an Operating License after taking remedial action with respect to the breaches identified by the MOI.
 - b) Where a PSC, or an employee of that PSC, breaches this Memorandum or any other law in force in Iraq, the MOI may suspend or revoke the Operating License. Any such decision to revoke or suspend an operating license must be based on reasonable grounds and be proportional to the breach of the law initiating such action. If the Operating License is revoked, the bond, or part thereof, lodged in accordance with Section 3(1) will be forfeited. The MOI will take into account actions taken by the PSC with respect to individual violations

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(e.g. termination, prompt and open coordination with law enforcement) in determining whether a PSC should forfeit its license as the result of such violations.

- c) Where a PSC application for an Operating License is deficient in any way, the MOI may grant a Provisional Operating License for a specified period of time. The grant of an Operating License will be subject to the applicant demonstrating that they have remedied the deficiency (e.g., providing complete information to allow background checks on all employees, or giving appropriate training to all employees).
- 3) Any Provisional or Temporary Operating License will be cancelled if:
- a) either of the applications for the Business and Operating License is denied or withdrawn; or
 - b) on the grant by the MOI of a full Operating License.
- 4) Unless it has been affirmatively denied a Business License or Operating License, notwithstanding the provisions of this Memorandum, PSC may operate without a Business License, Operating License or Temporary Operating License until 31 August 2004 or such later date as determined by MOI, pending completion of the requirements of this Memorandum.

Section 5 Audit

PSC are liable to periodic audits by the MOI regarding their operations in Iraq. All audits will be carried out by an independent auditing firm engaged for this purpose by MOI. The purpose of MOI audits is to ensure that the standards set out in Section 2(6) above are being maintained. Financial audits may also be carried out by MOT.

Section 6 Weapons

- 1) Where an Operating License is granted, or the Minister of Interior accepts the certification or guarantee of a Diplomatic or Consular Mission under Section 10(5), the MOI shall issue Weapons Cards to those PSC employees who will bear arms as part of their duties. Such Weapons Card shall constitute a license to possess and use firearms. PSC must instruct employees to carry their Weapons Cards whenever carrying a weapon. All PSC employees must carry the relevant Weapons Cards when in possession of any PSC weapon. If a PSC's Temporary, Provisional or full Operating License, certification, or guarantee is revoked, all Weapons Cards issued to the employee of that PSC shall be returned to the MOI.

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- 2) Where a Temporary License is granted, the MOI shall also issue Temporary Weapons Cards to those PSC employees who will bear arms as part of their duties. Such Temporary Weapons Cards shall constitute a license to possess and use firearms. PSC must instruct employees to carry their Temporary Weapons Cards whenever carrying a weapon. All PSC employees must carry the relevant Temporary Weapons Cards when in possession of any PSC weapon.
- 3) A PSC intending to import weapons into Iraq must obtain from the MOI a weapons import certificate. The PSC must provide details of all weapons and their serial numbers to MOI immediately upon importation.
- 4) The use of weapons by PSC shall be regulated as follows:
 - a) PSC shall notify the MOI of details and serial numbers of all weapons in its possession.
 - b) PSC will notify the MOI of any changes in the PSC's weapons inventory within one (1) month of such changes.
 - c) PSC shall store all weapons and ammunition in a secure armory or other secure facility.
 - d) PSC shall ensure that only employees carrying Weapons Cards may carry weapons and only when such employees are on official duty. PSC shall also ensure that its employees return all PSC weapons to the armory or other secure facility, as the case may be, when no longer on duty. This provision does not restrict the right of PSC employees to carry weapons while not on duty under the provisions of other Iraqi laws.
 - e) PSC may only own and its employees may only use categories of weapons allowed by CPA Order Number 3 (Revised) (Amended) Weapons Control, other applicable Iraqi law.
 - f) Under no circumstance may privately owned weapons be used for PSC duties.

Section 7

Provision of Further Information

On request, PSC must provide the following information to the MOI every six (6) months: financial and employment records, contract status, weapons data, and any other data the MOI may advise they require. Failure to comply may result in revocation of the PSC Operating License. MOI shall provide the PSC with a written notice of any failure to comply with this provision and a one week grace period to comply before any revocation of an Operating License.

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Section 8 Oversight Committee

MOI will establish an independent PSC Oversight Committee that will have general inspection and auditing responsibility (consistent with the provisions of CPA Order 57, Iraqi Inspectors General) over the implementation of this Memorandum. Such oversight shall include assessing enforcement of the standards set forth in this Memorandum as well as equitable and non-discriminatory treatment of PSC. The Minister will appoint the members of the Committee, which shall include the Inspector General of MOI, who shall be the only MOI representative on the committee, a member of the Judiciary and a representative of the MOT. The PSC Oversight Committee will report annually to the Minister on the implementation of this Memorandum.

Section 9 Limitations and Responsibilities of Private Security Companies

- 1) The primary role of PSC is deterrence. No PSC or PSC employee may conduct any law enforcement functions.
- 2) A licensed PSC shall be responsible for the actions of its employees. PSC officers and employees may be held liable under applicable criminal and civil legal codes, including the Iraqi Penal Code Law Number 111 of 1969 as amended, the Iraqi Weapons Code of 1992 as amended, and the CPA Order Number 3 Weapons Control, except as otherwise provided by law.
- 3) PSC are subject to, and must comply with all applicable criminal, administrative, commercial and civil laws and regulations, except as otherwise provided by law.
- 4) PSC must conduct operations in accordance with the provisions of the Rules for the Use of Force in Annex A and the MOI PSC Code of Conduct in Annex B.

Section 10 Implementation and Review

- 1) Nothing in this Memorandum is intended to prevent PSC from conducting operations consistent with and as permitted by the Iraqi Law, including those laws in Annex C.
- 2) Nothing in this Memorandum is intended to limit or abridge relevant privileges or immunities provided by Iraqi law or applicable international agreements.

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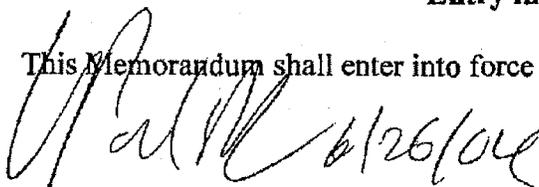
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- 3) The MOI may issue administrative directions in connection with the implementation of this Memorandum and amend the Annexes to this Memorandum.
- 4) A person who is adversely affected by a decision of the MOI made pursuant to this Order may apply in writing to the Minister of Interior for a review of the decision by the Minister of Interior. Within seven (7) days of receipt of the application, the Minister of Interior shall review the decision and notify the applicant of the determination in writing at the last provided address of the applicant.
- 5) With respect to non-Iraqi legal entities or individuals not normally resident in Iraq that provide security services to Diplomatic and Consular Missions and their personnel, or to the official humanitarian, reconstruction or development projects in Iraq funded by such missions, the Diplomatic and Consular Missions may intervene on behalf of the PSC applying for registration and any other requirements and matters under this Order. Where approved by the Minister of Interior, the certification or guarantee of the relevant Mission may be accepted in satisfaction of the requirements of this Order in lieu of a direct submission by the PSC, save that Section 6(1) shall apply. The Minister of Interior may revoke its acceptance of such certification or guarantee where the PSC in question breaches this memorandum or any other law in force in Iraq. Any decision to revoke must be based on reasonable grounds and be proportional to the breach of the law initiating such action. The Minister will take into account actions taken by the PSC with respect to individual violations (e.g. termination, prompt and open coordination with law enforcement) in determining whether its acceptance should be revoked as a result of such violations.

**Section 11
Entry into Force**

This Memorandum shall enter into force on date of signature.



L. Paul Bremer, Administrator
Coalition Provisional Authority

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EXHIBIT

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Section 12
Annexes

Annex A: **USE OF FORCE**

Annex B: **CODE OF CONDUCT FOR PSCs OPERATING IN IRAQ**

Annex C: **REFERENCES**

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EXHIBIT 14 81

Annex A: USE OF FORCE

RULES FOR THE USE OF FORCE BY CONTRACTORS IN IRAQ

NOTHING IN THESE RULES LIMITS YOUR INHERENT RIGHT TO TAKE ACTION NECESSARY TO DEFEND YOURSELF.

1. CONTRACTED SECURITY FORCES: Cooperate with Coalition, Multi-national and Iraqi Security Forces and comply with theater force protection policies. Do not avoid or run Coalition, Multi-national or Iraqi Security Force checkpoints. If authorized to carry weapons, do not aim them at Coalition, Multi-national or Iraqi Security Forces.

2. USE OF DEADLY FORCE: Deadly force is that force which one reasonably believes will cause death or serious bodily harm. You may use **NECESSARY FORCE**, up to and including deadly force, against persons in the following circumstances:

- a. In self-defense.
- b. In defense of persons as specified in your contract.
- c. To prevent life threatening offenses against civilians.

3. GRADUATED FORCE: You should use graduated force where possible. The following are some techniques you can use if their use will not unnecessarily endanger you or others.

- a. SHOUT; verbal warnings to HALT.
- b. SHOVE; physically restrain, block access, or detain.
- c. SHOW; your weapon and demonstrate intent to use it.
- d. SHOOT; to remove the threat only where necessary.

4. IF YOU MUST FIRE YOUR WEAPON:

- (1) Fire only aimed shots.
- (2) Fire with due regard for the safety of innocent bystanders.
- (3) Immediately report incident and request assistance.

5. CIVILIANS: Treat Civilians with Dignity and Respect.

- a. Make every effort to avoid civilian casualties.
- b. You may stop, detain, search, and disarm civilian persons if required for your safety or if specified in your contract.
- c. Civilians will be treated humanely.

d. Detained civilians will be turned over to the Iraqi Police or Coalition or Multi-national Forces as soon as possible.

6. **WEAPONS POSSESSION AND USE:** Possession and use of weapons must be authorized by the Ministry of Interior and must be specified in your contract.

- a. You must carry proof of weapons authorization.
- b. You will maintain a current weapons training record.
- c. You may not join Coalition or Multi-national Forces in combat operations except in self-defense or in defense of persons as specified in your contracts.
- d. You must follow Coalition or Multi-national Force weapons condition rules for loading and clearing.

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**Annex B: CODE OF CONDUCT FOR PRIVATE SECURITY COMPANIES
OPERATING IN IRAQ**

Private Security Company Code of Conduct for Operations in Iraq

As a duly registered and vetted Private Security Company, the following pledge is made:

To conduct operations professionally with honesty, sincerity, integrity, fidelity, morality and good conscience in all dealings with clients

To preserve forever clients' confidence under any and all circumstances consistent with law and deal justly, and impartially with each situation with each individual, irrespective of social, political, racial, ethnic, or religious considerations, economic status, or physical characteristics.

To conduct all operations within the bounds of legality, morality, and professional ethics.

To counsel clients against any illegal or unethical course of action.

To explain to the full satisfaction of clients all applicable fees and charges and to render accurate, factual and timely reports.

To support to the best of ability the professionalism of Private Security Companies operating in Iraq; to contribute to better community relations; through work and deed to elevate the status of the Private Security Company profession.

To ensure that all employees adhere to this code of conduct.

Annex C:

COALITION PROVISIONAL AUTHORITY ORDER 3 (REVISED) (AMENDED)
WEAPONS CONTROL

COALITION PROVISIONAL AUTHORITY MEMORANDUM 5
IMPLEMENTATION OF WEAPONS CONTROL ORDER NO.3

COALITION PROVISIONAL AUTHORITY MEMORANDUM 5A
MEMO 5 ANNEX A

COALITION PROVISIONAL AUTHORITY ORDER 27
ESTABLISHMENT OF THE FACILITIES PROTECTION SERVICE

COALITION PROVISIONAL AUTHORITY ORDER 54
TRADE LIBERALIZATION POLICY WITH ANNEX A

COALITION PROVISIONAL AUTHORITY ORDER 64
AMENDMENT TO THE COMPANY LAW NUMBER 21 OF 1997

COALITION PROVISIONAL AUTHORITY ORDER 91
REGULATION OF ARMED FORCES AND MILITIAS WITHIN IRAQ

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EXHIBIT 1485

~~LAW ENFORCEMENT SENSITIVE~~

Record No: 1132

Republic of Iraq

General ledger: 22193

Ministry of interior

General record:

204189

Directorate of civil affairs and
Identifications

personl I-D.

Name: Muhammed

Father and grand
father's name } (b)(6) (b)(7)(C)

Title : Al-Hekdemi

Mother and grand
father's name } (b)(6), (b)(7)(C)

sex = Male

Translated by

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

L-F.

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

10-20-2006

Religion : Moslim

Date of birth : Jan. 1, 1971 ^{Jan. 1st.} Nineteen hundred seventy one.

Place of Birth : Dujail - not legible - Salahaddin

Visiable sickness : None

Marital status : Married

Wife's name : (b)(6), (b)(7)(C)

not legible : Al-Faris

Eye colour : Narcissus Hight : 160 cm.

Complexion : Tan **FOUO** type of blood: not mentioned

Hair colour : black

~~LAW ENFORCEMENT SENSITIVE~~ EXHIBIT 15
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police station of A-Ghadir

10-2-2006

To his excellency the examin Judge

A patrol of dujail police have brought a corpses inside a plastic bag which was zipped up, but it belonged to the coalition forces, and the relative of the victim recognized him and indicated that coalition soldiers have shot him to death, and his head was smashed with scattered brain all over, the owner of the corpses whose name is (b)(6) (b)(7)(C) is victims brother whose name is Muhammed Abdullah Nejm, was giving ride to his deceased brother on a motorcycle which belong to the police department and he was on duty when the force shot at them, the bicycle was taken back to the police station. The third brother whose name is (b)(6), (b)(7)(C) has claimed for his rights demanding the corpse and reparation, and the claim is attached to the rest of this case, and he insist to get his brother's corpse with sending it to forensic check up. All the papers are attached and sent to you to review them and make your final decision

L-1st.

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

Investigation officer

10-02-2006

The officer

1) I have the testimony of the deceased brother who claimed for their personal rights, and it should match the article # 46.

2) Needs an investigation according to the article # 46.

3) As the answer of city assembly # 5020 on 09-20-2006 indicates the reason of

~~FOUO~~

~~CONFIDENTIAL SENSITIVE~~

EXHIBIT 15
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of Muhammed Abdullah Nejim
Death, the corpse should return back to his
relatives

(#)

(Not Legible)

5) These documents should go to the ^{DEPUTY} Attorney General
To be informed in this regard.

The Judge of examin

signature

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

N.L.

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT

15

91

Police station of
Al-Ghadir
10-02-2006

An Investigation

A group of patrol police of directorate police department of Dujail, brought us a corpse in a plastic zipped bag which was belonged to the coalition forces, and the corpse had received some gun shots which he died at once. The victim was a brother of an employee in our station, and he was riding a motorcycle going on duty and on his way he gave ride to his brother meanwhile coalition forces fired on them. The bike was taken back to the station and the victim and his brother were taken by the coalition forces elsewhere.

Investigation officer
(signature)

The testimony of the claim for personal right, by the brother of the victim, named (b)(6) (b)(7)(C) (b)(6), (b)(7)(C) born in 1959, occupation is a farmer, he indicated as follow.

On 10-02-2006, about 6:00 o'clock p.m. a convoy of military vehicles were around, and all of a sudden an I.E.D. exploded underneath of a vehicle, meanwhile Mr. (b)(6) (b)(7)(C) who is arrested by coalition forces now, used to be a police member in our department and at same time, and place of incidence, he was riding a Honda Bike on duty, and his brother (the victim) Muhammed Abdullah Nejim was given a lift behind his brother who was killed by the shots that the coalition forces fired on them, the victim was killed on the spot, leaving behind little kids. I am raising a class

against the coalition forces for regaining my rights
and my brother's corpse without any physical tests -

This is the end of my testimony -

L. 1st

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

Investigation
officer

10-02-2006

claimant for personal rights
victim's brother

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

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 15
94

3

3

police station of

Al-Ghadir

10-02-2006

checking the corpse

The corpse of the victim, Muhammed Abdullah Nejm, has been checked out, which was lied in a car of anti terrorist forces of Dujail police:

- 1- The corpse is for a male of about 35 years old.
- 2- We could see the body inside a plastic bag, colourless and it was zipped up in the length, but we opened the bag which belonged to the coalition forces, there was a tan coloured body of a male, with light black hair, black mustashes, and has been recognized as to be Muhammed Abdullah Nejm.
- 3- We could see that the deceased was fired with gunshots and his brain was scattered everywhere, besides his chest received few shots too.
- 4- The victim was wearing a brown garment, a white flannel and a white underwear, and he was bare footed.
- 5- There was no any additional, useful evidence to be mentioned.

L. Ist.

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

Investigation officer

10-02-2006

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

**AD Dujayl police
Force**

Badge **26**

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

Last Name (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Rank **constable**

Weight **65**

Height **160**

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

Postal Code **240**

Expires **10/10/2005**

This card holder is authorized to carry
A weapon while on - off duty

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 16⁹⁸

Criminal Investigation Witness Statement Report

Location: Al Dujayal P.O.

Date: 10/18/06

Time: 1000 (SOLDIER)

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

1. How were you notified of the incident?
notified by SCC @ Al Dujayal P.O.

2. Where was the body when you arrive on the scene?
Body faced down - blood on the face

3. Did you observe any wounds on the body? Yes No
What kind of wounds did you observe, i.e. bullet holes - entrance, exit?

4. What did you do with the body?
Took deceased to substation - Kiel Askeri

5. Where is it now?
Cemetery near O'Ryan - picked up by family

6. Was a police report completed? Yes No

7. Did a doctor examine the body? Yes No
Name: _____
Address: _____
Phone# _____

8. Are there any medical records? Yes No
Location: _____

Additional Notes:

1. Victims' address.
2. Secure copy of police report.
3. Arrange for witnesses to come to Anaconda.

~~FOUO~~

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE~~

resent

**AD Dujayl police
Force**

Badge 94

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

Last Name (b)(6), (b)(7)(C)

Rank 2 LT

Weight 75

Height 175

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

Postal Code FYV683

Expires 31/12/2006

This card holder is authorized to carry
A weapon while on - off duty

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

EXH1001 /

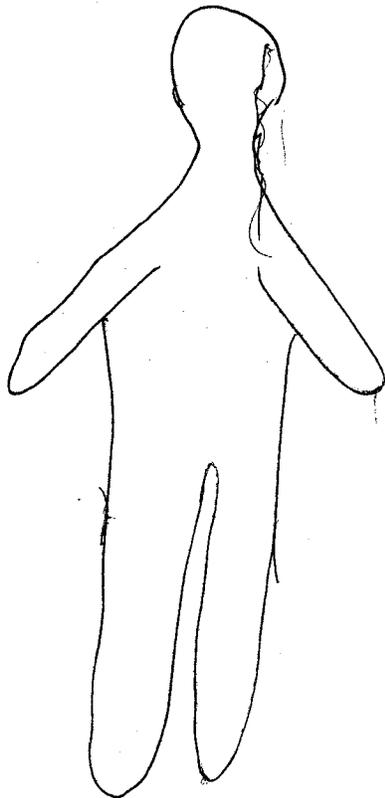
1. Stopped @ checkpoint.
2. car ground fixed down.
3. Observed blood but no holes in the head.
4. Observed possibly 2 1st place fabric body bag.
5. Family picked up body.

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 16
101

FACED DOWN



Criminal Investigation Witness Statement Report

Location: al Deyyal P.D.

Date: 10/18/06

Time: 1120

Witness Name: 1st LT.

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

1. How were you notified of the incident?
retified ^{whole} @ station

2. Where was the body when you arrive on the scene?
on the road, faced down

3. Did you observe any wounds on the body? Yes No
What kind of wounds did you observe, i.e. bullet holes - entrance, exit?
observed blood ^{on} right cheek, & saw hole ⁱⁿ the head

4. What did you do with the body?
observed father IP place, body in bag, do not recall name

5. Where is it now?
family retrieved body from P.D.

6. Was a police report completed? Yes No

7. Did a doctor examine the body? Yes No
Name: _____
Address: _____
Phone# _____

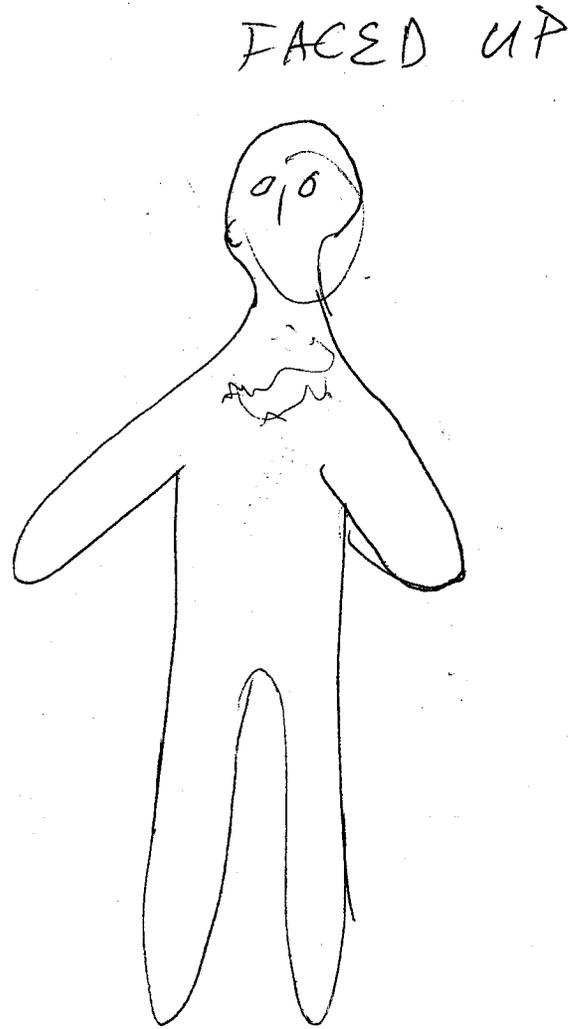
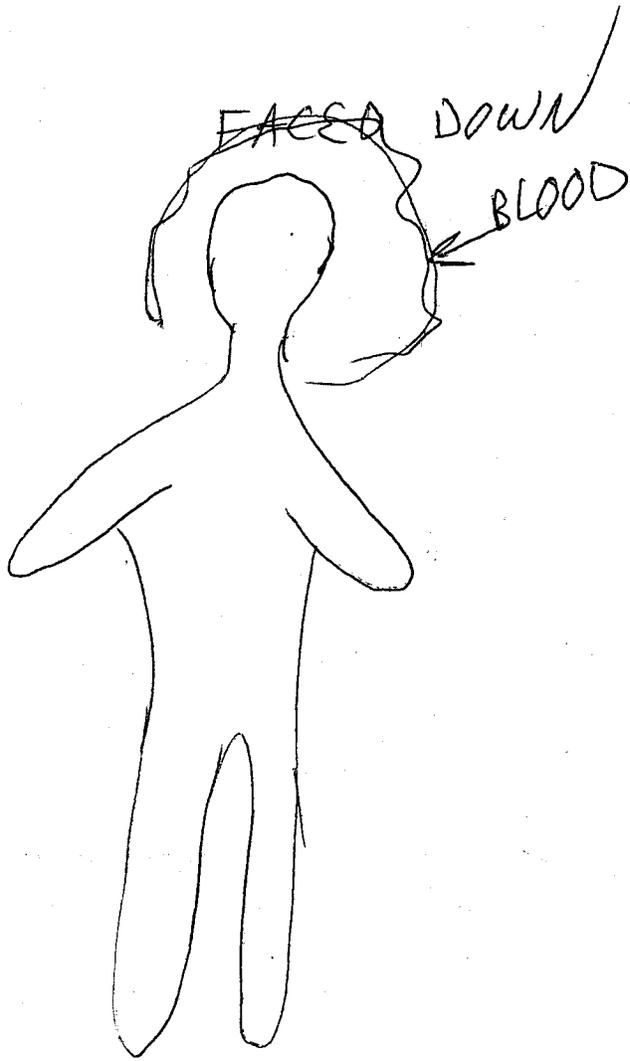
8. Are there any medical records? Yes No
Location: _____

- Additional Notes:**
- 1. Victims' address.
 - 2. Secure copy of police report.
 - 3. Arrange for witnesses to come to Anaconda.

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

EXH103T/6



~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

Criminal Investigation Witness Statement Report

Location: Al Duysud P.O.

Date: 10/18/06

Time: 1100

Witness Name: St Lt. (b)(6), (b)(7)(C)

1. How were you notified of the incident?
Notified while on patrol assigned to Neil Asberry police station

2. Where was the body when you arrive on the scene?
body bag. Observed 4-5 gunshot wounds to the back of the head. In body bag - opened the

3. Did you observe any wounds on the body? Yes No
What kind of wounds did you observe, i.e. bullet holes - entrance, exit?
wounds to back of head - right side 4-5 gunshot

4. What did you do with the body?
Within 1 hr. Brought it to Neil Asberry P.O. family came & took the body.

5. Where is it now?

6. Was a police report completed? Yes No

7. Did a doctor examine the body? Yes No
Name: _____
Address: _____
Phone# _____

8. Are there any medical records? Yes No
Location: _____

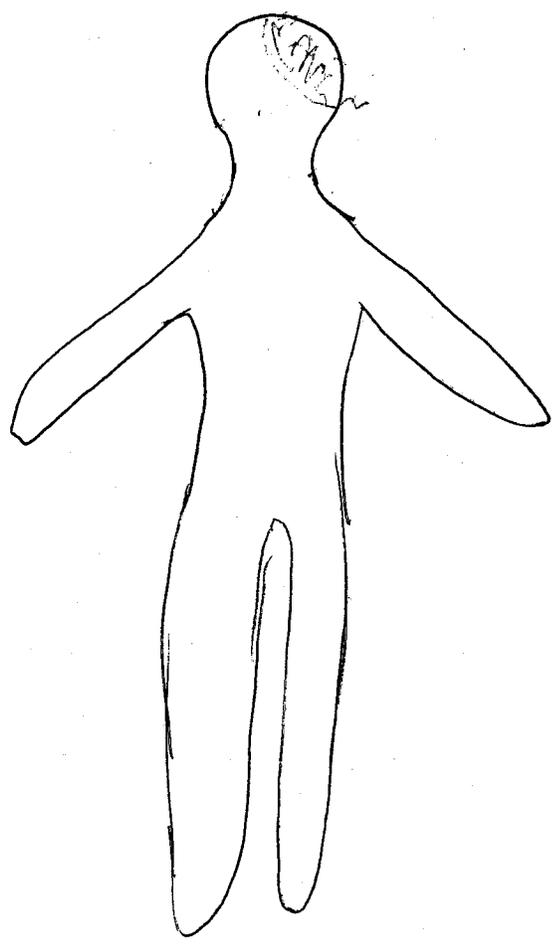
- Additional Notes:**
1. Victims' address.
 2. Secure copy of police report.
 3. Arrange for witnesses to come to Anaconda.

~~FOUO~~

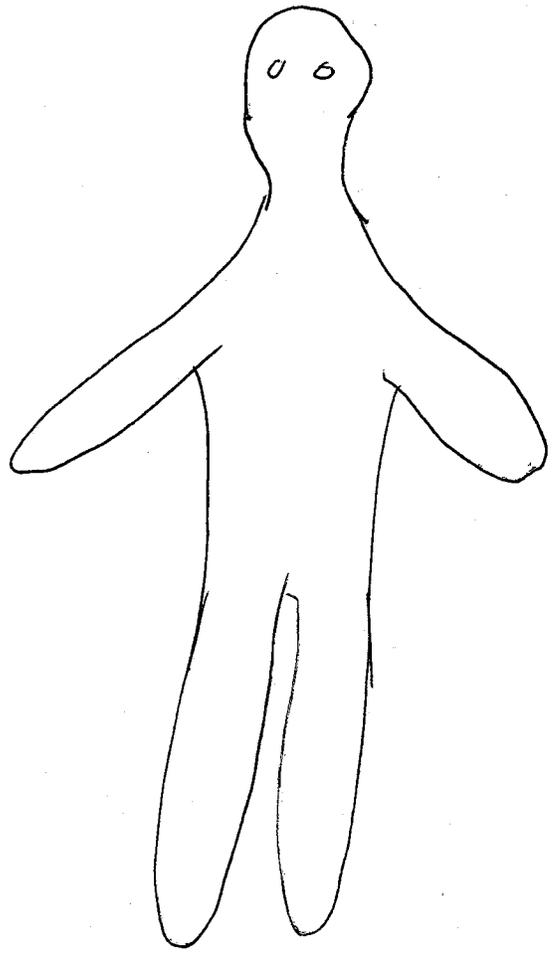
~~Law Enforcement Sensitive~~

EXHIBIT 106) 6

FACED DOWN



FACED UP



1st Lt.

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

secured the wounds together w/

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

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

AD Dujayl police
Force

Badge **9**

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

Last Name (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Rank **1LT**

Weight **80**

Height **176**

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

Postal Code **213**

Expires **12/12/2005**

**This card holder is authorized to carry
A weapon while on - off duty**

~~FOUO~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 16
108

AD Dujayl police
Force
Badge **178**
Name (b)(6), (b)(7)(C)
Last Name (b)(6), (b)(7)(C)
Rank **CONSTABLE**
Weight **75**
Height **172**
Birthdate (b)(6), (b)(7)(C)
Postal Code **636/2189**
Expires **10/10/2005**
This card holder is authorized to carry
A weapon while on - off duty

NOT AVAILABLE FOR Interview

10/18/06

~~FOUO~~

EXHIBIT 109/6

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0180-06-CID609

PAGE 1 OF 2 PAGES

DETAILS

BASIS FOR INVESTIGATION: On 16 Oct 2006, this office received a Request for Assistance (RFA) from the 90th Military Police (MP) Detachment (CID), LSA Anaconda, Balad, Iraq 09391, to locate, fully identify, conduct a witness interview of Mr. (b)(6), (b)(7)(C) Security Officer, Crescent Security Group (CSG), Kuwait, and conduct a subject interview of Mr. (b)(6), (b)(7)(C) Security Officer, CSG, Kuwait, and obtain sworn statements. Further locate, fully identify, and canvass all convoy personnel assigned to CSG on 2 Oct 06, for any pertinent information pertaining to the detention of the two local nationals (LN) on the motorcycle. Obtain sworn statements and sketches from any personnel identified with pertinent information. Additionally, ask specific questions attached to RFA.

About 1705, 16 Oct 06, SA (b)(6), (b)(7)(C) coordinated with Mr. (b)(6), (b)(7)(C) Operations Manager, Crescent Security Group (CSG), Kuwait, reference location of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) advised Mr. (b)(6), (b)(7)(C) was currently on vacation until 30 Oct 06 and (b)(6), (b)(7)(C) was currently on a mission in Iraq until 30 Oct 06. (b)(6), (b)(7)(C) further advised that on 30 Oct 06 both men would be available for interview.

About 1330, 30 Oct 06, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) this office, interviewed (b)(6), (b)(7)(C) who related he provided security for a convoy headed from Kuwait to Kirkuk, Iraq. (b)(6), (b)(7)(C) related on 2 Oct 06, the convoy was hit by an Improvised Explosive Device (IED) near Logistical Support Area Anaconda, Balad, Iraq, APO AE 09331 (LSAA). (b)(6), (b)(7)(C) further related the convoy had been hit three times in four days. (b)(6), (b)(7)(C) explained his vehicle responded back to the IED site after the explosion, while the convoy continued. Upon arrival at the site, (b)(6), (b)(7)(C) related he inspected the IED site and observed wire running away from the crater towards the direction of a motorcycle with two Local National male passengers. Mr. (b)(6), (b)(7)(C) related as the motorcycle approached, it was directed to stop by CSG personnel. As the two males were being detained and searched, (b)(6), (b)(7)(C) related he observed the rear male passenger had a spool of copper wire on his person and ear plugs in his ears. (b)(6), (b)(7)(C) explained he then returned to his vehicle to obtain flex cuffs to restrain the males, at which time he was alerted the male passenger was attempting to flee on foot. (b)(6), (b)(7)(C) explained he fired one round at the fleeing male, which he believed may have struck him causing him to fall to the ground. As he approached, (b)(6), (b)(7)(C) related he observed the male moving his hands underneath his clothing causing (b)(6), (b)(7)(C) believe the male was reaching for a weapon. Mr. (b)(6), (b)(7)(C) related he then fired two additional rounds which resulted in the male's death. (b)(6), (b)(7)(C) then stopped the interview and advised (b)(6), (b)(7)(C) of his legal rights, which he invoked. (See Non-Waiver Certificate of (b)(6), (b)(7)(C) for details)

AGENT'S COMMENT: A witness interview was initiated of (b)(6), (b)(7)(C) based on information received in the Request for Assistance.

About 1455, 30 Oct 06, SA (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) of his legal rights, which he invoked. (See Non-Waiver Certificate of (b)(6), (b)(7)(C) for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

ORGANIZATION

21st MP Det (CID)

Camp Arifjan, Kuwait APO AE 09366

DATE

31 OCT 06
01 NOV 06

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

17

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0180-06-CID609

CID Regulation 195-1

PAGE 2 OF 2 PAGES

DETAILS

About 1130, 31 Oct 06, SA (b)(6), (b)(7) coordinated with (b)(6), (b)(7)(C) concerning canvass interviews of all other CSG personnel assigned to the convoy on 2 Oct 06. (b)(6), (b)(7)(C) related that (b)(6), (b)(7)(C) were the only CSG personnel that are located in Kuwait who were on that convoy on 2 Oct 06. (b)(6), (b)(7)(C) further related that all other CSG personnel who were on that convoy on 2 Oct 06 were Iraqi and that those personnel are all located in Basra, Iraq.

About 1300, 31 Oct 06, SA (b)(6), (b)(7)(C) contacted (b)(6), (b)(7)(C) by phone and inquired about CSG surrendering the weapons. (b)(6), (b)(7)(C) related that all of the CSG weapons kept at Basrah, Iraq, were stolen approximately 2 weeks prior by a local Basra Militia Group. (b)(6), (b)(7)(C) stated that the incident had been reported stolen to the Basrah Watch Keeper and then passed on to CPATT (FOB Shatt, Basrah, Iraq). SA (b)(6), (b)(7)(C) also requested a list of CSG personnel who were on the convoy on 2 Oct 06. (b)(6), (b)(7)(C) related that he had already given the LSA Anaconda CID Office the list of personnel and he was concerned about who would have access to the list. (b)(6), (b)(7)(C) explained that most of the CSG employees are Iraqi and that they are very secretive for fear of retaliation by Militias and CSG is very protective of the employee's privacy.

About 1606, 31 Oct 06, SA (b)(6), (b)(7)(C) sent an email to (b)(6), (b)(7)(C) requesting the stolen weapons report and the serial numbers for (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) weapons. (Email posted to file)

About 2159, 31 Oct 06, SA (b)(6), (b)(7)(C) received an email from (b)(6), (b)(7)(C) explaining that no formal report had been made and that the investigation was ongoing. (b)(6), (b)(7)(C) related that both (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C) had been carrying M-4 rifles and that he would try to obtain the serial numbers upon the return of the team leader from vacation. (b)(6), (b)(7)(C) attached an email from a (b)(6), (b)(7)(C) (CPATT Liaison Officer) assigned to the Provost Marshall's Office in Basrah, Iraq, dated 26 Oct 06. (Email posted to file)///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION	
(b)(6), (b)(7)(C), (b)(7)(F)	21st MP Det (CID) Camp Arifjan, Kuwait APO AE 09366	
	DATE 31 OCT 06 (b)(6), (b)(7)(C)	IBIT 17

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION Camp Arifjan CID Office		2. DATE 30 Oct 06		3. NUMBER (b)(6), (b)(7) (b)(6), (b)(7)	
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS Crescent Security Group (CSG)			
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS CIV				

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command AS A SPECIAL AGENT and wanted to question me about the following offense(s) of which I am suspected/accused: MURDER, AGGRAVATED ASSAULT III (b)(6), (b)(7)(C)

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- (b)(6), (b)(7)(C) I do not have to answer any questions or say anything.
- (b)(6), (b)(7)(C) Anything I say or do can be used as evidence against me in a criminal trial.
- (b)(6), (b)(7)(C) (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- (b)(6), (b)(7)(C) If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

HAVE YOU REQUESTED A LAWYER IN THE LAST 30 DAYS AFTER BEING READ YOUR RIGHTS? NO (b)(6), (b)(7)(C)

SECTION B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print)		(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE			
2a. NAME (Type or Print)		(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 21st MP DET (CID) APO AF 09366	

SECTION C. Non-waiver

- 1. I do not want to give up my rights
 - I want a lawyer
 - I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE (b)(6), (b)(7)(C)

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3881, NOV 89 (AUTOMATED) EDITION OF NOV 84 IS OBSOLETE

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

EXHIBIT 112 / 10

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION Camp Arifjan CID Office		2. DATE 30 Oct 06	3. TIME 1529	4. FILE NUMBER (b)(6), (b)(7)D-06-CID (b)(6), (b)(7)(C)
5. Name (Last First MI) (b)(6), (b)(7)(C)		8. ORGANIZATION OR ADDRESS Crescent Security Group (CSG)		
6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS CIV			

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command AS A SUBJECT AGENT and wanted to question me about the following offense(s) of which I am suspected/accused, Aggravated Assault///(b)(6), (b)(7)(C)

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- (b)(6), (b)(7)(C) I do not have to answer any questions or say anything.
- (b)(6), (b)(7)(C) Anything I say or do can be used as evidence against me in a criminal trial.
- (b)(6), (b)(7)(C) (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

(b)(6), (b)(7)(C) If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Have you requested a lawyer after being read your rights in the last 30 days? **NO** (b)(6), (b)(7)(C)

SECTION B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print)		(b)(6), (b)(7)(C)	
b. ORGANIZATION OR ADDRESS AND PHONE			
2a. NAME (Type or Print)			
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 215+ MP DET (C10) APO AE 09266	

SECTION C. Non-waiver

- 1. I do not want to give up my rights
 I want a lawyer
 I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE (b)(6), (b)(7)(C)

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3881, NOV 89 (AUTOMATED) EDITION OF NOV 84 IS OBSOLETE

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

EXHIBIT 113
19



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~~LAW ENFORCEMENT SENSITIVE~~

0136-CID919-77463



PHOTOGRAPH PACKET

Injuries

NUMBER

DESCRIPTION OF PHOTOGRAPHS

- 1 Photograph depicting Mr. (b)(6), (b)(7)(C)
- 2-3 Photograph depicting a bruise on the right cheek of Mr. (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
- 4 Photograph depicting a bruise on the right cheek of Mr. (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) with measurement.
- 5 Photograph depicting a bruise on the right fore-arm of Mr. (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
- 6 Photograph depicting a bruise on the right fore-arm of Mr. (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) with measurement. (b)(6), (b)(7)(C)
- 7 Photograph depicting a bruise on the left calf of Mr. (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
- 8 Photograph depicting a bruise on the left calf of Mr. (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) with measurement.

~~FOR OFFICIAL USE ONLY~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 20 114



~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~

0136-CID919-77463

PHOTOGRAPH PACKET

Blast Site



NUMBER

DESCRIPTION OF PHOTOGRAPHS

1-2

Photographs depicting the location of IED blast site.

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~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 21 117

~~FOR OFFICIAL USE ONLY~~

~~LAW ENFORCEMENT SENSITIVE~~



1 OF 2

~~FOR OFFICIAL USE
ONLY~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT _____

~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~



2 OF 2

~~FOR OFFICIAL USE~~
~~ONLY~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT _____



~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~

0136-CID919-77463

PHOTOGRAPH PACKET

Neck Bruise



NUMBER

DESCRIPTION OF PHOTOGRAPHS

1

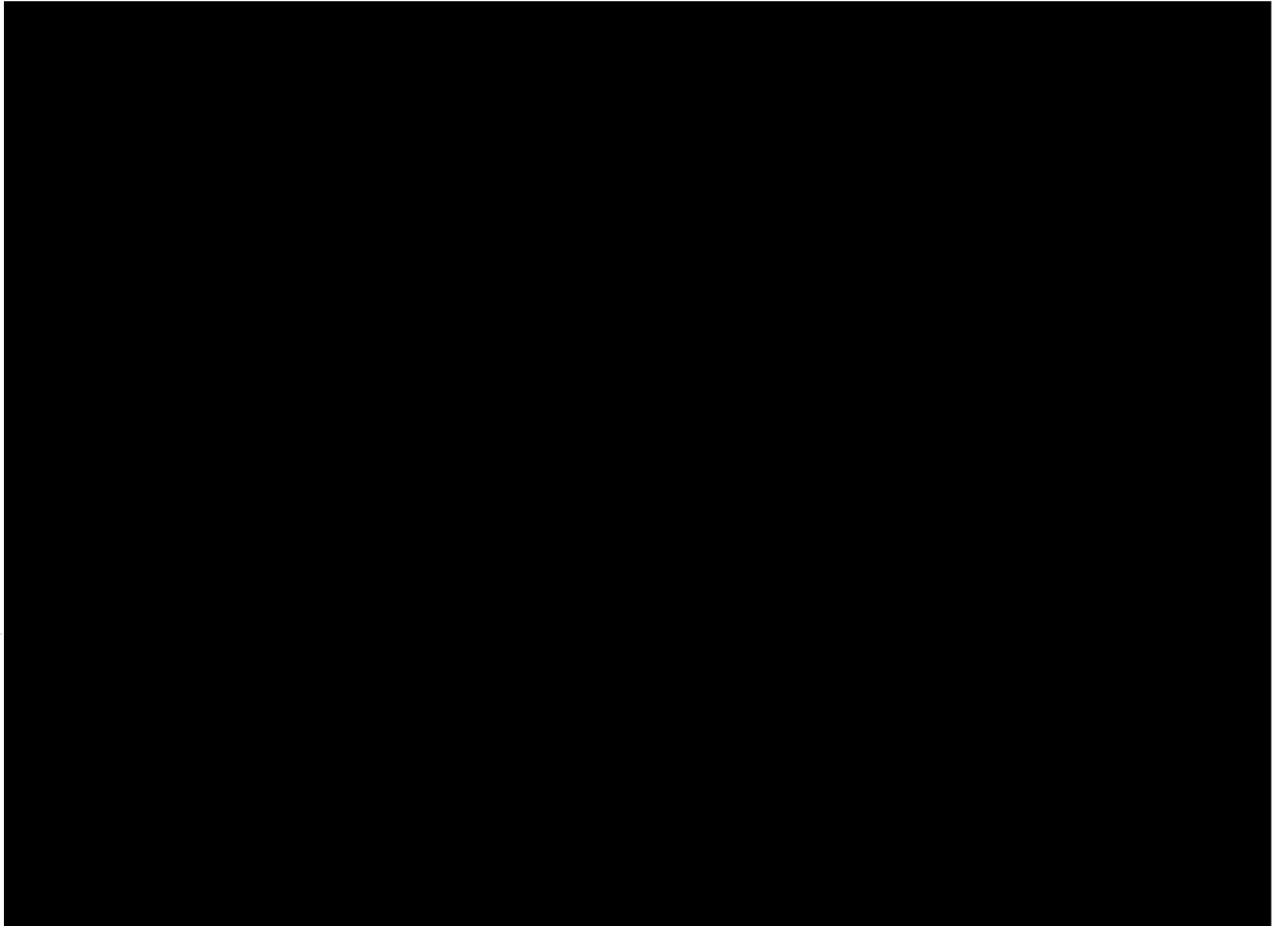
Photo depicting a bruise on the back area of Mr. A. NEJIM-OBAID's neck.

~~FOR OFFICIAL USE ONLY~~

~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 22 120

~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~



1 OF 1

~~FOR OFFICIAL USE~~
~~ONLY~~

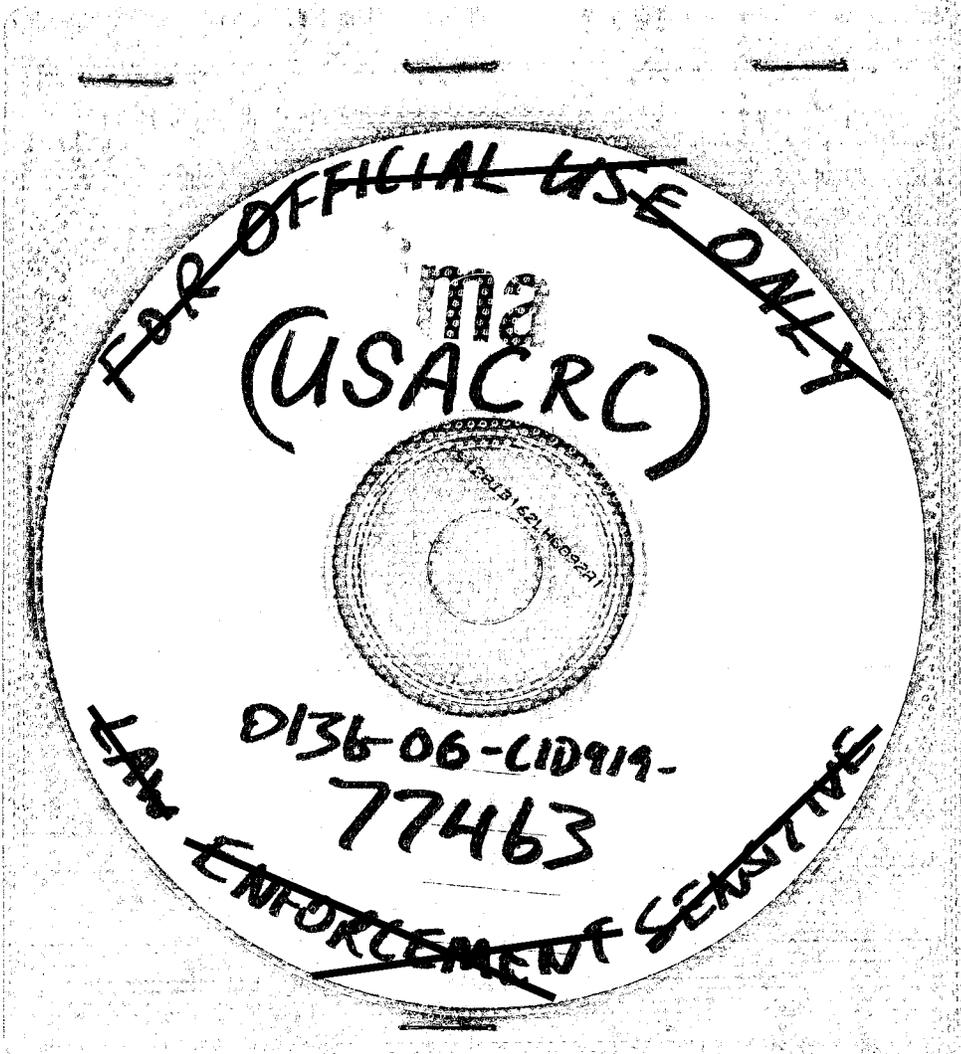
~~LAW ENFORCEMENT SENSITIVE~~ EXHIBIT _____



~~FOR OFFICIAL USE ONLY~~
~~LAW ENFORCEMENT SENSITIVE~~

919 212
0136-06-CID-108-77463

PHOTOGRAPHIC CD



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EXHIBIT 23





EVIDENCE/PROPERTY CUSTODY DOCUMENT

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

PR/CID SEQUENCE NUMBER
0136-06-CID919 -77463
CRD REPORT/CID ROI NUMBER
77463

RECEIVING ACTIVITY 90 th MP Detachment (CID)	LOCATION LSA Anaconda, Balad, IZ APO AE 09391
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED N/A	ADDRESS (Include Zip Code) N/A
OTHER LOCATION FROM WHERE OBTAINED From the SONY Handycam Digital Video Camera Recorder, Model Number DCR-TRV730, Serial Number 27205 <i>found at FBI O'Brien Iraq</i>	REASON OBTAINED Evidence
	TIME/DATE OBTAINED 1645 / 04 OCT 06

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(include model, serial number, condition and unusual marks or scratches)</i>
1	1	8mm Video Cassette, black, gold, and white in color, plastic type construction. Video cassette bears identifying markings "IVC, Metal Particle, MP120" on the front. This cassette contains the interview of Mr. (b)(6), (b)(7)(C) MFID with 1645, 04 OCT 06 (b)(6), (b)(7)(C) on the front of the cassette. (SONY Handycam, Serial Number 27205). (b)(6), (b)(7)(C) //LAST ITEM//

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	4 OCT 06	SIGNATURE NAME, GRADE OR TITLE N/A	(b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
1	7 OCT 06	(b)(6), (b)(7)(C)	SIGNATURE Registered Mail NAME, GRADE OR TITLE PR 466 951 665 US	Transportation to 10 th MP BN Evidence Custodian
1	11 OCT 2006	SIGNATURE PR 466 951 665 US NAME, GRADE OR TITLE REGISTERED MAIL	(b)(6), (b)(7)(C)	RECEIVED BY US ARMY CID EVIDENCE CUSTODIAN
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137
1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete.

DOCUMENT NUMBER 0840 06

ORIGINAL
~~FOUO~~

EXHIBIT 24
136

~~LAW ENFORCEMENT SENSITIVE~~

EVIDENCE/PROPERTY CUSTODY DOCUMENT

For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

MFR/CID SEQUENCE NUMBER
 310
 511-06-CID 989-77423
 CRD REPORT/CID ROI NUMBER

RECEIVING ACTIVITY 905th Military Police Detachment (CID)	LOCATION LSA Anaconda, Balad, Iraq, APO AE 09391
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER MR. (b)(6), (b)(7)(C) (IPLD) <input checked="" type="checkbox"/> OTHER LSA ANACONDA	ADDRESS (Include Zip Code) IPLD (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) LSA ANACONDA BALAD IRAQ 09391
LOCATION FROM WHERE OBTAINED From the hand of (b)(6), (b)(7)(C) WHILE AT LSA ANACONDA, 905th MP Det Conference Room, LSA Anaconda, Balad Iraq	REASON OBTAINED EVIDENCE
	TIME/DATE OBTAINED 1442 / 19 OCT 06

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>
1	11	<p>ENVELOPE, CONTAINING 10 Expended Shell CASINGS - 1 Live Round. Live Round APPEARS TO BE 5.56 mm WITH Black Paint on tip. Live Round is Bent & Damaged; 4 of the Expended Shell CASINGS appear to be 7.62 x 39, All Four are Damaged & Bent; one of the spent shell casings appears to be 7.62 x 57, Damaged and Bent; 5 of the spent shell casings appear to be 5.56 mm, ALL are Bent & Damaged. ALL shell casings AND Live Round were collected by Iraqi Police Liaison officers and provide to this office. ENVELOPE MARKED FOR IDENTIFICATION WITH (b)(6), (b)(7)(C) 1442 / 19 OCT 06 (b)(6), (b)(7)(C)</p> <p>1111 1111 1111 LAST ITEM 1111</p> <p>MFR - ENVELOPE SEALED WITH BROWN SEAL TAPE ON 19 OCT 06 BY SA SLOTT RUEKRE DA 4002 PLACED ON SEAL TAPE MFD W/ 1442 / 19 OCT 06 (b)(6), (b)(7)(C)</p>

ITEM NO.	DATE	CHAIN OF CUSTODY		
		RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	19 OCT 06	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	EVALUATION AS EVIDENCE
1	20 OCT 06	(b)(6), (b)(7)(C)	SIGNATURE REGISTERED MAIL NAME, GRADE OR TITLE RR 466 951 679 US	TRANSPORTATION TO 101st MP BN EVIDENCE CUSTODIAN
1	23 OCT 2006	SIGNATURE RR 466 951 679 US NAME, GRADE OR TITLE REGISTERED MAIL	(b)(6), (b)(7)(C)	RECEIVED BY SCRIPPS US ARMY CID EVIDENCE CUSTODIAN
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137 1 Jul 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete.

LOCATION

DOCUMENT NUMBER 0849 06

ORIGINAL
FOUO

EXHIBIT 74
137-4

