

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION

For use of this form, see AR 190-45; the proponent agency is Office of the Provost Marshal General

SUSPENSE DATE (YYYYMMDD)

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. THRU A2	2. TO Crime Records Center ATTN: CIRC-FP 6010 6th Street Fort Belvoir, VA 22060-5506	3. FROM Commander 76th MP Det CID APO AE 09342
4. USACRC CONTROL NUMBER 0083-05-CID259-36247 5H	5. MP REPORT NUMBER	6. SUB-INSTALLATION IDENTIFIER

The first Lieutenant Colonel in the chain of command is responsible and accountable for completing DA Form 4833 with support documentation (copies of Article 15s, court-martial orders, reprimands, etc) for all USACIDC investigations. The unit and brigade commander or their equivalent will also receive a copy of the DA Form 4833 for all USACIDC investigations.

Company, troop, and battery level commanders are responsible and accountable for completing DA Form 4833 with supporting documentation in all cases investigated by MPI, civilian detectives employed by the Department of the Army, and the PMO. Accurate and complete DA 4833 disposition reports are required to meet installation, command, HQDA, DOD, and federal statutory reporting requirements. The data is used to identify crime trends, establish command programs in law enforcement and other activities, and to ensure that resources are made available to support commanders who must address issues of soldier and family member indiscipline.

In court-martial cases, a conviction of an offense at court-martial may be for a different, or lesser included offense. List the offense for which the individual was convicted at court-martial in the remarks section.

Block 5. Provost Marshals must enter the Military Police Report number for all cases referred to commanders.

Block 6. This block is used to enter report number from a civilian law enforcement agency police report. Other information on the civilian law enforcement agency (e.g. civilian law enforcement agency address) may be entered in the remarks section.

7. NAME (b)(6), (b)(7)(C) MI	8. GRADE SGT	9. SSN (b)(6), (b)(7)(C)	10. DATE OF BIRTH (YYYYMMDD) (b)(6), (b)(7)(C)
11a. OFFENSE(s)	11b. DATE OF OFFENSE(s) (YYYYMMDD)	11c. ACTION TAKEN	11d. IF NO ACTION TAKEN, EXPLAIN:
Article 118, UCMJ: Attempted	20050320	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
Murder		YES <input type="checkbox"/> NO <input type="checkbox"/>	
		YES <input type="checkbox"/> NO <input type="checkbox"/>	

12. ACTION TAKEN (check all that apply)

* Subject was advised that although no action was taken, the report would be retained in Army records and that requests for amendment, correction, or expungement may be submitted IAW AR 190-45 (MP Reports) or AR 195-2 (CID Reports).

☐ a. NON-ADVERSE PERSONNEL ACTION REFERRAL:

REFERRED TO (Check appropriate blocks)	DATE REFERRED (YYYYMMDD)	DATE RESPONDED (YYYYMMDD)
F = FAMILY ADVOCACY		
D = DRUG/ALCOHOL ABUSE		
S = SPECIAL REFERRAL		
E = EQUAL OPPORTUNITY		
L = LEGAL OFFICE		
M = MENTAL HEALTH		
R = RELIEF AGENCY		

☐ b. ADVERSE PERSONNEL ACTION:

☐ REPRIMAND ☐ ORAL ☐ WRITTEN
 FILED: ☐ LOCALLY ☐ OMPF

☐ LETTER OF CONCERN/COUNSELING
☐ ADVERSE OER/NCOER COMMENT
☐ RELIEF FOR CAUSE OER/NCOER
☐ SUSPENDED SECURITY CLEARANCE OR OTHER ADVERSE ACTION REGARDING SECURITY CLEARANCE
☐ DISCHARGE PURSUANT TO AR 635-200 (ENLISTED)/AR 600-8-24 (OFFICER)
 Regulation _____ Chapter _____ Characterization _____ Discharge Date _____

☐ c. NONJUDICIAL PUNISHMENT (Article 15, UCMJ) (ATTACH COPY OF ARTICLE 15)

<input type="checkbox"/> SUMMARIZED	<input type="checkbox"/> FIELD GRADE	<input type="checkbox"/> GCMCA IMPOSED
<input type="checkbox"/> COMPANY GRADE	<input type="checkbox"/> GENERAL OFFICER IMPOSED	

☒ d. JUDICIAL (If subject was tried by court-martial attach a copy of the court-martial order giving findings and sentences.)

<input type="checkbox"/> SUMMARY COURT MARTIAL	<input checked="" type="checkbox"/> GENERAL COURT-MARTIAL
<input type="checkbox"/> SPECIAL COURT-MARTIAL	<input type="checkbox"/> CIVILIAN OR MAGISTRATE CRIMINAL COURT

ACLU DDII ROI 32867

13. JUDICIAL FINDINGS

☐ GUILTY
☒ NOT GUILTY

☐ DISMISSED
☐ OTHER (For example, guilty of a lesser included offense. Explain in Remarks.)

14. RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION

- ☐ a. REPRIMAND ☐ b. ADMONITION ☐ (1) ORAL ☐ (2) IN WRITING
☐ c. DETENTION ☐ d. FORFEITURE ☐ e. FINED \$ _____ / _____ MONTHS
☐ f. REDUCED FROM _____ TO _____ ☐ g. EXTRA DUTY FOR _____ DAYS ☐ h. RESTRICTED FOR _____ DAYS
☐ i. CORRECTIONAL CUSTODY FOR _____ DAYS ☐ j. CONFINED _____ YEARS _____ MONTHS
☐ k. SEPARATION: ☐ PUNITIVE DISCHARGE ☐ OTHER
 Type _____ Chapter: _____ Characterization: _____ Effective Date: _____
☐ l. OTHER (For example, suspension of driving privileges. Explain in Remarks.)

15. (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) was tried by a General Court Martial on 26 June 05 and 1-3 Sep 05 at Camp Victory, Iraq. SGT (b)(6), (b)(7)(C) plead Not Guilty and was found Not Guilty. There was no sentence imposed nor any other actions taken against SGT (b)(6), (b)(7)(C)

16a. TYPED NAME AND GRADE OF COMMANDING OFFICER

CW2

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

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

16c. DATE OF REPORT (YYYYMMDD)

2006 06 01

(b)(6), (b)(7)(C)@us.army.mil

ACLU DDII ROI 32868

DEPARTMENT OF THE ARMY REPORT OF RESULT OF TRIAL

For use of this form see AR 27-10; the proponent agency is TJAG

TO: Commander
Multi-National Corps - Iraq
Camp Victory
APO AE 09342

1. Notification under R.C.M. 1101 and AR 27-10, paragraph 5-30 is hereby given in the case of the
United States v. SERGEANT (b)(6), (b)(7)(C) B Battery, 1-623rd Field Artillery,
503rd Military Police Battalion (Airborne), 18th Military Police Brigade, APO AE 09342

2. Trial by **General** court-martial on **26 June and 1-3 September 2005**, at Camp Victory, Iraq,
convened by: Court-Martial Convening Order Number 3, Headquarters, Multi-National Corps - Iraq,
dated 21 March 2005, as amended by Court-Martial Convening Order Number 10, same Headquarters,
dated 26 August 2005.

3. Summary of offenses, pleas, and findings:

CH	ART	SPEC	BRIEF DESCRIPTION OF OFFENSE(S)	PLEA	FINDING
THE	80	THE	Attempted with premeditation to murder Hadi Saleh Khalid Al Ujuhishi by means of shooting him in the head with a firearm on or about 20 March 2005	NG	NG

4. SENTENCE: None.

5. Date sentence adjudged and effective date of any forfeiture or reduction in grade: None.
(See UCMJ Article 57-58b and R.C.M. 1101)

6. Contents of pretrial agreement concerning sentence, if any: None.

7. Number of days of presentence confinement, if any: None.

8. Number of days of judge-ordered administrative credit for illegal presentence confinement or
restriction found tantamount to confinement, if any: None.

9. Total presentence confinement credit toward post-trial confinement, if any: None.

10. Name(s) and SSN(s) of companion accused or co-accused, if any: None.

11. DNA Processing IAW 10 U.S.C. Sect 1565 ☐ is ☒ is not required.

12. Conviction(s) ☐ does ☒ does not require sex offender registration IAW 42 U.S.C. Sect
14071.

CF: 1- Unit Cdr, 1- Confinement, 1- TDS (CPT (b)(6), (b)(7)(C)) 1-Criminal Law Division, 1-SJA

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

SIGNATURE

RANK
Captain

BRANCH OF SERVICE
U.S. Army

DA FORM 4430, SEP 2002

DA FORM 4430-R, MAY 87, Is OBSOLETE

ACLU DDII ROI 32869

000003

DEPARTMENT OF THE ARMY
UNITED STATES CRIMINAL INVESTIGATION COMMAND
48TH MILITARY POLICE DETACHMENT (CID) (FWD)
3rd MILITARY POLICE GROUP (CID)
CAMP VICTORY, BAGHDAD, IRAQ
APO AE 09342

CIMPL-FC (195-2)

16 June 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – FINAL SUPPLEMENTAL/SSI –
0083-2005-CID259-36247-5H7/9G2C

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 20 MAR 2005, 1140 – 20 MAR 2005, 1240; GRID COORDINATE MB
7358662500, VICINITY OF SALMAN PAK, ALONG ALTERNATE SUPPLY ROUTE
(ASR) DETROIT, BAGHDAD, IRAQ (IZ).

DATE/TIME REPORTED: 1 APR 2005, 1830

INVESTIGATED BY:

SA (b)(6), (b)(7)(C), (b)(7)(F)
SA [REDACTED]

SUBJECT:

1. (b)(6), (b)(7)(C) SGT; (b)(6), (b)(7)(C); MALE; WHITE; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) B BATTERY (BTRY), 1ST BATTALION (BN), 623RD
FIELD ARTILLERY (FA) REGIMENT, 503RD MILITARY POLICE (MP) BN, 18TH
MP BRIGADE (BDE); MULTI-NATIONAL CORPS-IRAQ (MNC-I) (XVIII
AIRBORNE CORP), LOGISTICS SUPPORT AREA (LSA) ANACONDA, BALAD, IZ
APO AE 09391; CT; ATTEMPTED MURDER

VICTIM:

1 (b)(6), (b)(7)(C) CIV; 1974; BAGHDAD, IZ; MALE;
OTHER; ANTI-IRAQI FORCES (AIF); BAGHDAD, IZ; XZ; ATTEMPTED MURDER
(NFI)

INVESTIGATIVE SUMMARY:

This is an "OPERATION IRAQI FREEDOM" investigation.

ACLU DDII ROI 32870

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000004

SUBJECT: CID REPORT OF INVESTIGATION – FINAL SUPPLEMENTAL/SSI-
0083-2005-CID259-36247-5H7/9G2C

This investigation was initiated on 1 Apr 05, when COL (b)(6), (b)(7)(C) Commander, 18th MP BDE, MNC-I (XVIII Airborne Corp), Camp Victory, IZ reported that while he was conducting an After Action Review (AAR) of an ambush which occurred on 20 Mar 05, in the vicinity of Salman Pak, Baghdad, IZ, he discovered information indicating SGT (b)(6), (b)(7)(C) may have unlawfully shot and killed a wounded and unarmed Anti Iraqi Forces (AIF) fighter while searching the objective for wounded enemy.

The investigation established probable cause to believe SGT (b)(6), (b)(7)(C) committed the offense of attempted murder when he shot at Mr. (b)(6), (b)(7)(C) with an m-9 pistol and then shot Mr. (b)(6), (b)(7)(C) in the head with an M-4 rifle. During the investigation, the AIF fighter shot by SGT (b)(6), (b)(7)(C) was located at the Medical Clinic, Baghdad Central Confinement Facility (BCCF), Abu Ghraib, IZ, and identified as Mr. (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) was suffering from large caliber wounds to the right leg and right arm, sustained in the attack on coalition forces, and from a bullet wound to the head, sustained after the attack when SGT (b)(6), (b)(7)(C) shot him. During the investigation, witnesses reported Mr. (b)(6), (b)(7)(C) who had just participated in an ambush against a coalition forces convoy, was severely wounded, unarmed, and unable to reach for a weapon. Additionally, a witness reported he had searched Mr. (b)(6), (b)(7)(C) just prior to SGT (b)(6), (b)(7)(C) shots. Further, another witness reported being present when SGT (b)(6), (b)(7)(C) shot the unarmed Mr. (b)(6), (b)(7)(C) with the M-4 rifle. After the ambush, as part of the AAR process, SGT (b)(6), (b)(7)(C) provided a sworn statement to his unit relating the wounded AIF member he shot had rolled and reached for a weapon, with both arms extended. During the investigation, it was established that prior to being shot by SGT (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) was suffering from an apparent .50 caliber gunshot wound, with a compound fracture, to his right forearm, and a second apparent .50 caliber gunshot wound with a compound fracture, to his right leg. During the investigation, SGT (b)(6), (b)(7)(C) provided a sworn statement relating Mr. (b)(6), (b)(7)(C) was moving and SGT (b)(6), (b)(7)(C) believed he was going to roll towards a weapon, so he shot him in the head. SGT (b)(6), (b)(7)(C) maintained he shot Mr. (b)(6), (b)(7)(C) twice with his M-9 pistol, and did not shoot him with a M-4 rifle; however, at the crime scene, a single 5.56 mm casing was recovered which was later discovered to have been fired from the M-4 rifle carried by SGT (b)(6), (b)(7)(C) on 20 Mar 05.

Further investigation revealed SGT (b)(6), (b)(7)(C) was interviewed by an Office of Public Affairs reporter and discussed the events that occurred during the ambush and the subsequent CID investigation that ensued. A copy of this interview was obtained to include in this investigation. Additionally, Mr. (b)(6), (b)(7)(C) was interviewed and denied he was involved in an ambush of Coalition Forces on the date in question. He did not remember being shot by SGT (b)(6), (b)(7)(C)

ACLU DDII ROI 32871

000005

SUBJECT: CID REPORT OF INVESTIGATION – FINAL SUPPLEMENTAL/SSI-
0083-2005-CID259-36247-5H7/9G2C

STATUTES:

Article 80, UCMJ: Attempts

Article 118, UCMJ: Murder

EXHIBITS/SUBSTANTIATION

ADDED ATTACHED:

46. Agents Investigation Report (AIR) of SA (b)(6), (b)(7)(C) 2 Jun 05, detailing his receipt of SA (b)(6), (b)(7)(C) First Information Report and SA (b)(6), (b)(7)(C) First Information report.

47. AIR of SA (b)(6), (b)(7)(C) 8 Jun 05, detailing his notification of possible new evidence to the case, coordination with SIA, interview of SPC (b)(6), (b)(7)(C) whom provided a DVD copy of SGT (b)(6), (b)(7)(C) interview with a PAO reporter, coordination with medical personnel, and an interview with the PAO Reporter.

48. Copy of DVD, containing interview of SGT (b)(6), (b)(7)(C) by a PAO Reporter.

49. DA Form 3187, Evidence/Property Custody Document, Voucher Number (VO) 566-05, 6 Jun 05.

50. AIR of SA (b)(6), (b)(7)(C) 9 Jun 05, detailing the receipt of Mr. (b)(6), (b)(7)(C) Dossier and Detainee Personnel Report, interview of Mr. (b)(6), (b)(7)(C) and the receipt of Mr. (b)(6), (b)(7)(C) In-patient Medical Records.

51. Dossier and Detainee Personnel Report of Mr. (b)(6), (b)(7)(C) indicating biographical information.

52. Mr. (b)(6), (b)(7)(C) In-Patient Medical Records, 17 Mar 05, documenting various medical treatments.

53. Copy of Sworn Statement of SSG (b)(6), (b)(7)(C) 3 Apr 05, detailing his actions on 20 Mar 05, his conversation with a 1/623 FA Soldier on 20 Mar 05, later identified as SGT (b)(6), (b)(7)(C) and his identification of Mr. (b)(6), (b)(7)(C)

ADDED NOT ATTACHED:

Retained in the Evidence Depository, 11th MP Battalion (CID) (FWD), Camp Victory, Baghdad, IZ APO AE 09342

ACLU DDII ROI 32872

000006

SUBJECT: CID REPORT OF INVESTIGATION – FINAL SUPPLEMENTAL/SSI-0083-2005-CID259-36247-5H7/9G2C

54. DVD, VO 566-05.

Retained in the files of the 48th MP DET (CID) (FWD), Camp Victory, Baghdad, IZ APO AE 09342

41. Videotape of Crime Scene (retained in case file), 6 Apr 05.

The originals of Exhibit 46, 47, and 50 are forwarded with the USACRC copy of this report. The original of Exhibit 48 is retained with the 27th Public Affairs Detachment, Logistical Support Area Anaconda, IZ APO AE 09391. The original of Exhibit 49 is retained the Evidence Depository, 11th MP Battalion (CID) (FWD), Camp Victory, Baghdad, IZ APO AE 09342. The original of Exhibits 51 is retained at the Theater Internment Facility (TIF), Camp Bucca, IZ APO AE 09375. The original of Exhibit 52 is retained with the Patient Administration Division (PAD) Internment Facility Aid Station (FAS), Camp Bucca, IZ APO AE 09342. The original of Exhibit 53 is retained in the files of the 18th MP BDE, Camp Victory, Baghdad, IZ APO AE 09342

STATUS: This is a Final Supplemental Report. Commander's Report of Disciplinary Action (DA Form 4833) is pending.

REPORT PREPARED BY:

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

SPECIAL AGENT (b)(7)(F)

REPORT APPROVED BY:

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

DETACHMENT COMMANDER

DISTRIBUTION:

- 1- Director, USACRC, 6010, 6th Street, Fort Belvoir, VA 22060-5506 (originals with exhibits)
- 1- THRU: CDR, 11thMP Bn (CID) (FWD), APO, AE 09342
THRU: CDR, 3rd MP Group (CID)
TO: CDR, USACIDC, A'ITN: CIOP-ZA, Fort Belvoir, VA 22060-5506
- 1- Chief, Investigative Operations Division, USACIDC, Fort Belvoir, VA 22060-5506
- 1- Deputy Chief of Staff for Operations, USACIDC, Fort Belvoir, VA 22060-5506
- 1- Current Operations, USACIDC, Fort Belvoir, VA 22060-5506
- 1- CDR, 18thMP BDE, Camp Victory, APO AE 09342
- 1- CDR, 503rdMP BN, Camp Liberty, APO AE 09342
- 1- SJA, 18thMP BDE (ATTN: CPT (b)(6), (b)(7)(C)) Camp Victory, APO AE 09342
- 1- PM, MNC-I (e-mail, less exhibits)
- 1- File

ACLU DDII ROI 32873

000007



DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
48TH MILITARY POLICE DETACHMENT (CID)(FWD))
11TH MILITARY POLICE BATTALION (CID)(FWD
CAMP VICTORY, IRAQ APO AE 09342

CIMPL-FC

13 May 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – FINAL/SSI-0083-05-CID259-36247-5H7/9G2C

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 20 MAR 2005, 1140 – 20 MAR 2005, 1240; GRID COORDINATE MB 73586 62500, VICINITY OF SALMAN PAK, ALONG ALTERNATE SUPPLY ROUTE (ASR) DETROIT, BAGHDAD, IRAQ (IZ).

DATE/TIME REPORTED: 1 APR 2005, 1830

INVESTIGATED BY:

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

SA

SUBJECT:

1. (b)(6), (b)(7)(C)

SGT; (b)(6), (b)(7)(C)

MALE; WHITE; (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) B BATTERY (BTRY), 1ST BATTALION (BN), 623RD FIELD ARTILLERY (FA) REGIMENT, 503RD MILITARY POLICE (MP) BN, 18TH MP BRIGADE (BDE); MULTI-NATIONAL CORPS-IRAQ (MNC-I) (XVIII AIRBORNE CORPS), LOGISTICS SUPPORT AREA (LSA) ANACONDA, BALAD, IRAQ (IZ) APO AE 09391; CT; ATTEMPTED MURDER

VICTIM:

1. (b)(6), (b)(7)(C)

CIV; 1974; BAGHDAD, IZ; MALE; OTHER; ANTI-IRAQI FORCES (AIF); BAGHDAD, IRAQ; XZ; ATTEMPTED MURDER (NFI)

INVESTIGATIVE SUMMARY:

“THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION”

This investigation was initiated on 1 Apr 05, when COL (b)(6), (b)(7)(C) Commander, 18th MP BDE, MNC-I (XVIII Airborne Corps), Camp Victory, IZ reported that while he was conducting an After Action Review (AAR) of an ambush which occurred on 20 Mar 05, in the vicinity of Salman Pak, Baghdad, IZ, he discovered information indicating SGT (b)(6), (b)(7)(C) may have unlawfully shot and killed a wounded and unarmed Anti Iraqi Forces (AIF) Fighter while searching the objective for wounded enemy.

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CIMPL-FC

SUBJECT: CID REPORT OF INVESTIGATION – FINAL/SSI 0083-05-CID259-36247-5H7/9G2C

The investigation established probable cause to believe SGT (b)(6), (b)(7)(C) committed the offense of Attempted Murder when he shot at Mr. (b)(6), (b)(7)(C) with an M-9 Pistol and then shot Mr. (b)(6), (b)(7)(C) in the head with an M-4 Rifle. During the investigation, the AIF Fighter shot by SGT (b)(6), (b)(7)(C) was located at the Medical Clinic, Baghdad Central Confinement Facility (BCCF), Abu Ghraib, IZ, and identified as Mr. (b)(6), (b)(7)(C). Mr. (b)(6), (b)(7)(C) was suffering from large caliber wounds to the right leg and right arm, sustained in the attack on Coalition Forces, and from a bullet wound to the head, sustained after the attack when SGT (b)(6), (b)(7)(C) shot him. During the investigation, witnesses reported Mr. (b)(6), (b)(7)(C) who had just participated in an ambush against a Coalition Forces convoy, was severely wounded, unarmed, and unable to reach for a weapon. Additionally, a witness reported he had searched Mr. (b)(6), (b)(7)(C) just prior to SGT (b)(6), (b)(7)(C) shots. Further, another witness reported being present when SGT (b)(6), (b)(7)(C) shot the unarmed Mr. (b)(6), (b)(7)(C) with the M-4 Rifle. After the ambush, as part of the AAR process, SGT (b)(6), (b)(7)(C) provided a sworn statement to his unit relating the wounded AIF member he shot had rolled and reached for a weapon, with both arms extended. During the investigation, it was established that prior to being shot by SGT (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) was suffering from an apparent .50 caliber gunshot wound, with a compound fracture, to his right forearm, and a second apparent .50 caliber gunshot wound, with a compound fracture, to his right leg. During investigation, SGT (b)(6), (b)(7)(C) provided a sworn statement relating Mr. (b)(6), (b)(7)(C) was moving and SGT (b)(6), (b)(7)(C) believed he was going to roll towards a weapon, so he shot him in the head. SGT (b)(6), (b)(7)(C) maintained he shot Mr. (b)(6), (b)(7)(C) twice with his M-9 Pistol, and did not shoot him with a M-4 Rifle; however, at the crime scene, a single 5.56mm casing was recovered which was later discovered to have been fired from the M-4 Rifle carried by SGT (b)(6), (b)(7)(C) on 20 Mar 05.

STATUTES:

Article 80, UCMJ: Attempts

Article 118, UCMJ: Murder

EXHIBITS/SUBSTANTIATION:

ATTACHED

1. Agent's Investigative Report (AIR) of SA (b)(6), (b)(7)(C) Apr 05, detailing the basis for investigation; the interview of COI (b)(6), (b)(7)(C) and receipt from COI (b)(6), (b)(7)(C) of the following; sworn statements of SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) dated 24 Mar 05 and 20 Mar 05, respectively; Memorandum for Record, dated 27 Mar 05, containing the Historical Summary of the 20 Mar 05 Ambush on ASR Detroit; Copy of E-Mail regarding the incident with SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) and a Compact Disk containing photographs exposed on the objective, digital video of the initial ambush seized from the AIF Fighters, digital video of an execution seized from the AIF Fighters and a copy of digital video of the AAR provided by SSG (b)(6), (b)(7)(C) and unit members.

CIMPL-FC

SUBJECT: CID REPORT OF INVESTIGATION – FINAL/SSI 0083-05-CID259-36247-5H7/9G2C

2. Sworn Statement of SGT (b)(6), (b)(7)(C) 20 Mar 05, provided as part of an AAR, wherein he stated he shot a wounded AIF member twice with his M-9 Pistol, after the AIF member rolled and reached for a weapon.
3. Sworn Statement of SSG (b)(6), (b)(7)(C) 24 Mar 05, detailing his interaction with SGT (b)(6), (b)(7)(C) on 20 Mar 05, after the ambush, including a conversation wherein SGT (b)(6), (b)(7)(C) stated, "It is payback time" and asked SSG (b)(6), (b)(7)(C) if he could shoot the wounded AIF.
4. Memorandum for Record, dated 27 Mar 05, containing a historical summary of the 20 Mar 05 ambush on ASR Detroit.
5. AIR of SA (b)(6), (b)(7)(C) 6 Apr 05, documenting the coordination with and interview of CPT (b)(6), (b)(7)(C) who provided a compact disc with additional photographs exposed by 617th MP Company (C) members, the interviews of SSG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C).
6. Sworn Statement of SSG (b)(6), (b)(7)(C) 3 Apr 05, detailing his actions on 20 Mar 05, his conversations with a 1/623 FA soldier on 20 Mar 05, later identified as SGT (b)(6), (b)(7)(C) and his identification of Mr. (b)(6), (b)(7)(C).
7. Sworn Statement of SGT (b)(6), (b)(7)(C) 3 Apr 05, detailing his actions on 20 Mar 05, how he searched the wounded AIF member prior to the shots fired by SGT (b)(6), (b)(7)(C) and his identification of Mr. (b)(6), (b)(7)(C).
8. Sworn Statement of SGT (b)(6), (b)(7)(C) 3 Apr 05, detailing how she heard gunshots fired, after the battle, by an unknown 1/623 FA soldier who was pointing a pistol at a wounded AIF member.
9. Sworn Statement of SPC (b)(6), (b)(7)(C) detailing how he treated the wounded AIF member, later identified as Mr. (b)(6), (b)(7)(C) on 20 Mar 05, and wounds he observed on Mr. (b)(6), (b)(7)(C).
10. Sworn Statement of SPC (b)(6), (b)(7)(C) 6 Apr 05, wherein he details how he observed a 1/623 FA soldier, later identified as SGT (b)(6), (b)(7)(C) shoot a wounded, unarmed AIF member on 20 Mar 05.
11. AIR of SA (b)(6), (b)(7)(C) 6 Apr 05, detailing the Crime Scene Examination in the vicinity of Grid MB 73586 62500, Salman Pak, Baghdad, IZ.
12. Crime Scene Sketch of SA (b)(6), (b)(7)(C) 6 Apr 05, depicting the vicinity of Grid MB 73586 62500, Salman Pak, Baghdad, IZ.

CIMPL-FC

SUBJECT: CID REPORT OF INVESTIGATION – FINAL/SSI 0083-05-CID259-36247-5H7/9G2C

13. AIR of SA (b)(6), (b)(7)(C) 5 Apr 05, detailing his coordinations with the Air Force Theater Hospital (AFTH), LSA Anaconda, IZ, collection of medical records for Patient "823" (Mr. (b)(6), (b)(7)(C)) coordinations with Mortuary Affairs, and the interview of Dr. (LTC) (b)(6), (b)(7)(C)
14. Medical Treatment Records of Mr. (b)(6), (b)(7)(C) from the AFTH, LSA Anaconda, IZ.
15. AIR of SA (b)(6), (b)(7)(C) 8 Apr 05, detailing how Patient "823" was identified as Mr. (b)(6), (b)(7)(C) the interview of Mr. (b)(6), (b)(7)(C) the interview of Dr. (MAJ) (b)(6), (b)(7)(C) collection of Mr. (b)(6), (b)(7)(C) medical treatment records, and the photographs exposed of Mr. (b)(6), (b)(7)(C) wounds.
16. Medical Treatment Records of Mr. (b)(6), (b)(7)(C) from the BCCF, Abu Ghraib, IZ.
17. Photographic Packet, containing nine photographs depicting the injuries of Mr. (b)(6), (b)(7)(C)
18. AIR of SA (b)(6), (b)(7)(C) 1 Apr 05, detailing the collection of hand receipts pertaining to SGT (b)(6), (b)(7)(C) assigned weapons, collection of the B BTRY, 1/623 FA Mission Pre-Briefing Sheet with the Convoy Incident Report and AAR Statements of SGT (b)(6), (b)(7)(C) See Exhibit 2), SFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) interviews of SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) and the canvas interviews of B BTRY, 1/623 FA personnel.
19. (1-2) DA Form 2062, Hand Receipt, 31 Mar 05, pertaining to the issue of a M9 Pistol, Serial Number 1363582, and a M16A2 Rifle with a M203 Grenade Launcher, Serial Numbers 73274571 and 33017, to SGT (b)(6), (b)(7)(C)
20. B BTRY, 1/623 FA Mission Pre-Briefing Sheet with Convoy Incident Report, 20 Mar 05, with AAR Sworn Statements of SFC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)
21. (1-8) Canvass Interview Worksheets, 9 Apr 05.
22. AIR of SA (b)(6), (b)(7)(C) 11 Apr 05, detailing the interviews of SPC (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) the collection of SGT (b)(6), (b)(7)(C) 19 Pistol as evidence, the collection of SGT (b)(6), (b)(7)(C) M4 Rifle as evidence, and coordination with the commander and SJA.
23. Sketch by SPC (b)(6), (b)(7)(C) 9 Apr 05, depicting location of 1/623 FA vehicles during the 20 Mar 05 firefight.

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SUBJECT: CID REPORT OF INVESTIGATION – FINAL/SSI 0083-05-CID259-36247-5H7/9G2C

24. Waiver Certificate and Sworn Statement of SGT (b)(6), (b)(7)(C) 9 Apr 05, in which he describes his version of what occurred on 20 Mar 05 and how he shot the wounded AIF member with his M9 Pistol only, after he became threatened.
25. Sworn Statement of SPC (b)(6), (b)(7)(C) 9 Apr 05, detailing his knowledge of the firefight on 20 Mar 05, and his recollection of what SGT (b)(6), (b)(7)(C) said in an AAR held by COL (b)(6), (b)(7)(C).
26. Sketch by SPC (b)(6), (b)(7)(C) 9 Apr 05, depicting the area of the attack on 20 Mar 05 and the location of his unit's vehicles during the attack.
27. Sworn Statement of SPC (b)(6), (b)(7)(C) 9 Apr 05, detailing his actions and observations during the fight on 20 Mar 05 and his conversation with SGT (b)(6), (b)(7)(C) afterwards.
28. Sworn Statement of SGT (b)(6), (b)(7)(C) 9 Apr 05, detailing his observations of SGT (b)(6), (b)(7)(C) actions after the firefight on 20 Mar 05.
29. Sketch by SGT (b)(6), (b)(7)(C) made on copies of aerial photographs of the scene, 9 Apr 05, depicting his location on 20 Mar 05.
30. Sworn Statement of SFC (b)(6), (b)(7)(C) 9 Apr 05, detailing his knowledge of the events of 20 Mar 05, the actions of his unit personnel, and his conversation with SGT (b)(6), (b)(7)(C) concerning the shooting of the wounded AIF member.
31. Sworn Statement of SPC (b)(6), (b)(7)(C) 9 Apr 05, in which he related that after the fire fight, he observed SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) assisting Raven elements in clearing weapons of the enemy, and that he heard SGT (b)(6), (b)(7)(C) talk about killing an AIF member during the AAR.
32. Sketch by SPC (b)(6), (b)(7)(C) 9 Apr 05, depicting the scene of the fire fight and the location of his unit's vehicles.
33. US Army Criminal Investigation Laboratory Request, 10 Apr 05, requesting ballistic comparison of the 5.56mm casing found at the scene to the M4 Rifle carried on 20 Mar 05 by SGT (b)(6), (b)(7)(C) (USACRC and file copies only).
34. AIR of SA (b)(6), (b)(7)(C) 22 Apr 05, detailing the collection of a hand receipt pertaining to the issue of SGT (b)(6), (b)(7)(C) M4 Rifle, Serial Number W077786.
35. DA Form 2062, Hand Receipt, undated, pertaining to the issue of a M4 Rifle, Serial Number W077786, to SGT (b)(6), (b)(7)(C).

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36. AIR of SA (b)(6), (b)(7)(C) 13 May 05, detailing receipt of the reports from the 37th MP DET (CID), LSA Anaconda, IZ, and the 48th MP DET (CID), BCCF, Abu Ghraib, IZ, the USACIL Report, and final coordinations with the commander and SJA.

37. US Army Criminal Investigation Laboratory (USACIL) Firearms Division Report, 20 Apr 05, reflecting the forensic ballistics comparison of the 5.56mm casing recovered during the Crime Scene Examination, and the conclusion that the M4 Rifle of SGT (b)(6), (b)(7)(C) used by SGT (b)(6), (b)(7)(C) fired the casing.

38. Compact Disk, provided by COL (b)(6), (b)(7)(C) containing photographs exposed at the scene by 617th MP CO members, digital video of the initial ambush seized from the AIF Fighters, digital video of an execution seized from the AIF Fighters and a copy of digital video of the After Action Review provided by SSG (b)(6), (b)(7)(C) and other 617th MP CO unit members.

39. Compact Disk, provided by CPT (b)(6), (b)(7)(C) containing photographs exposed at the scene by 617th MP CO members on 20 Mar 05.

40. Compact Disk 050083.259 containing all digital images exposed by this office during investigation.

41. Videotape of Crime Scene, 6 Apr 05, taken by SA (b)(6), (b)(7)(C) (USACRC Only).

42. (1-3) Evidence/Property Custody Documents, Document Numbers, 339-05, 6 Apr 05; 350-05, 9 Apr 05; and 351-05, 9 Apr 05.

NOT ATTACHED:

Retained in the Evidence Depository, 11th MP Battalion (CID)(FWD), Camp Victory, Iraq, APO AE 09342.

43. 5.56mm casing (Item 1, Document Number 339-05)

44. Pistol, M-9, Serial Number (SN) 1363582 (Item 1, Document Number 350-05)

45. Rifle, M-4, SN W077786 (Item 1, Document Number 351-05).

Exhibits 38, 39, and 40 and the originals of Exhibits 1 and 2, 5 through 13, 15, 17, 18, 20 through 32, 36 and 37 are forwarded with the USACRC copy of this report. The originals of Exhibit 4 are retained by the 503rd MP BN, Camp Liberty, IZ. The originals of Exhibit 14 are retained by Air Force Theater Hospital, LSA Anaconda, APO AE 09391. The originals of Exhibit 16 are retained by the Medical Clinic, BCCF, Abu Ghraib, APO AE 09342. The originals of Exhibits 19 and 35 are retained in the files of the 1/623 FA BN, LSA Anaconda, APO AE 09391. The originals of Exhibit 33 is retained in the files

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of the US Army Criminal Investigation Laboratory, Fort Gillem, GA. The originals of Exhibit 42 are retained in the files of the Evidence Depository, 11th MP BN (CID) (FWD), Camp Victory, Baghdad, IZ. The original of Exhibit 41 is retained in the files of this office, pending adjudication.

STATUS: This is a Final Report. DA Form 4833 (Commader's Report of Disciplinary Action) is pending.

Report Prepared By:

Report Approved By:

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

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

SPECIAL AGENT, (b)(7)(F)

DETACHMENT COMMANDER

DISTRIBUTION:

- 1- Director, USACRC, 6010, 6th Street, Fort Belvoir, VA 22060-5506 (originals with exhibits)
- 1- THRU: CDR, 11th MP Bn (CID) (FWD), APO, AE 09342
 - THRU: CDR, 3rd MP Group (CID)
 - TO: CDR, USACIDC, ATTN: CIOP-ZA, Fort Belvoir, VA 22060-5506
- 1- Chief, Investigative Operations Division, USACIDC, Fort Belvoir, VA 22060-5506
- 1- Deputy Chief of Staff for Operations, USACIDC, Fort Belvoir, VA 22060-5506
- 1- CID Current Operations, USACIDC, Fort Belvoir, VA 22060-5506
- 1- CDR, 18th MP BDE, Camp Victory, APO AE 09342
- 1- CDR, 503rd MP BN, Camp Liberty, APO AE 09342
- 1- SJA, 18th MP BDE (ATTN: CPT (b)(6), (b)(7)(C) Camp Victory, APO AE 09342
- 1- PM, MNC-I (e-mail, less exhibits)
- 1- File

AGENT'S INVESTIGATION REPORT	ROI NUMBER 0083-05-CID259-36247
CID Regulation 195-1	PAGE 1 OF 2 PAGES

DETAILS
BASIS FOR RE-INVESTIGATION: About 1830, 1 Apr 05, the undersigned was notified by COL (b)(6), (b)(7)(C) Commander, 18th Military Police (MP) Brigade (BDE), Camp Victory, Iraq that while he was conducting an After Action Review of an ambush that occurred on 20 Mar 05, in the vicinity of Salman Pak, Baghdad, Iraq he discovered information indicating SGT (b)(6), (b)(7)(C) B Battery (BTRY), 1st Battalion 623rd Field Artillery (1/623 FA), Logistics Support Area (LSA) Anaconda, Iraq (IZ) may have unlawfully shot and killed a wounded and unarmed Anti Iraqi Forces (AIF) Fighter while searching the objective for wounded enemy.

INTERVIEW OF COMPLAINANT: About 1830, 1 Apr 05, the undersigned coordinated with and interviewed COL (b)(6), (b)(7)(C) who explained between 20 Mar 05 and 31 Mar 05 various members of his units were completing After Action Reviews of an ambush that occurred on 20 Mar 05. COL (b)(6), (b)(7)(C) related on 20 Mar 05, a patrol from the 1/623 FA was conducting security for a convoy of trucks heading south on Alternate Supply Route (ASR) Detroit when they came under fire from an undetermined number of AIF Fighter. 1/623 FA and the convoy were receiving fire from small arms, Rocket Propelled Grenades (RPG) and machine guns. A patrol from 617th Military Police Company, Camp Liberty, Iraq (led by SSG (b)(6), (b)(7)(C) same unit), had been shadowing the convoy about two to three miles behind and came up from behind the convoy and engaged the enemy with a sweep across the contact side of the kill zone and then conducted a flank around to the south of the ambush. SSG (b)(6), (b)(7)(C) and his patrol were able to engage all of the enemy and subsequently stop the attack on the convoy. After the attack stopped, members of 1/623 FA moved to SSG (b)(6), (b)(7)(C) position to provide assistance in securing the objective. SSG (b)(6), (b)(7)(C) reported as his unit was consolidating and preparing to transport their wounded to a nearby Landing Zone, he coordinated with SGT (b)(6), (b)(7)(C) and requested he accompany him across the objective to search for wounded enemy fighters and ensure they were secure and weapons removed. SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) crossed the objective and discovered a wounded AIF Fighter who appeared to have been shot in the leg. SSG (b)(6), (b)(7)(C) scanned for weapons and when he determined it to be safe, left SGT (b)(6), (b)(7)(C) with the fighter to secure him while SSG (b)(6), (b)(7)(C) continued to check for other enemy personnel. As SSG (b)(6), (b)(7)(C) walked away, he heard what he reported to be shots from a pistol. When he turned around, he noted the AIF Fighter dead on the ground and SGT (b)(6), (b)(7)(C) pointing his 9MM Pistol at him. All of these events were detailed in written statements provided by SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) during the AAR. COL (b)(6), (b)(7)(C) provided the statements to the undersigned for review and inclusion in this investigation. COL (b)(6), (b)(7)(C) also explained a member of the B BTRY, 1/623 FA had been killed by an Improvised Explosive Device the day prior and emotions and tensions were high among all members of B BTRY 1/623 FA.

COL (b)(6), (b)(7)(C) explained the following concerns he had with the statements:

1. In the statement of SSG (b)(6), (b)(7)(C) he explains while walking out to the field, SGT (b)(6), (b)(7)(C) states "It was payback time"
2. SSG (b)(6), (b)(7)(C) reports when they discovered the wounded AIF Fighter, SGT (b)(6), (b)(7)(C) make the request "let me shoot him, let me shoot him, I got payback coming".
3. SSG (b)(6), (b)(7)(C) states "I never observed any weapons in his direct area of reach" referring to the AIF Fighter.
4. In the statement of SGT (b)(6), (b)(7)(C) he writes "The other soldier that was with me searched the individual while I was guarding him".
5. SGT (b)(6), (b)(7)(C) claims in his statement "He then rolled over towards an AK 47 with his arm extended" which was in direct contradiction with SSG (b)(6), (b)(7)(C) statement there were no weapons around.

COL (b)(6), (b)(7)(C) provided the undersigned with the following documentation concerning this investigation:

1. Sworn Statement of SSG (b)(6), (b)(7)(C) dated 24 Mar 05, detailing his actions with SGT (b)(6), (b)(7)(C) on 20 Mar 05.

TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6), (b)(7)(C), (b)(7)(F)	ORGANIZATION 48 th MP Det (CID)(FWD) 3rd MP Grp (CID), USACIDC Camp Victory, Iraq APO AE 09342
SIG(b)(6), (b)(7)(C)	DATE 30 Mar 05
	EXHIBIT ACLU DDII ROI 32881

AGENT'S INVESTIGATION REPORT		ROI NUMBER 0083-05-CID259-36247	
CID Regulation 195-1		PAGE 2 OF 2 PAGES	
<p>DETAILS</p> <ol style="list-style-type: none"> Sworn Statement of SGT (b)(6), (b)(7)(C) dated 20 Mar 05, detailing his actions on the objective and the shooting of the AIF Fighter. Memorandum for Record, dated 27 Mar 05, containing the Historical Summary of the 20 Mar 05 Ambush on ASR Detroit. Copy of E-Mail regarding the incident with SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) Compact Disk containing all photographs exposed on the objective, a video of the initial ambush seized from the AIF Fighters and video copy of the After Action Review provide by SSG (b)(6), (b)(7)(C) <p>About 2030, 1 Apr 05, the undersigned reviewed all of the documents and videos provided by COL (b)(6), (b)(7)(C) pertaining to this investigation. The statements provided by SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) appear to be consistent with the information provided by COL (b)(6), (b)(7)(C). Upon review of the Historical Summary and reviewing the video taped AAR, it appears at the time SGT (b)(6), (b)(7)(C) shot the wounded AIF Fighter, all fighting had stopped and none of the wounded were resisting their capture. (b)(6), (b)(7)(C)</p> <p>////////////////////////////////////LAST ITEM////////////////////////////////////</p>			
TYPED AGENT'S NAME AND SEQUENCE NUMBER (b)(6), (b)(7)(C), (b)(7)(F)		ORGANIZATION 48 th MP Det (CID)(FWD) 3rd MP Grp (CID), USACIDC Camp Victory, Iraq APO AE 09342	
SIGNATURE (b)(6), (b)(7)(C)		DATE 30 Mar 05	EXHIBIT 7

ACLU DDII ROI 32882

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 MB 73586 62500 ASR Detroit	2. DATE (YYYYMMDD) 2005 03 20	3. TIME 1145	4. FILE NUMBER
5. NAME (b)(6), (b)(7)(C)	6. (b)(6), (b)(7)(C)	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS B-5124 1/23 FA (b)(6), (b)(7)(C)			

9. I, Sgt. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Our squad was traveling south on Detroit providing security and escorting a convoy of TCN drivers to CSA Scanian. At about 1145 at grid coordinate MB 73586 62500 the lead Hummer reported that they were taking small arms fire and rps. My Hummer was the last vehicle in the convoy. I took small arms fire from my 300 yard position. I returned fire and had visual on four personnel. The lead element was then encountering more fire so with the 96th Trans Co. supporting the rear of our convoy, I ordered my driver to take us to the front of the convoy. We passed a TCN truck that was burning due to a rps strike. We then saw two other Hummers to our right flanking the enemy. We went to help them eliminate the enemy. As soon as I got out of the vehicle I helped a medic with a gunshot wound to the stomach and then went to help a soldier with a gunshot wound to the arm and side. Myself and Sgt. [REDACTED] along with the medic proceeded to load the casualty into my Hummer and then a soldier from the Raven element fired an AT-4 at a house where we had been taking fire. Raven unit took a team to the house to clear it and myself and two other soldiers

10. EXHIBIT	11. (b)(6), (b)(7)(C)	MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] EN AT [REDACTED] DATED [REDACTED]"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED.

ACLU DDH ROI 32883

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

STATEMENT OF

Sgt.

TAKEN AT

ABTRY 4623 TX

DATED

21 MAR 05

9. STATEMENT (Continued)

Sweep the field. We found an insurgent who was alive and moving. The other soldier that was with me searched the individual while I guarded him. Then the other soldier that was with us found another insurgent about 100 meters on down the ditch line. The soldier that was searching the insurgent went to help the other soldier and left me to guard the insurgent on the ground. I was telling the insurgent to keep his hands up and he kept putting them under his side. I told him to keep his hands up and lay on his back. He then rolled over toward an AK47 with his arms extended. I shot him twice, once in the leg and once in the head with my 9mm. I then proceeded down to assist the other two soldiers with the sweep of the field. As we swept the field we found RPG's, grenades, AK-47's, and a large type machine gun with ammo. Then I returned to my Humvee to check on my squad and proceeded to go back to the sight of the second insurgent to detain him with Sgt. (b)(6), (b)(7)(C). After detaining the individual my team returned to the rear of my convoy to start assessing the damage of the convoy.

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

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH (b)(6), (b)(7)(C) 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 COERCION, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR REWARD, WITHOUT (b)(6), (b)(7)(C) INFLUENCE.

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

(b)(6), (b)(7)(C) Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21st day of MARCH, 2005 at CSC SCANIA, IRAQ

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

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

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

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

ART 136 (b) 4 UMCJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

ACLU DDJ ROI 32884

PAGE 3 OF 3 PAGES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Sgt. (b)(6), (b)(7)(C) TAKEN AT ARMY 1623 TOL DATED 21 MAR 05

9. STATEMENT (Continued)

We then got the convoy lined back up and was joined in with another military convoy that helped us reach our destination.

(b)(6), (b)(7)(C) MAKING STATEMENT

ACLU DDII ROI 32885

PAGE 1 OF 1 PAGES

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: 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 617 Military Police Company TOC	2. DATE (YYYYMM(b)(6), (b)(7)(C)) TIME (b)(6), (b)(7)(C) 2005/03/24 1000 (b)(6), (b)(7)(C)	FILE NUMBER
(b)(6), (b)(7)(C), MIDDLE NAME	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E6
8. ORGANIZATION OR ADDRESS 617 Military Police Company Camp Liberty Iraq, APO AE 09342		

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

During an engagement between my squad, 2nd SQ, 4th PL and Anti Iraqi forces (AIF) on 20 March 2005, I observed some actions of soldiers from B/623 FA. These soldiers were escorting a convoy south bound on ASR Detroit in the Salma Park area of Iraq. After the initial engagement from the AIF on to the convoy, my squad, reacted and moved to contact on the AIF to stop them from killing or injuring any coalition forces or third country nationals in the convoy. After the fighting had ended, and I was trying to make sure that the scene was secure. I approached the area where my alpha team truck was to check on the injuries they sustained. Seeing that our medic, SPC (b)(6), (b)(7)(C) was taking care and directing soldiers to render aid to the three that were injured, I decided to proceed on into the main canal to insure that the scene was safe and all AIF were secure. At this time I observed a soldier that I was not familiar with. I presumed he was from the convoy escort element. I asked him and he advised that he was from 623. At this time I told him I needed him to come with me to finish securing the scene. The soldier and I then proceeded down the main canal to find anymore enemy combatants. At this time he advised that "it was pay back time". believing that this soldier was referring to the death of another soldier from a few days before. I told him to settle down. About half way down the canal we came upon one live AIF. He was on the opposite side of the canal, in the prone position, parallel with the canal and had one hand hidden under him. At this time the soldier said to me "let me shoot him, let me shoot him, I got pay back coming". I ordered him not to and advised him that we would be able to get information from him. He still insisted to just shoot him when the AIF would not remove his hand from under himself. Finally after a few moments, and some hand and arms signals the AIF complied. He appeared to me to only have a injury to his left leg from a gun shot wound. I never observed any weapons in his direct area of reach. Again the soldier said to me that he wanted to shoot the AIF. Again, I ordered him not to. I told him that we had to much more to worry about, there were still about ten more AIF in the canal to secure. He then advised me that we just couldn't leave this AIF unattended. Being that we did not have any way to secure his hands, I asked him if he could handle him and he replied he had it under control and would watch the AIF. I left him and proceeded down the canal. When I left, the soldier was watching the AIF and pointing his rifle at him. After about 50 meters down the canal, I heard the report from what sounded to be a pistol from behind me. I then turned around and observed that the soldier was pointing his M9 at the AIF and the AIF, that was sitting up, fell back onto his side. I then yelled out "are you all right?" He replied yes. Believing that he had just killed the AIF, and knowing that I still had more area to secure, I proceeded on to the end of the canal where I located on AIF that was not injured and fully capable of fighting. At that time SGT (b)(6), (b)(7)(C) came to my area and with Flex cuffs we secured the last AIF and took him back to our vehicle. We then began to check more of the area for injured or alive AIF and render aid to them. //END OF STATEMENT (b)(6), (b)(7)(C)//

10. EXHIBIT	11. 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 _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED.

ACLU DDII ROI 32886

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 617 MP CO DATED 2005/03/21

9. STATEMENT (Continued)

After we had fought and killed the four insurgents in the canal and made our way up to the location where SGT (b)(6), (b)(7)(C) vehicle was, I found SPC (b)(6), (b)(7)(C) still on his M2 machine gun. I could see that he was covered with blood. I asked him if he was all right and he advised he had been shot in the hand but could still fight. A soldier from the convoy who had been ambushed, proceeded along with me on the main canal that the insurgents were occupying. After searching the insurgents, we found several of them who were still alive. We separated them from their weapons and secured them. During all of this, SPC (b)(6), (b)(7)(C) drove SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) to a landing zone, to be MEDEVACED, some were about two miles east of our position on ASR Detroit. After the area was secure, we rendered aid to the AIF that needed it and MEDEVACED them. In the total fight that afternoon, 24 AIF were killed on location, 7 were wounded, and I was taken prisoner. While waiting on the MEDEVAC, an MI patrol stopped and asked if they could question some of the AIF. During these questioning, the AIF informed them there was a total of 50 AIF and 10 vehicles involved in the ambush. We could only account for 35. Later reports given to me, said that 3 more of the insurgents died either in the MEDEVAC or at the hospital. The AIF involved in this ambush were well equipped, well trained, had a tactical plan of attack with high moral. Their fighting positions were thought out with a plan for a primary attack, full back positions with covering fire and an escape route. During this fight, each and every soldier in my squad, fought with honor, valor and performed acts of heroism that were above and beyond their duty. The primary from each vehicle never quit fighting and always continued looking for AIF in our area and engaged them, to include SPC (b)(6), (b)(7)(C) engaging with both the MK19 and M240 his vehicle was equipped with. SPC (b)(6), (b)(7)(C) at one point in the battle, seeing that he was better needed up towards SGT (b)(6), (b)(7)(C) vehicle, came down from the weapon platform and drove the vehicle to that location to cover them while aid was rendered. In total, 22 x AKM, 13 x RPK, 6 x RPG launchers, 16 x RPG rockets, 39 x handgrenades, 123 x AKM magazines (full), 52 x AKM magazines (empty), 1 x drum AKM (w/ 75 estimated rounds), approximately 2500 x loose 7.62mm. ammunition and several thousand rounds of linked RPK rounds. ////////////////END OF STATEMENT (b)(6), (b)(7)(C)////

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

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 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 (b)(6), (b)(7)(C) THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL

WITNESSED:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of March, 2005 at 617 Military Police Company TOC

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

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Signature of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

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EXHIBIT 4

ACLU DDII ROI 32888

000022



DEPARTMENT OF THE ARMY
 503D Military Police Battalion (Airborne)
 Camp Liberty, Iraq 09342

AFZA-AP-BN

27 March 2005

MEMORANDUM FOR RECORD

SUBJECT: Historical summary on 20MAR05 Ambush on ASR Detroit.

1. The following is a historical summary of the events that occurred on 20MAR05, in the vicinity of Salman Pak, along ASR Detroit at grid MB 73586 62500. Information cited in this memorandum was collected through interviews with the Raven 42 and Stallion 33 soldiers, along with CO/BN spot reports, evidence from the scene, and through questioning of the detained AIF.

a. I have divided the ambush into three phases: PHASE I details the ambush from the beginning of the fight to the point when SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) are wounded. PHASE II details the Stallion elements arriving to assist the Raven squad, extracting the wounded Raven soldiers, and establishing an LZ. PHASE III concludes the ambush when additional Raven elements arrive on scene to do the final sweep of the area.

2. On 20 March 2005, 3/3/B1-623 FA BTY (call sign Stallion 33) was conducting a convoy security mission consisting of (30) third country national (TCN) vehicles from LSA Anaconda, south to CSC Scania along ASR Detroit. The Stallion 33 security squad consisted of (3) M1114's. Stallion 33A (S33A) included; SGT (b)(6), (b)(7)(C) TC), SPC (b)(6), (b)(7)(C) (driver), and SPC (b)(6), (b)(7)(C) gunner), with a MK-19. Stallion 33B (S33B) included; SFC (b)(6), (b)(7)(C) SL), SPC (b)(6), (b)(7)(C) (driver), and SPC (b)(6), (b)(7)(C) gunner), with a M2. Stallion 33C (S33C) included; SGT (b)(6), (b)(7)(C) TC), SGT (b)(6), (b)(7)(C) (driver), and SPC (b)(6), (b)(7)(C) gunner), with a M2. Order of march was S33A, S33B, and S33C. S33A was the lead vehicle in the convoy, S33B was the sixteenth vehicle, and S33C was the trail vehicle in the convoy (see enclosure A, slide 1).

a. Trailing 200-300 meters behind the Stallion 33's escort mission was a MSR patrol from 2/4/617th MP CO (call sign Raven 42). The Raven element consisted of (3) M1114's. Raven 42A (R42A) included SGT (b)(6), (b)(7)(C) TC), SPC (b)(6), (b)(7)(C) (driver), SPC (b)(6), (b)(7)(C) gunner) with a M2 and SPC (b)(6), (b)(7)(C) medic). Raven 42B (R42B) included SGT (b)(6), (b)(7)(C) TC), SPC (b)(6), (b)(7)(C) (driver) and SPC (b)(6), (b)(7)(C) gunner) with a MK-19 and M240B. Raven 42C included SSG (b)(6), (b)(7)(C) SL), SGT (b)(6), (b)(7)(C) (driver), and SPC (b)(6), (b)(7)(C) gunner) with a M2. Order of march was R42C, R42B, and R42A (see enclosure A, slide 1).

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3. **PHASE I.** At approximately 1140hrs (local), 40-50 anti-Iraqi forces (AIF) fired small arms and RPGs at the lead vehicles of Stallion 33's southbound convoy from a field southwest of their location (see enclosure A, slide 9), immediately disabling a semi tractor trailer in the front portion of the convoy. Moments later a northbound US convoy from the 1075th Trans CO was hit with small arms and RPG fire from a field southwest of their location (see enclosure A, slide 9) immediately disabling a US vehicle (UNK type). S33A sped through the kill zone taking heavy small arms/RPG fire from fields A and B (see enclosure A, slide 9). S33C and S33B were located in the middle and rear portions of the convoy at a halt taking heavy AIF fire from the southwest side of the road, while S33B called for air support on the Sheriff frequency.

a. The R42 element moved from the rear of the convoy passing both S33C and S33B in the shoulder of the south bound lane, headed for the AIF location. The R42 element maneuvered between the convoy and AIF (according to SOP), receiving heavy fire from field A and returning suppressive fire with their M2s and MK-19. SSG Nein ordered his squad to make a right hand turn on a back road that runs perpendicular to the ASR (see enclosure A, slide 9). Once his lead vehicle (R42C) made this turn, R42C was hit with a RPG, temporarily knocking the gunner (SPC (b)(6), (b)(7)(C)) unconscious. R42C continued to drive down this back road until all the Raven elements had made the same turn. R42C stopped at the end of the tree line that ran perpendicular to the ASR (see enclosure A, slide 9) and adjacent to a two story local national (LN) building (see enclosure A, slide 5). R42B stopped 10-15 meters behind R42C and R42A stopped at the end of an irrigation ditch that ran parallel to the ASR (see enclosure A, slide 9), approximately 100-150 meters away from R42B.

b. Once the Raven elements had flanked the AIF on the back road. The TCs and drivers of R42C and R42B (SSG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)) dismounted and took up firing positions along a berm in front of the tree line (see enclosure A, slide 3). The TC, driver, and medic of R42A (SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)) dismounted and moved to what they believed to be the non-contact side of their truck and fired into the irrigation ditches that ran parallel to the ASR (see enclosure A, slide 2 and 9). SPC (b)(6), (b)(7)(C) quickly fired all his 9mm rounds and grabbed SPC (b)(6), (b)(7)(C) M-4 while SPC (b)(6), (b)(7)(C) fired SPC (b)(6), (b)(7)(C) SAW. Shortly after they dismounted SPC (b)(6), (b)(7)(C) was hit with a shot to his arm. SPC (b)(6), (b)(7)(C) pulled SPC (b)(6), (b)(7)(C) to a covered position halfway under his vehicle and continued to fire his M-4 on AIF. Moments later SGT (b)(6), (b)(7)(C) was shot in the lower back. SPC (b)(6), (b)(7)(C) realized then that they were taking fire from the rear because both SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were behind the cover of their vehicle when they were shot. SPC (b)(6), (b)(7)(C) pulled SGT (b)(6), (b)(7)(C) to a covered position under his vehicle and began lay suppressive fire to his rear with an M-4. As SPC (b)(6), (b)(7)(C) was firing to his rear, SPC (b)(6), (b)(7)(C) was hit. As SPC (b)(6), (b)(7)(C) bandaged his own wounds, SPC (b)(6), (b)(7)(C) grabbed the

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SAW and provided suppressive fire into the irrigation ditch that ran parallel to the ASR. Once SPC (b)(6), (b)(7)(C) was able to re-man his weapon, SPC (b)(6), (b)(7)(C) contacted another Raven element for assistance, all while his gunner (SPC (b)(6), (b)(7)(C)) was laying suppressive .50 cal fire into the irrigation ditch with a wounded hand of his own.

c. The gunners of R42C and R42B focused their fire on the orchard farm and on the tree line until they realized small arms fire was coming from a building and berm behind them (see enclosure A, slide 9). SSG (b)(6), (b)(7)(C) eliminated (1) AIF on the berm with a hand grenade, and the gunners of R42C and R42B momentarily suppressed the building with MK-19 rounds and (1) AT-4 round (fired by SPC (b)(6), (b)(7)(C)). The gunners re-focused their fire on field A, to include shooting all (7) AIF vehicles that were parked on this same road (see enclosure A, slide 3). SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) jumped into the irrigation ditch that ran perpendicular to the ASR to clear it of AIF while SGT (b)(6), (b)(7)(C) provided over watch from the tree line. SPC (b)(6), (b)(7)(C) received word from SPC (b)(6), (b)(7)(C) on the handheld radio that they had wounded and needed assistance. SPC (b)(6), (b)(7)(C) then drove R42B back to R42A's position, with R42B's gunner (SPC (b)(6), (b)(7)(C)) providing over watch and suppressive fire on field A. Realizing that there was wounded and seeing SPC (b)(6), (b)(7)(C) drive R42B to R42A, SPC (b)(6), (b)(7)(C) climbed down from his turret and drove R42C closer to the other Raven trucks, in order to provide better covering fire.

4. **PHASE II.** During the Raven engagement; the Stallion 33B and 33C elements moved toward the Ravens' position (at the intersection of ASR Detroit and the perpendicular side road) to assist while still taking heavy fire. S33A returned back into the kill zone, providing suppressive MK-19 fire on field B. S33C arrived to the Raven site first. When they arrived on the scene they noticed some wounded Raven soldiers under intense fire. S33C positioned their vehicle to better cover the wounded. The TC and driver of S33C (SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)) dismounted to provide medical assistance and covering fire. Once S33C arrived on scene, they again received small arms fire from the building to their rear (see enclosure A, slide 5). SPC (b)(6), (b)(7)(C) suppressed the fire by firing (1) AT-4 round into the building eliminating the threat. Shortly after this, S33B arrived on scene providing suppressive .50 cal fire into the irrigation ditch that ran parallel to the ASR (see enclosure A, slide 10). The driver and TC of S33B (SFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)) dismounted and assisted in loading SPC (b)(6), (b)(7)(C) into their vehicle (S33B) for extraction. As S33B began to evacuate SPC (b)(6), (b)(7)(C) S33A arrived on scene. SFC (b)(6), (b)(7)(C) ordered S33A (SGT (b)(6), (b)(7)(C)) to call a MEDEVAC and set up an LZ. Both S33A and S33B received heavy fire from both field A and B while en route to the potential LZ (see enclosure A, slide 10). S33B provided suppressive fire onto field A while S33A returned fire on field B with MK-19 and SAW rounds.

a. After S33B left the Raven site an UNK US vehicle (possibly 1075th gun truck) arrived and provided suppressive fire into the irrigation ditch that ran parallel to the ASR (see enclosure A, slide 10). An UNK US soldier (thin, African-American male, with a green

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IBA) assisted SPC (b)(6), (b)(7)(C) in providing first aid to SGT (b)(6), (b)(7)(C). Shortly after this, SPC (b)(6), (b)(7)(C) noticed SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) moving in the irrigation ditch and getting closer to R42A's position. SPC (b)(6), (b)(7)(C) informed SPC (b)(6), (b)(7)(C) who then called a "cease fire". SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) moved to their position to assess the situation. SPC (b)(6), (b)(7)(C) told SSG (b)(6), (b)(7)(C) that he and SPC (b)(6), (b)(7)(C) were going to take the wounded to the LZ. The UNK US soldier and SPC (b)(6), (b)(7)(C) loaded SGT (b)(6), (b)(7)(C) into S33C (with SPC (b)(6), (b)(7)(C) still in the turret) and drove to the LZ (the UNK soldier drove while SPC (b)(6), (b)(7)(C) provided first aid to SGT (b)(6), (b)(7)(C)). SPC (b)(6), (b)(7)(C) drove R42A with the injured SPC (b)(6), (b)(7)(C) in the turret, to the Stallion LZ. SSG (b)(6), (b)(7)(C) ordered all remaining Raven soldiers to clear the field for AIF, while he and SGT (b)(6), (b)(7)(C) (S33C) cleared the irrigation ditch that ran parallel to the ASR. SGT (b)(6), (b)(7)(C) (S33C) provided over watch from the turret of R42B.

b. S33A secured an LZ 600-1000 meters south along the ASR (see enclosure A, slide 11). S33A (SGT (b)(6), (b)(7)(C)) radioed for a MEDEVAC at approximately 1202hrs and prepared for the casualties. S33B was first to arrive at the LZ with a casualty (SPC (b)(6), (b)(7)(C)). SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) helped unload SPC (b)(6), (b)(7)(C) and began to provide first aid. Once SPC (b)(6), (b)(7)(C) was unloaded, S33B returned to the Raven site (the intersection of the ASR and the side road). Shortly after S33B left, S33C and R42A arrived. SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) were unloaded and given first aid by SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C). SPC (b)(6), (b)(7)(C) jumped into the turret of R42A to provide security. At approximately 1216 the first MEDEVAC helicopter arrived. SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) were loaded on to this aircraft.

c. As S33B was driving back north along the ASR en route to the remaining Raven squad, they received heavy fire from field B. Once S33B returned to the Raven site (the intersection of the ASR and the side road) most of the firing had died down. S33B loaded another UNK USWIA (possibly 1075th) into their vehicle that had shrapnel wounds to the abdomen and moved him to the LZ. S33B arrived just as the first MEDEVAC was leaving. SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) treated the UNK US WIA and S33B returned back to the Raven site. While returning to the Raven site, S33B was flagged down by some 1075th Trans CO soldiers who requested S33B's help in extracting one of their US WIA. S33B brought the UNK US WIA to the LZ, where he was treated and MEDEVAC'd with the rest of the US WIAs. (5) US WIAs were MEDEVAC'd from the S33A LZ. Once all the casualties had left, S33B, S33C, and R42A drove back to the Raven site in a wedge formation. Once they arrived on scene all the fighting was over and additional Raven elements to include the Company Commander (CPT (b)(6), (b)(7)(C)) arrived on scene.

5. **PHASE III.** Once CPT (b)(6), (b)(7)(C) arrived on scene, he took command of the situation. S33C elements that were assisting in the searching of wounded AIF were relieved by Raven forces, so Stallion could continue their original mission of escorting the convoy to CSC Scania. Raven forces searched all the dead and wounded AIF and collected their weapons, ammunition, and personal items. They searched field A, field B, and every

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building in the immediate area. All the dead AIF were found in field A. However, Raven forces found a large amount of expended rounds in field B. The rounds were found in (3) buildings and throughout a ditch in field B (see enclosure A, slide 12). S33A and S33B remembered seeing approximately 5-10 AIF in field B, along with (3) AIF vehicles. Through THT questioning, detainees told Raven forces that there were 40-50 AIF in the area with (10) vehicles. Some of the AIF had handcuffs on them, presumably to use in 5 kidnapping any personnel from the attack. The wounded AIF and TCNs were treated on site and MEDEVAC'd from a second LZ on the orchard farm (see enclosure A, slide 12).

a. During the Raven sweeps, Stallion 33 elements reorganized and prepared to take the convoy south to CSC Scania. They repaired their vehicles and were given a small ammo re-supply by Raven elements. Stallion 33 incorporated their convoy into another southbound convoy (UNK unit, call sign Dragon 47) and arrived at CSC Scania with out further incident.

b. Final numbers: (26) AIF KIA, (3) TCN KIA, (3) 617th WIA, (3) 1075th WIA, (6) AIF WIA, and (7) TCN WIA. Total amount of weapons confiscated: (22) AK-Ms, (13) RPKs, (6) RPG launchers, (16) RPG rockets, (39) hand grenades, (123) AK-M full magazines, (52) AK-M empty magazine, (1) full 200 round drum, and (2,500) loose 7.62 rounds. All weapons were signed over to the 7678th EOD. Also taken from the AIF was a video camera with footage of the ambush, along with cell phones, wallets, pictures and 200 US dollars, which were all turned over to the 18th MP BDE S2 (MAJ (b)(6), (b)(7)(C))

6. Point of Contact for this memorandum is the undersigned at VIOP 302-242-4440.

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

CPT, MP
Reviewing Officer

Enclosures:

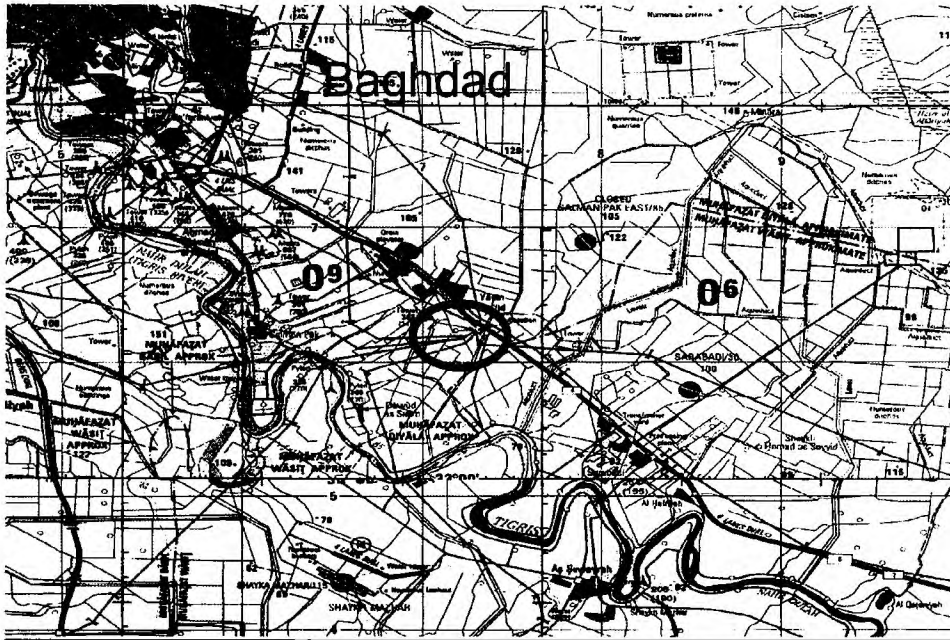
- A- PPT slides on Ambush site
- B- Estimated timeline

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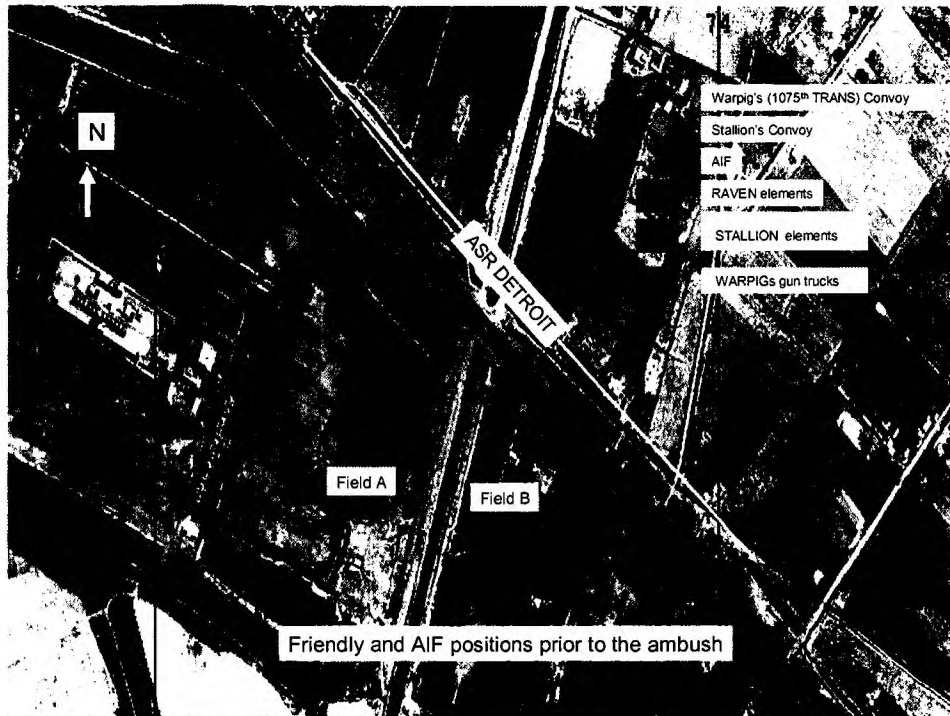
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Enclosure A

Map Orientation



Slide 1

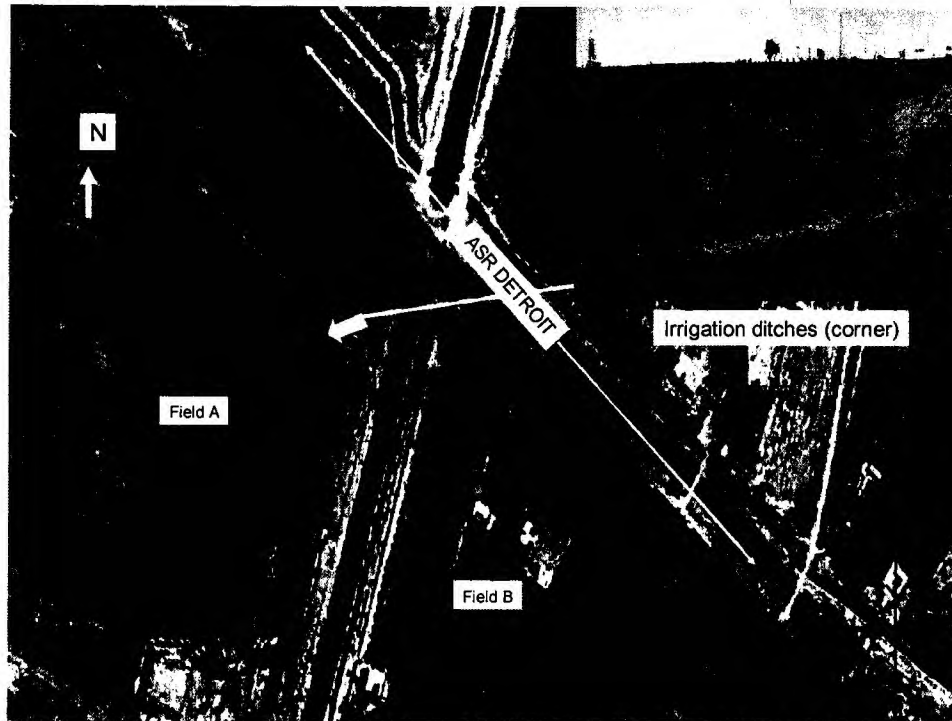


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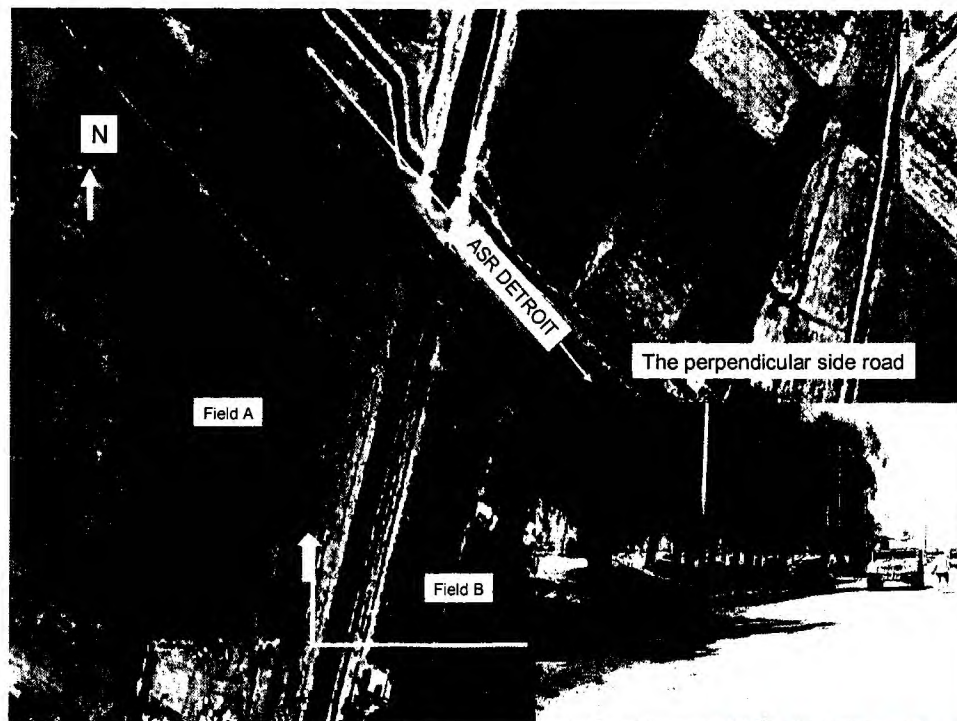
Enclosure A

Geographical/Terrain features on the Ambush site

Slide 2



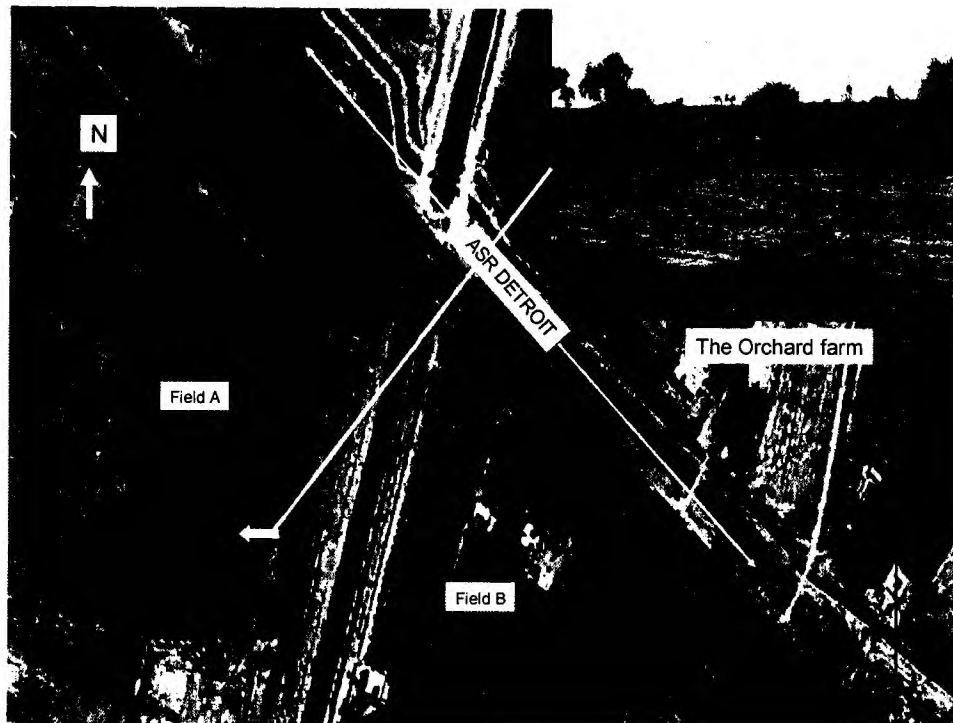
Slide 3



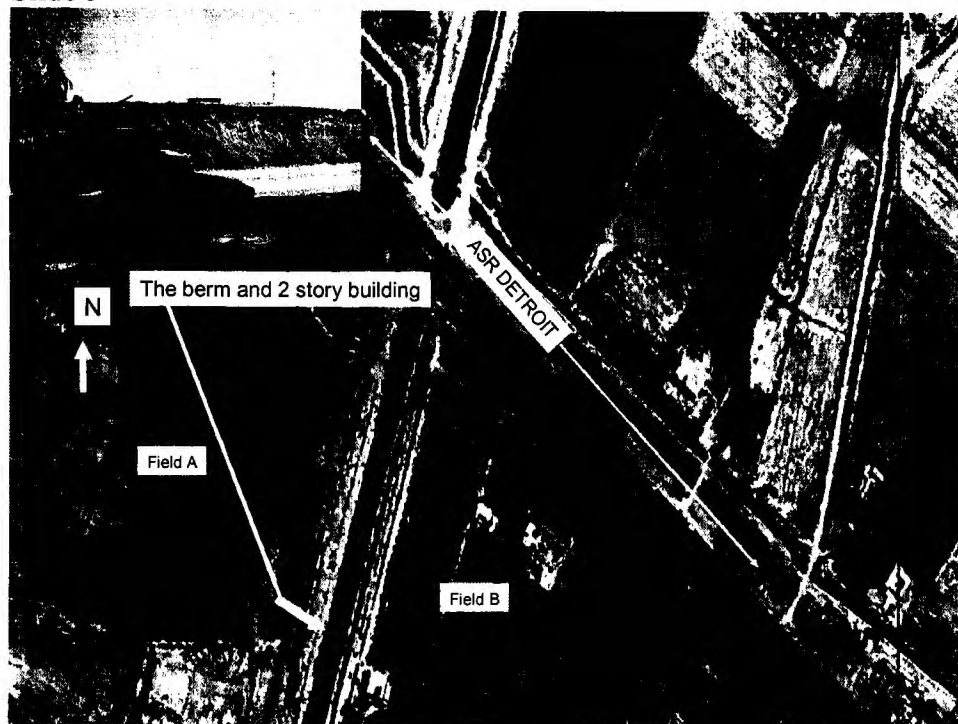
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Enclosure A

Slide 4



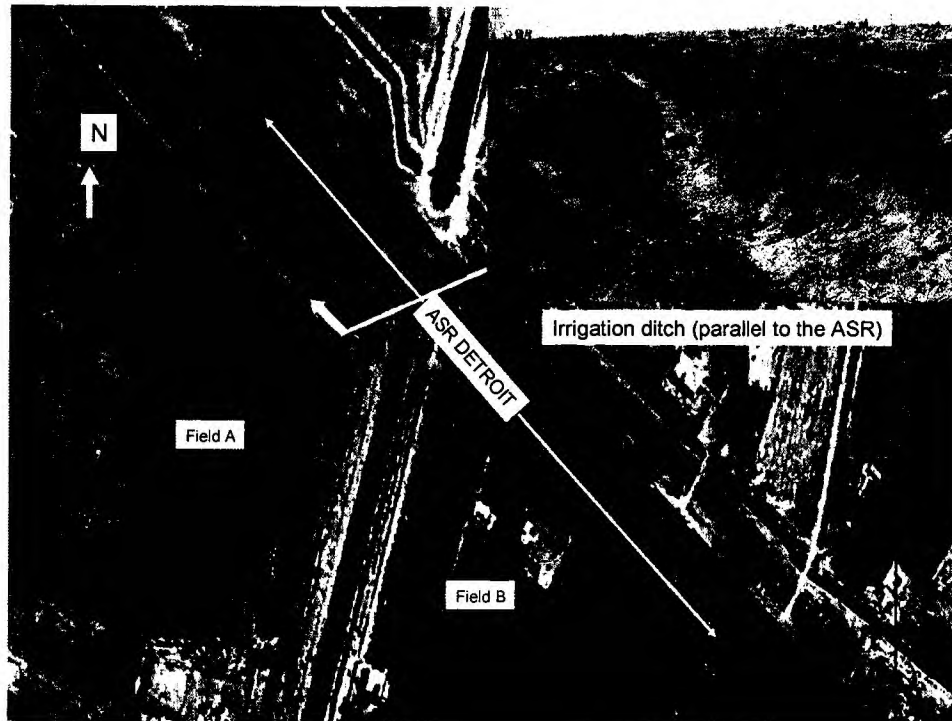
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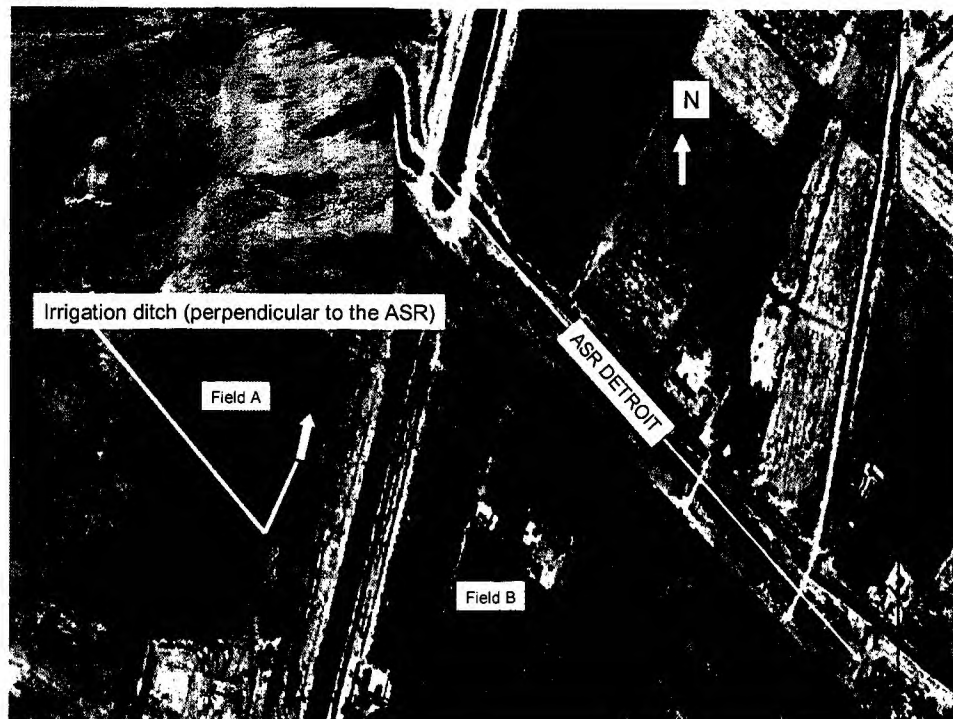
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Enclosure A

Slide 6



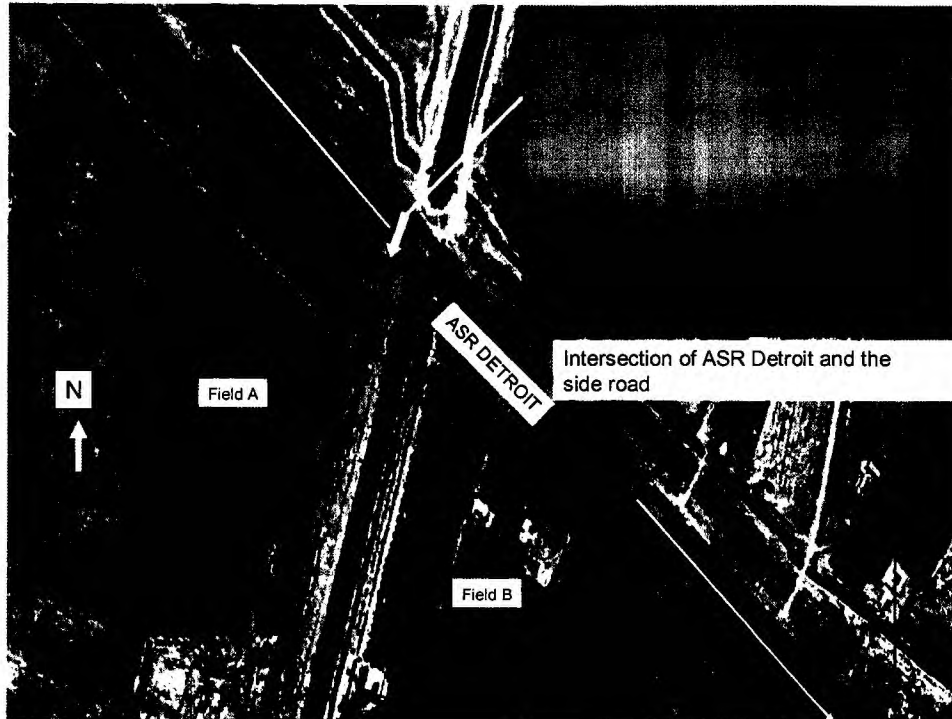
Slide 7



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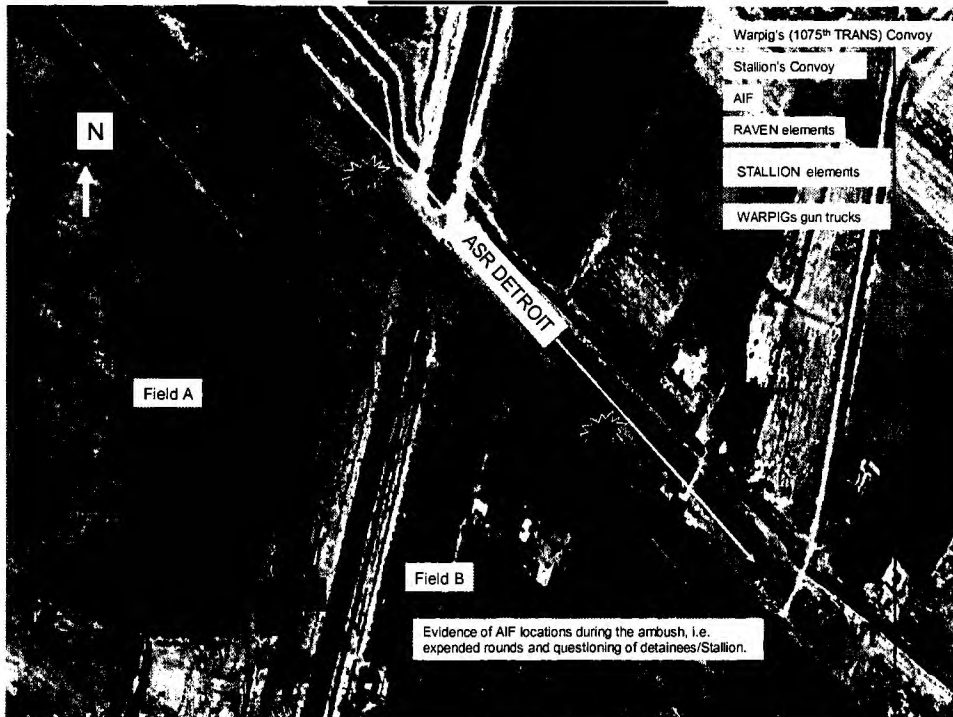
Enclosure A

Slide 8



Slide 9

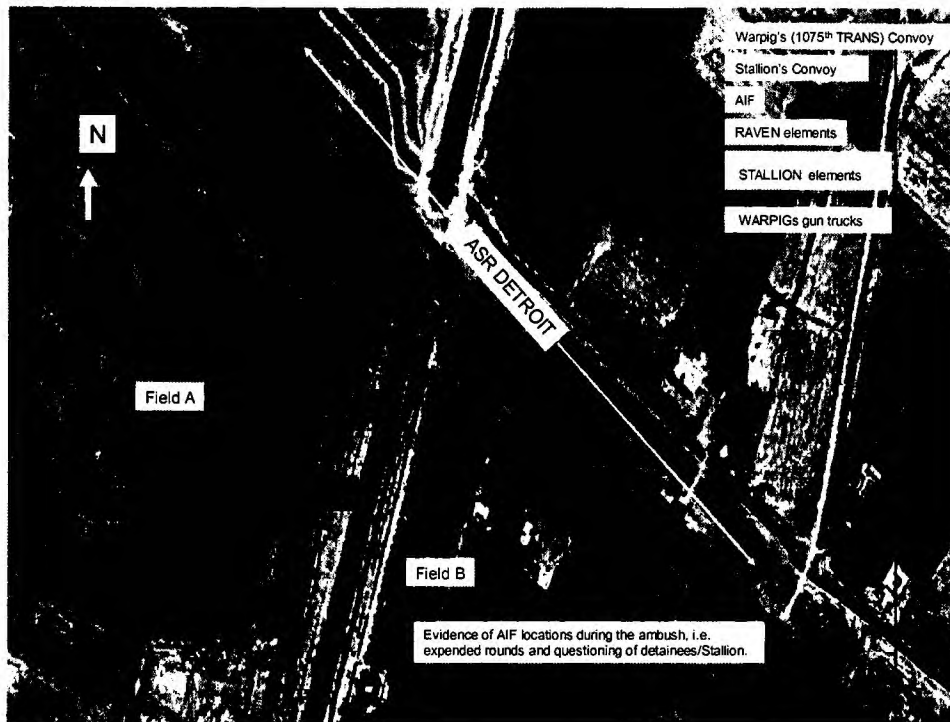
Events of the Ambush



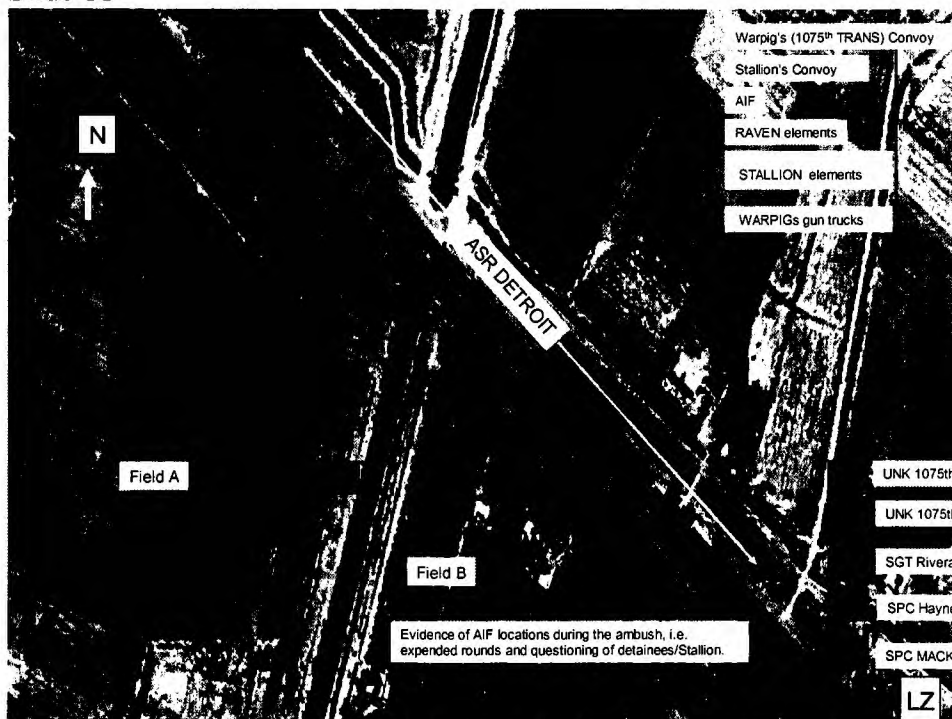
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Enclosure A

Slide 10



Slide 11



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ACLU DDII ROI 32901



■ **ACLU DDII ROI 32902**



ACLU DDII ROI 32903



ACLU DDII ROI 32904



ACLU DDII ROI 32905



ACLU DDII ROI 32906



ACLU DDII ROI 32907



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

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

ACLU DDII ROI 32908



ACLU DDII ROI 32909



ACLU DDII ROI 32910

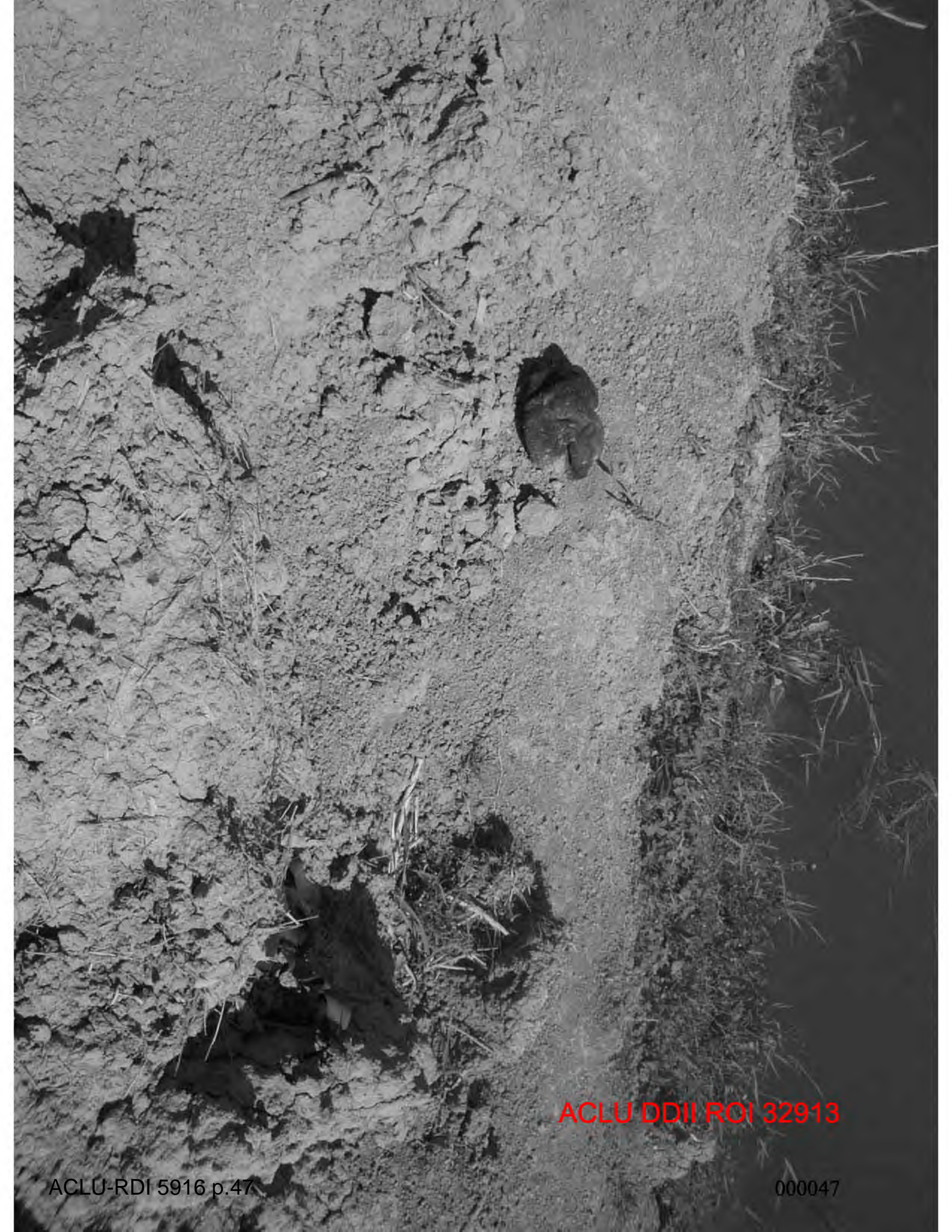


(b)(6), (b)(7)(C)

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ACLU DDII ROI 32912



ACLU DDII ROI 32913

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

ACLU DDII ROI 32914



ACLU DDII ROI 32915

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

ACLU DDII ROI 32916



ACLU DDII ROI 32917



ACLU DDII ROI 32918



ACLU DDII ROI 32919

(b) (3)

ACLU DDII ROI 32920

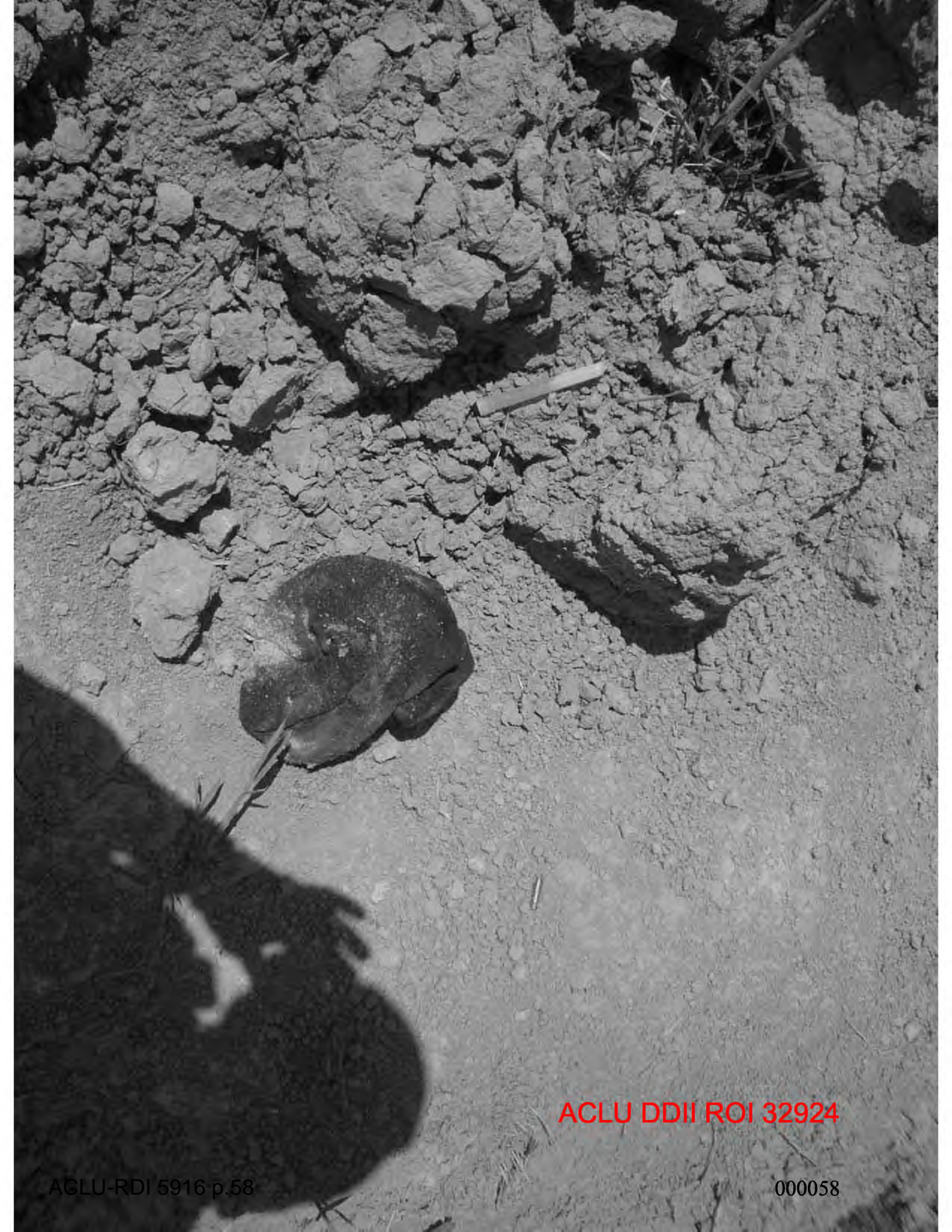
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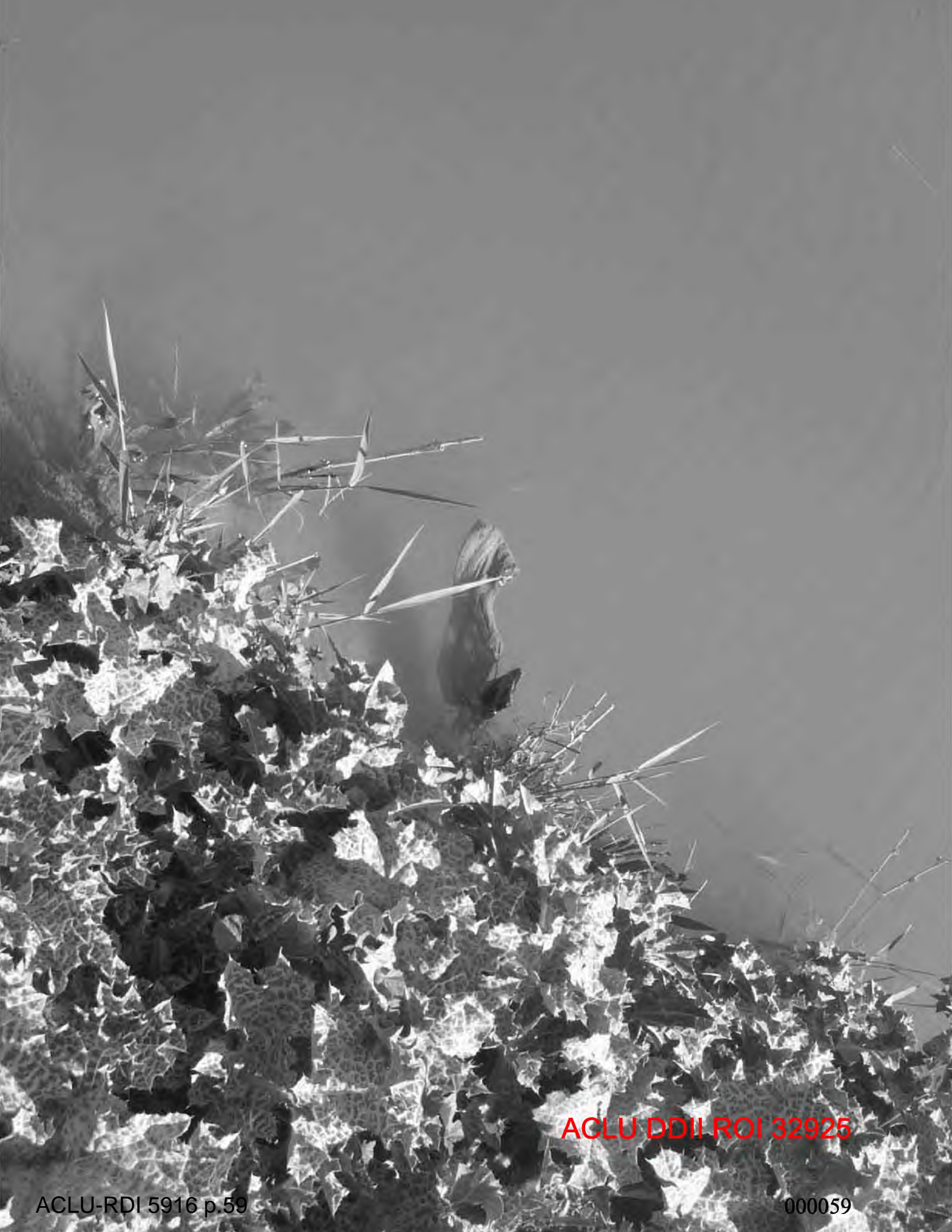
(b) (3)

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ACLU DDII ROI 32923



ACLU DDII ROI 32924




ACLU DDII ROI 32925



ACLU DDII ROI 32926



ACLU DDII ROI 32927

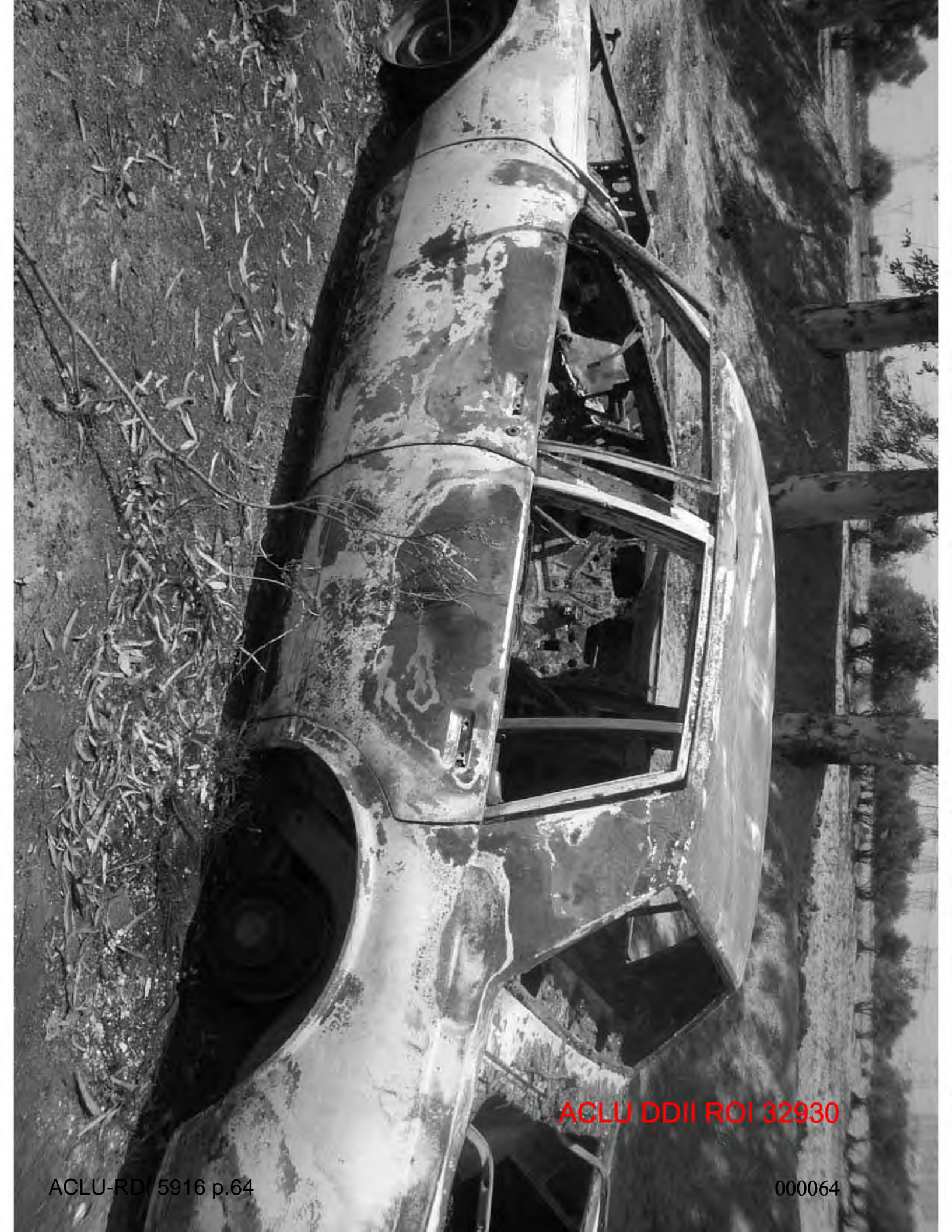


(b)(6), (b)(7)(C)

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ACLU DDII ROI 32929



ACLU DDII ROI 32930



ACLU DDII ROI 32931



ACLU DDII ROI 32932



ACLU DDII ROI 32933



ACLU DDII ROI 32934



ACLU DDII ROI 32935



ACLU DDII ROI 32936



ACLU DDII ROI 32937



ACLU DDII ROI 32938



ACLU DDII ROI 32939

Enclosure B**Estimated timeline of events for 20MAR05**

1140: Ambush initiated by AIF

1143: Raven elements arrive and are on the side road engaging the enemy

1147: SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) are down

1151: Stallion 33C arrives on the Raven site

1155: Stallion 33B arrives on the Raven site

1159: SPC (b)(6), (b)(7)(C) is evacuated by S33B

1202: S33A calls for the first MEDEVAC

1204: S33C and R42A leave the site with SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

1216: The first MEDEVAC bird lands

1225: Raven 6 and other Raven elements arrive, fire-fight is over.

ACLU DDII ROI 32951

AGENT'S INVESTIGATION REPORT	ROI NUMBER 0083-05-CID259-36247
CID Regulation 195-1	PAGE 1 OF 3 PAGES

DETAILS
Interviews of Witnesses: About 0917, 3 Apr 05, the undersigned and SA (b)(6), (b)(7)(C) 5569, this office, met with and interviewed CPT (b)(6), (b)(7)(C) Commander, 617th Military Police (MP) Company (Co), 18th MP Brigade (BDE), Camp Liberty, Baghdad, Iraq (IZ), APO AE 09342. CPT (b)(6), (b)(7)(C) related on 20 Mar 05, he arrived at the location where elements of his Company had engaged 30-40 Anti-Iraqi Forces (AIF). CPT (b)(6), (b)(7)(C) related he took command of the scene, ensuring all wounded were being treated and evacuated. CPT (b)(6), (b)(7)(C) related he and his soldiers secured the scene for several hours, waiting for Iraqi Police to arrive; however, he eventually ordered his soldiers to depart. CPT (b)(6), (b)(7)(C) first became aware of the incident involving the possible shooting of an unarmed, wounded AIF member by a 1/623 Field Artillery BN soldier after the unit held and After Action Review (AAR). CPT (b)(6), (b)(7)(C) related SSG (b)(6), (b)(7)(C) discussed what he believed occurred and that he then reported the information up the chain. CPT (b)(6), (b)(7)(C) further reported that he had learned an Unmanned Aerial Vehicle (UAV) was operating in the area of the engagement on 20 Mar 05, and could have surveillance footage of what occurred. CPT (b)(6), (b)(7)(C) related he returned to the scene on 27 Mar 05, and found the bodies of the killed AIF were gone, and that the escape vehicles had been looted and burned. CPT (b)(6), (b)(7)(C) reported further that the main canal, used by the AIF on 20 Mar 05, were filled with water. CPT (b)(6), (b)(7)(C) advised all of the surviving wounded AIF were now in the Abu Ghraib prison. CPT (b)(6), (b)(7)(C) advised he had collected copies of all digital images exposed by his soldiers on 20 Mar 05, and he provided a copy of those images on a Compact Disc.

About 1130, 3 Apr 05, the undersigned interviewed SSG (b)(6), (b)(7)(C) 617th MP Co, 18th MP BDE, Camp Liberty, IZ. SSG (b)(6), (b)(7)(C) provided a sworn statement reiterating the details provided in his statement of 24 Mar 05, wherein he reported his conversation with an NCO from 1/623 FA BN, regarding the unarmed, wounded AIF, and how he subsequently witnessed the NCO fire a pistol. SSG (b)(6), (b)(7)(C) reviewed digital images taken at the scene by members of his unit and identified the wounded AIF, depicted in photograph number DSCF0264, as the wounded AIF member he refers to in his statement (See Statement of SSG (b)(6), (b)(7)(C) for details and CD containing digital images).

About 1200, 3 Apr 05, the undersigned interviewed SPC (b)(6), (b)(7)(C) 617th MP Co, 18th MP BDE, Camp Liberty, IZ APO AE 09342. SPC (b)(6), (b)(7)(C) the fourth platoon medic, reviewed the photos taken at the scene by members of his unit, and related that the wounded AIF, depicted in photograph number DSCF0264, was found at the bottom of the canal, during one of the last sweeps done by personnel looking for wounded. SPC (b)(6), (b)(7)(C) related he assisted in loading the man onto a stretcher, but did not treat him prior to evacuation. SPC (b)(6), (b)(7)(C) related that SGT (b)(6), (b)(7)(C) (NFI), did provide some first aid to the man before he was evacuated. SPC (b)(6), (b)(7)(C) related he could recall that the man had sustained injuries from a .50 caliber machine gun to the leg, and to the right arm, but that he did not recall seeing any other wounds on the man. SPC (b)(6), (b)(7)(C) provided no further information.

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) 48 th MP Det (CID) (FWD)	SIGNATURE (b)(6), (b)(7)(C)	6 Apr 05
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CID FORM 94-E

1 OCT 95

FOR OFFICIAL USE ONLY
EXHIBIT 5
ACLU DDII ROI 32952
LAW ENFORCEMENT SENSITIVE
 PROTECTIVE MARKING IS EXCLUDED FROM
 AUTOMATIC TERMINATION (Para 13, AR 340-16)
 (When Data Is Entered)

000085

AGENT'S INVESTIGATION REPORT	ROI NUMBER 0083-05-CID259-36247
CID Regulation 195-1	PAGE 2 OF 3 PAGES

DETAILS
About 1330, 3 Apr 05, the undersigned interviewed SGT (b)(6), (b)(7)(C) 617th MP Co, 18th MP BDE, Camp Liberty, IZ APO AE 09342. SGT (b)(6), (b)(7)(C) provided a sworn statement relating that on 20 Mar 05, after he and his squad had engaged enemy forces, he was walking along the top of the main canal, used by the AIF in the attack, and as he approached a wounded AIF, who was laying atop and near the edge of the canal, he observed a Sergeant from the 1/623 FA BN fire a round from his pistol, near the wounded AIF. SGT (b)(6), (b)(7)(C) reported he was approximately four feet from the round, that hit the dirt. SGT (b)(6), (b)(7)(C) stated he then searched the wounded AIF, finding no weapons. SGT (b)(6), (b)(7)(C) stated the 1/623 NCO then crossed the canal to stand aside the wounded AIF. SGT (b)(6), (b)(7)(C) related he then went into the canal and walked about ten feet down the canal, when he heard another shot, turned and observed the 1/623 NCO pushing the wounded AIF with his foot over the edge and into the canal. SGT (b)(6), (b)(7)(C) related that while searching the wounded AIF, he noticed the .50 caliber wounds to the arm and leg, but recalled no other wounds on the ma. SGT (b)(6), (b)(7)(C) related that later, he was ordered to accompany the wounded AIF on a MEDEVAC to LSA Anaconda. SGT (b)(6), (b)(7)(C) reported during the transport, he observed the AIF'S head was swelling. SGT (b)(6), (b)(7)(C) also identified the person depicted in digital photograph number DSCF0264 as the wounded AIF discussed in his statement (See Statement of SGT (b)(6), (b)(7)(C) for details).

About 1330, 3 Apr 05, SA (b)(6), (b)(7)(C), (b)(7)(F) this office, interviewed SGT (b)(6), (b)(7)(C) 617th MP Co, 18th MP BDE, Camp Liberty, IZ APO AE 09342. SGT (b)(6), (b)(7)(C) provided a sworn statement relating on 20 Mar 05, after the engagement and as she was clearing the field of enemy weapons, she observed a 1/623 FA BN soldier with his 9mm pistol drawn. SGT (b)(6), (b)(7)(C) stated she then heard a single pistol shot, and about 2 to 3 minutes later, another shot. SGT (b)(6), (b)(7)(C) reported that she had seen SGT (b)(6), (b)(7)(C) approaching the location where the 1/623 FA BN soldier was when the first shot was fired (See Statement of SGT (b)(6), (b)(7)(C) for details).

About 1428, 3 Apr 05, the undersigned interviewed SGT (b)(6), (b)(7)(C) 617th MP Co, 18th MP BDE, Camp Liberty, IZ APO AE 09342. SGT (b)(6), (b)(7)(C) provided a sworn statement relating that on 20 Mar 05, he helped carry the wounded AIF member from the canal and then provided first aid. SGT (b)(6), (b)(7)(C) identified the AIF member, depicted in digital photograph number DSCF0264, as the AIF he assisted in treating. SGT (b)(6), (b)(7)(C) stated he observed wounds, apparently caused by .50 caliber fire, to the man's right forearm and right leg, and possibly other wounds to the man's right shoulder and right buttocks. SGT (b)(6), (b)(7)(C) observed blood at the back of the man's head, but was unsure if the blood was from a head wound, or from spatter (See Statement of SGT (b)(6), (b)(7)(C) for details).

About 1245, 6 Apr 05, the undersigned re-interviewed SGT (b)(6), (b)(7)(C) while at the Crime Scene, Grid Coordinate MB 735586 62500, Salman Pak, Baghdad, IZ. SGT (b)(6), (b)(7)(C) and SSG (b)(6), (b)(7)(C) both were escorted along the canal where the incident occurred, in an attempt to ascertain the exact location where the incident had occurred. After a 5.56mm casing was photographed and recovered (See Crime Scene AIR of SA (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) demonstrated for the undersigned how SGT

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) 48 th MP Det (CID) (FWD)	SIGNATURE (b)(6), (b)(7)(C)	6 Apr 05
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CID FORM 94-E

1 OCT 95

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AUTOMATIC TERMINATION (Para 13, AR 340-16)
(When Data Is Entered)

EXHIBIT 3

ACLU DDII ROI 32953

000086

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0083-05-CID259-36247

CID Regulation 195-1

PAGE 3 OF 3 PAGES

(b)(6), (b)(7)(C) was standing when he left SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) demonstrated that SGT (b)(6), (b)(7)(C) had held his rifle pointed at the wounded AIF member from approximately three feet away, and towards the right, rear side of the man's head. SGT (b)(6), (b)(7)(C) described the AIF member as lying on his back, with his feet and possibly portions of his buttocks over the edge of the canal, and indicated SGT (b)(6), (b)(7)(C) would have been on the man's right side.

About 1255, 6 Apr 05, the undersigned re-interviewed SSG (b)(6), (b)(7)(C) while at the Crime Scene, Grid Coordinate MB 735586 62500, Salman Pak, Baghdad, IZ. SSG (b)(6), (b)(7)(C) had been escorted along the canal in an attempt to ascertain the exact location of the incident. In the area where the 5.56mm casing was recovered (See Crime Scene AIR, SA (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) indicated that this location was where he recalled assisting in the evacuation of the wounded AIF member he had previously identified as the man shot by SGT (b)(6), (b)(7)(C) SSG (b)(6), (b)(7)(C) stated he could now recall this because the area where the casing was located was directly in line with the location where a landing zone had been established and he remembered carrying the man straight across, rather than down the canal and over.

About 1535, 6 Apr 05, the undersigned interviewed SPC (b)(6), (b)(7)(C) 617th MP Co, 18th MP BDE, Camp Liberty, IZ APO AE 09342. In his statement, SSG (b)(6), (b)(7)(C) related he thought SPC (b)(6), (b)(7)(C) had spoken to the 1/623 FA soldier who shot the unarmed, wounded AIF; however, SPC (b)(6), (b)(7)(C) related that on 20 Mar 05, after the engagement with the AIF, she assisted in treating and evacuating the injured members of her squad and that she had no information concerning this incident. SPC (b)(6), (b)(7)(C) related she does not recall talking to any 1/623 FA members after the engagement.

About 1702, 6 Apr 05, the undersigned interviewed SPC (b)(6), (b)(7)(C) 617th MP Co, 18th MP BDE, Camp Liberty, IZ APO AE 09342. SPC (b)(6), (b)(7)(C) provided a sworn statement relating that on 20 Mar 05, after a cease fire was called by SSG (b)(6), (b)(7)(C) he was in his turret and observed a 1/623 FA soldier point a pistol at a wounded AIF who was laying on the opposite side of the canal from the 1/623 FA soldier. SPC (b)(6), (b)(7)(C) also stated he later approached a 1/623 soldier who was pointing his M-4 at the wounded AIF and then observed the 1/623 FA soldier fire the M-4, twice into the wounded AIF. SPC (b)(6), (b)(7)(C) related he did not see weapons near the wounded AIF member when he was shot (See Statement of SPC (b)(6), (b)(7)(C) for Details).

//////////////////////////////////////LAST ITEM//////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

48th MP Det (CID) (FWD)

CID FORM 94-E

1 OCT 95

SIGNATURE

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

6 Apr 05

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AUTOMATIC TERMINATION (Para 13, AR 340-16)
(When Data Is Entered)

EXHIBIT

5

ACLU DDII ROI 32954

000087

SWORN STATEMENT

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

LOCATION Camp Victory, Baghdad, IZ APO AE 09342	DATE 3 Apr 05	FILE NUMBER C083-05- C10259-36247
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SSG/E-6

ORGANIZATION OR ADDRESS
617th Military Police Company, 18th Military Police Brigade, Camp Liberty, IZ APO AE 09342

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

During an engagement between my squad, 2nd Squad, 4th Platoon, and Anti Iraqi Forces, on 20 Mar 05, I observed some actions of soldiers from B Battery, 1/623 Field Artillery BN. These soldiers were escorting a convoy south bound on ASR Detroit in the Salma Park area of Iraq. After the initial engagement from the AIF on the convoy, my squad reacted and moved to contact on the AIF to stop them from killing or injuring any coalition forces or third country nationals in the convoy. After the fighting had ended, and I was trying to make sure that the scene was secure, I approached the area where my Alpha team truck was, to check on the injuries they sustained. Seeing that our medic, SPC (b)(6), (b)(7)(C) was taking care and directing soldiers to render aid to the three that were injured. I decided to proceed on into the main canal to ensure that the scene was safe and all AIF were secure. At this time, I observed a soldier that I was not familiar with. I presumed he was from the convoy escort element. I asked him and he advised he was from 623. At this time, I told him I needed him to come with me to finish securing the scene. The soldier and I then proceeded down the main canal to find anymore enemy combatants. At this time, he said that it was "Pay back time", believing that this soldier was referring to the death of another soldier from a few days before, I told him to settle down. About half way down the canal, we came upon one live AIF. He was on the opposite side of the canal, in the prone position, parallel with the canal and had one hand hidden under him. At this time, the soldier I was with said, "Let me shoot him, let me shoot him. I got pay back coming". I ordered him not to and advised him that we would be able to get information from him. He still insisted to just shoot him when the AIF would not remove his hand from under himself. Finally, after a few moments, and some hand and arm signals, the AIF complied. He appeared to me to only have an injury to his left leg from a gun shot wound. I never observed any weapons in his direct area of reach. Again the soldier said to me that he wanted to shoot the AIF. Again, I ordered him not to. I told him that we had too much more to worry about, there were still about ten more AIF in the canal to secure. He then advised me that we just couldn't leave this AIF unattended. Being that we did not have any way to secure his hands, I asked the soldier if he could handle him and he replied he had it under control and would watch the AIF. I left him and proceeded down the canal. When I left, the soldier was watching the AIF and pointing his rifle at him. After I had went about 50 meters down the canal, I heard the report from what sounded to be a pistol from behind me. I then turned around and observed that the soldier was pointing his M9 at the AIF and the AIF had been sitting up, fell back onto his side. I then yelled out, "Are you all right?". The soldier replied yes. Believing that he had just killed the AIF, and knowing that I still had more area to secure, I proceeded on to the end of the canal where I located an AIF that was not injured and fully capable of fighting. At that time, SGT (b)(6), (b)(7)(C) came to my area and with Flex cuffs we secured the last AIF and took him back to our vehicle. We then began to check more of the area for injured or living AIF and render first aid to them.

QUESTIONS BY SA (b)(6), (b)(7)(C) ANSWERS BY SSG (b)(6), (b)(7)(C)

Q: Did you prepare/read the above narrative portion of this statement?

A: Yes.

Q: What is the name of the 623 FA BN soldier that accompanied you down the canal, after the firefight?

A: I do not know his name.

Q: Describe the soldier that accompanied you down the canal?

A: White male, in his twenties. About 5'11, about 180-200lbs.

Q: What type of rifle was he carrying?

A: I am not sure, either an M16A2 or M4.

Q: In your narrative, you mentioned an incident from a few days prior to the engagement on 20 Mar 05. Can you elaborate on this?

A: Before the engagement occurred, on 20 Mar 05, the convoy and their escort elements were stopped for fuel and my squad stopped to provide security for them. I had a conversation with this same soldier about how they had taken a KIA from the night before, or a day or two before. I offered this soldier my condolences. He had told me that one of their soldiers had been killed from an IED.

Q: When you approached the injured AIF, can you recall how close the nearest weapon was to him?

A: 5 to 10 feet. It was apparent to me that this man had been in the canal, and had crawled up the north side to escape the .50 caliber fire we were laying down. The weapon closest to him was like an AK 47, and it, along with all the weapons on that side was laying down in the canal.

Q: When you approached the wounded AIF, were you on the same side of the canal as he was?

EXHIBIT	INITIALS OF (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 SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT OF SSG (b)(6), (b)(7)(C) TAKEN AT CAMP VICTORY, IZ, ON 3 APR 05,
CONTINUED

A: No. We were walking down along the canal, on the south side of it and on top. The wounded AIF was on top, and on the edge of the North side of the canal, laying parallel with the canal.

Q: When the wounded AIF complied with the orders to withdraw his hand, what occurred then?

A: He sat up, propped on his right hand in a half sitting position.

Q: What position did you see him in, after you heard the pistol shot?

A: I saw him falling onto his right side from the same position he had been in.

Q: Do you recall where the AIF was shot?

A: I believe it was in his right leg, but I am not sure of all injuries. I know he was shot in the leg, because after he propped himself up, he was pointing to his leg injury.

Q: After hearing the pistol shot, and turning, did you observe what the soldier was doing?

A: He was pointing his pistol at the AIF, with his left hand. He had his rifle in his right hand.

Q: Where was the soldier?

A: He appeared to be in the same location that I had left him.

Q: As you were walking the canal line, before or after this happened, did you or any of your squad locate any other weapons on top of the canal, north side, that could have been within the reach of the wounded AIF?

A: Not that I am aware of. There was nothing in his immediate area. I am not saying that he could not have had a concealed weapon, such as a grenade or pistol, but I believe that I would have observed any type of long gun.

Q: Regarding the AK-47 type rifle that you observed as being closest to the wounded AIF, was it laying in the bottom of the canal?

A: Yes. There were long barreled rifles laying up and down that canal.

Q: How steep in the canal bank?

A: It was about five feet deep, with a very steep embankment.

Q: Could the wounded AIF have stretched from where he was and retrieved the weapon from the bottom of the canal?

A: No. It would have slid down, or rolled down that bank.

Q: After you were done clearing and securing the live AIF, did you have the opportunity to discuss with this soldier what had occurred?

A: No. I never saw him again.

Q: How many pistol shots did you hear fired?

A: I believe one.

Q: Do you know who moved this AIF we have been discussing onto a stretcher, and then under shade?

A: It was elements from Raven, and I believe from my Platoon. I also think that my medic, SPC (b)(6), (b)(7)(C) treated this AIF and that he was medevaced along with the other injured AIF.

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

PAGE 2 of 3 PAGES

ACLU DDII ROI 32956

EXHIBIT 6
000089

STATEMENT (Continued)

Q: Did you identify the wounded AIF discussed above to SA (b)(6), (b)(7)(C) and I today, at your unit, from a set of digital photographs exposed at the scene?

A: Yes.

Q: Do you know if any of your squad, or platoon members, talked to this soldier after this occurred?

A: I believe so. I think SPC (b)(6), (b)(7)(C) for one, did, and maybe SPC (b)(6), (b)(7)(C)

Q: Do you know if any photographs were taken prior to the wounded AIF being moved onto a stretcher and away from the scene of the shooting?

A: I don't believe so.

Q: Do you know if anyone else witnessed this soldier shoot the wounded AIF?

A: SGT (b)(6), (b)(7)(C) may have.

Q: Do you know where the wounded AIF were MEDEVACED to?

A: No. SGT (b)(6), (b)(7)(C) I believe, rode on the chopper with this wounded AIF to, I think LSA Anaconda.

Q: Do you have anything further to add to this 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 (b)(6), (b)(7)(C) WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR U _____

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law administer oaths, this 3rd day of APRIL, 2005 at Camp Victory, Baghdad, IZ APO AE 09342
(b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136, UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 32957

PAGE 3 OF 3 PAGES

USAPPC V1.10

EXHIBIT 000090

Other Media In case file

ACLU DDII ROI 32958

000091

SWORN STATEMENT

For use of this form, see AR 190-45, the (b)(6), (b)(7)(C) in GDSORS

LOCATION Camp Victory, Baghdad, IZ APO AE 09342	DATE 3 Apr 05 1330	FILE NUMBER 0083-05- C10259-36247
(b)(6), (b)(7)(C) NAME	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SGT

ORGANIZATION OR ADDRESS

617th Military Police Company, 18th Military Police Brigade, Camp Liberty, Baghdad, IZ APO AE 09342

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

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 20 Mar 05, my unit, 2nd Squad, 4th Platoon, 617th MP Company, was engaged in a firefight after a convoy traveling ASR Detroit, being escorted by elements of B Battery, 1/623rd FA BN, was attacked by several Anti Iraqi Forces. Just after the firing stopped, I was walking atop the main canal, which was the inside of two canals running parallel to the ASR. I had passed some dead AIF that were all laying in the canal, and I observed a wounded AIF laying on my side along the edge of the canal. I approached and I saw a 623 soldier on the other side of the canal, but I was not paying attention, until as I was about four feet from the insurgent when this 623 soldier fired a pistol near the AIF. I saw the pistol shot hit the ground. The 623 soldier said that we needed to search him, because he hadn't been searched. I put my weapon down and kind of pulled the Iraqi back a bit from the edge of the canal, and I searched him. He had no weapons on him. I informed the 623 soldier that he was clean. The 623 soldier put his pistol in the holster, and he crossed the canal to my side. As soon as he got to my side, I went down into the canal and started to walk in the canal. I got about ten feet away when I heard another gunshot, and when I turned, the 623 soldier was pushing the AIF down in the canal with his foot. Later, I assisted in pulling wounded AIF out of the canal, and this man was one of the last that we pulled out who was alive. We put him on a stretcher and put him in the shade, waiting for the chopper. I then rode on the last chopper with three wounded AIF, including this AIF. We went to LSA Anaconda. I was stranded at the hospital, and I know that two of the three died. I am not sure if the AIF I saw pushed into the canal survived or not. I think he was one of them that died.

QUESTIONS BY SA (b)(6), (b)(7)(C) ANSWERS BY SGT (b)(6), (b)(7)(C)

Q: Do you know the name of the 623 soldier you saw shooting the pistol?

A: I know he is a Sergeant and the name started possibly with a (b)(6), (b)(7)(C)

Q: Can you describe the Sergeant from 623?

A: A white male, tall about 6'2" and probably weighing over 200 pounds. I would say he was in his (b)(6), (b)(7)(C)

Q: While you were with this Sergeant, did he tell you anything other than what you stated above?

A: Yes. He did say, "It's time for payback".

Q: When did he say this?

A: He said that after he kicked the AIF down into the ditch and we were walking in the canal.

Q: Do you recall which hand the Sergeant was holding his pistol in?

A: I am pretty sure his right.

Q: Where was SSG (b)(6), (b)(7)(C) when this happened?

A: He was further down the canal from me, or possibly to the Orchard by then.

Q: When you saw the Sergeant fire the pistol, how close were you to the round that you saw hit the dirt?

A: About four feet, way too close.

Q: Did you say anything to the Sergeant about the pistol shot?

A: No, I didn't.

Q: Regarding the second shot, after you had walked about 10 feet away, do you recall if it was a pistol or rifle shot?

A: It was a rifle shot.

Q: Do you know if the Sergeant shot the AIF?

A: I do not.

Q: Right before the AIF rolled down into the canal, was he talking or making any sounds?

A: Before, when I was searching him, he was talking. When he was rolled into the canal, he was just moaning, saying "Allah".

Q: Have you talked to this Sergeant since this occurred?

A: No. It was the only day I have seen him.

Q: What can you recall of the AIF'S wounds, prior to the rifle shot by the Sergeant?

A: A gunshot wound, I think gunshot, in his leg. His arm was really messed up, almost off. I don't recall any other wounds when I searched him.

Q: How far was the closest weapon to the wounded AIF when you left him with the Sergeant?

A: Nothing close, 5 to 10 feet.

Q: Was this wounded AIF able to freely move when you left him with the Sergeant?

A: I don't believe so. I don't think he could crawl that far to get a weapon.

EXHIBIT	INITIAL (b)(6), (b)(7)(C) MAKING STATEMENT	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 SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAPPC V1.10

STATEMENT (Continued)

Q: Was the wounded AIF able to sit or prop himself up at all?

A: Not that I saw.

Q: Were you able to look at digital photos, taken at the scene, at your unit with us today?

A: Yes.

Q: Did you recognize the photo of the AIF on the stretcher as the one described above?

A: Yes.

Q: Do you know if this individual had any head wounds?

A: No, I don't.

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

A: Yes. After this happened and we were on the chopper, this AIF'S head did swell up alot. I didn't see a wound, but the head swelled up alot.

Q: Do you know if he was conscious on the aircraft?

A: I think so, I think he was in and out of it, but yes.

Q: Do you have anything further to add (b)(6), (b)(7)(C) ment?

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 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 OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL IN (b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by (b)(6), (b)(7)(C) administer oaths, this 3rd day of APRIL, 2008, at Camp Victory, Baghdad, IZ APO AE 09342

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

(Signature of Person Administering Oath)

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

SA

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 32960

PAGE 2 OF 2 PAGES

USAPPC V1.10

000093

SWORN STATEMENT

For use of this form, see AR 190-45; the (b)(6), (b)(7)(C)cy is ODCSOPS

LOCATION Camp Victory, Iraq	DATE 03 APR 05	TIME 1330	FILE NUMBER (b)(6), (b)(7)(C) 0083 -05-CID259-36247
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		RANK/STATUS SGT/E-5
ADDRESS/ORGANIZATION 617 MP CO, 503 MP BN, 18 th MP BDE			

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

After the engagement, I was securing insurgent weapons when I noticed a 623 soldier pulling security on what appeared to be an insurgent. This soldier was approximately 20-30 meters away from me on the side of the canal. I was below him on the edge of the field. I observed that the 623 soldier had his 9mm pistol drawn at the time. From my position, I did not have a clear view of the actual insurgent. As I continued to pick up weapons, I heard a single shot fired from the soldiers direction. When I looked up, the soldier still had his weapon drawn. SGT (b)(6), (b)(7)(C) had walked up close to the 623 soldier at that time. I wasn't close enough to hear any of their conversation if they had one. At that time, I figured that SGT (b)(6), (b)(7)(C) and the 623 soldier had everything under control, so I continued to pick up weapons and ammo. As I made my way towards where our trucks were parked, I heard another single shot come from the 623 soldiers direction. I turned around and once again observed that the soldier still had his 9mm drawn. After this, I continued to police up weapons and ammo and never heard another shot fired.

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

Q
A

Q: Did you recognize the 623 Soldier?

A: No.

Q: Could you see the insurgent at all from your location?

A: No. I knew that was what he was pointing his weapon at, but he was not visible to me.

Q: Was the shot you heard fired from a pistol or a rifle?

A: Pistol.

Q: How long was there between the shots you heard?

A: 2 or 3 minutes, maybe not that long.

Q: Was there any other soldiers near the 623 soldier who fired his pistol?

A: SGT (b)(6), (b)(7)(C) walked up sometime between the first and second shot. No one else.

Q: Did you have any contact with any of the insurgents after those two shots?

A: I helped carry one or two litters, but not the one with that particular insurgent.

Q: Did you see where SSG (b)(6), (b)(7)(C) was when the 623 soldier fired the shots.

A: No, I don't know where he was.

Q: Did anyone talk with you about the reason those two shots were fired?

A: A few days ago SSG (b)(6), (b)(7)(C) said there was probably going to be an investigation going on about that soldier saying that he had shot the insurgent. But we knew that he didn't engage the insurgent during the initial firefight.

Q: Do you have anything else to a (b)(6), (b)(7) statement?

A: No.//////End of Statement////////(C)

EXHIBIT

INITIAL

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

ING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT 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 SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

ACLU DDII ROI 32961

STATEMENT (Continued)

NOT USED

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

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR 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 WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 03 day of April, 2005

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

ORGANIZATION OR ADDRESS

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

SA

(Typed Name of Person Administering Oath)

Article 136 (b)(4) UCMJ

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 32962

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45 the property of the Army is ODCSOPS

LOCATION Camp Liberty, Baghdad, IZ APO AE 09342	DATE 3 APR 05	TIME 1428	FILE NUMBER 0083-05- 210259-36247
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	GRADE/STATUS SGT		
ORGANIZATION OR ADDRESS 617th MP Co, 18th MP Bde, Camp Liberty, IZ APO AE 09342			

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

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 20 March 2005 after the engagement my unit was in I assisted in collecting the wounded AIF and assisting first aid. I gave first aid to a large AIF with .50 cal injuries to his right forearm and right leg. He also had injuries to his right shoulder and right buttocks, I believe. I can't be 100% sure of this however as I did not treat these areas. The individual was MEDEVACed out of the area on the last bird to leave.

Questions by SA (b)(6), (b)(7)(C) answers by SGT (b)(6), (b)(7)(C)

Q: Do you recall if this individual had any head wounds?

A: I saw blood at the back of his head, but I don't know if it was splatter or not.

Q: Was he conscious when you were treating him?

A: Yes.

Q: Did any 1/623 FA soldiers assist in treating or carrying this wounded AIF?

A: Yes. One Sergeant who helped us carry the litter from the ditch.

Q: Can you describe this soldier from 1/623 FA?

A: He was a white male, about 6'2" tall, around 200 pounds. He was a SGT/E-5, in his late

EXHIBIT

INITIALS (b)(6), (b)(7)(C) KING STATEMENT

PAGE 1 OF 2 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 SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAPPC V1.10

000096

STATEMENT (Continued)

twenties or early thirties.

Q: Did you hear the 623 FA soldier make any comments about this AIF individual?

A: NO.

Q: Do you have anything further to add to this 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 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 OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law administer oaths, this 3RD day of APRIL, 2005 at Camp Liberty, IZ APO AE 09342

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

SA

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 32964

PAGE 2 OF 2 PAGES

USAPPC V1.10

000697

SWORN STATEMENT

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

LOCATION Camp Victory, Baghdad, IZ APO AE 09342	DATE 6 Apr 2002	SSN NUMBER (b)(6), (b)(7)(C) 33-05-CID259-36247
NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SPC/E-4

ORGANIZATION OR ADDRESS

617th Military Police Company, 18th Military Police Brigade, Camp Liberty, IZ APO AE 09342

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

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 20 Mar 05, I was the gunner in the second vehicle in my squad when we engaged several AIF members off of ASR Detroit, near Salman Pak, IZ. After the engagement, I remember SSG (b)(6), (b)(7)(C) my squad leader, calling a cease fire. At that time, I was in my turret. While I was still in the turret, I was looking down the canal that was the main one used by the AIF, and I observed that a soldier, who I didn't know, from the 623 FA was standing along the canal and pointing his pistol at a AIF that was on the canal. I did not see him shoot at that time, and then another 623 FA soldier replaced me in the turret and I immediately went to where SGT (b)(6), (b)(7)(C) was being treated by our third vehicle. I stayed with him until he was taken to the chopper. I then started towards the main canal used by the insurgents. I walked up the canal on the side opposite to where the AIF was laying. When I got up to near the a 623 FA soldier, this soldier asked me something like, "What do you do if they are still moving" or "What do you do if they are alive". I answered something like, "If they are combatants, you shoot them". I did not think this soldier was going to shoot the wounded AIF that was on the bank of the canal. I thought he knew what we know, and would conduct himself appropriately. Anyway, this soldier then fired what I think was two rounds from his M-4 into the AIF that was on the bank. I saw the AIF jerk. I then remember that SGT (b)(6), (b)(7)(C) this soldier, and I then continued down the trench clearing and searching.

QUESTIONS BY SA (b)(6), (b)(7)(C) ANSWERS BY SPC (b)(6), (b)(7)(C)

Q: Was the soldier you saw pointing the pistol the same soldier you observed shooting the wounded AIF?

A: I am not sure of that.

Q: Was the soldier you saw pointing the pistol, pointing at the same AIF that you saw shot?

A: I am not sure, but it was the same location.

Q: Can you describe the location of the AIF that was shot by the 623 soldier?

A: He was laying on the side of the canal, not in it.

Q: Do you recall seeing wounds on the AIF?

A: No.

Q: Where was the 623 soldier when he fired the rounds from the M-4 into the AIF?

A: He was within touching distance of the AIF, and I think he was on the bank of the canal, rather than in the bottom of it, almost like standing beside him.

Q: What rank was the 623 soldier you saw shoot the wounded AIF?

A: SGT, E-5.

Q: Did you see what happened to the AIF after he was shot?

A: I don't recall seeing what happened. (b)(6), (b)(7)(C)

Q: Prior to the shooting, where was SGT (b)(6), (b)(7)(C)

A: He was a little a head of where me and the 623 guy were.

Q: About how far was SGT (b)(6), (b)(7)(C) from you when that soldier shot his M-4?

A: 15 meters, it wasn't too far.

Q: Do you recall if anyone else was in the immediate area?

A: No one else was immediately around.

Q: Do you recall SGT (b)(6), (b)(7)(C) location when this occurred?

A: No.

Q: Do you know if SGT (b)(6), (b)(7)(C) searched the wounded AIF prior to the 623 soldier shooting him?

A: No.

Q: After this happened, did the 623 soldier say anything to you about what just occurred?

A: No.

Q: Do you recall if any other shots were fired after SSG (b)(6), (b)(7)(C) called a cease fire?

A: No, I don't remember.

Q: Can you recall if the wounded AIF was talking prior to being shot by the 623 soldier?

A: No, I don't recall.

Q: Did you see this AIF member moving prior to being shot by the 623 soldier?

A: No.

Q: Do you know if there were any weapons near to this wounded AIF member when he was shot by the 623 soldier?

EXHIBIT

INITIALS OF (b)(6), (b)(7)(C) ING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT _____ DATED _____ CONTINUED."
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AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE
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ACLU DDII ROI 32965

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAPPC V1.10

STATEMENT (Continued)

A: There were no weapons. That is what shocked me. That is why I told CPT (b)(6), (b)(7)(C) about what I saw, because it bothered me.

Q: When you answered the 623 soldier, after he asked the question about what you do with AIF if they are moving or still alive, did you think he was talking about the wounded AIF that was then shot?

A: I thought he was talking about all of them, in general. I would not shoot a wounded, unarmed enemy, and I was shocked that he did.

Q: Would you recognize this 623 soldier if you saw him or a photograph of him?

A: I don't know.

Q: Do you know where the wounded AIF was shot by the 623 soldier?

A: No.

Q: When you say that you saw the AIF "Jerk" after he was shot, did he move or was it the bullet strikes making him move?

A: No. He was still alive and jerked, actually moved.

Q: Did the man say anything or make any noise?

A: I think I did hear him say, "Allah, Allah, Allah", but I am not positive.

Q: Do you recall what the wounded AIF looked like?

A: Not really.

Q: Would you recognize the wounded AIF if you saw his photograph?

A: Maybe.

Q: Have you talked to anyone, except CPT (b)(6), (b)(7)(C) about what you witnessed on 20 Mar 05?

A: Not directly about this. I did tell SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) that I was surprised CID had not talked to me yet.

Q: Are you sure about the number of rounds you saw the 623 soldier fire into the wounded AIF?

A: I am not sure, but I think it was two.

Q: How close was this soldier's barrel to the wounded AIF when he fired?

A: A couple of feet.

Q: Do you know where the barrel was pointed when he fired?

A: I want to say up in the shoulder area, but I am not positive.

Q: Did you help to evacuate any wounded AIF?

A: No, I was security on the helicopter for some of them. I did put a bandage on one of their feet, that guy was from the Orchard.

Q: Where did the chopper go that you provided security on?

A: The CSH in the International Zone.

Q: Was the AIF you saw the 623 soldier shoot on your chopper?

A: I don't know.

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

A: No.///END OF STATEMENT/

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 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 OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE (b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized to administer oaths, this 6th day of April 2005 at Camp Victory, Baghdad, IZ APO AE 09342 (b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

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

(Administering Oath)

Article 136, UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MADE

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

ACLU DDII ROI 32966

PAGE 2 OF 2 PAGES

USAPPC V1.10

000099

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0083-05-CID259-36247

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

CRIME SCENE EXAMINATION: About 1141, 6 Apr 05, the undersigned, SA (b)(6), (b)(7)(C), (b)(7)(F) and SA (b)(6), (b)(7)(C), (b)(7)(F) this office, conducted a crime scene examination in the vicinity of Grid Coordinate MB 73586 62500, Salman Pak, Iraq (IZ).

Characteristics of Scene: The crime scene was located along the raised edge of an irrigation canal, bordering the north side of an orchard field. The canal runs perpendicular to a dirt, secondary road, and parallel to Alternate Supply Route (ASR) Detroit, and is south of a second canal that also runs parallel to ASR Detroit. The canals and raised berms are dirt, with some sparse vegetation noted. Witnesses reported that the scene of the shooting was atop the canal, about 130 yards from the edge of the secondary road. The canal is approximately 23 feet wide. The north edge of the canal was approximately 10 feet from the surface of the water, and the water depth was estimated at 2 to 3 feet deep.

Condition of Scene: At the time of the examination, the canals were partially filled with water. Items of clothing and equipment were observed strewn about the area, to the field side of the canal. A large amount of enemy shell casings, of varying caliber, were observed on the south edge of the canal, and along a dirt path, located below the top of the south edge. In contrast, the north edge of the canal appeared to be free of any enemy shell casings or clothing/equipment. A single 5.56 shell casing, was observed atop the north edge of the canal, approximately 14 feet from the surface of the water in the canal, and approximately 4 feet from the edge of the canal.

Factors Pertinent to Entry/Exit: The area is open from all sides by foot. Vehicle access to the area is made by the secondary road, which runs perpendicular to the irrigation canal where the scene was located, which is accessed from ASR Detroit.

Scene Documentation: The undersigned prepared a crime scene sketch and obtained video of the scene, utilizing a Sony CCD-TR716 8mm Video Camera Recorder. SA (b)(6), (b)(7)(C) exposed crime scene photographs, utilizing a Casio Exilim EX-Z40 Digital Camera. Additionally, aerial photographs of the scene are included with the Historical Report, prepared by the 503rd MP BN (See Sketch, Video, Compact Disk with photographs and the 503rd MP BN Historical Report).

Search for Evidence: A search was made on both the north and south sides of the inside canal in an attempt to locate 9mm and 5.56mm casings. A single 5.56mm casing was the only casing located on the north edge of the canal. No 9mm shell casings were found at the scene, however, it is probable that additional shell casings were submerged under the canal water. At the time of occurrence, the irrigation canals were not filled with water.

Collection of Crime Scene Evidence: The 5.56 mm shell casing was collected as evidence (See Evidence/Property Custody Document 339-05).

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

48th MP Det (CID) (FWD)SIGNATURE
(b)(6), (b)(7)(C)

6 Apr 05

CID FORM 94-E

1 OCT 95

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LAW ENFORCEMENT SENSITIVE
PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (Para 13, AR 340-10)
(When Data Is Entered)

EXHIBIT 11

ACLU DDII ROI 32967

000100

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0083-05-CID259-36247

CID Regulation 195-1

PAGE 2 OF 1 PAGES

DETAILS

Search for Latent Impressions: A search for latent impressions was made. No impressions were observed.

/////////////////////////////////LAST ITEM/////////////////////////////////

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

SA

48th MP Det (CID) (FWD)

CID FORM 94-E

1 OCT 95

SIGNATURE

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

6 Apr 05

FOR OFFICIAL USE ONLY

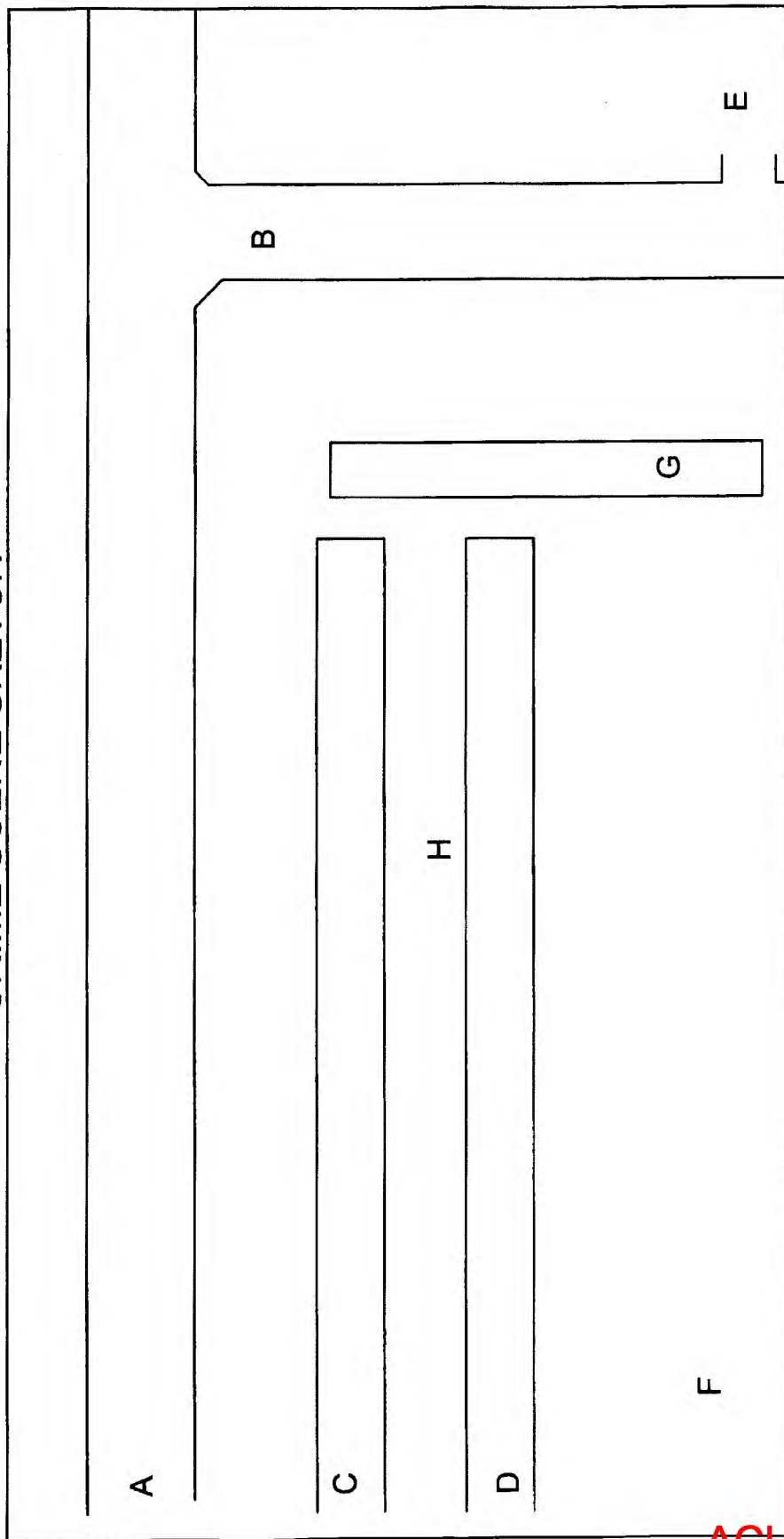
EXHIBIT //

~~LAW ENFORCEMENT SENSITIVE~~
PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (FBI 12-AR 340-16)
(When Data Is Entered)

ACLU DDII ROI 32968

000101

CRIME SCENE SKETCH



LEGEND

- A - ASR DETROIT
- B - DIRT ROAD
- C - IRRIGATION CANAL
- D - IRRIGATION CANAL
- E - HOUSE
- F - ORCHARD FIELD
- G - IRRIGATION CANAL
- H - 5.56 MM CASING

NOT TO
SCALE



N

TITLE BLOCK

ROI # - 0083-05-CID259-36247
 OFFENSE: ATTEMPTED MURDER
 DEPICTING: GRID MB 73586 62500,
 LOCATION: SALMON PAK, BAGHDAD, IZ
 VICTIM: [REDACTED]
 STARTED: 1141, 6 APR 05
 SKETCHED BY: SA [REDACTED]
 VERIFIED BY: SA [REDACTED]

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0087-05-CID919-

PAGE 1 OF 1 PAGES

DETAILS

Basis for Investigation: This investigation was initiated upon receipt of a Request for Assistance from the 48th Military Police Detachment (CID), Camp Victory, Iraq requesting this office coordinate with the Air Force Theater Hospital (AFT) and Mortuary Affairs, LSA Anaconda, Iraq, APO AE 09391 (LSAA), locate, collect all records and interview the staff who treated three Anti Iraqi Force males, who were treated on 20 Mar 05.

About 1045, 4 Apr 05, SA (b)(6), (b)(7)(C) coordinated with SSG (b)(6), (b)(7)(C) NCOIC, Mortuary Affairs, LSAA, who provided a copy of the overseas death certificate and a picture of an unknown Arabic male.

About 1055, 4 Apr 05, SA (b)(6), (b)(7)(C) coordinated with SGT (b)(6), (b)(7)(C) AFT, LSAA who provided copies of medical records pertaining to Enemy Prisoner of War (EPW) males who were brought in with multiple gun shot wounds (GSW). Due to the identities of the EPWs being unknown they were assigned patient numbers.

Patient number 822 (NFI) was admitted at 1520, 20 Mar 05, with a GSW to the left leg, just below the knee and a GSW to the front of the head just above the left eye and an exit wound on the back right side of the head. Patient 822 was admitted to the Intensive Care Unit (ICU) at 1910, 20 Mar 05, and pronounced dead at 2120, by Dr (b)(6), (b)(7)(C) Australian Air Force, AFT, LSAA.

Agents comment: SGT (b)(6), (b)(7)(C) stated Dr. (b)(6), (b)(7)(C) returned to Australia approximately two weeks ago.

Patient 823 was admitted at 1520, with a GSW to the right knee, compound fracture to the right forearm, GSW to the right buttocks and a laceration on the right rear of his head. Patient 823 was last treated at the ATF, LSAA on 27 Mar 05.

Agents comments: Medical Records of 823, 27 Mar 05, reflect he was to be transferred to Abu Grahah.

Patient number 824 was admitted at 1520, 20 Mar 05, with two puncture wounds in his back. The first puncture wound was to the right rear hip area and the second was approximately in the center of the back. Patient 824 was admitted to the ICU at approximately 1920, 20 Mar 05.

About 1500, 4 Apr 05, SA (b)(6), (b)(7)(C) coordinated with Dr. (LTC) (b)(6), (b)(7)(C) AFT, LSAA, who stated the body of patient 822 was released to Dr. (b)(6), (b)(7)(C) Balad Hospital (NFI). The only means of contact Dr. (b)(6), (b)(7)(C) could provide was the email address (b)(6), (b)(7)(C) @yahoo.com.

About 1650, 5 Apr 05, SA (b)(6), (b)(7)(C) interviewed Dr. (LTC) (b)(6), (b)(7)(C) Neuro Surgeon, AFT, LSAA, who stated he was the surgeon who operated on patient 823 and there was no bullet or shrapnel present in 823's head. He stated a "glancing" blow caused the wound. When the projectile struck 823's head, it ricocheted off and caused the skull to fracture and become lodged in his brain. DR. (b)(6), (b)(7)(C) stated the pieces of skull were removed and thrown away following the operation.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

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

ORGANIZATION

37th MILITARY POLICE DETACHMENT (CID)
LSA Anaconda, Iraq, APO AE 09391

DATE

5 Apr 05

EXHIBIT

ACLU DDII 3 ROI 32970

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1 FEB 77

000103

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~~Law Enforcement Sensitive~~ 0083 05 CID259-36247

AGENT'S INVESTIGATIVE REPORT

ROI NUMBER

0060-05-CID789

CID Regulation 195-1

Page 1 of 2 pages

DETAILS:

About 0900, 4 April 05 this office received an RFA (0083-05-CID259-36247) from the 48th MP DET (CID), Camp Victory to locate, identify and interview the victim of an alleged attempted murder.

Agent's comment: Hospital and transfer records revealed Detainee 823 (Local Capture Tag number) was transferred to the TF Med 115th Field Hospital (FH), Baghdad Central Confinement Facility (BCCF), Abu Ghraib, Iraq (AGI), on 28 Mar 05, from the 332nd FH, Balad Iraq. The detainee does not yet have an Internment Serial Number due to his hospitalization. His 115th FH ID number is (b)(6), (b)(7)(C). He was later identified as Mr. (b)(6), (b)(7)(C) born in (b)(6), (b)(7)(C) (NFI).

About 1100, 7 April 05, the undersigned interviewed Dr. (MAJ) (b)(6), (b)(7)(C) Chief of Internal Medicine, TF 115th FH, BCCF, AGI, concerning Mr. (b)(6), (b)(7)(C). Dr. (b)(6), (b)(7)(C) stated Mr. (b)(6), (b)(7)(C) had a gunshot wound to the head (depressive skull fracture), gunshot wound to the right forearm (fracture), gunshot wound to the right thigh (fracture), wounds to the buttocks and partial paralysis of his left side (from head trauma). Dr. (b)(6), (b)(7)(C) could not comment on the caliber/cause of the wounds. No medical records accompanied Mr. (b)(6), (b)(7)(C) during his transfer from Balad. There were no fragments remaining in the patient's skull as seen on the x-ray. According to Dr. (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) will have an unreliable memory due to his head wound. He may recover enough to provide more details, but the reliability of the information will be in question. (See patient medical file)

About 1200, 7 April 05, the undersigned with the assistance of (b)(6), (b)(7)(C) Interpreter, Titan Corp, interviewed Mr. (b)(6), (b)(7)(C) who was unable to provide further personal details. Mr. (b)(6), (b)(7)(C) could not provide details of the incident. He remembers being with a small group of people (NFI). He stated he could not remember what had happened. He could not provide any information concerning time, place or persons involved. Mr. (b)(6), (b)(7)(C) said he believes he was in an accident. Throughout the interview he also spoke of unrelated items concerning daily life. According to the staff this is due to the head trauma.

TYPE AND NUMBER OF COPIES
SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

48th MP Det (CID)(FWD)(-), BCCF, AGI, APO AE 09342

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

DATE

8 April 05

EXHIBIT

15

CID FORM 94-E

(Automated)

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~~Law Enforcement Sensitive~~

PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (Para 13, AR 37-1)

ACLU DDII ROI 33085

000217

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0083 05 CID259-36247

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER

0060-05-CID789

Page 2 of 2 pages

DETAILS:

The undersigned exposed photographs of Mr. (b)(6), (b)(7)(C) injuries. (See photo packet)

Agent's comment: The injury to the buttocks was unable to be photographed due to patient immobility and current treatment for an infection.

After coordination with the requesting office, no further activity is anticipated by this office. This case is closed in the files of this office.
///LAST ENTRY///

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

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

ORGANIZATION

48th MP Det (CID)(FWD)(-), BCCF, AGI, APO AE 09342

DATE

08 April 05

EXHIBIT

15

CID FORM 94-E

(Automated)

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PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (Para 11, AR 34-16)

ACLU DDII ROI 33086

000218

AGENT'S INVESTIGATION REPORT

0083-05-CID259-36247

0087-05-CID919

CID Regulation 195-1

PAGE 1 OF 2 PAGE

About 0910, 9 Apr 05, SA (b)(6), (b)(7)(C) coordinated with SSG (b)(6), (b)(7)(C) Supply, B Battery (B Btry), 1st Battalion, 623rd Field Artillery Regiment (1/623 FAR), LSA Anaconda, Balad, Iraq, APO AE 09391 (LSAA), who provided copies of the hand receipts of SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, assigned M16A2/M203, serial number 7327457 and M9, serial number 1363582.

About 0925, 9 Apr 05, SA (b)(6), (b)(7)(C) coordinated with SSG (b)(6), (b)(7)(C) Operations, B Btry, 1/623 FAR, LSAA, who provided the B Btry, 1/623 FAR Mission Pre-Briefing Sheet which documented all personnel and vehicles involved with the 20 Mar 05 convoy. SSG (b)(6), (b)(7)(C) further provided after action review (AAR) documentation pertaining to the attack on the convoy.

About 1745, 9 Apr 05, SA (b)(6), (b)(7)(C) this office, interviewed SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, who stated he did not have any knowledge of an IED or fire fight with Anti-Iraqi Forces (AIF) personnel. SPC (b)(6), (b)(7)(C) stated he was familiar with SGT (b)(6), (b)(7)(C) but never really talked to him. He further stated his unit consists of two separate units that were put together for this deployment.

About 1755, 9 Apr 05, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, who stated he heard people in his unit talking about an engagement with approximately fifty heavily armed AIF personnel. SGT (b)(6), (b)(7)(C) was in the rear HMMWV pulling rear security when the fire fight began. SGT (b)(6), (b)(7)(C) vehicle consisted of SPC (b)(6), (b)(7)(C) (gunner) (NFI) and SGT (b)(6), (b)(7)(C) (driver) (NFI). After the firefight began, SGT (b)(6), (b)(7)(C) swapped weapons with his driver SGT (b)(6), (b)(7)(C) and started supplying suppressive fire. SGT (b)(6), (b)(7)(C) vehicle helped the 617th (NFI) flank the AIF personnel. After the firefight was over, all wounded in action (WIA) were loaded into SGT (b)(6), (b)(7)(C) vehicle. SPC (b)(6), (b)(7)(C) also stated he heard of a video that was circulated by the unit of the attack.

Between 1745 - 1810, 9 Apr 05, SA (b)(6), (b)(7)(C) this office, conducted canvass interviews of the following individuals:

SPC (b)(6), (b)(7)(C) Medic, B Btry, 1/623 FAR, LSAA, who related he did not really know SGT (b)(6), (b)(7)(C) and did not hear about the engagement with AIF on 20 Mar 05.

SPC (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, who related he heard of the 20 Mar 05, engagement with AIF. Further, SPC (b)(6), (b)(7)(C) stated SGT (b)(6), (b)(7)(C) told him about the engagement; however, SGT (b)(6), (b)(7)(C) did not tell him about killing an enemy combatant.

SGT (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, who related he heard of the 20 Mar 05, engagement with AIF. Further, SGT (b)(6), (b)(7)(C) stated he overheard SGT (b)(6), (b)(7)(C) talk of the

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

37th MP DET (CID) (FWD)
LSA Anaconda, Balad, Iraq
APO AE 09391

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

Date:
11 Apr 05

Exhibit:

18
ACLU DDII ROI-33116

000246

AGENT'S INVESTIGATION REPORT

0083-05-CID259-36247

0087-05-CID919

CID Regulation 195-1

PAGE 2 OF 2 PAGE

aforementioned engagement in the 623rd FAR motor pool. SGT (b)(6), (b)(7)(C) further stated he heard SGT (b)(6), (b)(7)(C) say one combatant went for his (SGT (b)(6), (b)(7)(C) weapon and he had to protect himself.

About 1800, 9 Apr 05, SA (b)(6), (b)(7)(C) conducted a canvass interview of SGT (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, who stated he heard about the IED attack on the unit on 19 Mar 05 and the AIF attack on the convoy on 20 Mar 05, around the unit area but did not have any direct knowledge.

About 1800, 9 Apr 05, SA (b)(6), (b)(7)(C) this office, conducted a canvass interview of SGT (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, who stated he knew of both the IED attack and of the attack on the convoy, but was not on either mission. SGT (b)(6), (b)(7)(C) stated he knew both SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) but did not know if the two were friends. SGT (b)(6), (b)(7)(C) did not talk to SGT (b)(6), (b)(7)(C) about the convoy attack beyond asking if he was alright. SGT (b)(6), (b)(7)(C) further stated he viewed a video of the attack which appeared to have been taken by the insurgent forces.

About 1810, 9 Apr 05, SA (b)(6), (b)(7)(C) conducted a canvass interview of SPC (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, who stated he talked to SGT (b)(6), (b)(7)(C) who told him the unit was in a fire fight with AIF on 20 Mar 05, and the unit had to kill some of the insurgents during a sweep as they were reaching for their weapons.

About 1810, 9 Apr 05, SA (b)(6), (b)(7)(C) conducted a canvass interview of SGT (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, who stated he knew SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) but did not know them personally and was not aware if the two were friends. SGT (b)(6), (b)(7)(C) stated he did not talk to SGT (b)(6), (b)(7)(C) about either incident and knew there was a video of the attack, but had not seen it.

About 0910, 11 Apr 05, SA (b)(6), (b)(7)(C) coordinated with SSG (b)(6), (b)(7)(C) B Btry, 1/623 FAR, LSAA, who provided a copy of the hand receipt pertaining to SGT (b)(6), (b)(7)(C) B Btry, 1/623rd FAR, LSAA, M-4, serial number W078303. //Last Entry////////

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

37th MP DET (CID) (FWD)
LSA Anaconda, Balad, Iraq
APO AE 09391

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

Date:
11 Apr 05

Exhibit: 18

ACLU DDII ROI 33117

[illegible]

ACLU DDII ROI 33119

0083 05 CID259-36247

BTRY B, 1ST BN 623RD FA (MLRS) MISSION PRE-BRIEFING SHEET

FRAGO # 623-5079-005

RCVD FROM: TOL 623

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

MISSION: Convoy From LSA A

LINK-UP TIME: 0445

LU PLACE: 0445 TOL

DATE: 20 MAR 2003

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

EXECUTION

PLT ASSIGNED 3rd PLT 3rd SQD

NCOIC SFC

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

SERVICE AND SUPPORT

ADDITIONAL EQUIPMENT REQUIRED

COMMAND AND SIGNAL

CALL SIGN	VEHICLE NUMBER	# PERS	WARLOCK Y/N	MTS #	BFT#
33A	33A	3	NO	451	NO
TEAM LDR	Sgt (b)(6), (b)(7)(C)				
DRIVER	SFC				
GUNNER	SFC				
ADDTL					
33B	33B	3	Yes	NO	NO
TEAM LDR	SFC (b)(6), (b)(7)(C)				
DRIVER	SFC				
GUNNER	SFC				
ADDTL					
33C	33C	4	NO	NO	NO
TEAM LDR	Sgt (b)(6), (b)(7)(C)				
DRIVER	SFC				
GUNNER	SFC				
ADDTL	Sgt				
TEAM LDR					
DRIVER					
GUNNER					
ADDTL					

REMARKS:

ACLU DDII ROI 33120

Law Enforcement

EXHIBIT 20

DATE: 20 Mar 2005

SQUAD: 3rd PLT 3rd SQD

GO	NO GO	INDIVIDUAL
GO	NO GO	WEAPONS
GO	NO GO	AMMUNITION
GO	NO GO	KEVLAR
GO	NO GO	IBA W/PLATES
GO	NO GO	PRO MASK
GO	NO GO	JLIST
GO	NO GO	GOGGLES/ EYEPROTECTION
GO	NO GO	COMBAT EAR PLUGS
GO	NO GO	ID CARD
GO	NO GO	ID TAGS
GO	NO GO	ROE CARD
GO	NO GO	DRIVERS LICENSE
GO	NO GO	FLASHLIGHT
GO	NO GO	NOTEBOOK W/ PEN
GO	NO GO	WATCH
GO	NO GO	FLEXCUFFS
GO	NO GO	WET/COLD WEATHER GEAR
GO	NO GO	GLOVES
GO	NO GO	NVG'S
GO	NO GO	LANYARD ON M9 / NVG'S
GO	NO GO	FIELD DRESSING W/ CASE
GO	NO GO	MRE X 3ea
GO	NO GO	BOTTLED WATER X 3ea

GO	NO GO	VEHICLE EQUIPMENT CHECKLIST
GO	NO GO	VEHICLE PMCS AND DISPATCHED
GO	NO GO	EMERGENCY PHONE NUMBERS
GO	NO GO	THURIA PHONE
GO	NO GO	MAPS
GO	NO GO	TOW BAR / STRAPS
GO	NO GO	CLS BAG
GO	NO GO	WARNING TRIANGLE / CONES
GO	NO GO	FIRE EXTINGUISHER
GO	NO GO	CONCERTINA WIRE
GO	NO GO	FUEL CANS W/SPOUT (ROUTE)
GO	NO GO	CHEM LIGHTS IR and COLOR
GO	NO GO	IR STROBE
GO	NO GO	BODY BAG
GO	NO GO	MEDEVAC 9 LINE POSTED
GO	NO GO	LEADER CHECKLIST
GO	NO GO	CONDUCT PCI'S
GO	NO GO	COMMUNICATIONS CHECK
GO	NO GO	BRIEF INTELLIGENCE UPDATE
GO	NO GO	CONDUCT RISK ASSESMENT
GO	NO GO	BRIEF RISK ASSESMENT
GO	NO GO	BRIEF ROE
GO	NO GO	BRIEF WEATHER/ROAD COND'S
GO	NO GO	BRIEF ACTIONS UPON CONTACT
GO	NO GO	BRIEF TRAVEL SPEED
GO	NO GO	TURN IN SIGNED RISK ASSESMENT AND PCI CHECKSHEET TO TOC!!!!

SFC [REDACTED] (b)(6), (b)(7)(C)

B-1623 FA CONVOY ESCORT/MSR PATROL MISSION RISK ASSESMENT WORKSHEET

PLANNING		B-1/623 FA <u>CONVOY ESCORT/MSR PATROL</u> MISSION RISK ASSESMENT WORKSHEET.				
GUIDANCE		PREPERATION TIME				
HEY YOU		OPTIMUM	ADEQUATE	MINIMAL		
FRAGO		3	4	5		
		2	3	4		
S-2		CURRENT ROUTE INTEL				POINTS
OVERALL THREAT		<12 HOURS	<24 HOURS	HISTORICAL	NONE	2
HIGH		3	4	5	6	
COMMUNICATIONS		TYPE OF SYSTEMS				
OVERALL THREAT		MTS/BFT/SINGGARS	SINGGARS X6	SINGGARS<6		3
HIGH		3	4	10		
FORCE PROTECTION		VEHICLE ARMOUR				
OVERALL THREAT		UA HMMWV W/IBA & KEVALAR	ASK HMMWV	NONE		3
HIGH		3	4	10		
ROAD CONDITIONS		WEATHER/LIGHT				
OVERALL THREAT		CLEAR/DAY	RAIN/DUST/DAY	CLEAR-NIGHT	RAIN/DUST/NIGHT	3
HIGH		3	5	4	6	
REST		LENGTH OF MISSION				
REST LAST 24 HOURS		<4 HOURS	4-6 HOURS	8-10 HOURS	>10 HOURS	
<6 HOURS		3	4	5	6	
>6 HOURS		2	3	4	5	
SOP's/REHEARSALS		MISSION PREPERATION				
OVERALL THREAT		SOP/REHEARSALS	SOP	NONE		3
HIGH		3	4	6		
						4

APPROVAL LEVEL	0-15 LOW	16-30 MEDIUM	31-39 HIGH
	0-21	22-30	30>
	SQD LDR	PL LDR, PL SGT	OPS SGT/1SG/CO

DATE: 20 Mar 2005
(b)(6), (b)(7)(C)

ACLU DDII ROI 33121

TOTAL 21

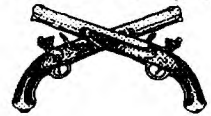
SFC [REDACTED] SIGNATURE

000251



18th MP BDE
503rd MP BN (ABN)

0083 05 CID259-36247



CONVOY INCIDENT REPORT

LINE 1: DATE/TIME GROUP 20145CMAR05

LINE 2: UNIT B 1/623 CALLSIGN: STALLION 33

LINE 3: CONVOY DEPARTURE TIME: 200745CMAR05 CONVOY DESTINATION: SCANIA

LINE 4: CONVOY CLEARANCE NUMBER: GAAQGO79HN1604

LINE 5: DRIVER'S NAME: UNKNOWN DRIVER RECOVERED YES

LINE 6: COMPANY DRIVER WORKS FOR: TCN / KBR / AFFES

LINE 7: DESCRIPTION OF VEHICLE: 2 X TRUCKS WITH TRAILERS, 2 X SUVs, AND 1 X AFFES BUS

LINE 8: CONVOY ROUTE: EASTERN ROUTE

LINE 9: GRID LOCATION OF INCIDENT: MB73586 / 62500

LINE 10: NARRATIVE (WHAT HAPPENED TO VEHICLE):

☐ FLAT TIRES ☐ TRANSMISSION PROBLEMS
☐ OVER HEAT ☐ ENGINE PROBLEMS
☐ TRAFFIC ACCIDENT DETAILS:

☐ TRAILER PROBLEMS DETAILS

☐ OTHER DETAILS

Escorting convoy from LSAA to Scania on the Eastern Route. Started out with 30 vecs. Lost one for maintenance on dover was recovered back to LSAA. At MB73586/62500 we were ambushed with RPGs, Small Arms Fire, Mortars, Grenades. Lost 2 X SUVs, 2 X trucks and trailers TCN REFER, and 1 X bus. All where destroyed. 1 x bus, and 1 X SUVs where completely burned out where not recovered.

LINE 11: STATUS OF VEHICLES INVOLVED:

☐ SECURED AT RP OR FOB OR BRIDGE
☒ SECURED WITH IRAQI POLICE/ICDC
☐ RECOVERY ASSETS ENROUTE

LOCATION: _____
LOCATION: MB73586 / 62500
FROM LOCATION: BIAP

☐ VEHICLE(S) LEFT UNSECURED
EXPLAIN WHY:

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

SFC

PRINTED CONVOY COMMANDERS NAME (Last, First, MI, Rank)

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

SFC

ACLU DDII ROI 33122

EXHIBIT 20
000252

SWORN STATEMENT

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

0083 05 CID259-36247

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 ASR Detroit at MB 73586-62500	2. DATE (YYYYMMDD) 20050320	3. TIME 11:45	4. FILE NUMBER
5. NAME (Last, first, middle initial) (b)(6), (b)(7)(C)		6. GRADE/STATUS E-7	
7. ORGANIZATION OR ADDRESS B-RTY 1/623 RD FA LSA, Anaconda			

8. (b)(6), (b)(7)(C)

_____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Around 11:45 on 20th March 2005 we were providing security escort for a convoy from LSA Anaconda to SCALIA on the Eastern Route. We were going south on ASR Detroit at MB 73586-62500 we were meeting another convoy military type going north at the same time. Our 1st platform said he was taking heavy small arms fire from (R) side of road. And then started getting hit with RPG's and grenades. Our first 4 vehicles in convoy were hit hard with RPG's and small arms and destroying them 2 SUV's 1 bus 1 tanker truck. All 3 platforms were taking small arms and RPG fire. We were returning fire with crew service weapons M19, 50 cal. The convoy had stopped and the drivers had gotten out of their trucks and were lying down by their tires. My platform and the rear platform moved around and returning fire sweeping along side about 1/2 mile we were taking fire and returning fire. We were receiving fire heavy from (R) side of road. We moved up around convoys and moved down a side road where the Raven element was also engaging. We moved up next to them and started to fire on the insurgents and hitting a lot of them when we first arrived with the Raven unit. They had 1 casualty then we started to fire we were taking heavy fire on both sides of the road and to the front and rear of us. We were shooting the insurgents. My platform and the 33A loaded 1st US casualty from the Raven unit and took him in my vehicle and 33A went with me to set up LZ and provide security for us. While we EVAC the 1st US casualty 33C stated and was still engaging element my platform 33B and the 33A platform continued to take heavy fire and mortar rounds while finding a safe LZ. We found good secure location were other convoy security on scene to help with securing LZ. The 33A element was treating the US soldier at a CCP and LZ. My unit the 33B element, went back to kill zone we took heavy fire again going back and we were returning fire. We linked back up with the station 33C unit with the Raven still engaged in fire fight. The Raven element had another soldier shot and sniper rifle I was. We were engaging the insurgents while the other Raven loaded US casualty in my Humvee. The 33C and Raven element were continued to engage the insurgents. My 33B transported the casualty to the CCP. And LZ. continued to hold direct pressure on abdominal and groin injury while transporting US soldier to CCP.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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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 INDICATED.

ACLU DDH ROI 33123

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

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

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

STATEMENT OF SFC

TAKEN AT SCANIA

DATED 21 MARCH 2005

9. STATEMENT (Continued) - WERE TAKING HEAVY FIRE AGAIN AND GUNNERS CONT TO RETURN FIRE. WE DROPPED SOLDIER OFF AT THE CCP WITH THE 33A ELEMENT THEY TOOK OVER TREATMENT WAITING FOR 2ND MEDIC. WE WENT BACK DOWN TO AREA WERE STATION 33C AND RAVEN ELEMENT WAS STILL ENGAGING ENEMY. WE WERE GETTING HIT AGAIN BUT NOT AS BAD. WE HAD 2 FLAT TIRES AT THAT TIME. WHILE GOING BACK DOWN WE WERE FLAGGED DOWN BY SOLDIERS THAT HAD BEEN IN THE MILITARY CONVOY HEADING NORTH. THEY HAD TAKEN MORTAR RPG AND SM ARMS AGAIN. WE LOADED 255 SOLDIER AND TOOK HIM TO THE CCP. WE CAME BACK TO THE 33C ELEMENT AND THE RAVEN ELEMENT. AT THAT TIME OUR 33C AND RAVEN ELEMENT WERE DOING A SWEEP OF THE AREA. DURING THAT SWEEP, THE 33C HAD TO ENGAGE SOME INJURED INSURGENTS AND THE RAVEN UNIT DID ALSO BECAUSE THEY WERE TRYING TO REACH FOR THEIR WEAPONS AGAIN. AFTER THE AREA WAS SWEEP, THERE WAS 2 KIA INSURGENTS KILLED BY WIA INSURGENTS. AND SOME DETAINED DON'T KNOW HOW MANY. AFTER THE SWEEP, THERE WERE 6 US SOLDIERS WIA. WE HAD TREAT AND TRANSPORT 4 TO CCP. L2. WE LOST 5 VEC IN MY CONVOY. 2 TRACTOR TRAILER (1 DESTROYED, 1 RECOVERABLE) 2 KIA TEN DRIVERS OF THOSE TRUCKS. 2 SUV'S (1 DESTROYED, 1 RECOVERABLE) 1 KIA 1 WIA. 1 BUS (DESTROYED) 2 WIA. THEY HAD MINOR INJURIES AND WERE TRANSPORTED TO SCANIA. ALL STATION 33 ELEMENTS WERE NOT INVOLVED IN FIRE FIGHT, DID HAVE SOME OF MY MEN THAT HAD BACK PAIN AND MUSCLE ACHES BUT WERE FINE. ALL 3 STATION ELEMENTS HUMMERS WERE DAMAGED. 33C HUMMER HAD MULTIPLE BULLET HOLES, 33B MULTIPLE BULLET HOLES AND 2 FLAT TIRES. 33A VEC HAD MULTIPLE BULLET HOLES, AND HAD SHRAPNEL DAMAGE TO TRANSMISSION OIL COOLER, LOST BRAKES AND TRANS, ALSO HAD FLAT TIRE. WE CHANGED THE FLATS ON THE 2 HUMMERS AND HOOKED THE 33A UP WITH A TOW BAR. THERE WAS A MILITARY CONVOY THAT HAD BEEN BEHIND ME A FEW CLICKS OUT OF KILL ZONE, DRAGON 47 ELEMENT SAID THEY WOULD INCORPORATE MY CONVOY INTO THEIR CONVOY AND PROVIDE ADDITIONAL SECURITY FOR US AND OUR CONVOY. THE RAVEN ELEMENT LEFT ON SCENE TO WORK ISSUE WITH RECOVERY, NO PROBLEMS ON REST OF THE WAY TO SCANIA. ALL OF THE TEN DRIVERS THAT WERE INJURED WERE BEING TREATED BY THE MEDICS AT SCANIA. ALSO, KIA'S HAD BEEN PLACED IN TRUCKS IN CONVOY AND THEY WERE PROBABLY DEAD AND THE MEDICS TRANSPORTED THEM. AFTER OUR CONVOY IN THE YARD AND SECURE, WE ATE AND WE WERE CONTACTED BY THE COMBAT STRESS TEAM WHO TALKED TO A FEW OF MY MEN.

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

NG STATEMENT

ACLU RDI 33124

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

STATEMENT OF SFC

TAKEN AT

ABN 1/623FA

TGC SCANIA

DATED

21 MARCH 2005

9. STATEMENT (Continued) The A-Batt 623rd TBC had made arrangements for us to sleep last night. And the A-Batt 623rd maintenance crew started working on our Hummies and gave us all new spare tires. And were changing hoses and belts on the engines. They told us that they could not be fixed here. And would have to be towed back. Before we left the fire fight area. The we were very low on 50 cal ammo and 249 ammo. The war hammer unit 206th Eng came and brought us some 50 cal ammo 249 ammo and m16 ammo. Estimated rounds fired. Around 5000 50 cal rounds, estimated 800 249 rounds fired, and about 25 m16 rounds before it jammed, estimated 390 m16 rounds, don't know for sure how many 9mm rounds fired. All ammo was replaced before we left fire fight area. There was equipment lost during the fire fight. We lost flash lights and portable radios. (b)(6), (b)(7)(C) And could not locate. Another thing that we noticed while doing a sweep after the fire fight to remove all weapons. The insurgents of them had grenades and handcuffs on them that was found on some of the insurgents found by the Raven elements and station 33C element.

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

Nothing follows

SFC

(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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b)(6), (b)(7)(C)

(Signature of Person Making Statement)

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

W

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Mar, 2005

at CSC SCANIA, IRAQ

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

ART 136 (6) 4 UMCJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

ACLU DDII ROI 33125

PAGE 3 OF 3 PAGES

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 MB 173586 62500 (b)(6), (b)(7)(C)	2. DATE (YYYYMMDD) 20050326 (b)(6), (b)(7)(C)	3. TIME 11:45	4. FILE NUMBER
			7. GRADE/STATUS E-5

B. BTRY 1/623 FA.

9. I, Sgt. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

going south on Detriest and around 11:45 I noticed a insurgent stand up with a weapon and then another insurgent with a RPG stood up. on the right side. at the road. and fired at us. I told my Runner to start shooting and my driver to get out of the area I notice through the Driverside back door the Vehicle behind me rolled over. as we were trying to get the Convoy to a safe area we continued to take fire for a half mile we stopped at a Iraqi Check point. and I told the Iraqi to go down and help the rest of our squad. and when I turned around. I noticed that we had only one vehicle behind us. I told him to stay in his Vehicle and stay down. I called to Station 33. and asked if he need us for Return to support yes. we turned Vehicle around. and went back to the field. where we took the Initial fire. taking fire all the way back. I noticed when we got there that other units we support our troops we turned around and went back up to the area where we left the COV Driver in the submachine we secured him in our vehicle and went back towards the field we stopped half way when our station 33B vehicle was coming to us. they had a US Casualty with them. my driver got out of [REDACTED] and [REDACTED]

10. EXHIBIT	11. INIT (b)(6), (b)(7)(C)	STATEMENT	PAGE 1 OF 2 PAGES
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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 INDICATED.

ACLU DDH ROI 33126

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT 10:45 DATED 2005 03 21

9. STATEMENT (Continued)

Secured him. while I called up a wire line Medevac. Then I started to treat (b)(6), (b)(7)(C) and then. another vehicle pulled up. and dropped off another US Casualty. So we turned our area to a Casualty Collection point. we recovered out 5 US. Casualties from my area. I administered first aid to four of the 5. Soldiers providing I.O. and. reversing of there wounds, and load everyone into the Choppers. after that we went back down. the road to the first field and a female soldier came up to me with a local civilian. that was wounded. in the arm and I took him to the Chopper in the field that was loading the Wounded Insurgents. and helped load them. on the Chopper. when I left the field. the rest of my squad to to work on station 83 vehicle and my vehicle. changing the shot out Tires. my vehicle was damaged. to the point that it was undrivable. ~~so~~ so we hooked it to 533 vehicle. and when everything was secured we line up all our Convoys. and integrated with another Convoy and headed onto Samarra.

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

AFFIDAVIT

W (b)(6), (b)(7)(C) 2. I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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 IN (b)(6), (b)(7)(C)

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Mar, 2005 at CSC SCANIA, IRAQ

(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)

ART 136 (6) 4 UMCJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS (b)(6), (b)(7)(C) MAKING STATEMENTPAGE (b)(6), (b)(7)(C) 1998

ACLU DDII RQI 33127

PAGE 1 OF 2 PAGES

USAPA V1.00

000257 EXHIBIT 20

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 MB 73586 62500	2. DATE (YYYYMMDD) 20050320	3. TIME 1145	4. FILE NUMBER
5. (b)(6), (b)(7)(C)	6. (b)(6), (b)(7)(C)		7. GRADE/STATUS E-4
8. ORGANIZATION OR ADDRESS B 11623rd FA LSA Anacanda			

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

We were heading South on Detroit and we started taking fire. I fired 20- to 30? MK-19 rounds at them and we advanced about a couple miles ahead. Alpha team set up a casualty collection point and (b)(6)(b)(7)(C) (B team) transported the wounded to us. We treated them and ~~set up~~ ~~at~~ called in three or four medevacs. ~~But~~ But before we did that we went back down into the fire fight to check on our guys. On the way back we picked up a TCN Driver and made him stay in the humvee. On the way back SFC (b)(6), (b)(7)(C) picked up some U.S. Soldiers who were wounded.

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

ACLU DDH ROI 33128

saulty @- casualty

saulty

casualty casualty

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

STATEMENT OF

TAKEN AT

008

3 05 DATED

010259-3624

9. STATEMENT (Continued)

and we set up the CCP. After the first two medevacs we went back again down to the firefight. We took fire back the first time we went back & on the way back from that & the second time. On the first time back I saw bullets start bouncing off the roof of my humvee and my shield and I ducked down for a couple of seconds & then I jumped up and started shooting back at them w/ my SAW. When we went back the second time the QRF was on that road perpendicular and we started shooting at the →

(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 _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS. I HAVE MADE THIS STATEMENT WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Mar, 2005

CSC SCANIA IRAQ

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

ART 136 (6) 4 UMCJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON

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

ACLU DDJ RDI 33129

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	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9. I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

in surgents. After the second time we came back to the CCP. We medevaced one more time and we started looking for ~~the~~ the driver of the expedition. After that all we did was ~~to~~ change tires and get back in line and started moving out to Scania.

Sorry this isnt in order it seemed like things went ~~back~~ by so fast and I wrote it down as it come to me.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE ³ OF <u>3</u> PAGES
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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 INDICATED.

ACLU DDH ROI 33130

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 MB 73586 62500	2. DATE (YYYYMMDD) 2005 03 20	3. TIME 11:45	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E4	
8. ORGANIZATION OR ADDRESS B BATT 11623 FA			
9. (b)(6), (b)(7)(C)			

I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

WAS A GUNNER IN PLATFORM B. WHEN WE APPROACHED THE GRID ABOVE WE STARTED TO TAKE SMALL ARMS FIRE, RPG'S, CCT... WE TRIED TO LEAD THE CONVOY OUT OF THE KILL ZONE BUT THE DRIVERS EXITED THE TRUCKS, WHILE I WAS LAYING DOWN SUPPRESSIVE FIRE. WE MADE EYE CONTACT WITH THE OTHER PLATFORMS WHILE MOVING ACROSS KILL ZONE WE SAW THAT C/TEAM HAD LINKED UP WITH OTHER PLATFORMS OF A DIFFERENT ELEMENT THEY WERE TAKING HOSTILE FIRE AND WERE TAKING CASUALTIES I LAYED DOWN SUPPRESSIVE FIRE WHILE SGT (b)(6), (b)(7)(C) LOADED WOUNDED IN MY ~~TRUCK~~ TRUCK WE TOOK THEM TO A SAFE ZONE AND LINKED UP WITH SGT (b)(6), (b)(7)(C) WHO CALLED MEDIVAC

10. EXHIBIT	11. INITIAL (b)(6), (b)(7)(C)	STATEMENT	PAGE 1 OF 2 PAGES
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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 INDICATED.

ACLU/DDH/ROI 33131

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

TAKEN AT

11:45

DATED

2005 03 20

9. STATEMENT (Continued)

We then returned for more wounded. We took SPC (b)(6), (b)(7)(C) to MEDIVAC site with a bullet wound to abdomen. We then went back to help secure area and check for more wounded. Once the area was secure we repaired vehicles gathered the remaining trucks & driver and linked up with Dragon 47 convoy and moved out to SCANIA.

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

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 1. 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 INFO (b)(6), (b)(7)(C)

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

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

SFC.

AYG23d FAI

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Mar, 2005 at CSC SCANIA, IRAQ

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

ART 136 (6) 4 UMCJ

(Authority To Administer Oaths)

ACLU DDJ RQI 33132

PAGE OF PAGES

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 MB 73586 62500 AsR Detroit	2. DATE (YYYYMMDD) 20050320	3. TIME 1145	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS B btry 1/623 FA			

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

We was on AsR Detroit taking a convoy to scania, while going down detroit at grid MB 73586 62500 there was an ambush. I was the gunner at the rear of the convoy. One of our semi-trucks was hit by an RPG, we heard radio transmissions that our other two stallion platforms were being hit bad. There were other military personel at the rear of the convoy. A transportation unit had traffic blocked so nothing else could come south and into the kill zone. My vehicle with my team leader Sgt. (b)(6), (b)(7)(C) my driver, Sgt. (b)(6), (b)(7)(C) went on up to help with the situation. Before we left there at the rear of the convoy we was already getting fired upon. We returned fire, they stopped firing at us from where we was. We went up south in the northbound lane as soon as we got to the burning semi-truck we crossed back over in the southbound lane to get on a side road where 5 other hummers were taking and returning fire. Our vehicle got behind one hummer so we could take a soldiers down to the causality point so he could be medicated out. We provided cover fire and hummer armor protection to get the injured military personel. We didn't have a location on our two other stallion platforms, but we did know they was on down the road. Raven elements were there to help also with suppressive fire. The situation was finally neutralized and the area was swept for weapons & EPW's. We relinked our convoy back together and then linked up with Dragon 4-7 to continue on to Scania. Now we are here.

10. EXHIBIT	11. I (b)(6), (b)(7)(C) STATEMENT	PAGE 1 OF 1 PAGES
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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 INDICATED.

ACLU-DDH-ROI-33133

STATEMENT OF Spc (b)(6), (b)(7)(C) TAKEN AT A Y623 Scania DATED 2005 03 21

9. STATEMENT (Continued)

[A large handwritten 'X' is drawn across the entire statement area.]

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

AFFIDAVIT

I, Spc (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Mar, 2005 at CSC SCANIA, IRAQ

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

ART 136 (6) 4 UMCJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

ACLU DDJ RQI 33134

PAGE 3 OF 3 PAGES

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 MB 73586 62500 ASR Detr.	2. DATE (YYYYMMDD) 20050320	3. TIME 1145	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E-4/Active	
8. ORGANIZATION OR ADDRESS B-BTRY 1/623 FA LSA Anaconda			

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

Our Squad element was taking a Convoy South on Detroit, and there was another military traveling North on Detroit. Around 1145 I heard Sgt (b)(6), (b)(7)(C) come over the radio and say his vehicle was taking Small arms fire toward the front of the Convoy. At that point all the TCN drivers stopped their trucks. Then my team and 33c team proceeded up to where the 33A element was taking fire. As we made our way up we were taking fire to our vehicle, but could not actually see where it was coming from. My gunner began firing 50 cal rounds to our right because he could here rounds hitting our vehicle from that side. Once we made to the front of the convoy we had a transmission come over the radio from the Raven element saying that they were taking fire from all sides. At that point my TC instructed me to turn my truck around and head back to help pull security with the raven element. When we arrived at there point there was a soldier waving me forward to help out with their wounded. Then me and my TC got

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

ACLU DDH ROI 33135

STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT IC45 DATED 20050321

9. STATEMENT (Continued)

and helped get the wounded soldier into our truck and took him a safe area. We drove about 2 miles up the road while taking fire the whole time, once up the road we met up with our 33 A element and had them radio for medevac. We left the wounded soldier with that other element, and proceeded back to the Raven element. Once there we escorted another soldier into our vehicle who had an abdomen wound, and needed to be flown out, so we rushed him up to the safe area where we met up with the chopper medevac and helped load the soldier into the chopper. By this time the firing had stopped and began checking area for more wounded.

AFFIDAVIT	
I, <u>SPC</u> <u>(b)(6), (b)(7)(C)</u> , HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE <u>2</u> . 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 <u>(b)(6), (b)(7)(C)</u>	
<u>(b)(6), (b)(7)(C)</u>	<u>SPC</u> <u>(b)(6), (b)(7)(C)</u> (Signature of Person Making Statement)
WIT <u>(b)(6), (b)(7)(C)</u> <u>SPC</u>	Subscribed and sworn to before me, a person authorized by law to administer oaths, this <u>21</u> day of <u>Mar</u> , 2005
<u>H46239 JF</u>	at <u>CSC SCANIA, IRAQ</u>
ORGANIZATION OR ADDRESS	<u>(b)(6), (b)(7)(C)</u> (Signature of Person Administering Oath)
	<u>(b)(6), (b)(7)(C)</u> (Typed Name of Person Administering Oath)
ORGANIZATION OR ADDRESS	<u>ART 136 (6) 4 UMCJ</u> (Authority To Administer Oaths)

INITIALS (b)(6), (b)(7)(C) STATEMENT

ACLU DDJ RQI 33136

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 MB 73586 62500	2. DATE (YYYYMMDD) 2005 03 20	3. TIME 11:45	4. FILE NUMBER
5. (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)		7. GRADE/STATUS E-4
8. ORGANIZATION OR ADDRESS BR 1423 FA 1 SA ANACONDA			
9. (b)(6), (b)(7)(C)			

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 2005 03 20 we were escorting a convoy on MSR Detroit south when we started taking small arms, RPG and Grenade fire. As the driver of the lead vehicle we performed our duty in accordance with SOP, which is speed up, escort the convoy out of the kill zone. We traveled approximately 2 miles taking fire from the right side of the road for approximately 1 1/2 miles of the 2 miles. As we traveling south I was looking in my mirror to see if the convoy was following, I heard two explosions after the explosions I looked into the mirror I saw the bus that we were escorting flip about 8 times. A Ford SUV came up beside us on my left. I saw rounds go thru the window and side of the SUV striking the driver causing him to crash the vehicle. We continued south, came to a stop at an Iraqi National Guard CP. We informed them to go and escort the convoy. While the I NG were leaving, we checked the vehicle and checked the only I CN driver who made it thru with us. We told him to stay with his vehicle. Station 33A SGT (b)(6), (b)(7)(C) SPE (b)(6), (b)(7)(C) and me SPE (b)(6), (b)(7)(C) turned around and headed back to the convoy. As travelling north in the South bound lane we received small arms from the left. Relaying later

10. EXHIBIT	11. INITIALS (b)(6), (b)(7)(C)	12. SIGNATURE (b)(6), (b)(7)(C)	PAGE 1 OF _____ PAGES
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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 INDICATED.

ACLU DDH RCI 33137

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

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

TAKEN AT Scania DATED 2005 03 21

9. STATEMENT (Continued)

remove the casualty. I grabbed a CLS bag, started trying to bandage his wounds. Approx. 5 minutes later a medic from Raven element arrived with another casualty. SFC (b)(6), (b)(7)(C) team returned north to collect more casualties. The Raven element ~~was~~ medic was the only person in the truck that was not injured. He took over for me and I jumped up on the 50 cal to provide security for the LZ. Approx. 12 minutes the first helicopter arrived. By then SFC (b)(6), (b)(7)(C) had returned with another WIA. The Medivac Chopper landed the wounded the took off. Approx. 15 minutes later another casualty was brought to the LZ. SGT (b)(6), (b)(7)(C) called another medivac. It landed approx. 3 minutes later. After the helicopter took off, The Raven Medic's truck took the lead ~~with~~ in a wedge formation heading back to the fire fight. When we arrived the fire fight was over. The medic went to the area where the enemy was to help treat wounded. I stayed on his 50 cal for approx 1 hr 25 minutes, until I was relieved by another unit. I proceeded to change a flat tire on my truck. I assessed the damage to the humvee. I found 18 bullet holes, some scrapnel damage to the passenger side door. Approx 1 hr 30 min. later we join the convey of Dragon 47 and was escorted to Scania. To my knowledge. There were, 3 KIA TCN Drivers 2 WIA TCN, 4 US WIA, 26 Enemy KIA, 5 WIA Enemy 2 EPW's. Nothing Follows (b)(6), (b)(7)(C)

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

ING STATEMENT

ACLU DDJ RDI 33138

DEC 1998

USAPA V1.00

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

STATEMENT OF

TAKEN AT

Scania

DATED

20050321

9. STATEMENT (Continued)

That our vehicle took a round to the engine. We lost all hydraulic power, we had no brakes, no steering. While returning north we went by the Bus and SUV. I saw personnel outside the bus, hooked into the SUV, saw two personnel slumped over. I assumed they were KIA, because of the bullet holes in the vehicle. We continued north, we came up on the remaining convoy, we/I saw one of the refer trucks had been hit with an RPG. I looked to my left and saw 5 humvees on an adjacent side road to the field where we started taking fire. Raven 22 was the MSR patrol which was shadowing convoys. When this all started I notice another military convoy travelling north when we got hit. When we saw the humvee's firing we pulled in to assist and saw one US soldier being worked on. My team leader decided to go secure a LZ for a Medivac. While travelling south we took small arms fire from the right. We travelled approximately two miles to the ING CP where we had the TCN driver stay. We put the TCN driver into our humvee. SGT (b)(6), (b)(7)(C) and calling in a Medivac, My Squad leader SFC (b)(6), (b)(7)(C) and Sp (b)(6), (b)(7)(C) brought the first US Casualty to the CP. I helped SFC (b)(6), (b)(7)(C)

AFFIDAVIT

WHICH (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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 (b)(6), (b)(7)(C) WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of March, 2005

CSC SCANIA TRAD

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

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ART 136 (6) 4 UM CJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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

STATEMENT

ACLU DDJ RQI 33139

PAGE 2 OF 3 PAGES

1998

USAPA V1.00

000269

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 Asst Admstr MB 73586-62500 (b)(6), (b)(7)(C)	2. DATE (YYYYMMDD) 2005 03 20 (b)(6), (b)(7)(C)	3. TIME 1145	4. FILE NUMBER
			7. GRADE/STATUS E-5

B-Brty 1/623 FA

9. (b)(6), (b)(7)(C)

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On March 20, 2005 while on a convoy mission on route Detroit we encountered an ambush. My vehicle was the trail gun truck when the fight started. We heard fire from the right side of the road ahead of us and directly beside us in a field with many mounds of dirt. My team leader, Sgt. (b)(6), (b)(7)(C) returned fire at the enemy until they stopped firing on our right side. Support arrived to help pull security in the rear and a Raven element ~~the~~ went around to support the fight at the front. I heard on the radio our front vehicles were taking hard hits and since our rear vehicles were secure we took our truck to the front where we saw 1 burning TCN truck and the Raven element off the road on a cut-off with several down humvees. When we stopped by the Raven element they had two wounded U.S. soldiers.

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

ACLU-DDH-ROI-SS140

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

TAKEN AT CSC Scania DATED 21 MARCH 05

9. STATEMENT (Continued)

Sgt. (b)(6), (b)(7)(C) asks about the injuries but the fighting was still fierce at the time. Sgt. (b)(6), (b)(7)(C) had to engage while the Raven element was treating their wounded. I exited the vehicle and helped treat the wounded closest to me. The troop had a gun shot wound to the side/lower back region. We then moved him to the driver side of my truck for cover so we could better treat his injuries. Once we had the wounds dressed, we put him in ~~the~~ my vehicle and prepared to move to the LZ for medivac. The Raven element troops took my vehicle to the LZ so I took up their 240 & machine gun on their gun truck. The only rounds I fired were from my m-16 after the injured were moved. Upon getting on the gun, the area was being swept by Sgt. (b)(6), (b)(7)(C) and another Raven troop. As the area was being swept, the evacing team returned and I was relieved off my gun. The enemy were being checked for weapons and casualties. I walked down the field where the fight ~~was~~ had taken place to help detain the captured enemy. We were supported by members of the Raven element. Me and Sgt. (b)(6), (b)(7)(C) walked further down the field checking for more enemy. We detained one enemy in a blue t-shirt. He had a gun shot wound to the head, leg, and waist. He was later medivaced. Then I removed and cleared 2 AK-47's and a large type machine gun. I

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

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 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)

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21st day of MARCH, 2005 at CSC SCANIA, IRAQ

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

ART 136 (6) 4 UMCJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

I, (b)(6), (b)(7)(C) PERSON MAKING STATEMENT

ACLU DDJ RQI 33141

PAGE 2 OF 3 PAGES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Scania DATED 21 March 25

9. STATEMENT (Continued)

Carried those to the end of the field where we were collecting the weapons and other items and ~~casualties~~ casualties. ~~and~~ I then regrouped with my element and we begin repairing our damaged trucks and reorganizing our Convoy. By this time we had a large amount of support in the area. Upon reorganizing our Convoy, the Dragon 47 element escorted us on to Scania with their Convoy.

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

ACLU DD IRO 133142

PAGE 2, DA FORM 2625, DEC 1998

USAPAV 1.00

000272

ACLU DDII ROI 33143

000273

Case Number: 0083-05-CID259-36247

Agent/Investigator: SA (b)(6), (b)(7)(C)

Date: 9 APR 05

CANVASS INTERVIEW WORKSHEET

NAME/GRADE: (b)(6), (b)(7)(C)	SSN: (b)(6), (b)(7)(C)
DOB: (b)(6), (b)(7)(C)	POB: (b)(6), (b)(7)(C)
UNIT/ADDRESS: BTRY 623d FA	WORK PHONE: (b)(6), (b)(7)(C)
HOME ADDRESS: (b)(6), (b)(7)(C)	HOME PHONE: (b)(6), (b)(7)(C)

- What do you know about the engagement with Anti Iraqi Forces (AIF) on 20 Mar 05?
50 insurgents trying to take POW. I think SGT (b)(6), (b)(7)(C) had some security. I heard of video tape of incident. Insurgents had vehicle waiting.
- Are you aware of an IED attack that occurred on or about 18/19 Mar 05?
- Was a member of your unit killed by that IED attack? If so, who?
SPC (b)(6), (b)(7)(C) was different battery.
- Do you know SGT (b)(6), (b)(7)(C) BTRY, 1/623 FA?
YES. graduated same school, few years ahead.
- Do you know if SGT (b)(6), (b)(7)(C) was present during the IED attack?
I don't think so. We were on IHP patrol. Iraqi Highway Patrol.
- What was SGT (b)(6), (b)(7)(C) relationship with the unit member who was killed on or about 18/19 Mar 05?
don't think so
- Have you heard SGT (b)(6), (b)(7)(C) discussing getting revenge for what occurred on 18/19 Mar 05? If so, what did he say?
No
- Have you spoken to SGT (b)(6), (b)(7)(C) about what occurred on 20 Mar 05? *SPC (b)(6), (b)(7)(C) gunner (b)(6), (b)(7)(C) didn't*
No, just told what happened when got hit. Swapped weapons of driver.
- What did SGT (b)(6), (b)(7)(C) tell you about what happened on 20 Mar 05?
Present when (b)(6), (b)(7)(C) talked about swapping weapons.
- Did SGT (b)(6), (b)(7)(C) tell you that he killed any enemy after the attack on 20 Mar 05? If so, what did he say?
No, I don't think kept count. suppressive fire mostly.
- Has anyone, other than SGT (b)(6), (b)(7)(C) talked about SGT (b)(6), (b)(7)(C) shooting and killing an AIF member?
took driver's M4, rounds 203, helped 617TH flank AIF. Hummer's going back and forth through canyon, pulling out with minor vehicle damage. VIAs in the Hummer.

ACLU DDII ROI 33144

EXHIBIT 006279 1-1

Date: 9 Apr 05

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

CANVASS INTERVIEW WORKSHEET

NAME/GRADE (b)(6), (b)(7)(C) E-2	SSN: (b)(6), (b)(7)(C)
UNIT/ADDRESS: B Battery, 623 Field Artillery 154 Anacanda, IRAQ APO AE 09391	DOB: (b)(6), (b)(7)(C)
HOME ADDRESS: (b)(6), (b)(7)(C)	POB: (b)(6), (b)(7)(C)
	WORK PHONE: DUT
	HOME PHONE: (b)(6), (b)(7)(C)

1. What do you know about the engagement with Anti Iraqi Forces (AIF) on 20 Mar 05?

"No know information"

2. Are you aware of an IED attack that occurred on or about 18/19 Mar 05?

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

3. Was a member of your unit killed by that IED attack? If so, who?

Yes, SPC. (b)(6), (b)(7)(C)

4. Do you know SGT (b)(6), (b)(7)(C) B BTRY, 1/623 FA?

played basketball with him once,

5. Do you know if SGT (b)(6), (b)(7)(C) was present during the IED attack?

Don't know,

6. What was SGT (b)(6), (b)(7)(C) relationship with the unit member who was killed on or about 18/19 Mar 05?

I Don't Know

7. Have you heard SGT (b)(6), (b)(7)(C) discussing getting revenge for what occurred on 18/19 Mar 05? If so, what did he say?

no

8. Have you spoken to SGT (b)(6), (b)(7)(C) about what occurred on 20 Mar 05?

no

9. What did SGT (b)(6), (b)(7)(C) tell you about what happened on 20 Mar 05?

N/A

10. Did SGT (b)(6), (b)(7)(C) tell you that he killed any enemy after the attack on 20 Mar 05? If so, what did he say?

no.

11. Has anyone, other than SGT (b)(6), (b)(7)(C) talked about SGT (b)(6), (b)(7)(C) shooting and killing an AIF member?

no.

ACLU DDII ROI 33145

EXHIBIT 00027521-2

Case Number: 0033-05-CID259-36247

Agent/Investigator: SAV, tator

Date: 9 Apr 05

CANVASS INTERVIEW WORKSHEET

NAME/GRADE (b)(6), (b)(7)(C) E-4	SSN: (b)(6), (b)(7)(C) DOB: [REDACTED] POB: [REDACTED]
UNIT/ADDRESS: B Battery, 623 rd Field Artillery 25A Anacord, IRAQ APO AE 09391 HOME ADDRESS: (b)(6), (b)(7)(C)	WORK PHONE: DURT HOME PHONE: (b)(6), (b)(7)(C)

1. What do you know about the engagement with Anti Iraqi Forces (AIF) on 20 Mar 05?
I just know about a platoon sized IRAQI Force attacked a US Convoy
2. Are you aware of an IED attack that occurred on or about 18/19 Mar 05?
NO.
3. Was a member of your unit killed by that IED attack? If so, who?
yes. SFC (b)(6), (b)(7)(C)
4. Do you know SGT (b)(6), (b)(7)(C) B BTRY, 1/623 FA?
yes.
5. Do you know if SGT (b)(6), (b)(7)(C) was present during the IED attack?
I'm not sure. I don't believe he was.
6. What was SGT (b)(6), (b)(7)(C) relationship with the unit member who was killed on or about 18/19 Mar 05?
I Don't Know. As far as I know they didn't have a relationship
7. Have you heard SGT (b)(6), (b)(7)(C) discussing getting revenge for what occurred on 18/19 Mar 05? If so, what did he say?
NO.
8. Have you spoken to SGT (b)(6), (b)(7)(C) about what occurred on 20 Mar 05?
we spoke a little. He didn't say much. Just that they were a lot of Rockets there and (b)(6), (b)(7)(C) Chaos.
9. What did SGT (b)(6), (b)(7)(C) tell you about what happened on 20 Mar 05?
Just that they were taking fire from both sides of the road, there were a lot of insurgents and it was a planned attack.
10. Did SGT (b)(6), (b)(7)(C) tell you that he killed any enemy after the attack on 20 Mar 05? If so, what did he say?
NO.
11. Has anyone, other than SGT (b)(6), (b)(7)(C) talked about SGT (b)(6), (b)(7)(C) shooting and killing an AIF member?
NO.

ACLU DDII ROI 33146

Date: 9 Apr 05

CANVASS INTERVIEW WORKSHEET

NAME/GRADE (b)(6), (b)(7)(C) E-5	SSN: (b)(6), (b)(7)(C)
UNIT/ADDRESS: B Battery, 623rd Field Artillery LSA Anacapa, IRAQ. APO AE 09341	DOB: (b)(6), (b)(7)(C)
HOME ADDRESS: (b)(6), (b)(7)(C)	POB: (b)(6), (b)(7)(C)
	WORK PHONE: DWT
	HOME PHONE: (b)(6), (b)(7)(C)

- What do you know about the engagement with Anti Iraqi Forces (AIF) on 20 Mar 05?
Just that a couple of trucks came in to get repairs, where bullets + RPG's hit them.
- Are you aware of an IED attack that occurred on or about 18/19 Mar 05?
Yeah, a truck got hit with an IED.
- Was a member of your unit killed by that IED attack? If so, who?
Yes, SPC (b)(6), (b)(7)(C)
- Do you know SGT (b)(6), (b)(7)(C) BTRY, 1/623 FA?
Yes.
- Do you know if SGT (b)(6), (b)(7)(C) was present during the IED attack?
Not aware of it, no.
- What was SGT (b)(6), (b)(7)(C) relationship with the unit member who was killed on or about 18/19 Mar 05?
I'm not familiar of any at all.
- Have you heard SGT (b)(6), (b)(7)(C) discussing getting revenge for what occurred on 18/19 Mar 05? If so, what did he say?
Not at all
- Have you spoken to SGT (b)(6), (b)(7)(C) about what occurred on 20 Mar 05?
A little bit
- What did SGT (b)(6), (b)(7)(C) tell you about what happened on 20 Mar 05?
He said they were caught in a crossfire by between 30-50 insurgents.
- Did SGT (b)(6), (b)(7)(C) tell you that he killed any enemy after the attack on 20 Mar 05? If so, what did he say?
He said he had one guy go for his weapon and he had to protect himself. I ~~not~~ overheard him tell about it.
- Has anyone, other than SGT (b)(6), (b)(7)(C) talked about SGT (b)(6), (b)(7)(C) shooting and killing an AIF member?
2 other people:
SGT (b)(6), (b)(7)(C)

I can't remember the other guy's name

ACLU DDII ROI 33147

CANVASS INTERVIEW WORKSHEET

NAME/GRADE E-5	SSN: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	DOB: [REDACTED]
UNIT/ADDRESS: B BTRY 1/623 FA	POB: [REDACTED]
HOME ADDRESS: (b)(6), (b)(7)(C)	WORK: [REDACTED]
	HOME PHONE: (b)(6), (b)(7)(C)

1. What do you know about the engagement with Anti Iraqi Forces (AIF) on 20 Mar 05?

I don't really know anything about it.

2. Are you aware of an IED attack that occurred on or about 18/19 Mar 05?

I wasn't there, but I know about it in general. How say

3. Was a member of your unit killed by that IED attack? If so, who?

Yes. SPC (b)(6), (b)(7)(C)

4. Do you know SGT (b)(6), (b)(7)(C) B BTRY, 1/623 FA?

I know who he is, he is from a different unit

5. Do you know if SGT (b)(6), (b)(7)(C) was present during the IED attack?

I don't know

6. What was SGT (b)(6), (b)(7)(C) relationship with the unit member who was killed on or about 18/19 Mar 05?

I don't know

7. Have you heard SGT (b)(6), (b)(7)(C) discussing getting revenge for what occurred on 18/19 Mar 05? If so, what did he say?

No

8. Have you spoken to SGT (b)(6), (b)(7)(C) about what occurred on 20 Mar 05?

No

9. What did SGT (b)(6), (b)(7)(C) tell you about what happened on 20 Mar 05?

10. Did SGT (b)(6), (b)(7)(C) tell you that he killed any enemy after the attack on 20 Mar 05? If so, what did he say?

No

11. Has anyone, other than SGT (b)(6), (b)(7)(C) talked about SGT (b)(6), (b)(7)(C) shooting and killing an AIF member?

I haven't heard anything about it.

ACLU DDII ROI 33148

Is aware of an AZA video of an attack

ACLU DDII ROI 33149

000279

CANVASS INTERVIEW WORKSHEET

NAME/GRADE <i>E-5</i>	SSN: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	DOB: [REDACTED]
UNIT/ADDRESS: <i>Btry 1/623 FA</i>	POB: [REDACTED]
HOME ADDRESS: (b)(6), (b)(7)(C)	WORK PHONE: [REDACTED]
	HOME PHONE: [REDACTED]

1. What do you know about the engagement with Anti Iraqi Forces (AIF) on 20 Mar 05?

That our unit was involved and attacked. I was not on the convey. I saw some of the video footage.

2. Are you aware of an IED attack that occurred on or about 18/19 Mar 05?

Yes. I believe it was on the 19th, I showed up after the incident.

3. Was a (b)(6), (b)(7)(C) killed in that IED attack? If so, who?

SPC [REDACTED]

4. Do you know SGT (b)(6), (b)(7)(C) BTRY, 1/623 FA?

Yes

5. Do you know if SGT (b)(6), (b)(7)(C) was present during the IED attack?

I don't know, I think his squad that was with [REDACTED] FD.

6. What was SGT (b)(6), (b)(7)(C) relationship with the unit member who was killed on or about 18/19 Mar 05?

I don't know if they knew each other. We are two different units put together.

7. Have you heard SGT (b)(6), (b)(7)(C) discussing getting revenge for what occurred on 18/19 Mar 05? If so, what did he say?

No.

8. Have you spoken to SGT (b)(6), (b)(7)(C) about what occurred on 20 Mar 05?

Very little.

9. What did SGT (b)(6), (b)(7)(C) tell you about what happened on 20 Mar 05?

I just asked if he was ok, minimal questions.

10. Did SGT (b)(6), (b)(7)(C) tell you that he killed any enemy after the attack on 20 Mar 05? If so, what did he say?

He did not tell me.

11. Has anyone, other than SGT (b)(6), (b)(7)(C) talked about SGT (b)(6), (b)(7)(C) shooting and killing an AIF member?

SGT (b)(6), (b)(7)(C) he said he was told SGT (b)(6), (b)(7)(C) killed one Iraqi. SGT (b)(6), (b)(7)(C) was not there when it happened.

ACLU DDII ROI 33150

I think one of the insurgents had a video.
The CoC showed Plt Sgts, Team leads the
video to show what an attack looked like,
their setup, how they lived.

ACLU DDII ROI 33151

Date: 9 Apr 05

CANVASS INTERVIEW WORKSHEET

NAME/GRADE SGT (b)(6), (b)(7)(C)	SSN: (b)(6), (b)(7)(C)
UNIT/ADDRESS: B Btry	DOB: (b)(6), (b)(7)(C)
HOME ADDRESS: (b)(6), (b)(7)(C)	POB: (b)(6), (b)(7)(C)
	WORK PHONE:
	HOME PHONE:

1. What do you know about the engagement with Anti Iraqi Forces (AIF) on 20 Mar 05?

Killed about 20 Insurgents.

2. Are you aware of an IED attack that occurred on or about 18/19 Mar 05?

Yeah, with SGT (b)(6), (b)(7)(C)

3. Was a member of your unit killed by that IED attack? If so, who?

4. Do you know SGT (b)(6), (b)(7)(C) B BTRY, 1/623 FA?

Yes

5. Do you know if SGT (b)(6), (b)(7)(C) was present during the IED attack?

I don't think he was.

6. What was SGT (b)(6), (b)(7)(C) relationship with the unit member who was killed on or about 18/19 Mar 05?

They didn't really know each other.

7. Have you heard SGT (b)(6), (b)(7)(C) discussing getting revenge for what occurred on 18/19 Mar 05? If so, what did he say?

No

8. Have you spoken to SGT (b)(6), (b)(7)(C) about what occurred on 20 Mar 05?

No

9. What did SGT (b)(6), (b)(7)(C) tell you about what happened on 20 Mar 05?

10. Did SGT (b)(6), (b)(7)(C) tell you that he killed any enemy after the attack on 20 Mar 05? If so, what did he say?

11. Has anyone, other than SGT (b)(6), (b)(7)(C) talked about SGT (b)(6), (b)(7)(C) shooting and killing an AIF member?

Not as far as I know

ACLU DDII ROI 33152

Case Number: 008-05-CID259-36247

Agent/Investigator: (b)(6), (b)(7)(C)

Date: 9 Apr 05

CANVASS INTERVIEW WORKSHEET

NAME/GRADE SPL (b)(6), (b)(7)(C)	SSN: (b)(6), (b)(7)(C)
UNIT/ADDRESS: B BTRY	DOB: (b)(6), (b)(7)(C)
HOME ADDRESS: (b)(6), (b)(7)(C)	POB: (b)(6), (b)(7)(C)
	WORK PHONE:
	HOME PHONE:

1. What do you know about the engagement with Anti Iraqi Forces (AIF) on 20 Mar 05?

I know they had a fire fight.

2. Are you aware of an IED attack that occurred on or about 18/19 Mar 05?

All I know is they were hit by an IED.

3. Was a member of your unit killed by that IED attack? If so, who?

Yes, SPC (b)(6), (b)(7)(C)

4. Do you know SGT (b)(6), (b)(7)(C) BTRY, 1/623 FA?

Yes

5. Do you know if SGT (b)(6), (b)(7)(C) was present during the IED attack?

No, I don't think he was.

6. What was SGT (b)(6), (b)(7)(C) relationship with the unit member who was killed on or about 18/19 Mar 05?

They talked

7. Have you heard SGT (b)(6), (b)(7)(C) discussing getting revenge for what occurred on 18/19 Mar 05? If so, what did he say?

No

8. Have you spoken to SGT (b)(6), (b)(7)(C) about what occurred on 20 Mar 05?

Pretty good fire fight. A few reached for weapons and they

9. What did SGT (b)(6), (b)(7)(C) tell you about what happened on 20 Mar 05? Shot them.

Stated they were a threat so they were shot.

10. Did SGT (b)(6), (b)(7)(C) tell you that he killed any enemy after the attack on 20 Mar 05? If so, what did he say?

They were sweeping the area and saw wounded insurgents reaching for weapons so they were shot.

11. Has anyone, other than SGT (b)(6), (b)(7)(C) talked about SGT (b)(6), (b)(7)(C) shooting and killing an AIF member?

SFC (b)(6), (b)(7)(C) talked about the incident and how they did their job and everyone came home.

ACLU DDII ROI 33153

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0083-05-CID259-36247

CID Regulation 195-1

PAGE 1 OF 7 PAGES

DETAILS

Witness Interview: About 0910, 9 Apr 05, SA (b)(6), (b)(7)(C), (b)(7)(F) this office, conducted an interview of SPC (b)(6), (b)(7)(C) B Battery (BTRY), 1/623rd Field Artillery Regiment (1/623 FA), 503rd Military Police (MP) Battalion (BN), Logistical Support Area (LSA), Anaconda, Iraq (IZ) APO AE 09391. SPC (b)(6), (b)(7)(C) related during the incident on 20 Mar 05, he was located in vehicle 33B. He was primarily used to evacuate casualties to the Loading Zone (LZ) for transport to receive further medical treatment. SPC (b)(6), (b)(7)(C) was asked if he had heard any statements made by SGT (b)(6), (b)(7)(C) in reference to shooting an Iraqi after the cease fire. He related the only time he heard SGT (b)(6), (b)(7)(C) say he shot an Iraqi, was the same afternoon after the unit had arrived at Scania, IZ. SPC (b)(6), (b)(7)(C) further related he does not recall the After Action Review (AAR) held by COL (b)(6), (b)(7)(C) NFI. He does not recall any statements from SGT (b)(6), (b)(7)(C) stating he wanted revenge on an Iraqi. SPC (b)(6), (b)(7)(C) related he was unaware of any relationship between SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) NFI. SPC (b)(6), (b)(7)(C) died a couple of days prior to the 20 Mar 05 incident from an Improvised Explosive Device (IED) attack. SPC (b)(6), (b)(7)(C) provided a sketch depicting the location of his vehicle during and after the cease-fire. (See sketch of SPC (b)(6), (b)(7)(C) for further details).

Interview of Subject: About 0927, 9 Apr 05, the undersigned advised SGT (b)(6), (b)(7)(C) of his legal rights which he waived. SGT (b)(6), (b)(7)(C) stated he did shoot a wounded AIF member on 20 Mar 05, after he perceived the man to be a threat. SGT (b)(6), (b)(7)(C) related he shot the AIF member twice, both times with his assigned M-9 pistol, once while he was across the canal from the man, and a second time to the head, after he crossed the canal. SGT (b)(6), (b)(7)(C) maintained he felt threatened by the AIF member, because the man continued to move after being given commands to keep his hands on his head and not to move. SGT (b)(6), (b)(7)(C) stated the man started to roll towards a weapon that was laying on the inner slope of the canal, and that is when he fired a round towards the man's leg. SGT (b)(6), (b)(7)(C) stated he then crossed the canal, but did so on the side of the AIF away from the weapon, coming up the right side of the man, who was now laying on his back. SGT (b)(6), (b)(7)(C) said when the man made a move, as if to roll towards the weapon again, he fired an aimed shot into the man's head. SGT (b)(6), (b)(7)(C) denied that he kicked or pushed the body over the lip of the canal, and said that the man may have slipped down. SGT (b)(6), (b)(7)(C) initially stated the AK-47 the man was near was about three to four feet from him, but then stated that if the man had rolled to his left, he would have been within 3 to 4 feet of the weapon. During interview, SGT (b)(6), (b)(7)(C) was asked several times if he had fired an M-4 Rifle at the man and he stated that he did not fire the M-4 at the wounded AIF, and had only shot his 9mm pistol. SGT (b)(6), (b)(7)(C) confirmed the M-4 Rifle he carried on 20 Mar 05 was borrowed from his driver, SGT (b)(6), (b)(7)(C). SGT (b)(6), (b)(7)(C) stated he is 6'3" tall and weighs about 235 pounds. He was asked how close he was to the wounded AIF member when he fired the shot to the head and he related about three to four feet. When asked if he could have reached the AIF member and used physical force to stop him from moving, SGT (b)(6), (b)(7)(C) agreed that he could have but that he felt threatened, so he shot the man. When asked why he did not clear the weapon from the area, after he shot the man in the leg and while crossing the canal, SGT (b)(6), (b)(7)(C) stated he did not think about doing that at the time. When asked how much time elapsed between his two shots, SGT (b)(6), (b)(7)(C) stated it was not a full minute and it was just long enough to cross the canal. SGT (b)(6), (b)(7)(C) was asked to demonstrate the position of the wounded AIF member at the time of the second shot. SGT (b)(6), (b)(7)(C) lay on his back and indicated he was to the right upper side of the man, at his head, and about 3 to 4 feet away, pointing his M-9 pistol. SGT (b)(6), (b)(7)(C) was asked

TYPE (b)(6), (b)(7)(C), (b)(7)(F) SEQUENCE NUMBER

SA (b)(6), (b)(7)(C)
48th MP Det (CID) (FWD)

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

11 APR 05

CID FORM 94-E

1 OCT 95

LAW ENFORCEMENT SENSITIVE
PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (Para 13, AR 340-16)
(When Data Is Entered)

EXHIBIT 12
ACLU DDII ROI 33154

000284

AGENT'S INVESTIGATION REPORT

ROI NUMBER

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to demonstrate how the man had moved, which caused him to feel threatened and SGT (b)(6), (b)(7)(C) moved his body in a side to side motion, stating it "looked like" the AIF member was going to roll on his left side and reach for the weapon with his right hand. SGT (b)(6), (b)(7)(C) was asked if the man had actually rolled and SGT (b)(6), (b)(7)(C) replied that "he looked like he was going to roll to his left". SGT (b)(6), (b)(7)(C) was asked how the wounded AIF had reached for a weapon, and he stated he could not now recall. SGT (b)(6), (b)(7)(C) was asked to demonstrate how the wounded AIF was reaching for the weapon, and with what hand and SGT (b)(6), (b)(7)(C) repeated that if the man had rolled, he could have retrieved the weapon, with the right hand. SGT (b)(6), (b)(7)(C) indicated the man's upper portion was at the top of the canal berm, with the legs partially down the slope, and he then stated that if the man had rolled, he would have been within 3 or 4 feet of the weapon. When asked how far the AIF member was to the weapon, in the position he was shot, SGT (b)(6), (b)(7)(C) said he was about 5 to 6 feet from the weapon. When asked about the wounds to the AIF member, prior to his own shots, SGT (b)(6), (b)(7)(C) stated he did not recall. During interview, SGT (b)(6), (b)(7)(C) was repeatedly asked to explain how he felt threatened by the wounded AIF, and he continually replied, "I felt threatened, sir". When asked if he felt the AIF member could have reached the weapon, he also replied, "I felt threatened". SGT (b)(6), (b)(7)(C) provided a sworn statement reiterating details provided verbally (See Statement for Details).

Agent's Note: While reading SGT (b)(6), (b)(7)(C) the Rights Warning Procedure/Waiver Certificate offense portion, "Attempted Murder", SGT (b)(6), (b)(7)(C) asked the question, "He is still alive?" SGT (b)(6), (b)(7)(C) was advised the wounded AIF member was still alive and the undersigned continued reading SGT (b)(6), (b)(7)(C) his rights. Additionally, portions of the interview where SGT (b)(6), (b)(7)(C) was asked to demonstrate how he had fired the second shot were witnessed by SA (b)(6), (b)(7)(C), (b)(7)(F) this office.

Witness Interviews: About 0930, 9 Apr 05, SA (b)(6), (b)(7)(C), (b)(7)(F) this office, interviewed SGT (b)(6), (b)(7)(C) BTRY, 1/623rd FA, 503rd MP BN, LSA Anaconda, IZ APO AE 09391, who stated he was the A team leader in the lead vehicle of the convoy. He stated his team moved between the ambush site and a forward point where a Casualty Collection Point (CCP) had been set up several times throughout the attack. SGT (b)(6), (b)(7)(C) related the last time he returned to the ambush site, the attack had ended and there were soldiers in the field and ditches. He stated that after returning to the battlefield, he never heard anymore gun fire. SGT (b)(6), (b)(7)(C) said he assisted a wounded Iraqi to a Medical Evacuation Helicopter (MEDEVAC) which had landed in the field. From there, he was called over by four soldiers he didn't know or recognize to assist them in removing a wounded Anti Iraqi Force (AIF) from the bottom of a ditch. SGT (b)(6), (b)(7)(C) stated he saw the AIF'S right arm appeared to have been hit with a .50 caliber round as it was "about to fall off". SGT (b)(6), (b)(7)(C) also saw a wound to the side or back of the AIF'S head and noticed something wrong with one of his eyes. SGT (b)(6), (b)(7)(C) said the AIF was in such bad shape, he didn't notice any other injuries or anything about the area where the AIF was found. He stated he helped the other soldiers assemble the litter and then lift the AIF out of the ditch. SGT (b)(6), (b)(7)(C) said once this was done, he stood by and noticed a soldier providing aid to the AIF, giving him water and calling the AIF "friend". SGT (b)(6), (b)(7)(C) said he then went and assisted others in collecting the AIF weapons out of the ditch and from the surrounding area. SGT (b)(6), (b)(7)(C) related from the time he returned to the ambush site until he was finished collecting weapons and returned to this vehicle, he never saw anyone from

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)
48th MP Det (CID) (FWD)

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

11 APR 05

CID FORM 94-E

1 OCT 95

LAW ENFORCEMENT SENSITIVE
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AUTOMATIC TERMINATION (FBI AR 340-16)
(When Data Is Entered)

EXHIBIT 22
ACLU DDII ROI 33155

000285

AGENT'S INVESTIGATION REPORT

ROI NUMBER

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DETAILS

his squad and never heard any other gun fire. SGT (b)(6), (b)(7)(C) stated he did hear SGT (b)(6), (b)(7)(C) at an After Action Review (AAR), say he had to shoot an AIF with his 9mm pistol in the leg. SGT (b)(6), (b)(7)(C) said this was the first time he had heard about this and he had never heard SGT (b)(6), (b)(7)(C) mention it before. SGT (b)(6), (b)(7)(C) provided no further information.

About 0955, 9 Apr 05, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) B BTRY, 1/623rd FA RGT, 3rd PLT, 3rd SQ, LSA Anaconda, IZ, 09391, who provided a sworn statement relating his knowledge of what occurred on 20 Mar 05, involving SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) was assisting in evacuating casualties to the LZ. He then returned to the ambush site where he was utilized for security. He pulled security for approximately two hours. After his unit cleared the scene of the attack, the unit proceeded to Scania, IZ and remained overnight. While at Scania, SPC (b)(6), (b)(7)(C) related he walked up to a group of the soldiers from his unit who were discussing the events of the gun fight. He stated he did not recall who all was present, but the statement was made that SGT (b)(6), (b)(7)(C) had shot one of the insurgents in the leg because he was reaching for a weapon. Approximately two days later, COL (b)(6), (b)(7)(C) conducted an AAR and asked "did anyone shoot (b)(6), (b)(7)(C)?" SGT (b)(6), (b)(7)(C) said that he did and COL (b)(6), (b)(7)(C) asked how close SGT (b)(6), (b)(7)(C) was, and SGT (b)(6), (b)(7)(C) replied, "six feet". COL (b)(6), (b)(7)(C) asked "where did you shoot them" and SGT (b)(6), (b)(7)(C) said in the leg. SGT (b)(6), (b)(7)(C) further stated several days later he heard rumors regarding a female gunner from the 617th MP (NFI) that SGT (b)(6), (b)(7)(C) had to shake back to reality". She was cussing, screaming and kicking a wounded insurgent. SPC (b)(6), (b)(7)(C) further related there was no relationship between SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) and he has not heard any statements that SGT (b)(6), (b)(7)(C) wants revenge on Iraqis. SPC (b)(6), (b)(7)(C) provided a sketch depicting his location at the incident (See Sworn Statement and Sketch of SPC (b)(6), (b)(7)(C)).

Agent's Note: In his statement, SPC (b)(6), (b)(7)(C) reported hearing a rumor that SGT (b)(6), (b)(7)(C) prior to clearing the canal, had to "shake" a hysterical female MP, who was screaming and kicking a wounded AIF member. SPC (b)(6), (b)(7)(C) was identified in SSG (b)(6), (b)(7)(C) statement, dated 3 Apr 05, as possibly talking to SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) was interviewed and reported she did not recall speaking to any 1/623 FA soldiers after the fight, and that she treated only US casualties. CPT (b)(6), (b)(7)(C) was contacted and confirmed SPC (b)(6), (b)(7)(C) was not in a position to mistreat any wounded AIF members. Additionally, during interview, SFC (b)(6), (b)(7)(C) 407-98-2656, B BTRY, 1/623 FA, 503rd MP BN, LSA Anaconda, Iraq (IZ), APO AE 09391, reported that SGT (b)(6), (b)(7)(C) had told him directly that he had to calm down a female MP who was treating wounded US casualties, and there was no mention of the female MP abusing a wounded AIF member.

Collection of Evidence: About 1000, 9 Apr 05, the undersigned seized an M-9 Pistol, serial number 1363582, from the person of SGT (b)(6), (b)(7)(C) as evidence. SGT (b)(6), (b)(7)(C) identified the M-9 Pistol as the one used to shoot the wounded AIF member on 20 Mar 05. During interview, SGT (b)(6), (b)(7)(C) explained he used the M-4 Rifle of his driver, SGT (b)(6), (b)(7)(C) during the fight on 20 Mar 05. At 1005, 9 Apr 05, the undersigned seized the M-4 Rifle, serial number W077786, from SGT (b)(6), (b)(7)(C) as evidence.

TYPE / OFFICER NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)
48th MP Det (CID) (FWD)

SIGNATURE

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

11 APR 05

CID FORM 94-E

1 OCT 95

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EXHIBIT

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33156

000286

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0083-05-CID259-36247

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DETAILS

Witness Interviews: About 1130, 9 Apr 05, SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) B BTRY, 1/623 FA, 503rd MP BN, LSA Anaconda, IZ, who provided a sworn statement relating he was the A team gunner in the lead vehicle of the convoy. He stated after his truck returned to the ambush site the final time, he stayed in the turret and provided security. He related most, if not all, of the gun fire had stopped. He remembered hearing some shots, turned around and saw US soldiers standing on top of the berm. SPC (b)(6), (b)(7)(C) stated he saw two or three soldiers but could not identify who they were. He did remember it looked like one of them was holding an AK-47. SPC (b)(6), (b)(7)(C) stated he continued to pull security for another 45 to 90 minutes during which he didn't see or talk with anyone else from his squad until SGT (b)(6), (b)(7)(C) returned. SPC (b)(6), (b)(7)(C) said he then got out of the turret and took a look around the area until his squad left the area. SPC (b)(6), (b)(7)(C) remembered hearing SGT (b)(6), (b)(7)(C) say during an AAR that he came upon an AIF with some kind of injury. SGT (b)(6), (b)(7)(C) said the AIF reached for a weapon and he had to shoot him in the leg. When the AIF reached for the weapon again, SGT (b)(6), (b)(7)(C) fatally wounded the AIF (See Sworn Statement of SPC (b)(6), (b)(7)(C)).

About 1140, 9 Apr 05, SA (b)(6), (b)(7)(C) conducted a witness interview of SPC (b)(6), (b)(7)(C) B BTRY, 1/623rd FA, LSA Anaconda, IZ APO AE 09391, wherein he related he was a driver during the incident on 20 Mar 05 and did not hear or see anything. He further stated he has only arrived to LSA Anaconda on 4 Mar 05 and does not know the other soldiers of his unit and does not have regular conversations with them. SPC (b)(6), (b)(7)(C) further related he and SGT (b)(6), (b)(7)(C) do not get along and he does not pay any attention to rumor or other talk that occur with the unit. SPC (b)(6), (b)(7)(C) provided no further information.

About 1150, 9 Apr 05, SA (b)(6), (b)(7)(C), (b)(7)(F) and SA (b)(6), (b)(7)(C), (b)(7)(F) this office, interviewed SGT (b)(6), (b)(7)(C) B BTRY, 1/623 FA, 503rd MP BN, LSA Anaconda, IZ APO AE 09391, who provided a sworn statement relating that on 20 Mar 05, he was the driver of SGT (b)(6), (b)(7)(C) vehicle and conducted fire support to the 617th MP Company during the engagement. Upon being notified that a vehicle was on fire, they came up along side the left side of the convoy on ASR Detroit and noticed that the vehicle on fire was a KBR truck. At that time, they noticed that the 617th MP Company members were engaged in a fire fight down a dirt road perpendicular to ASR Detroit which they drove down and then engaged the enemy. SGT (b)(6), (b)(7)(C) related he and SGT (b)(6), (b)(7)(C) dismounted and engaged for a few minutes and then assisted a female soldier who was treating SGT (b)(6), (b)(7)(C) FI. SGT (b)(6), (b)(7)(C) explained he assisted in the first aid until a Combat Life Saver (CLS) took control of SGT (b)(6), (b)(7)(C) wherein he was placed in the SGT (b)(6), (b)(7)(C) vehicle and evacuated to a Landing Zone (LZ) on ASR Detroit. SGT (b)(6), (b)(7)(C) related that when his vehicle was leaving from the area, one of the 617th soldiers wanted to ride with SGT (b)(6), (b)(7)(C) wherein SGT (b)(6), (b)(7)(C) took over as the mounted gunner and manned the MK-19 and 240-B. SGT (b)(6), (b)(7)(C) stated he was covering Field A and during the remainder of the engagement. SGT (b)(6), (b)(7)(C) related he then observed SGT (b)(6), (b)(7)(C) and a 617th soldier (suspected to be SSG (b)(6), (b)(7)(C)) move out to the adjacent trench to clear it. SGT (b)(6), (b)(7)(C) stated he lost site of SGT (b)(6), (b)(7)(C) due to where the vehicle was positioned and because he was still covering field A. SGT (b)(6), (b)(7)(C) related that upon SGT (b)(6), (b)(7)(C) return from the trench he and SGT (b)(6), (b)(7)(C) went down the trench again and conducted a security sweep. SGT (b)(6), (b)(7)(C) stated at no time did he or

TYPED AGENT'S NAME AND SEQUENCE NUMBER

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

48th MP Det (CID) (FWD)

SIGNATURE

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

11 APR 05

CID FORM 94-E

1 OCT 95

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EXHIBIT

ACLU DDII ROI 33157

AGENT'S INVESTIGATION REPORT	ROI NUMBER 0083-05-CID259-36247
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DETAIL (b)(6), (b)(7) SGT (b)(6), (b)(7)(C) engage an insurgent while clearing the trench. SGT (b)(6), (b)(7)(C) stated he provided security while SGT (b)(6), (b)(7)(C) searched and cuffed a wounded insurgent. SGT (b)(6), (b)(7)(C) stated he did not know SGT (b)(6), (b)(7)(C) had killed an insurgent until after they were preparing to regroup and continue with the convoy. (See statement and photo attachment for details)

About 1215, 9 Apr 05, SA (b)(6), (b)(7)(C), (b)(7)(F) this office, interviewed SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) B BTRY, 1/623 FA, 503rd MP BN, LSA Anaconda, Iraq (IZ), APO AE 09391. SFC (b)(6), (b)(7)(C) provided a sworn statement, relating that on 20 Mar 05, he was the Platoon Leader for Escort Security assigned to a 30 vehicle convoy traveling from LSA Anaconda to Scania, Iraq on MSR Detroit. SFC (b)(6), (b)(7)(C) described his and his unit actions during the engagement, and related that his Charlie Team, consisting of SGT (b)(6), (b)(7)(C) SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) assisted the "Raven Elements" (617th MP Company) sweep the area of all weapons and to help separate the wounded from the dead. According to SFC (b)(6), (b)(7)(C) after recovering the wounded his vehicle returned back to MSR Detroit and continued south. SFC (b)(6), (b)(7)(C) related after encountering another ambush, and delivering wounded, he returned to the original ambush site, where SGT (b)(6), (b)(7)(C) told him that while doing the sweep for weapons, he had to shoot one of the insurgents with his 9mm pistol. SFC (b)(6), (b)(7)(C) asked SGT (b)(6), (b)(7)(C) what happened. SGT (b)(6), (b)(7)(C) replied one of the wounded was reaching for a weapon and he yelled at him to stop, but he (AIF) did not stop trying to move toward the weapon, so he shot him in the leg, and that when the insurgent continued to move toward the weapon, SGT (b)(6), (b)(7)(C) told him he shot him in the head with his 9MM. (See sworn statement on SFC (b)(6), (b)(7)(C))

About 1333, 9 Apr 05, SA (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) interviewed SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) B BTRY, 1/623 FA, 503rd MP BN, LSA Anaconda, APO AE 09391, regarding the shooting of an AIF after an ambush on 20 Mar 05. SPC (b)(6), (b)(7)(C) provided a sworn statement relating on 20 Mar 05, after the fight ceased, he was at the edge of the road on ASR Detroit as a Gunner on the High Mobility Multi Purpose Wheeled Vehicle (HMMWV) 33C and from that position his field of firing was 11 and 2 o'clock. SPC (b)(6), (b)(7)(C) related he observed SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) when they went to search the field with some of the "Raven" element, and he noticed SGT (b)(6), (b)(7)(C) came back with a lot of weapons. SPC (b)(6), (b)(7)(C) stated after the search was completed, each element linked up back with their respective squads and drove to Scania, IZ without incident. SPC (b)(6), (b)(7)(C) stated during an After Action Review (AAR) two days later, COL (b)(6), (b)(7)(C) asked if anybody shot someone during the incident. SGT (b)(6), (b)(7)(C) confirmed he shot twice an Iraqi insurgent while he was trying to reach for his weapon. Further, SPC (b)(6), (b)(7)(C) stated SGT (b)(6), (b)(7)(C) did not have any special relationship with SPC (b)(6), (b)(7)(C) who was killed earlier, in an Improvised Explosive Device (IED) attack and he never heard SGT (b)(6), (b)(7)(C) say he wanted to take a revenge on Iraqis because of SPC (b)(6), (b)(7)(C) death (See Statement and Sketch of SPC (b)(6), (b)(7)(C))

Coordination with Commander: About 1340, 9 Apr 05, the undersigned met with and further briefed CPT (b)(6), (b)(7)(C) regarding this investigation.

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) 48 th MP Det (CID) (FWD)	SIGNATURE (b)(6), (b)(7)(C)	11 APR 05
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CID FORM 94-E

1 OCT 95

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EXHIBIT

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33158

000288

AGENT'S INVESTIGATION REPORT	ROI NUMBER 0083-05-CID259-36247
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DETAILS

Coordination with SJA: About 1415, 9 Apr 05, the undersigned met with and further briefed CPT (b)(6), (b)(7)(C) regarding this investigation. CPT (b)(6), (b)(7)(C) opined sufficient evidence exists to believe SGT (b)(6), (b)(7)(C) committed the offense of Attempted Murder when he shot the unarmed, and wounded (b)(6), (b)(7)(C).

Witness Interviews: About 1512, 11 Apr 05, the undersigned re-interviewed SGT (b)(6), (b)(7)(C). SGT (b)(6), (b)(7)(C) reiterated details of his sworn statement of 3 Apr 05, and added SPC (b)(6), (b)(7)(C) did walk up the canal during this incident. SGT (b)(6), (b)(7)(C) does not remember how close SPC (b)(6), (b)(7)(C) was to the 1/623 FA soldier, who shot the wounded AIF, but recalled that he, SPC (b)(6), (b)(7)(C) and the 1/623 FA soldier then cleared the rest of the canal together. (b)(6), (b)(7)(C) stated after he searched the wounded AIF, and began to walk away, the 1/623 FA soldier was standing almost over the top of the AIF (two feet or closer), pointing an M-4 down at the AIF. SGT (b)(6), (b)(7)(C) said he had walked about ten feet along the top of the canal when he heard a shot, turned, observed (b)(6), (b)(7)(C) still pointing the rifle and then watched (b)(6), (b)(7)(C) kick the AIF down off the edge of the canal. SGT (b)(6), (b)(7)(C) stated that when he searched the wounded AIF, there were no weapons within the reach of the man and repeated the nearest weapons were laying at the bottom of the canal. SGT (b)(6), (b)(7)(C) provided no further information.

About 1530, 11 Apr 05, the undersigned re-interviewed SPC (b)(6), (b)(7)(C). SPC (b)(6), (b)(7)(C) reiterated details of his sworn statement of 6 Apr 05. When asked if he could have missed a weapon, SPC (b)(6), (b)(7)(C) replied that when the 1/623 FA soldier shot the wounded AIF, that is what he initially thought had happened, and that he scanned the area and but observed no weapons within the reach of the wounded AIF. SPC (b)(6), (b)(7)(C) provided no further information.

About 1545, 11 Apr 05, the undersigned re-interviewed SSG (b)(6), (b)(7)(C) who reiterated details of his sworn statement of 3 Apr 05. SSG (b)(6), (b)(7)(C) stated he was positive of the details of the conversation he had with the 1/623 FA while approaching the wounded AIF, repeating that the soldier stated "It's payback time" and that the soldier asked him for permission to shoot the wounded AIF. SSG (b)(6), (b)(7)(C) related he was on scene with the soldier a short time, which he estimates at less than a minute, but that he saw no weapons within the reach of the wounded AIF, or he would have removed them. SSG (b)(6), (b)(7)(C) provided no further information.

About 1600, 11 Apr 05, the undersigned re-interviewed SGT (b)(6), (b)(7)(C). SGT (b)(6), (b)(7)(C) reiterated details of her sworn statement of 3 Apr 05, relating she heard a shot from the canal berm while she was clearing weapons in the field, and when she glanced up, she observed a 1/623 FA soldier pointing a pistol. SGT (b)(6), (b)(7)(C) related she knows that SGT (b)(6), (b)(7)(C) was near to the soldier when the shot was fired, but she did not clearly see the wounded AIF member. SGT (b)(6), (b)(7)(C) repeated that she continued on mission and about 2 to 3 minutes later, she heard another shot and again glanced in the direction the shot had come from, again seeing the 1/623 FA soldier pointing what she believes was a pistol. SGT (b)(6), (b)(7)(C) related she does not recall seeing SPC (b)(6), (b)(7)(C) in the area,

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) 48 th MP Det (CID) (FWD)	SIGNATURE (b)(6), (b)(7)(C)	11 APR 05
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CID FORM 94-E

1 OCT 95

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE
PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (FAR 12, AR 340-16)
(When Data Is Entered)

EXHIBIT 22
ACLU DDII ROI 33159

000289

AGENT'S INVESTIGATION REPORT	ROI NUMBER 0083-05-CID259-36247
CID Regulation 195-1	PAGE 7 OF 7 PAGES

DETAILS

and stated she was carrying several weapons at the time of the second shot and that she only glanced in the direction of the shot. She provided no further information.

//////////////////////////////////LAST ITEM//////////////////////////////////

TYPE (b)(6), (b)(7)(C), (b)(7)(F) SA [REDACTED] 48 th MP Det (CID) (FWD)	BER [REDACTED]	SIGNATURE (b)(6), (b)(7)(C) [REDACTED]	11 APR 05
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CID FORM 94-E

1 OCT 95

~~FOR OFFICIAL USE ONLY~~
LAW ENFORCEMENT SENSITIVE
 PROTECTIVE MARKING IS EXCLUDED FROM
 AUTOMATIC TERMINATION (Para 15, AR 340-16)
 (When Data Is Entered)

EXHIBIT 22

ACLU DDII ROI 33160

000290

→ North
Not to scale

--- Route To meadows and return

Title Block
CASE#: 0083-05-CID259-36247
OFFENSE: Attempted Murder
Scenes Arranged: Recitation of Vehicles after the Gun Fight
Location:

Time/date begin: 0900/9 Apr 05

Sketch by:

Verificati

ACLU-RDI 5916 ¹⁴¹p.141

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
ROUTINE USES: Identified.
DISCLOSURE: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and

1. LOCATION CAMP VICTORY, Baghdad, IZ	2. DATE (b)(6), (b)(7)(C) TIME (b)(6), (b)(7)(C) 4. FILE NO. 0083-05 9 APR 05 0727 CID259-36247
5. (b)(6), (b)(7)(C)	8. ORGANIZATION OR ADDRESS B BTRY, 1/623 FA REG 503RD MP BN, 18th MP BDE LSA ANACONDA APO AE 09391
6. (b)(6), (b)(7)(C)	7. GRADE/STATUS SGT

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
Comd (b)(6), (b)(7)(C) Special Agent and wanted to question me about the following offense(s) of which I am
 suspected Attempted Murder //

(b)(6), (b)(7)(C) 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)(7)(C) I do not have to answer any question or say anything.

Anything I say or do can be used as evidence against me in a criminal trial.

(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.

If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a 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 ever requested a lawyer after being read your RIGHTS? I have never been read my rights (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) 1a. NAME (Type or Print) b. ORGANIZATION OR ADDRESS AND PHONE	3. (b)(6), (b)(7)(C) 4. (b)(6), (b)(7)(C)
2a. NAME (Type or Print) b. ORGANIZATION OR ADDRESS AND PHONE	5. TYPED NAME OF INVESTIGATOR (b)(6), (b)(7)(C) SA 6. ORGANIZATION OF INVESTIGATOR 48th MP DET (CID) (FWB) Camp Victory, Baghdad, IZ APO AE 09342

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

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

DA FORM 3881 NOV 89

EDITION OF NOV 84 IS OBSOLETE

USAPPC V1.00

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

1. WARNING - Inform the suspect/accused of:
 - a. Your official position.
 - b. Nature of offense(s).
 - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must understand your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

- or -

(For civilians not subject to the UCMJ) You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?"

(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"

(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 30 days ago), obtain legal advice whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?"

(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (Continued)

Do you understand that you are under no obligation to repeat any statements, incriminating or not, that you may have made? *yes* (b)(6), (b)(7)(C)

ACLU DDII ROI 33163

SWORN STATEMENT

For use of this form, see AR 190-45 the prop (b)(6), (b)(7)(C)

LOCATION Camp Victory, Baghdad, IZ	DATE 9 APR 05 1253	FILE NUMBER 0083-05- CID259-36247
(b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS SGT
ORGANIZATION OR ADDRESS B BTRY, 1/623 FA REG, 503RD MP BN, 18th MP Bde, LSA ANACONDA		
(b)(6), (b)(7)(C)		

_____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 20 March 05 we were engaged by superior number of AIF. After the firefight myself and two soldiers from the 617th conducted a sweep of the canal. We found a wounded insurgent and one of the other soldiers searched the insurgent while I patted guard for him. The other soldier proceeded down the canal to further the sweep. After a quick search on the insurgent, the other soldier hollered and said he had another one. The soldier that was searching the first insurgent left to assist the soldier further down the canal. I stayed to watch the first insurgent. The insurgent would not stay still and rolled toward an AK-47. I shot him in the leg and proceeded to cross the canal to get to the other side. I got to the other side, he kept rolling and I shot him again. He rolled to the side of the canal and I went to help the other soldiers.

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

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

Questions BY SA _____ ANSWERS BY SGT _____

Q: Did you write the statement above?

A: Yes.

Q: Do you know the names of any of the 617th MP Co personnel present on the canal with you, after the firefight on 20 MAR 05?

A: NOT BY NAME.

Q: Do you recall their ranks?

A: I assumed one was a sergeant.

Q: Did you walk to the location, where you shot the AIF member, with one or two of the 617th members?

A: Two. A guy with a saw was in front, and the other was behind.

Q: Regarding the MP who searched the wounded AIF, which side of the canal was he on, yours or the AIF?

EXHIBIT	(b)(6), (b)(7)(C)	NG STATEMENT	PAGE 1 OF 5 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 SIDE OF ANOTHER COPY OF THIS FORM.

ACLU DDII ROI 33164

"STATEMENT OF
CONTINUED."

SGT

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

TAKEN AT

Camp Victory

DATED

9 APR 05

A: He started on my side, but crossed over to search him.

Q: Do you recall a third 617th member walking the canal, after the fight, and ahead of you?

A: NO.

Q: While walking the canal, and before arriving at the wounded AIF's location, did you have a conversation with the 617th members?

A: I wouldn't call it a conversation. It was remarks.

Q: Did you make the comment, "It's payback time"?

A: I said something like, you can never get paid back for our loss. I meant that we can never feel (b)(6), (b)(7)(C) better about losing a soldier, no matter how many enemy were killed.

Q: Did you ask the 617th members present if you could shoot the wounded AIF?

A: NO.

Q: Did you ask what to do with AIF members that were moving or alive?

A: Not that I recall.

Q: What did you shoot the wounded AIF member with?

A: My m-4.

Q: Is that the m-4 you released to me?

A: Yes.

Q: Did you have a rifle with you?

A: Yes, I had SGT. (b)(6), (b)(7)(C) m-4 which I had been using in the fight.

Q: Did you reload the m-4 during the fight?

A: Several times.

Q: How was the AIF member, that you shot, laying when you saw him?

A: I don't remember exactly how he was when we first came upon him. His head was pointed towards ASR Detroit, and his legs were partially down the bank.

Q: Could you tell what wounds he had, before you shot?

A: No, I don't know what they were.

Q: Did the AIF ever raise up?

A: He was moving like side to side, moving to his left

INITIALS OF PERSON MAKING STATEMENT

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

ACLU RDI ROI 33165
PAGE 2 OF 5 PAGES.

"STATEMENT OF
CONTINUED."

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

TAKEN AT

DATED 9 APR 05

Camp Victory, IZ

Side.

Q: How far was the AK-47 from the AIF when you shot?

A: About three or four feet. If he completed a roll, he would have been at the weapon.

Q: Was the weapon on top of the canal, or on the inner slope?

A: Inner slope, towards the top.

Q: Where were you when you fired the first time?

A: Standing on the trail, below the canal berm, opposite from the AIF.

Q: Where were the 617th members when you fired the first round?

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

A: They were passing me, down the canal.

Q: After the first shot, you crossed the canal?

A: Yes.

Q: How close did you stand to the AIF?

A: Three or four feet.

Q: Did you see your first shot hit the AIF?

A: I thought I shot his leg, the right leg.

Q: What did you shoot the second shot with?

A: 9mm.

Q: Where did you shoot the AIF the second time?

A: The head.

Q: Do you know where in the head?

A: I think the side of the forehead.

Q: Do you know which side of the head?

A: No. Not 100% sure.

Q: How long was it between shots?

A: Not a minute. Long enough to cross the canal.

Q: Were you giving any commands?

A: Yes. Keep your hands on your head. Quit moving.

Q: Did the AIF talk?

A: Not in English. I don't recall really.

Q: Did you fire any weapons at the AIF, other than the 9mm pistol?

A: No.

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

INITIALS OF PERSON MAKING STATEMENT

ACLU DDJ ROI 23166

PAGE 2 OF 3 PAGES

"STATEMENT OF (b)(6), (b)(7)(C)
CONTINUED."

TAKEN AT

CAMP VICTORY

DATED 9 APR 05

Q: Did you see anyone else fire after the firefight?

A: No.

Q: Did you have a conversation about SPC (b)(6), (b)(7)(C) with 617th members, before the fight?

A: I don't recall.

Q: Who was SPC (b)(6), (b)(7)(C)

A: A soldier in our unit that was killed.

Q: When did he die?

A: March 19, 2005.

Q: Were you close to SPC (b)(6), (b)(7)(C)

A: Just in passing. Our units were merged.

Q: We just asked a series of questions concerning the "rolling" potential of the wounded AIF, and did you just state that if the AIF had rolled, he would have been within 3 to 4 feet of the weapon?

A: Yes, arm's reach distance.

Q: Before you saw him move, how far was he from the weapon?

A: Five to six feet.

Q: Again, did you shoot the AIF with the M-4?

A: No.

Q: SGT (b)(6), (b)(7)(C) when you shot this man the second time, how far were you from him?

A: Three to four feet.

Q: Could you have used physical force to prevent him from getting the weapon?

A: Thinking about it now, I probably could have, but at the time, I felt I was justified in shooting.

Q: When you shot the first time, did you aim?

A: Not really. He moved and I fired.

Q: Did you aim the second shot?

A: Yes, I can't say steady shot.

Q: Did you aim at his head?

A: Yes. I didn't want him to reach a weapon.

Q: Have you talked about this to anyone?

A: I talked about it in the AAR. I made a statement.

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDJ ROI 23167

PAGE 4 OF 5 PAGES

STATEMENT (Continued)

I spoke to a chaplain.

Q: Did you tell anyone that you shot the wounded AIF for revenge?

A: No.

Q: Do you wish to add or delete anything from this statement?

A: I felt threatened when I shot.

Q: Do you have anything further to add?

A: No. // End of statement // (b)(6), (b)(7)(C)

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

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 5. 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)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of APRIL, 2005, at Camp Victory, Baghdad, IZ

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

(Signature of Person Administering Oath)

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

SA

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority To Administer Oaths)

ACLU DDII ROI 33168

PAGE 5 OF 9 PAGES

USAPPC V1.10

SWORN STATEMENT

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

LOCATION: 48th Military Police Detachment (CID)(FWD), Camp Victory, Baghdad, Iraq APO AE 09342

DATE

9 APR 05

FILE NUMBER

1083-05-C1079-36247

GRADE/STATUS

E4/NG

ORGANIZATION OR ADDRESS

B #1163 1/1023 rd Field Artillery Regiment Anaconda, IRAQ 09391

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I WAS TRAVELING south on Detriot escorting a convoy. We started recieving small arms fire and rpg's from the right side of the road. I was told to punch it, so i drove about 1 1/2 to 1 3/4 miles down the road. WE ASSESSED the damage to our vehicle. Turned Around and returned to where the fire fight was. My team leader stepped out of the truck on our return to scene. We spotted two soldiers working on a casualty, My team leader got back in the truck. WE proceeeded back south to where we were the first time to set up an LZ for the medevac. The first casualty was brought by SFC I was treating him, when the second casualty was brought by a medic from the 617 MP. The second casualty was the gunner of the vehicle. So the gun was not being manned. I jump in the medic's truck to man the 50cal. After all the casualties we EVACED returned to the AREA of the firefight. I stayed on the 50cal for approx. 2 hrs. Later that night we were a Scania. I walked upon a conversation and heard that SGT (b)(6), (b)(7)(C) (insurgents) in the leg because he was reaching for his weapon. Col (b)(6), (b)(7)(C) was (b)(6), (b)(7)(C) an AAR with my squad. Col (b)(6), (b)(7)(C) asked "did anyone shoot anyone," SGT (b)(6), (b)(7)(C) said YES I did. The Col asked (b)(6), (b)(7)(C)

EXHIBIT

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

B STATEMENT

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 SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

ACLU DDII ROI 33169

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

"STATEMENT OF SPC [REDACTED] TAKEN AT 48th Military [REDACTED] Detachment (CID) (FWD), Camp [REDACTED] ory, Baghdad, Iraq, APO AE 09342 DATED 9 April 2005, CONTINUED."

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

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

"How close were you?" SGT [REDACTED] said "6 feet". The Col [REDACTED] asked "where did you shoot them" SGT [REDACTED] said "in the leg". About 2 days later, rumors were flying about a female gunner from the 617 mp. SGT [REDACTED] said "I had to shake back to reality. She was cussing and screaming and kicking a wounded insurgent."

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

Q. SA [REDACTED]

A. SPC [REDACTED]

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

Q. WAS SGT [REDACTED] involved in the IED ATTACK that SPC [REDACTED] died in?

A. NO [REDACTED]

Q. What was SGT [REDACTED] relationship with SPC [REDACTED]

A. HE KNEW HIM AS A MEMBER OF OUR BATTERY. NOT VERY CLOSE.

Q. Did SGT [REDACTED] make any statements after SPC [REDACTED] died, regarding any type of revenge on Iraqi Nationals?

A. Not that I heard [REDACTED]

Q. Have you heard SGT [REDACTED] make any statements, before or after the incident on 20 Mar 05, that he wanted to take revenge, shoot, or otherwise hurt any Iraqi Nationals?

A. Not to my knowledge [REDACTED]

Q. Have you spoken to SGT [REDACTED] about the incident on 20 Mar 05?

A. Not direct [REDACTED]

Q. Did SGT [REDACTED] tell you directly he killed an Iraqi on 20 Mar 05?

A. No [REDACTED]

Q. The above question is in regards to after the cease-fire. Did SGT [REDACTED] make any further statements, or did any other soldiers make statements to the effect that SGT [REDACTED] told them he shot an Iraqi?

ACLU DDH ROI 33170

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 2 OF 4 PAGES.

"STATEMENT OF SPC (b)(6), (b)(7)(C) TAKEN AT 48th Military Police Detachment (CID) (FWD), Camp Victory, Baghdad, Iraq, APO AE 09342 DATED 9 April 2005, CONTINUED."

A. Not to my Knowledge. (b)(6), (b)(7)(C)

Q. The Above Narrative was written by you, correct? (b)(6), (b)(7)(C)

A. YES (b)(6), (b)(7)(C)

Q. You understand this is AN official Statement and if you have embellished any of your answers and they are untrue you may be charged with false official Statement? (b)(6), (b)(7)(C)

A. YES I understand (b)(6), (b)(7)(C)

Q. Do you have ANY thing further to add to this Statement? (b)(6), (b)(7)(C)

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

ACLU DDII ROI 33171

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

PAGE 3 OF 4 PAGES.

ACLU-RDI 5916 p.151

000301
EXHIBIT 25

STATEMENT (Continued)

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

AFFIDAVIT

(b)(6), (b)(7)(C) HAVE READ OR 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 9th day of April, 2005 at Camp Victory, Iraq APO

AE 09312

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

ORGANIZATION OR ADDRESS

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

SPECIAL AGENT

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDJ-ROI 33172

LEGEND

- A. First location of spe [REDACTED] vehicle
- B. Possible set [REDACTED] vehicle
- C. Unknown [REDACTED] 14MAYEE
- D. Unknown [REDACTED] 14MAYEE
- E. Unknown [REDACTED] 14MAYEE
- F. Insurgent vehicle (white)
- G. Insurgent vehicle (blue/grey)
- H. Last location of spe [REDACTED] vehicle
(Pulled security)

THE BACK

CASE #1: 0093-05-110259-36247

OFFENSE: Attempted Murder

Scene Portrayed: Location of spe [REDACTED]

Location:

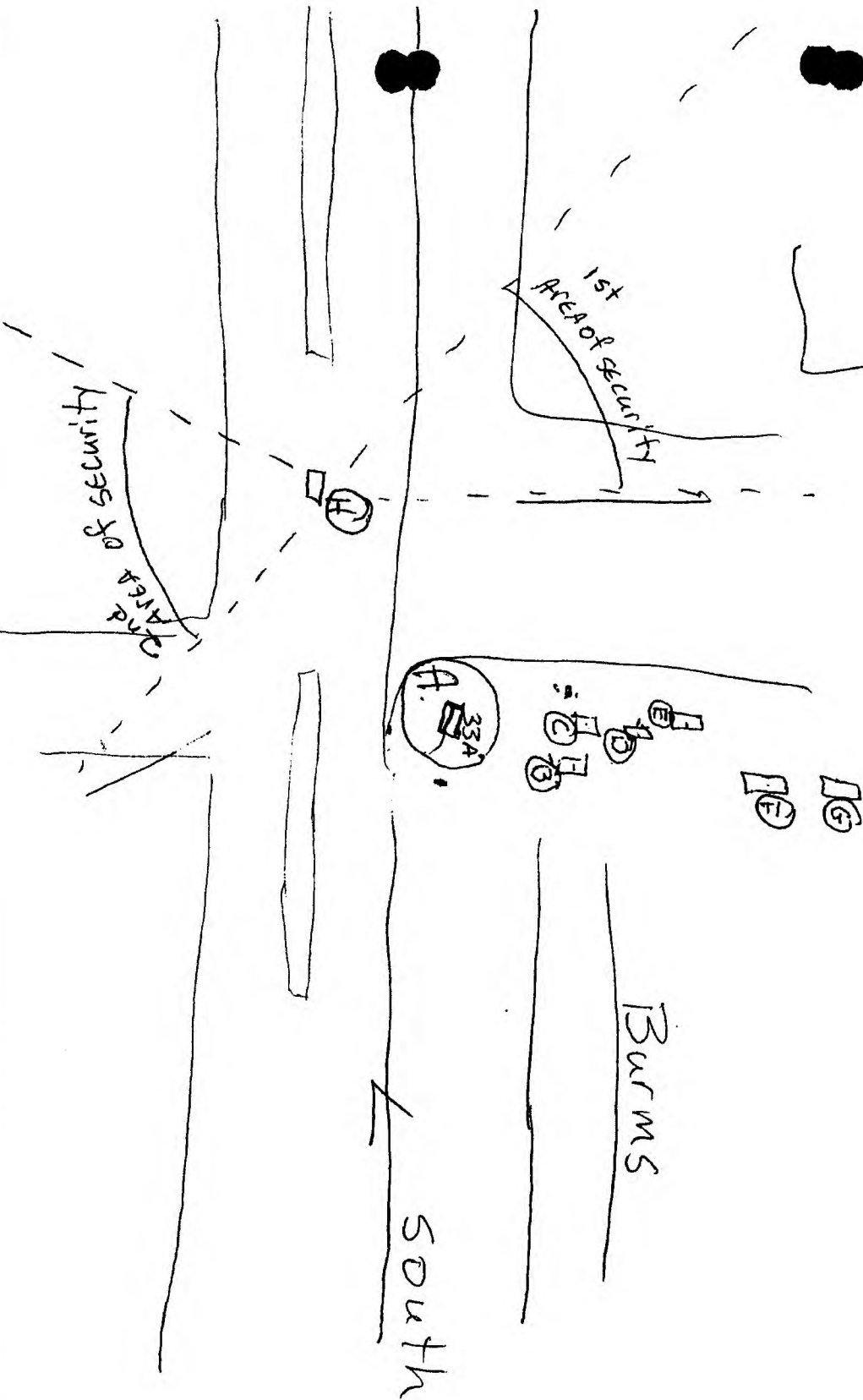
Time/date began: 0551940005

Sketched by:

Verified by:

[REDACTED]

North
→
NOT TO SCALE



ACLU DDII ROI 33173

EXHIBIT 200303

SWORN STATEMENT

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

LOCATION Bldg 84, Camp Victory, Iraq	DATE 2005 04 09	FILE NUMBER 0083-05- C10259-36247
(b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	RANK/STATUS E-4

ADDRESS/ORGANIZATION

B 11623rd EA

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

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

After getting back to the scene of the original firefight for the third time I waited in the turret for a while. I heard some shots and turned around and saw some (b)(6), (b)(7)(C) U.S. Soldiers standing on top of the berm. I continued to wait there after that (b)(6), (b)(7)(C) approx. 45 mins - 90 mins) when the whole group of guys came walking back from the trench line. I then dismounted from the turret and walked over across the berm to look at some of the bodies. I saw an AK-47 laying on the ground picked it up put it in the pile which had not been accounted for and moved out back to the turret to get the convoy back on the way rolling. At the AAR

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 SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

ACLU DDII ROI 33174

ACLU DDII ROI 33175

Victory, Iraq

I overheard [redacted] saying that he ran up on an insurgent with [redacted] some kind of injury. This person reached for a weapon and Sgt. [redacted] shot him in the leg. After this the insurgent reached again for the weapon and Sgt. [redacted] fatally wounded this person. As a character reference to Sgt. [redacted] I really do not believe he could commit such a dastardly deed as in killing someone in cold blood. I believe him to be a good, squared away soldier and an even better Christian.

Q: When you heard the shots and saw the soldiers, how many soldiers were there?
A: Two, possibly three, one on the near side and one on the far side.
Q: Did you see what weapons these soldiers had in their hands?
A: The person closest to me was holding an AK-47 [redacted]

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

0083-05-C1D759-36247

STATEMENT OF (b)(6), (b)(7)(C) EN A (b)(6), (b)(7)(C) up Victory, Iraq
DATED _____ CONTINUED."

Q: Had you ever heard SGT (b)(6), (b)(7)(C) or anyone else talk about getting "payback" or "revenge"?

A: No (b)(6), (b)(7)(C)

Q: Did you help remove any injured, wounded or dead?

A: No (b)(6), (b)(7)(C)

Q: Did you see SGT (b)(6), (b)(7)(C) during the fight?

A: I only saw him once, after, when he came back to his vehicle. (b)(6), (b)(7)(C)

Q: Do you have anything you would like to add to your statement?

A: No. (b)(6), (b)(7)(C)

/// _____ End of Statement _____ ///

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

INITIALS OF PERSON MAKING STATEMENT _____

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

PAGE 2 OF 4 PAGES
ACLU RDI R0133176

STATEMENT (Continued)

Not USED

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

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

AFFIDAVIT

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 9th day of Apr, 2005 at Camp Victory Iraq
 (b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

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

J.A.

(Typed Name of Person Administering Oath)

Article 136 (b)(4) UCMJ

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PER (b)(6), (b)(7)(C)

ACLU DDII ROI 33177

PAGE 1 OF 2 PAGES

SWORN STATEMENT

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

LOCATION Camp Victory, Baghdad, Iraq	DATE 9 Apr 05	FILE NUMBER 0083-05- C10254-36247
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	RANK/STATUS SGT/ KY NG
ADDRESS/ORGANIZATION B Battery 1/623 Field Artillery (assigned to 503 rd MP BN, 18 MP Brigade)		

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

On 20 Mar 05, I was the driver of vehicle #33-C, we were the rear vehicle security when the convoy was attacked. While providing security at the rear, we heard that one of our lead vehicles was on fire. Another element came up behind us and provided security while we subsequently moved up on the left side of the convoy to assist the burning vehicle. We then realized it was a KBR truck of some sort. When we arrived we saw elements of the 617th on the dirt road engaged in a battle with insurgents in field A and the adjacent trench. We then turned right on the road and provided extra security and once we stopped we dismounted and engaged in the battle. I got down from my driver position and took cover behind one of the 617th vehicles. A few minutes later, I assisted a female 617th soldier who was attending to an injured soldier, his name was SGT (b)(6), (b)(7)(C). We, SGT (b)(6), (b)(7)(C) the female, and I placed him in my vehicle and conducted first aid. Shortly thereafter, a soldier came and conducted a more thorough procedure; I guess he was the CLS. Once he was loaded into the vehicle, one of the 617th gunners wanted to go with that vehicle and I replaced him in the gunner position. They then drove in my vehicle further south on ASR Detroit to a medi-evac LZ. I then took position as the gunner and manned the MK-19 and 240-B on top of the 617th vehicle.

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

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

Q: Once you took position as the gunner in the 617th vehicle, where was SGT (b)(6), (b)(7)(C)

A: He and a 617th soldier, possibly a team leader as he was directing what was going on, moved out into the trench and began clearing it.

Q: Could you see SGT (b)(6), (b)(7)(C) and the 617th soldier once they moved into the trench?

A: I lost site of them due to the tree line and the position of where the vehicle was parked in relation to the trench. The vehicle was slightly forward of the trench. In order to see all the way down the trench, I would had to of turned the turret and then I would have lost site of field A (from the photo you showed me) which was (b)(6), (b)(7)(C) at that time. Even if I would have turned the turret, I would have still been unable to see SGT (b)(6), (b)(7)(C) as my field of vision was still blocked by the tree line. The insurgents that fled, ran back further into field A.

Q: While your were providing security from the gunner position, did you hear any stray shots from in the trench or near the trench that SGT (b)(6), (b)(7)(C) and the 617th soldier went down to clear?

A: At that time, nothing out of the ordinary as there was sporadic gun fire in the area, there was also further explosions coming from the truck that was on fire, and there were helicopters in the area. At that time, it was still a pretty noisy environment. I was told by the elements who where traveling back and forth to the medi-evac LZ on ASR Detroit that they receiving small arms fire in that area.

Q: Did you see SGT (b)(6), (b)(7)(C) engage an enemy combatant after he walked down the trench?

A: Negative, as I said earlier, the only time I got site of SGT (b)(6), (b)(7)(C) when he and the 617th soldier came back and he asked me to assist in clearing the trench and securing the weapons. At that time, the area was pretty much secured with other security elements to include helicopter gun ships.

Q: What did you and SGT (b)(6), (b)(7)(C) do when you went down and cleared the trench?

A: We walked approximately 25 yards further down where the last insurgent was located and conducted a sweep of the area. We then returned and saw that none of the insurgents were a threat as they were either wounded or dead. At that time, the wounded insurgents were not a threat and the weapons were far enough away that they could not have reacted before we could have.

EXHIBIT	(b)(6), (b)(7)(C) SON MAKING STATEMENT	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 SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

ACLU DDII ROI 33178

I then provided security for SGT (b)(6), (b)(7)(C) while he searched and cuffed the last insurgent who was still alive. And since the 617th was all around that area they conducted all the medi-evac for all the insurgents.

Q: Did you engage any insurgents when you and SGT (b)(6), (b)(7)(C) conducted your sweep of the trench?

A: No, the last rounds I fired was before I got onto the gun platform of the 617th vehicle.

Q: While sweeping the trench with SGT (b)(6), (b)(7)(C) did he discuss getting revenge on an insurgent for losing a member of your unit a few days earlier?

A: The only thing we discussed was the adrenaline rush that you get from a situation like this. We never imagined as Field Artillery soldiers we would be on foot in this type of scenario.

Q: Since the incident, has SGT (b)(6), (b)(7)(C) discussed that he got revenge on an insurgent for losing a member of your unit a few days prior to this incident?

A: There was no talk about revenge or anything like that between him and me. We did talk to a chaplain about the situation on an individual basis, basically about what we saw and personal beliefs about God. I do not know who the Chaplain was.

Q: When did you find out that SGT (b)(6), (b)(7)(C) killed an insurgent or when did he tell you he killed an insurgent?

A: Sometime during the time frame of regrouping on ASR Detroit, after the incident, SGT (b)(6), (b)(7)(C) told me that he had to kill an insurgent because he was reaching for a weapon. He just basically said that he had to use his secondary weapon (sidearm), he said he didn't have a good shot and possibly shot him in the knee and then the head. I didn't ask any questions about the situation but just listened to him. To me, I didn't feel the need to ask any questions about the situation.

Q: Was he bragging about the situation or was he telling you in a way to release the emotion?

A: He was talking very serious, and I believe he told me as a member of his team. He was a team player, and even declined when the team leaders were going to stay in same tents, he wanted to bunk with his team. He was an advocate of keeping a tight bond between his team.

Q: You mentioned prior to dismounting your vehicle and engaging the enemy, you switched weapons with SGT (b)(6), (b)(7)(C). Can you explain that situation?

A: While taking fire from the rear while on ASR Detroit, SGT (b)(6), (b)(7)(C) attempted to engage from the passenger side of the vehicle, however, he was assigned an M-16 with a 203 grenade launcher attached. This was very cumbersome in the vehicle and so he and I switched weapons as I have an M-4 rifle. As everyone knows this is a little smaller and easier to control in tight spaces. SGT (b)(6), (b)(7)(C) utilized my weapon throughout the duration of the battle.

Q: Has there been any discussion among the unit regarding SGT (b)(6), (b)(7)(C) killing an insurgent?

A: There hasn't been any discussion about that incident. Mainly we discuss the entire battle so how to mentally and physically prepare these types of attacks. SGT (b)(6), (b)(7)(C) hasn't bragged or is discussing this incident.

Knowing the type person SGT (b)(6), (b)(7)(C) is, he is not proud that he had to kill someone. He is trying to stay strong for his team.

Q: The 617th soldier you mention in your statement, do you know his name?

A: No.

Q: Where did the 617th soldier go after SGT (b)(6), (b)(7)(C) came up to you and asked for assistance in clearing the trench?

A: The 617th soldier linked with members of his squad in the general area. He and his squad went on the side of the trench nearest field A and cleared that side and the field. SGT (b)(6), (b)(7)(C) and I cleared the trench on the opposite side of the 617th squad.

Q: Did you see the insurgent who SGT (b)(6), (b)(7)(C) stated he killed?

A: No, he didn't point out anybody who he shot. The only insurgents I saw wounded were in the trench and one sustained chest wounds, and the only wound I saw on the one we detained was on the hip area and waistline.

Q: Is there anything you wish to add to this statement?

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

STATEMENT (Continued)

NOT USED

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

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Statement)

WITNESSES:

(b)(6), (b)(7)(C)
SA
48TH MP DET (CID)
Baghdad, Iraq

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 9TH day of April, 2005
at 48TH MP DET (CID), Baghdad, Iraq, APO AE 09342

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

(Typed Name of Person Administering Oath)

SA

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

Article 136 (b)(4) UCMJ/ 5 USC 303

INITIALS OF PERSON MAKING STATEMENT

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

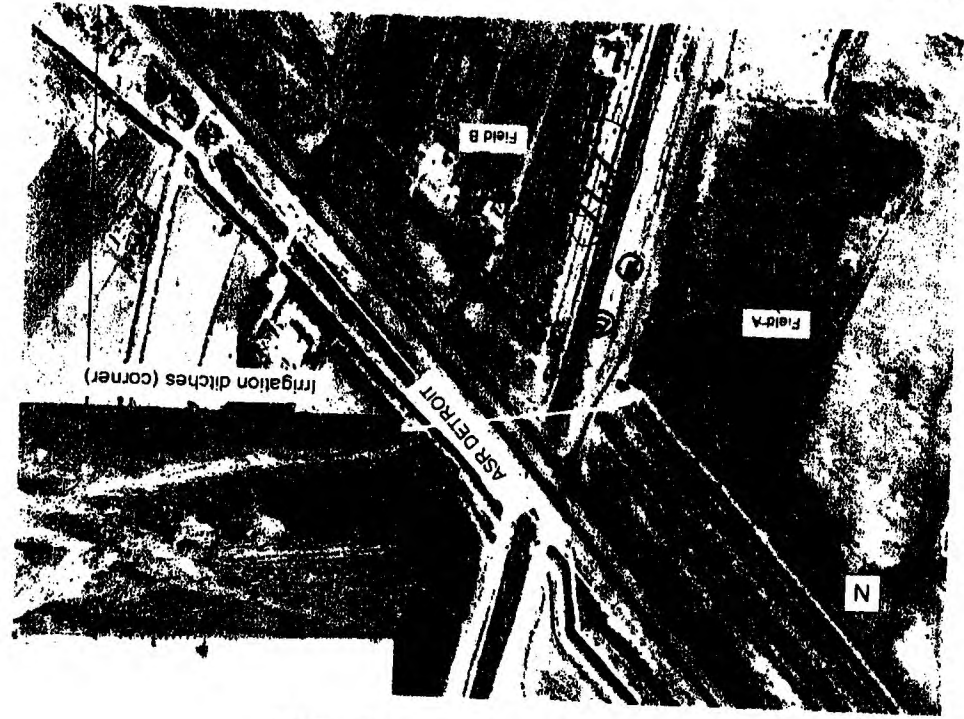
PAGE 3 OF 3 PAGES

ACLU DDJ RDI 33180

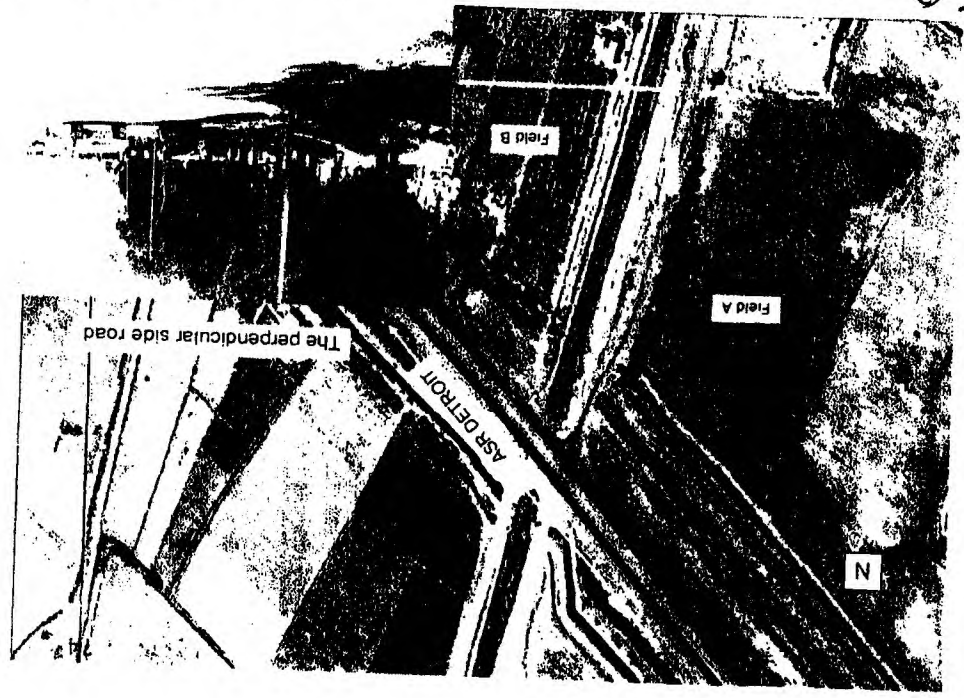
ACLU DDII RO133181

000311

Geographical/Terrain features on the Ambush site



Slide 2



SLIDE #2
(A) - UGK SGT (b)(6), (b)(7)(C) MOUNTED AS THE GUNNER
(B) - SGT (b)(6), (b)(7)(C) ASSIGNED UGK.

EXHIBIT 29

07 APR 2005

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

WITNESSED
SA
SA

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

SWORN STATEMENT

 File Number : 0083-05-CID259-36247
 Location : 48th MP Det (CID) (FWD), Camp Victory, Baghdad, IZ
 Date : 9 APR 05 (b)(6), (b)(7)(C)
 Time : 1215 (b)(6), (b)(7)(C)
 Statement of : SFC (b)(6), (b)(7)(C)
 Grade/Status : SFC
 SSN : (b)(6), (b)(7)(C)
 Org/Address : B BATTERY 1/623 FIELD ARTILLERY, 503rd MP BN, 18th MP BDE

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 On march 20TH 2005 around 12:30 pm my squad was escorting a convoy from lsa.anaconda to scania we were providing convoy security on the eastern route we were around the salman pac area east of Baghdad. My convoy came under heavy fire with rpg.s, ak47, rpks and grenades once the front and middle of my convoy got hit by rpg.s the road was blocked and the (tcn) drivers got out of their vec.s and the convoy was stopped. We were taking heavy fire from the right side of road could have been 40-50 insurgents we were returning fire and I had contacted hand cuff for air support and other ground support in that area my a-team was in front of the convoy I was behind the 15TH vec. In the convoy in the b_team vec. And my c-team vec was 15 vecs behind me also taking fire and returning fire we made contact with the a-team vec. And they said they were fine during this time.ther was a raven unit that was on patrol in that area that came to help.there was a road that was up toward the front of the convoy that turned to the right that went in between two fields the raven unit turned on that road and started to engage the enemy in a flanking move.my team and c-team moved on up to that position also still under heavy fire and returning fire. Once we pulled down that same road we continued to engage the enemy and noticed that the raven unit had a wia we cont to engage and we placed the wia in my hummv and I told the c-team to stay and help the raven unit while we set up a lz.i took the wia and told the a- team to follow me we turned right and headed back down south while we turned right back on the asr we started taking heavy gun fire from a field up above the field that

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C) **ACLU DDII ROI 33182** PAGE 1 OF 6

~~FOR OFFICIAL USE ONLY~~
~~Law Enforcement Sensitive~~

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

TAKEN AT: 48th MP Det (CID) DATED: 9 Apr 05

we had just left the fire was coming from the right side of the road we cont to move down south taking heavy fire once the bullets stopped hitting the hummv we went about another 1/2 mile to set up lz. we took wia out of my hummv and I told a-team to set up lz. and call in a 9 line medivac. And my team returned to the fire fight on the way back we started taking heavy gunfire from the upper field and we returned fire I contacted hand cuff and told him we were taking heavy fire from that area also. arrived back with the raven unit and my c-team. we were still taking fire and returning fire there was another wia from the raven element and we loaded him and did buddy aid and also the raven element had another wia that they loaded in the c-team vec. we left there going back to the ccp/lz. sgt (b)(6), (b)(7)(C) stayed with the raven element and sgt (b)(6), (b)(7)(C) had got on one of the raven elements crew serve weapon we took the wia to the lz. Still taking fire from the upper field and we were returning fire enroute to the lz. We dropped off the second wia and returned back to the first contact area we did not take any fire from the upper field that time. there was another convoy that was passing us going north bound while we were going south bound when we were being ambushed. On the way back down I noticed that they had 2 disabled vec.s and we noticed that one of the soldiers were injured we stopped and he had a couple of abdominal wounds we applied direct pressure on wounds and we took him to the lz. we were on three flats at that time we got back to the first ambushed site and I was asking sgt burke how everything was going and he told me that the commander for the raven unit was there and they were completing another sweep to make sure they got all the weapons and to separate the wounded from the dead. I told sgt (b)(6), (b)(7)(C) to con't to help the cpt. with the raven unit while we had to hook a tow bar up and change three tires on my hummv and two on the a-team sgt. (b)(6), (b)(7)(C) and sgt (b)(6), (b)(7)(C) had been gathering weapons from the enemy. and sgt. (b)(6), (b)(7)(C) told me that while they were doing a sweep to check for the wounded and to gather the weapons from the wounded and dead while

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 6

ACLU DDII ROI 33183

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EXHIBIT: 000313

30

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

TAKEN AT: 48^h MP Det (CID) DATED: 9 APR 05

(b)(6), (b)(7)(C) was gathering the weapons he told me that he had to use his m9 on one of the enemy I asked him what happen and he told me that one of the wounded was reaching for a weapon and that he yelled at him to stop and he did not stop trying to move toward the weapon and he told me he had fired a shot into his leg and that the enemy con't to move toward the weapon and at that time he had to shot him in the head. I told him that was fine you had to do what you had to do you tried to get him to stop moving toward the weapon and he didn't even after you shot him in the leg I told him not to worry about it that he did the right thing I just told him to make sure that he wrote it up in his sworn statement we con't to get hummvs ready and was getting help from another convoy that was behind us there was a dragon 47 element that was behind us and they were going to the same place and that was scania. So we con't on with the mission we also transported 2 of the dead tcn drivers to scania and we did first aid on some of the other drivers. the raven unit's cpt. Said that his unit would take care of recovery operation for my convoy vec.s that had been destroyed we did a short aar with the chaplain at scania and this was also brought up. we had also meet with the combat stress team at the same time. we had to spend the night at scania and did not make it back to anaconda until the evening of 21 march 2005. the evening of the 21ST our bn.co and the bde co.came to our company area and did an aar of the ambush and fire fight also during the aar the bn.and bde.co asked what all happen and we told them what happen and they had our statements and they ask about the weapons that we used and it was brought up about our mrk-19 had broke and had to use the saw and it was brought up that all the weapons were used they wanted to know how and why the m9 was used. and sgt. (b)(6), (b)(7)(C) told them the same that he told me.

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

Answers-SFC (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

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

ACLU DDII ROI 33184

PAGE 3 OF 6

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EXHIBIT: 30
000314

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

TAKEN AT: 48^h MP Det (CID) DATED: 9 APR 05

Q-Did you type this statement?

A-Yes.

Q-Who was in your B Team Vehicle? Driver-SPC (b)(6), (b)(7)(C) Gunner-SPC (b)(6), (b)(7)(C) TC-SFC (b)(6), (b)(7)(C)

Q-Who was in your C Team Vehicle? Driver-SGT (b)(6), (b)(7)(C) Gunner-SPC (b)(6), (b)(7)(C) TC-SGT (b)(6), (b)(7)(C)

Q-When SGT (b)(6), (b)(7)(C) made the statement at the ambush site that he had to use his 9mm assigned weapon to shoot an Insurgent in the leg and in the head; did that seem odd?

A-No, because there were so many Insurgent dead bodies, I didn't think of it as odd.

Q-Who assigned the C-team to assist the Raven Element?

A-I did.

Q-How did you communicate that order?

A-Verbally.

Q-Did SGT (b)(6), (b)(7)(C) C-TEAM member, make any statements to you when you gave him that order?

A-No, just okay.

Q-After all of the AAR's and debriefings have you heard SGT (b)(6), (b)(7)(C) comment about the shooting incident involving his 9mm?

A-No, I haven't heard him mention anything, in fact most of the guys haven't really talked about it. The only thing we have talked about was the newspaper writings didn't mention our unit, like we didn't exist.

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

A-While in Scania, awaiting to do the AAR about the fire fight, SPC (b)(6), (b)(7)(C) told me that SGT (b)(6), (b)(7)(C) had to calm a female soldier down, by grabbing her by the shoulders, she was acting hysterical like screaming orders while taking care of the wounded.

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C) PAGE 4 OF 6
ACLU DDII ROI 33185

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EXHIBIT: 30
000313

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

TAKEN AT: 48^h MP Det (CID) DATED: 9 Apr 05

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

A-About SGT (b)(6), (b)(7)(C) statement that he made to me at the ambush site, I didn't put it in my sworn statement because I told everyone to write their statements on just what they did during the ambush. I didn't think nothing of it, I just figured it was something that had to be done about SGT (b)(6), (b)(7)(C) having to shoot the insurgent reaching for a weapon.

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

A-No, sir.

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

/// 1ST ITEM 211

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

ACLU DDII ROI 33186

PAGE 5 OF 6

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EXHIBIT: 30
000316

STATEMENT OF:

TAKEN AT: 48th MP Det (CID) DATED:

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 6. 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)

Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 9th day of April, 2005, at 48th MP Det (CID) (FWD), Camp Victory, Baghdad, IZ

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

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

Special Agent

48th MP Det (CID) (FWD)

Camp Victory, Baghdad, IZ

(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4) UCMJ (Military)
OR; 5 USC 303 (Civilian)

(Authority to Administer Oath)

WITNESSES:

ORGANIZATION OR ADDRESS

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

INITIALS OF PERSON MAKING STATEMENT

ACLU DDII ROI 33187

PAGE 6 OF 6

FOR OFFICIAL USE ONLY
Law Enforcement Sensitive

EXHIBIT:
000317

SWORN STATEMENT

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

LOCATION: 48 th Military Police Detachment (CID)(FWD), Camp Victory, Baghdad, Iraq APO AE 09342	DATE 4 APR 05 1333	FILE NUMBER 0083-05-0029-3624
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	GRADE/STATUS E-4 / SP6	(b)(6), (b)(7)(C)
ORGANIZATION OR ADDRESS C - BATTERY 1-623 RD FA, KENTUCKY NATIONAL GUARD, MONTICELLO, KY		

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

(b)(6), (b)(7)(C) After the fire fight was over I was back down back on the side road where the ~~big~~ fire fight commenced. I was at the edge of the road beside Detroit. I had a firing position from my 11 to my 2 o'clock. (b)(6), (b)(7)(C) went and searched the field with the Raven element. After they were done everyone came walking from the field. I noticed (b)(6), (b)(7)(C) carrying a lot of weapons that were found. (b)(6), (b)(7)(C) followed along behind. People said shots were fired, but I hadn't paid any attention. After the search was done we linked back up to our squad, put our convoy back together and after traffic cleared we continued onto Scania. We made it to Scania with nothing else happening. At Scania, first we went and ate chow. We talked a little about the fire fight but only that we had bullets come right at us and we were never hit. We took one of our vehicles to a maintenance shack to be fixed (3-3A). We spent the night and the next day we were escorted back to LSA Anawanda. Two days later we met with Col. (b)(6), (b)(7)(C) & the Bn & Bgd CSN. Asked us about the fire fight. Col. (b)(6), (b)(7)(C) asked about the fire fight. We told him what happened. He asked did anyone have to shoot someone when clearing the field. (b)(6), (b)(7)(C) said "yes". (b)(6), (b)(7)(C) explained that the Iraqi grabbed for his weapon twice. (b)(6), (b)(7)(C) said he shot the Iraqi once each time.

EXHIBIT	INITIALS (b)(6), (b)(7)(C)	KING STATEMENT	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 SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDED DA FORM 2823, 1 JAN 68, WHICH WILL BE USED

ACLU RDI ROI 33188

(b)(6), (b)(7)(C) Nothing was said really of where he was shot the second time I don't think, but
the first time was to the leg. (b)(6), (b)(7)(C) never really had a relationship with
SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) was from a different btry back home so he didn't know him
much at all. We all just keep mentioning we were lucky we never got
hurt. (b)(6), (b)(7)(C)

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

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

Q: DID SGT (b)(6), (b)(7)(C) SAID WHAT KIND WEAPON HE USED TO
SHOOT THE IRAQI? (b)(6), (b)(7)(C)

A: He said he used a GMM because he already had it out because
of close range. (b)(6), (b)(7)(C)

Q: Have you heard any statements since then about SGT
(b)(6), (b)(7)(C) shooting the Iraqi? (b)(6), (b)(7)(C)

A: No (b)(6), (b)(7)(C)

Q: Have you heard SGT (b)(6), (b)(7)(C) said he wanted to take
revenge on the Iraqi? (b)(7)(C)

A: No (b)(6), (b)(7)(C)

Q: Did you write the above statement? (b)(6), (b)(7)(C)

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

Q: Do you have anything to add to this statement? (b)(6), (b)(7)(C)

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

ACLU DDII ROI 33189

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

PAGE 2 OF 3 PAGES.

STATEMENT (Continued)

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

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 9 day of APR, 2005 at Camp V (b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

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

SPECIAL AGENT

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority to Administer Oaths)

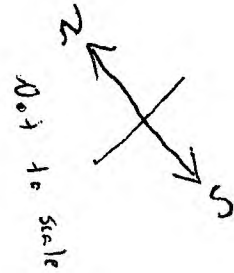
ORGANIZATION OR ADDRESS

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

ACLU DDJ RDI 33190

PAGE 2 OF 2 PAGES

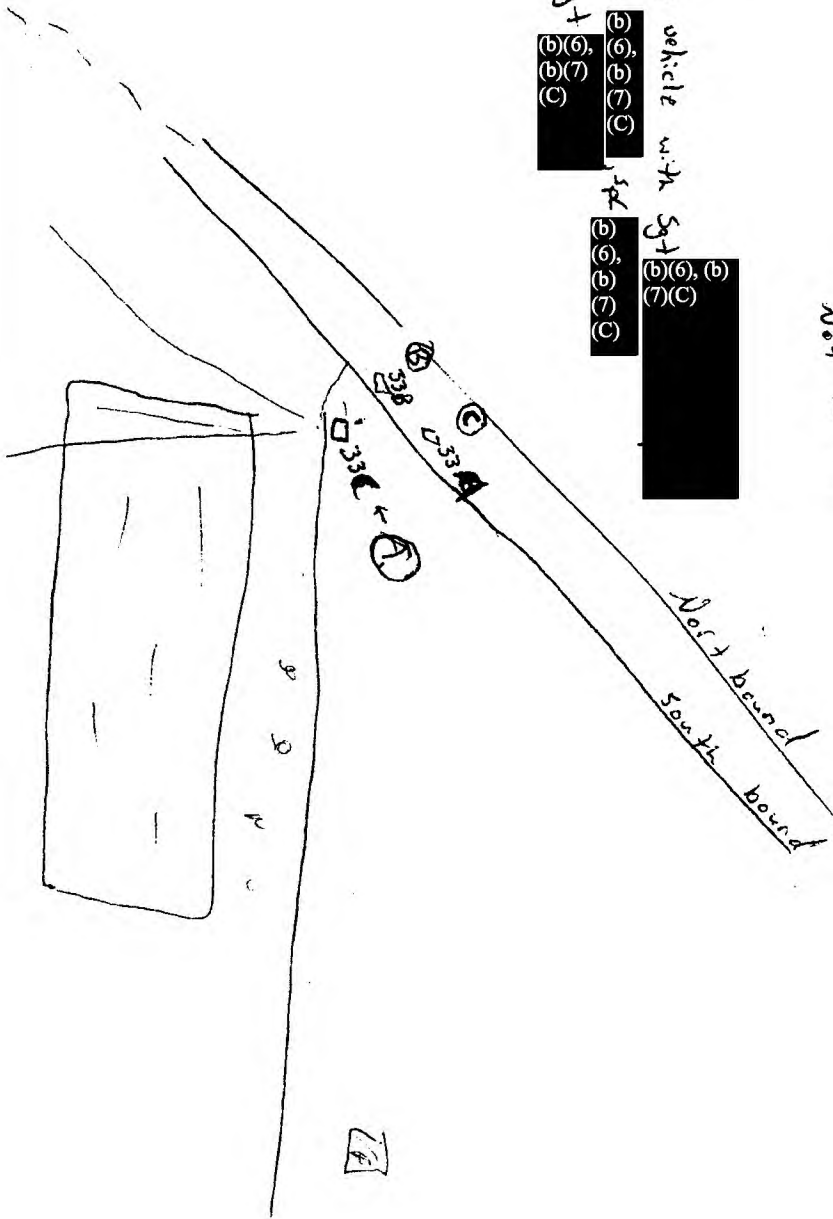
A = My vehicle with Sgt (b)(6), (b)(7)(C)
B = Sgt (b)(6), (b)(7)(C)
C = Sgt (b)(6), (b)(7)(C)



SKETCH DEPICTING SPC
AFTER THE FIGHT CEASED.

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

LOCATION



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

9 April 2005

SA

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

ACLU DDII ROI 33191

EXHIBIT 32
000321

FORENSIC LABORATORY EXAMINATION REQUEST

TO: LABORATORY-DIRECTOR ISACIL 553 N 2 nd Street Forest Park, GA 30297-5122	FROM: Commander 48 th MP DET (CID)(FWD) 11 th MP BN (CID)(FWD) APO AE 09342 RETURN EVIDENCE TO: Commander 11 th MP BN (CID)(FWD) ATTN: Evid Custodian APO AE 09342	1. EXAM PRIORITY _____ ROUTINE _____ <input checked="" type="checkbox"/> EXPEDITE (Mark Box) <input type="checkbox"/> Trial/Article 32/39A (*) <input checked="" type="checkbox"/> High-level command interest <input type="checkbox"/> SUBJ in pre-trial confinement <input type="checkbox"/> SUBJ PCS/sep/reenlist (*) <input type="checkbox"/> Case agent moving (*) <input type="checkbox"/> VICTIM moving (*) <input type="checkbox"/> Other (Specify in Block 9) (*) Date _____	LAB USE ONLY LAB CASE # _____ METHOD OF RECEIPT _____ RECEIVED BY/DATE: _____
---	--	--	---

2. SUBMITTING AGENCY CASE NUMBER 0083-05-CID259-36247	3. TYPE OF OFFENSE: Attempted Murder
4. PREVIOUS EVIDENCE SUBMITTED: DATE: _____ MAIL METHOD: _____ LAB CASE # _____ SUSPECT(S): _____	
5. SUSPECT(S): LAST, FIRST, MIDDLE (b)(6), (b)(7)(C)	6. VICTIM(S): LAST, FIRST, MIDDLE (b)(6), (b)(7)(C)

7. BRIEF DESCRIPTION (SYNOPSIS) OF CASE FACTS THAT MIGHT ASSIST THE LABORATORY IN EXAMINING OR EVALUATING THE EVIDENCE, OR ADDITIONAL DOCUMENTATION ATTACHED (e.g., SUMMARY OF INVESTIGATION, CRIME SCENE SKETCHES/PHOTOGRAPHS, STATEMENTS, ETC.)

On 20 Mar 05, while guarding a wounded, unarmed insurgent after an ambush, SGT (b)(6), (b)(7)(C) attempted to kill the prisoner by shooting him in the leg and head. Witnesses reported SGT (b)(6), (b)(7)(C) shot the victim with an M-4 Rifle. Exhibit 1 was collected at the crime scene. Exhibit 2 was collected as evidence after witnesses confirmed it was the rifle used by SGT (b)(6), (b)(7)(C) on 20 Mar 05. Exhibit 3 was seized from SGT (b)(6), (b)(7)(C).

8. EVIDENCE SUBMITTED	
EXHIBIT	DESCRIPTION OF EXHIBIT(S)
1. 2. 3.	Shell casing, 5.56mm (Item 1, EV 339-05) Rifle, M-4, Serial Number W077786 (Item 1, EV <u>351-05</u>) Pistol, M-9, Serial Number 1363582 (Item 1, EV <u>350-05</u>)

ACLU DDII ROI 33192

8. EVIDENCE SUBMITTED (Continued)

EXHIBIT

DESCRIPTION OF EXHIBIT(S)

0083 05 010259-36247

9. EXAMINATIONS REQUESTED (Furnish any information or instructions that might assist the laboratory in examining the evidence.)

FIREARMS DIV: Please examine Exhibits 2 and 3 and perform functionality checks. Please Examine Exhibit 1 for markings and if possible, determine if Exhibit 1 was fired from Exhibit 2. Conduct any other tests deemed appropriate.

10. INVESTIGATOR (TYPED OR PRINTED) AND ALTERNATE POC (Mandatory)

SA
SA

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

TELEPHONE # (Primary/Alternate):

DSN (Primary/Alternate): 318-822-2837/2835

FAX #:

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

E-MAIL: @iraq.centcom.mil

11. I CERTIFY THE EVIDENCE HAS NOT BEEN SUBMITTED TO ANOTHER LABORATORY FOR THE SAME EXAMINATION.

DATE

10 APR 05

REQUESTER (TYPED/PRINTED) SA

SIGNATURE

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

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

TELEPHONE #:

DSN: 318-822-2837/2835

FAX#:

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

E-MAIL: @iraq.centcom.mil

EXHIBIT 33

ACLU DDII ROI 33193

LAB USE ONLY

LAB CASE#

000323

AGENT'S INVESTIGATION REPORT

0083-05-CID259-36247

0087-05-CID919

CID Regulation 195-1

PAGE 1 OF 1 PAGE

About 1600, 22 Apr 05, SA (b)(6), (b)(7)(C) this office, coordinated with SSG (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) Supply, B Battery (B Btry), 1st Battalion, 623rd Field Artillery Regiment (1/623
FAR), LSA Anaconda, Balad, Iraq, APO AE 09391 (LSAA), who provided a copy of the hand receipt
pertaining to SGT (b)(6), (b)(7)(C) B Btry, 1/623rd FAR, LSAA, M-4, serial
number W077786. //Last Entry////////

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

37th MP DET (CID) (FWD)
LSA Anaconda, Balad, Iraq
APO AE 09391

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

Date:
22 Apr 05

Exhibit: 34

ACLU DDII ROI 33194

CID FORM 94

USE ONLY
Low Information Sensitive

000324

[illegible]

*** WHEN USED AS A:**

HAND RECEIPT, enter Hand Receipt Annex Number

HAND RECEIPT FOR QUARTERS FURNITURE, enter Condition Codes

HAND RECEIPT ANNEX/COMPONENTS RECEIPT, enter Accounting Requirements Code (ARC).

DA FORM 2062, JAN 82

EDITION OF JAN 58 IS OBSOLETE

PAGE _____ **OF** _____ **PAGES**

USAPPC V2.10

ACLU DDII ROI 33195

AGENT'S INVESTIGATION REPORT	ROI NUMBER 0083-05-CID259-36247
CID Regulation 195-1	PAGE 1 OF 1 PAGES

DETAILS

Additional Investigative Activity: On 14 Apr 05, this office received Agent Investigative Reports (AIR) from the 37th MP DET (CID), LSA Anaconda, APO AE 09391, documenting their investigative activity in this investigation, to include the collection of Medical Treatment Records pertaining to all Iraqi Detainees brought to the Air Force Theater Hospital, LSA Anaconda, on 20 Mar 05. The treatment records pertaining to (b)(6), (b)(7)(C) were determined to be relevant to Mr. (b)(6), (b)(7)(C) and are included with the final report and the other records are maintained in the case file, this office. Additionally, Agents collected a hand receipt for the weapons of SGT (b)(6), (b)(7)(C) however, it was determined that this occurred after 9 Apr 05, when SGT (b)(6), (b)(7)(C) had been issued a replacement weapon, after this office seized his M4 Rifle as evidence. A hand receipt, depicting the issue of this M4 Rifle to SGT (b)(6), (b)(7)(C) was later collected and is attached to the final report.

On 17 Apr 05, this office was notified by the 3D Infantry Division, Camp Liberty, IZ APO AE 09342, that no Unmanned Aerial Vehicle surveillance footage was on file for this incident.

On 26 Apr 05, this office received an AIR from the 48th MP DET (CID), Baghdad Central Confinement Facility (BCCF), Abu Ghraib, IZ, documenting their investigative efforts which included the collection of Medical Treatment Records and the interview of Mr. (b)(6), (b)(7)(C)

On 5 May 05, this office received an AIR from the 37th MP DET (CID), LSA Anaconda, APO AE 09391, documenting the collection of the hand receipt pertaining to the M4 issued to SGT (b)(6), (b)(7)(C)

Results of Crime Lab Examination: On 10 May 05, this office received a report from the US Army Criminal Investigation Laboratory (USACIL)-Firearms Division, 4553 N 2nd Street, Forest Park, GA 30297-5122, dated 20 Apr 05. The report indicates that a forensic ballistic comparison confirmed that the casing found at the crime scene was fired from the M4 of SGT (b)(6), (b)(7)(C) which was used by SGT (b)(6), (b)(7)(C) on 20 Mar 05 (See USACIL Report for Details).

SJA Coordination: On 10 May 05, the undersigned met with CPT (b)(6), (b)(7)(C) Trial Counsel, 18th MP BDE, Camp Victory, IZ APO AE 09342. CPT (b)(6), (b)(7)(C) opined that the investigation established sufficient evidence to believe SGT (b)(6), (b)(7)(C) committed the offense of Attempted Murder.

Commander Coordination: On 13 May 05, the undersigned briefed LTC (b)(6), (b)(7)(C) Commander, 503rd MP BN, Camp Liberty, IZ APO AE 09342 on the results of this investigation.

On 13 May 05, the undersigned briefed COL (b)(6), (b)(7)(C) Commander, 18th MP BDE, Camp Victory, APO AE 09342 on the results of this investigation.

/////////////////////////////////LAST ITEM/////////////////////////////////

TYP (b)(6), (b)(7)(C), (b)(7)(F) SA 48 th MP Det (CID) (FWD) CID FORM 94-E 1 OCT 95	(b)(6), (b)(7)(C) FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE PROTECTIVE MARKING IS EXCLUDED FROM AUTOMATIC TERMINATION (Para 15, AR 340-16) (When Data Is Entered)	13 May 05 EXHIBIT 36 ACLU DDII ROI 33196 000326
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~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4553 N 2ND STREET
FOREST PARK, GA 30297-5122

CILA-EP

20 April 2005

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 48TH MILITARY POLICE
DETACHMENT, (CID)(FWD), 11TH MILITARY POLICE BATTALION, (CID)
(FWD), APO AE 09342

SUBJECT: Forensic Division Report(s)
USACIL Case Number 2005-CID131-0745
Submitter Case Number 0083-05-CID259-36247

1. Enclosed is the Final Laboratory Exhibit List and the Final Division Report for the Firearms Division.
2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the forensic examiner(s) assigned to the case. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. One original report is enclosed and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.
3. All items received in the laboratory for examination are returned to the submitting agency upon completion of laboratory testing.
4. IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.
5. Point of contact is the Evidence Processing Division, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-7112, or Email: usacil@usacil.army.mil.

Encl

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

Deputy Records Custodian

AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

ACLU DDII ROI 33197

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

1 of 2

000327

EXHIBIT 37

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

CILA-EP

SUBJECT: Forensic Division Report(s)
USACIL Case Number 2005-CID131-0745
Submitter Case Number 0083-05-CID259-36247

RETURN REPORT AND EVIDENCE TO: COMMANDER, 11TH MILITARY POLICE
BATTALION (CID), ATTN: EVIDENCE CUSTODIAN, APO AE 09342

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

ACLU DDJ ROI 33198

2 of 2



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

DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4553 N 2ND STREET
FOREST PARK, GA 30297-5122

CILA-FA

20 April 2005

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, 48TH MILITARY POLICE
DETACHMENT, (CID) (FWD), 11TH MILITARY POLICE BATTALION, (CID)
(FWD), APO AE 09342

SUBJECT: Firearms Division - Final Report
USACIL Case Number 2005-CID131-0745
Submitter Case Number 0083-05-CID259-36247

EXHIBITS:

- 1 - Cartridge case 5.56mm (Item 1, Doc 339-05).
- 2 - Rifle SN: W077786 (Item 1, Doc 351-05).
- 3 - Pistol SN: 1363582 (Item 1, Doc 350-05).

FINDINGS:

- 1. Exhibit 2 (rifle) is a mechanically functional firearm with the incorporated safety features working properly. It has a trigger pull force of approximately 8 pounds in the semi-automatic mode of fire and approximately 11 pounds in the burst mode of fire.
- 2. Exhibit 3 (pistol) is a mechanically functional firearm with the incorporated safety features working properly. It has a trigger pull force of approximately 5 pounds single action and approximately 10 pounds double action.
- 3. Using laboratory ammunition and magazine, Exhibit 2 was test fired. The recovered test cartridge cases were microscopically compared to Exhibit 1 (cartridge case). Exhibit 1 was identified as having been fired in Exhibit 2.



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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


1 of 2
ACLU DDII ROI 33199

CILA-FA

SUBJECT: Firearms Division - Final Report
USACIL Case Number 2005-CID131-0745
Submitter Case Number 0083-05-CID259-36247

4. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Division, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-7112, or Email: usacil@usacil.army.mil.

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



Forensic Firearms Examiner

ACLU DDII ROI 33200

EXHIBIT 38

ACLU DDII ROI 33201

000331

Other Media In case file

ACLU DDII ROI 33202

000332



DEPARTMENT OF THE ARMY
503D Military Police Battalion (Airborne)
Camp Liberty, Iraq 09342

AFZA-AP-BN

27 March 2005

MEMORANDUM FOR RECORD

SUBJECT: Historical summary on 20MAR05 Ambush on ASR Detroit.

1. The following is a historical summary of the events that occurred on 20MAR05, in the vicinity of Salman Pak, along ASR Detroit at grid MB 73586 62500. Information cited in this memorandum was collected through interviews with the Raven 42 and Stallion 33 soldiers, along with CO/BN spot reports, evidence from the scene, and through questioning of the detained AIF.

a. I have divided the ambush into three phases: PHASE I details the ambush from the beginning of the fight to the point when SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) are wounded. PHASE II details the Stallion elements arriving to assist the Raven squad, extracting the wounded Raven soldiers, and establishing an LZ. PHASE III concludes the ambush when additional Raven elements arrive on scene to do the final sweep of the area.

2. On 20 March 2005, 3/3/B1-623 FA BTY (call sign Stallion 33) was conducting a convoy security mission consisting of (30) third country national (TCN) vehicles from LSA Anaconda, south to CSC Scania along ASR Detroit. The Stallion 33 security squad consisted of (3) M1114's. Stallion 33A (S33A) included; SGT (b)(6), (b)(7)(C) TC), SPC (b)(6), (b)(7)(C) (driver), and SPC (b)(6), (b)(7)(C) gunner), with a MK-19. Stallion 33B (S33B) included; SFC (b)(6), (b)(7)(C) SL), SPC (b)(6), (b)(7)(C) driver), and SPC (b)(6), (b)(7)(C) gunner), with a M2. Stallion 33C (S33C) included; SGT (b)(6), (b)(7)(C) TC), SGT (b)(6), (b)(7)(C) driver), and SPC (b)(6), (b)(7)(C) gunner), with a M2. Order of march was S33A, S33B, and S33C. S33A was the lead vehicle in the convoy, S33B was the sixteenth vehicle, and S33C was the trail vehicle in the convoy (see enclosure A, slide 1).

a. Trailing 200-300 meters behind the Stallion 33's escort mission was a MSR patrol from 2/4/617th MP CO (call sign Raven 42). The Raven element consisted of (3) M1114's. Raven 42A (R42A) included SGT (b)(6), (b)(7)(C) TC), SPC (b)(6), (b)(7)(C) driver), SPC (b)(6), (b)(7)(C) gunner) with a M2 and SPC (b)(6), (b)(7)(C) medic). Raven 42B (R42B) included SGT (b)(6), (b)(7)(C) TC), SPC (b)(6), (b)(7)(C) driver), and SPC (b)(6), (b)(7)(C) gunner) with a MK-19 and M240B. Raven 42C included SSG (b)(6), (b)(7)(C) SL), SGT (b)(6), (b)(7)(C) driver), and SPC (b)(6), (b)(7)(C) gunner) with a M2. Order of march was R42C, R42B, and R42A (see enclosure A, slide 1).

ACLU DDII ROI 33203

000333

AFZA-AP-BCO

SUBJECT: Historical summary on 20MAR05 Ambush on ASR Detroit.

3. **PHASE I.** At approximately 1140hrs (local), 40-50 anti-Iraqi forces (AIF) fired small arms and RPGs at the lead vehicles of Stallion 33's southbound convoy from a field southwest of their location (see enclosure A, slide 9), immediately disabling a semi tractor trailer in the front portion of the convoy. Moments later a northbound US convoy from the 1075th Trans CO was hit with small arms and RPG fire from a field southwest of their location (see enclosure A, slide 9) immediately disabling a US vehicle (UNK type). S33A sped through the kill zone taking heavy small arms/RPG fire from fields A and B (see enclosure A, slide 9). S33C and S33B were located in the middle and rear portions of the convoy at a halt taking heavy AIF fire from the southwest side of the road, while S33B called for air support on the Sheriff frequency.

a. The R42 element moved from the rear of the convoy passing both S33C and S33B in the shoulder of the south bound lane, headed for the AIF location. The R42 element maneuvered between the convoy and AIF (according to SOP), receiving heavy fire from field A and returning suppressive fire with their M2s and MK-19. SSG (b)(6), (b)(7)(C) ordered his squad to make a right hand turn on a back road that runs perpendicular to the ASR (see enclosure A, slide 9). Once his lead vehicle (R42C) made this turn, R42C was hit with a RPG, temporarily knocking the gunner (SPC (b)(6), (b)(7)(C)) unconscious. R42C continued to drive down this back road until all the Raven elements had made the same turn. R42C stopped at the end of the tree line that ran perpendicular to the ASR (see enclosure A, slide 9) and adjacent to a two story local national (LN) building (see enclosure A, slide 5). R42B stopped 10-15 meters behind R42C and R42A stopped at the end of an irrigation ditch that ran parallel to the ASR (see enclosure A, slide 9), approximately 100-150 meters away from R42B.

b. Once the Raven elements had flanked the AIF on the back road. The TCs and drivers of R42C and R42B (SSG (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C), SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)) dismounted and took up firing positions along a berm in front of the tree line (see enclosure A, slide 3). The TC, driver, and medic of R42A (SGT (b)(6), (b)(7)(C), SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)) dismounted and moved to what they believed to be the non-contact side of their truck and fired into the irrigation ditches that ran parallel to the ASR (see enclosure A, slide 2 and 9). SPC (b)(6), (b)(7)(C) quickly fired all his 9mm rounds and grabbed SPC (b)(6), (b)(7)(C) M-4 while SPC (b)(6), (b)(7)(C) fired SPC (b)(6), (b)(7)(C) SAW. Shortly after they dismounted SPC (b)(6), (b)(7)(C) was hit with a shot to his arm. SPC (b)(6), (b)(7)(C) pulled SPC (b)(6), (b)(7)(C) to a covered position halfway under his vehicle and continued to fire his M-4 on AIF. Moments later SGT (b)(6), (b)(7)(C) was shot in the lower back. SPC (b)(6), (b)(7)(C) realized then that they were taking fire from the rear because both SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) were behind the cover of their vehicle when they were shot. SPC (b)(6), (b)(7)(C) pulled SGT (b)(6), (b)(7)(C) to a covered position under his vehicle and began lay suppressive fire to his rear with an M-4. As SPC (b)(6), (b)(7)(C) was firing to his rear, SPC (b)(6), (b)(7)(C) was hit. As SPC (b)(6), (b)(7)(C) bandaged his own wounds, SPC (b)(6), (b)(7)(C) grabbed the

ACLU DDII ROI 33204

000334

AFZA-AP-BCO

SUBJECT: Historical summary on 20MAR05 Ambush on ASR Detroit.

SAW and provided suppressive fire into the irrigation ditch that ran parallel to the ASR. Once SPC (b)(6), (b)(7)(C) was able to re-man his weapon, SPC (b)(6), (b)(7)(C) contacted another Raven element for assistance, all while his gunner (SPC (b)(6), (b)(7)(C)) was laying suppressive .50 cal fire into the irrigation ditch with a wounded hand of his own.

c. The gunners of R42C and R42B focused their fire on the orchard farm and on the tree line until they realized small arms fire was coming from a building and berm behind them (see enclosure A, slide 9). SSG (b)(6), (b)(7)(C) eliminated (1) AIF on the berm with a hand grenade, and the gunners of R42C and R42B momentarily suppressed the building with MK-19 rounds and (1) AT-4 round (fired by SPC (b)(6), (b)(7)(C)). The gunners re-focused their fire on field A, to include shooting all (7) AIF vehicles that were parked on this same road (see enclosure A, slide 3). SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) jumped into the irrigation ditch that ran perpendicular to the ASR to clear it of AIF while SGT (b)(6), (b)(7)(C) provided over watch from the tree line. SPC (b)(6), (b)(7)(C) received word from SPC (b)(6), (b)(7)(C) on the handheld radio that they had wounded and needed assistance. SPC (b)(6), (b)(7)(C) then drove R42B back to R42A's position, with R42B's gunner (SPC (b)(6), (b)(7)(C)) providing over watch and suppressive fire on field A. Realizing that there was wounded and seeing SPC (b)(6), (b)(7)(C) drive R42B to R42A, SPC (b)(6), (b)(7)(C) climbed down from his turret and drove R42C closer to the other Raven trucks, in order to provide better covering fire.

4. **PHASE II.** During the Raven engagement; the Stallion 33B and 33C elements moved toward the Ravens' position (at the intersection of ASR Detroit and the perpendicular side road) to assist while still taking heavy fire. S33A returned back into the kill zone, providing suppressive MK-19 fire on field B. S33C arrived to the Raven site first. When they arrived on the scene they noticed some wounded Raven soldiers under intense fire. S33C positioned their vehicle to better cover the wounded. The TC and driver of S33C (SGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C)) dismounted to provide medical assistance and covering fire. Once S33C arrived on scene, they again received small arms fire from the building to their rear (see enclosure A, slide 5). SPC (b)(6), (b)(7)(C) suppressed the fire by firing (1) AT-4 round into the building eliminating the threat. Shortly after this, S33B arrived on scene providing suppressive .50 cal fire into the irrigation ditch that ran parallel to the ASR (see enclosure A, slide 10). The driver and TC of S33B (SFC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)) dismounted and assisted in loading SPC (b)(6), (b)(7)(C) into their vehicle (S33B) for extraction. As S33B began to evacuate SPC (b)(6), (b)(7)(C) S33A arrived on scene. SFC (b)(6), (b)(7)(C) ordered S33A (SGT (b)(6), (b)(7)(C)) to call a MEDEVAC and set up an LZ. Both S33A and S33B received heavy fire from both field A and B while en route to the potential LZ (see enclosure A, slide 10). S33B provided suppressive fire onto field A while S33A returned fire on field B with MK-19 and SAW rounds.

a. After S33B left the Raven site an UNK US vehicle (possibly 1075th gun truck) arrived and provided suppressive fire into the irrigation ditch that ran parallel to the ASR (see enclosure A, slide 10). An UNK US soldier (thin, African-American male, with a green

ACLU DDII ROI 33205

000335

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IBA) assisted SPC (b)(6), (b)(7)(C) in providing first aid to SGT (b)(6), (b)(7)(C). Shortly after this, SPC (b)(6), (b)(7)(C) noticed SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) moving in the irrigation ditch and getting closer to R42A's position. SPC (b)(6), (b)(7)(C) informed SPC (b)(6), (b)(7)(C) who then called a "cease fire". SSG (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) moved to their position to assess the situation. SPC (b)(6), (b)(7)(C) told SSG (b)(6), (b)(7)(C) that he and SPC (b)(6), (b)(7)(C) were going to take the wounded to the LZ. The UNK US soldier and SPC (b)(6), (b)(7)(C) loaded SGT (b)(6), (b)(7)(C) into S33C (with SPC (b)(6), (b)(7)(C) still in the turret) and drove to the LZ (the UNK soldier drove while SPC (b)(6), (b)(7)(C) provided first aid to SGT (b)(6), (b)(7)(C)). SPC (b)(6), (b)(7)(C) drove R42A with the injured SPC (b)(6), (b)(7)(C) in the turret, to the Stallion LZ. SSG (b)(6), (b)(7)(C) ordered all remaining Raven soldiers to clear the field for AIF, while he and SGT (b)(6), (b)(7)(C) S33C) cleared the irrigation ditch that ran parallel to the ASR. SGT (b)(6), (b)(7)(C) S33C) provided over watch from the turret of R42B.

b. S33A secured an LZ 600-1000 meters south along the ASR (see enclosure A, slide 11). S33A (SGT (b)(6), (b)(7)(C)) radioed for a MEDEVAC at approximately 1202hrs and prepared for the casualties. S33B was first to arrive at the LZ with a casualty (SPC (b)(6), (b)(7)(C)). SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) helped unload SPC (b)(6), (b)(7)(C) and began to provide first aid. Once SPC (b)(6), (b)(7)(C) was unloaded, S33B returned to the Raven site (the intersection of the ASR and the side road). Shortly after S33B left, S33C and R42A arrived. SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) were unloaded and given first aid by SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C). SPC (b)(6), (b)(7)(C) jumped into the turret of R42A to provide security. At approximately 1216 the first MEDEVAC helicopter arrived. SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) were loaded on to this aircraft.

c. As S33B was driving back north along the ASR en route to the remaining Raven squad, they received heavy fire from field B. Once S33B returned to the Raven site (the intersection of the ASR and the side road) most of the firing had died down. S33B loaded another UNK USWIA (possibly 1075th) into their vehicle that had shrapnel wounds to the abdomen and moved him to the LZ. S33B arrived just as the first MEDEVAC was leaving. SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) treated the UNK US WIA and S33B returned back to the Raven site. While returning to the Raven site, S33B was flagged down by some 1075th Trans CO soldiers who requested S33B's help in extracting one of their US WIA. S33B brought the UNK US WIA to the LZ, where he was treated and MEDEVAC'd with the rest of the US WIAs. (5) US WIAs were MEDEVAC'd from the S33A LZ. Once all the casualties had left, S33B, S33C, and R42A drove back to the Raven site in a wedge formation. Once they arrived on scene all the fighting was over and additional Raven elements to include the Company Commander (CPT (b)(6), (b)(7)(C)) arrived on scene.

5. **PHASE III.** Once CPT (b)(6), (b)(7)(C) arrived on scene, he took command of the situation. S33C elements that were assisting in the searching of wounded AIF were relieved by Raven forces, so Stallion could continue their original mission of escorting the convoy to CSC Scania. Raven forces searched all the dead and wounded AIF and collected their weapons, ammunition, and personal items. They searched field A, field B, and every

ACLU DDII ROI 33206

000336

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building in the immediate area. All the dead AIF were found in field A. However, Raven forces found a large amount of expended rounds in field B. The rounds were found in (3) buildings and throughout a ditch in field B (see enclosure A, slide 12). S33A and S33B remembered seeing approximately 5-10 AIF in field B, along with (3) AIF vehicles. Through THT questioning, detainees told Raven forces that there were 40-50 AIF in the area with (10) vehicles. Some of the AIF had handcuffs on them, presumably to use in kidnapping any personnel from the attack. The wounded AIF and TCNs were treated on site and MEDEVAC'd from a second LZ on the orchard farm (see enclosure A, slide 12).

a. During the Raven sweeps, Stallion 33 elements reorganized and prepared to take the convoy south to CSC Scania. They repaired their vehicles and were given a small ammo re-supply by Raven elements. Stallion 33 incorporated their convoy into another southbound convoy (UNK unit, call sign Dragon 47) and arrived at CSC Scania with out further incident.

b. Final numbers: (26) AIF KIA, (3) TCN KIA, (3) 617th WIA, (3) 1075th WIA, (6) AIF WIA, and (7) TCN WIA. Total amount of weapons confiscated: (22) AK-Ms, (13) RPKs, (6) RPG launchers, (16) RPG rockets, (39) hand grenades, (123) AK-M full magazines, (52) AK-M empty magazine, (1) full 200 round drum, and (2,500) loose 7.62 rounds. All weapons were signed over to the 7678th EOD. Also taken from the AIF was a video camera with footage of the ambush, along with cell phones, wallets, pictures and 200 US dollars, which were all turned over to the 18th MP BDE S2 (MAJ (b)(6), (b)(7)(C))

6. Point of Contact for this memorandum is the undersigned at VIOP 302-242-4440.

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

CPT, MP
Reviewing Officer

Enclosures:

A- PPT slides on Ambush site

B- Estimated timeline

ACLU DDII ROI 33207

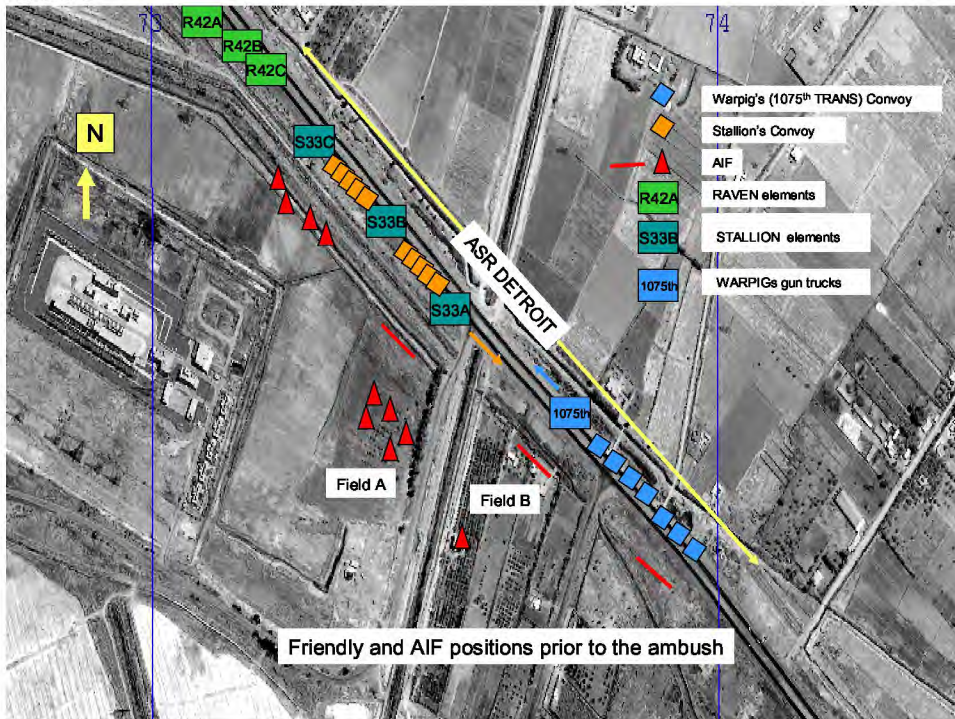
000337

Enclosure A

Map Orientation



Slide 1



ACLU DDII ROI 33208

Enclosure A

Geographical/Terrain features on the Ambush site

Slide 2



Slide 3



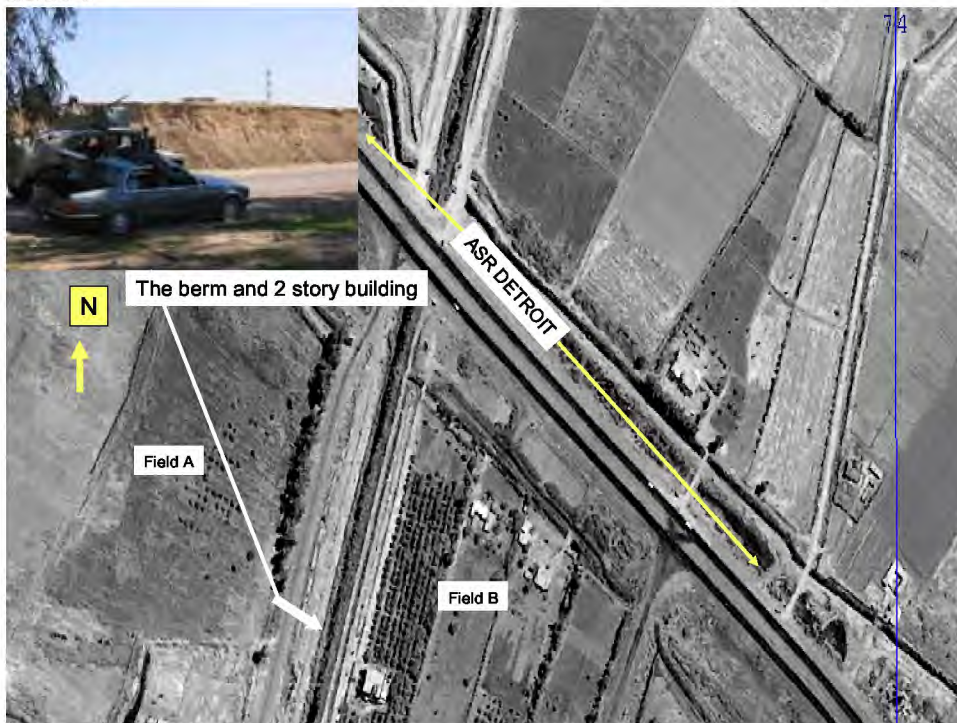
ACLU DDII ROI 33209

Enclosure A

Slide 4



Slide 5



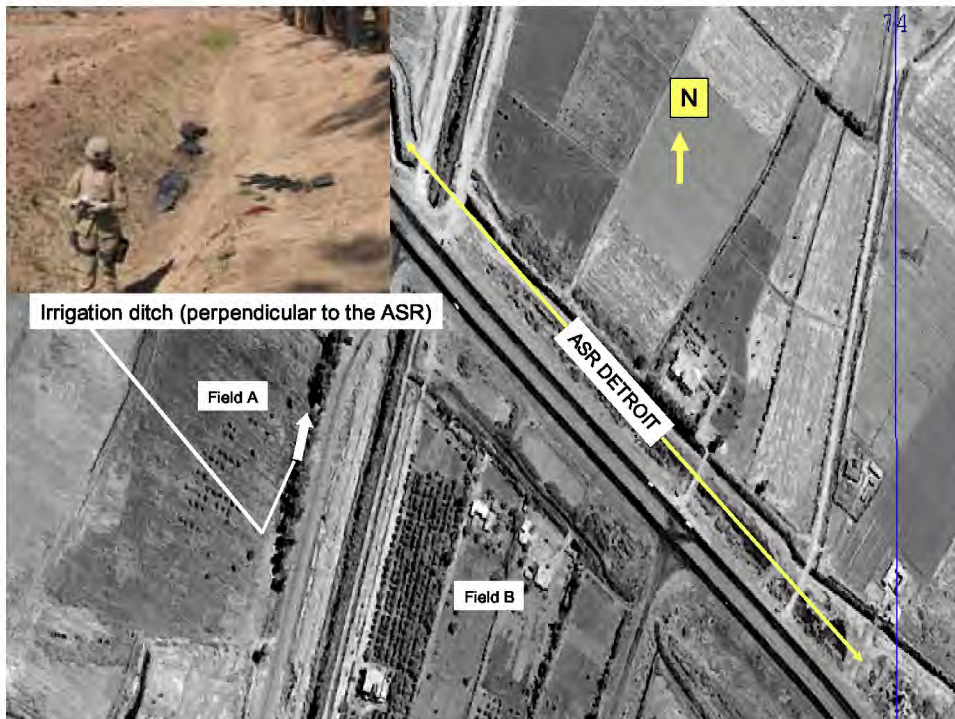
ACLU DDII ROI 33210

Enclosure A

Slide 6



Slide 7



ACLU DDII ROI 33211

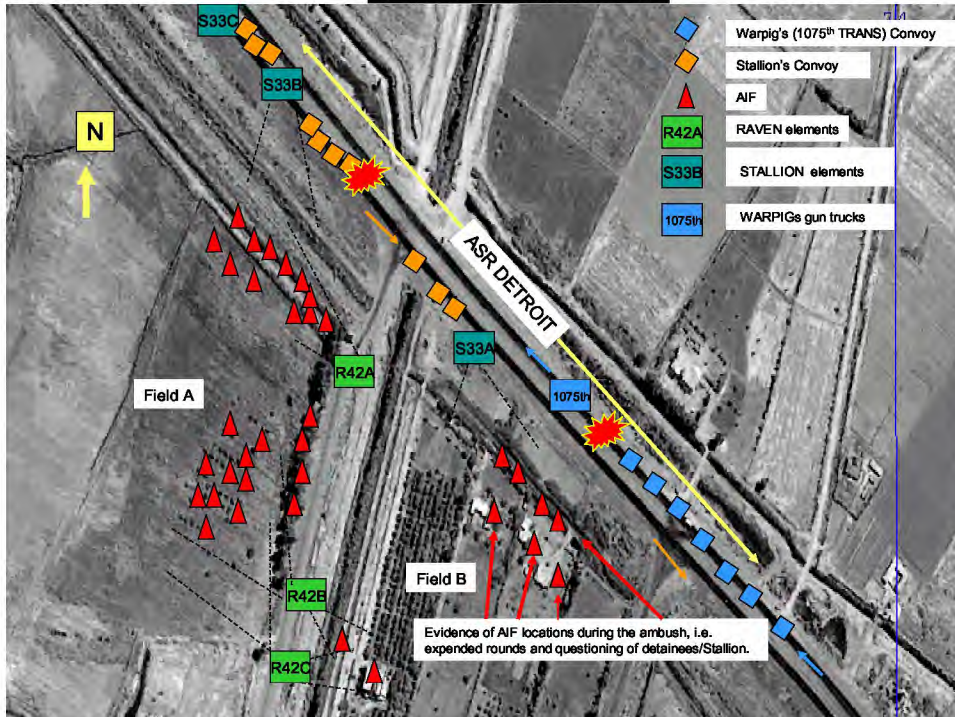
Enclosure A

Slide 8



Slide 9

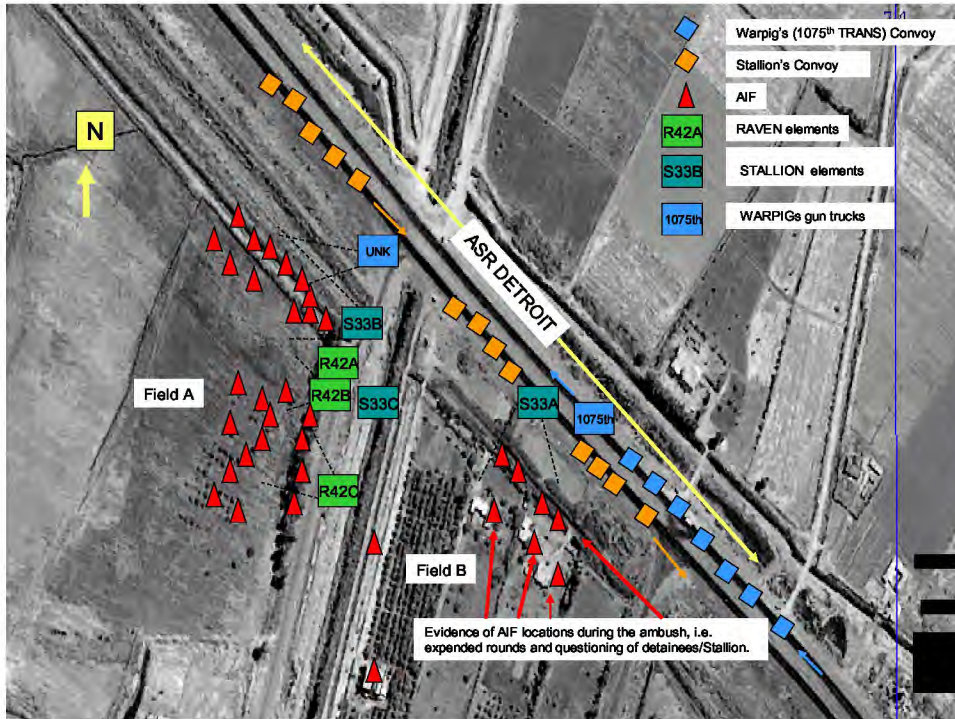
Events of the Ambush



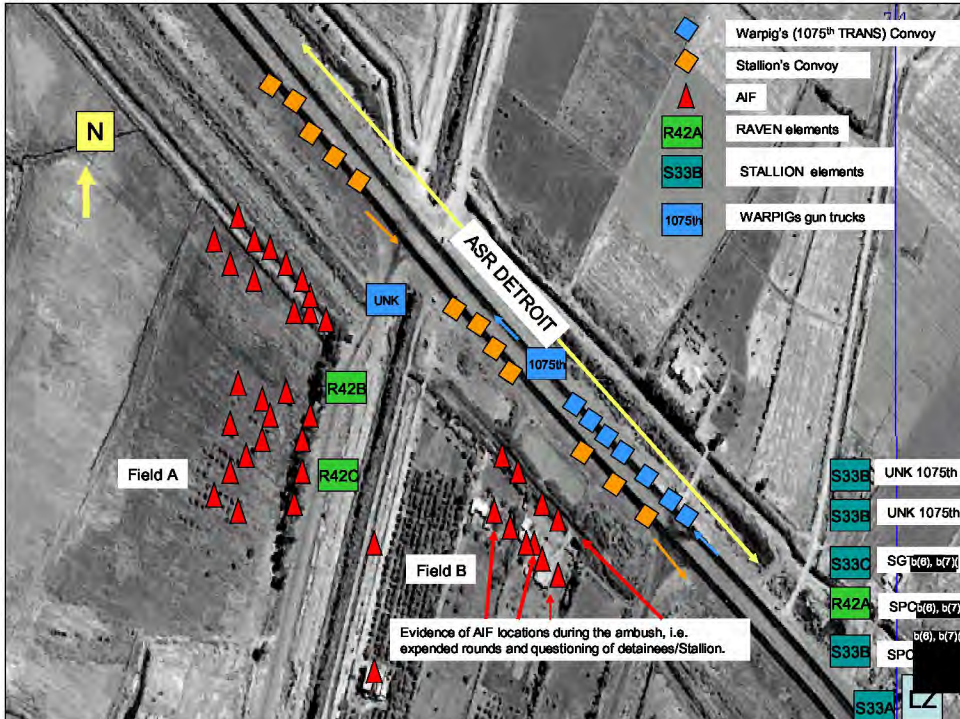
ACLU DDII ROI 33212

Enclosure A

Slide 10



Slide 11



ACLU DDII ROI 33213

Enclosure B

Estimated timeline of events for 20MAR05

1140: Ambush initiated by AIF

1143: Raven elements arrive and are on the side road engaging the enemy

1147: SPC (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) are down

1151: Stallion 33C arrives on the Raven site

1155: Stallion 33B arrives on the Raven site

1159: SPC (b)(6), (b)(7)(C) is evacuated by S33B

1202: S33A calls for the first MEDEVAC

1204: S33C and R42A leave the site with SGT (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C)

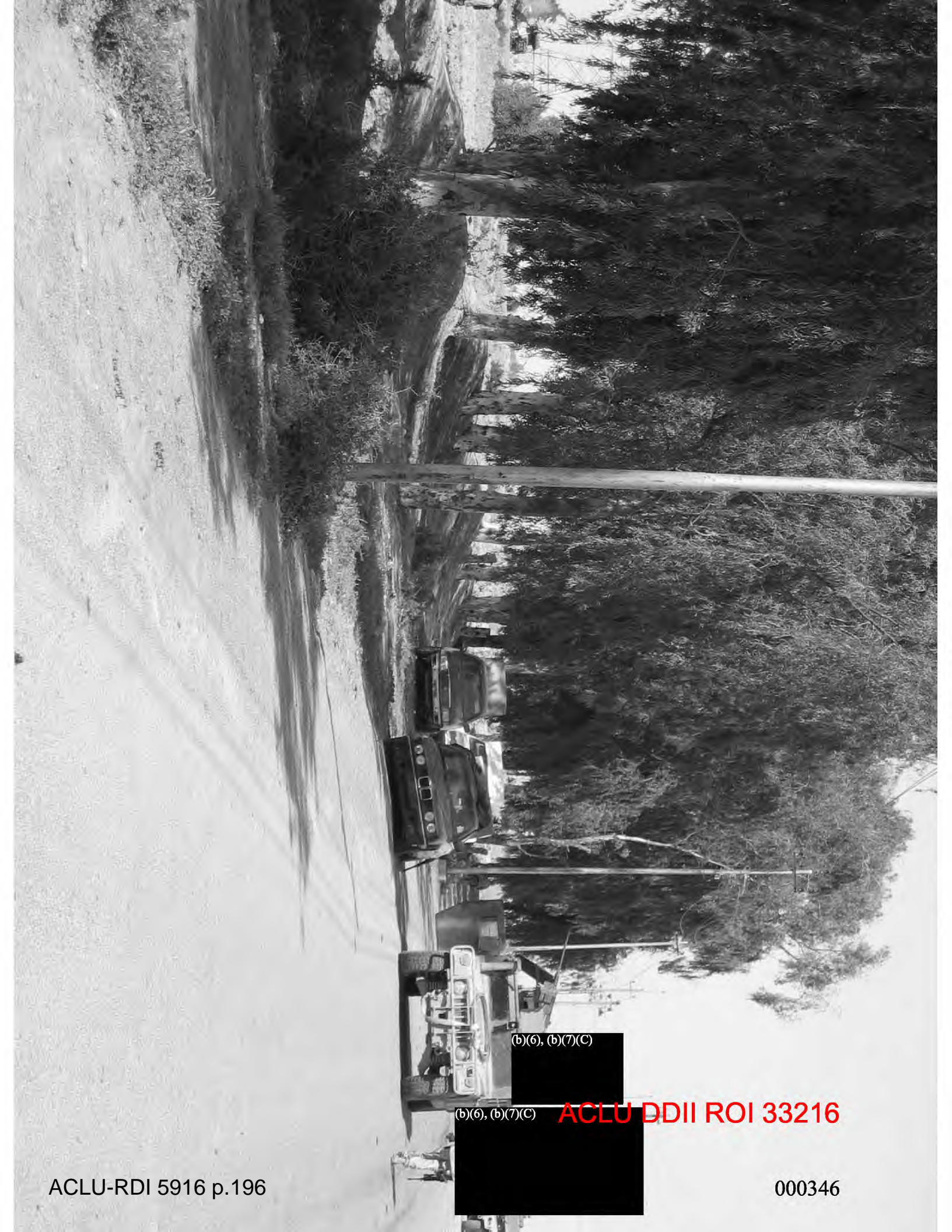
1216: The first MEDEVAC bird lands

1225: Raven 6 and other Raven elements arrive, fire-fight is over.

ACLU DDII ROI 33214



ACLU DDII ROI 33215



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

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

ACLU DDII ROI 33216



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


(b) (3)

ACLU DDII ROI 33217

(b) (3)



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



ACLU DDII ROI 33218

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

ACLU DDII ROI 33219



ACLU DDII ROI 33220

(b) (3)

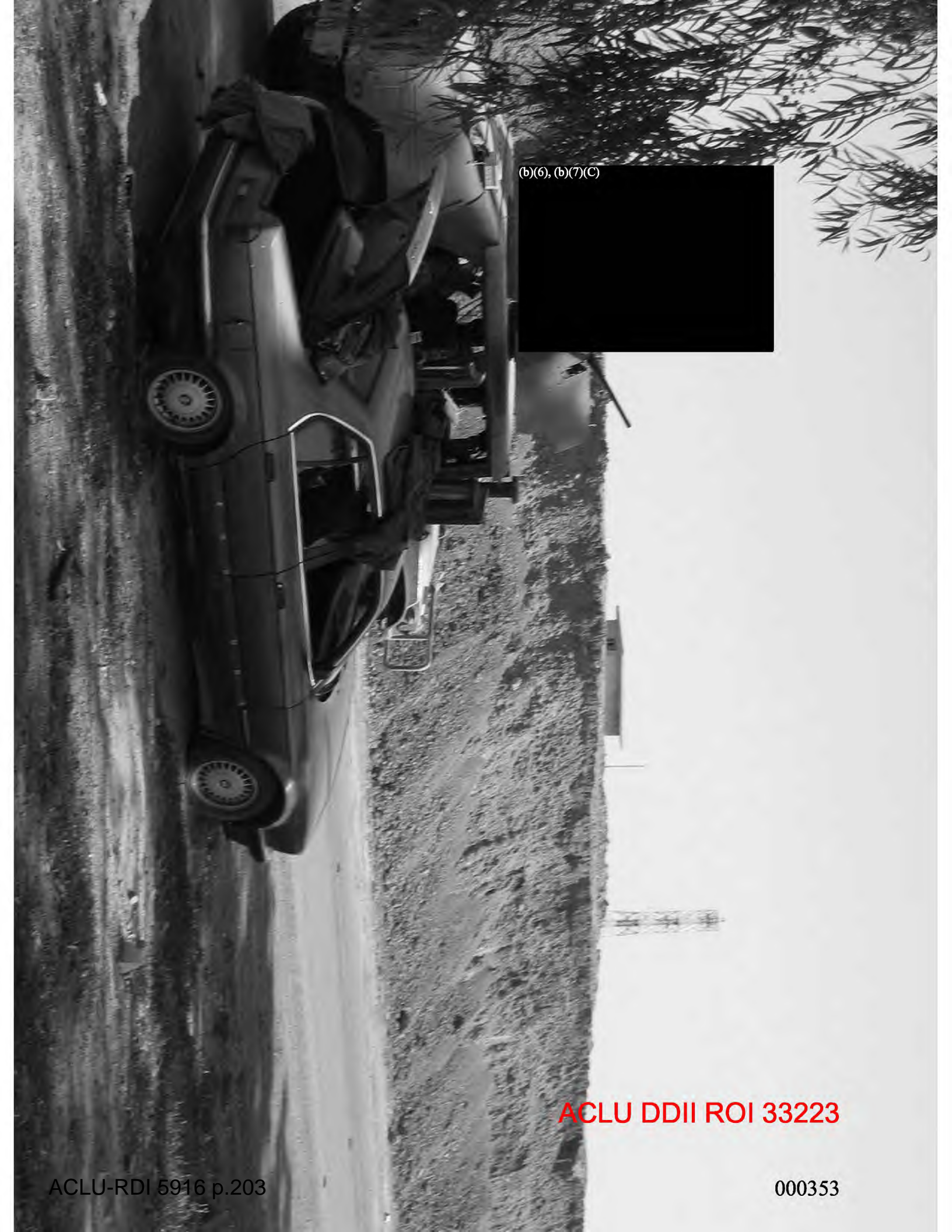


ACLU DDII ROI 33221

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

(b) (3)

ACLU DDII ROI 33222



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

ACLU DDII ROI 33223



ACLU DDII ROI 33224



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

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

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

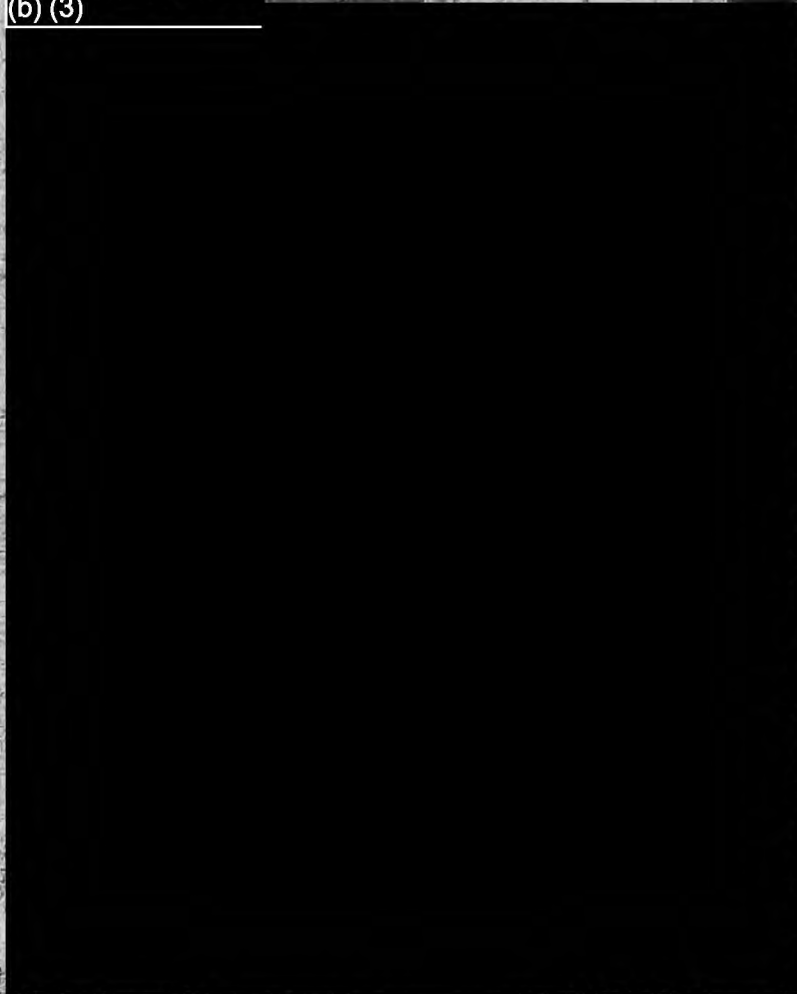
ACLU DDII ROI 33225

(b) (3)



ACLU DDII ROI 33226

(b) (3)



ACLU DDII ROI 33227

(b) (3)



ACLU DDII ROI 33228

(b) (3)



ACLU DDII ROI 33229



ACLU DDII ROI 33230

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

ACLU DDII ROI 33231



(b) (3)

ACLU DDII ROI 33232



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

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

ACLU DDII ROI 33233

(b) (3)



ACLU DDII ROI 33234

(b) (3)



ACLU DDII ROI 33235



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

(b) (3)

ACLU DDII ROI 33236

(b) (3)



ACLU DDII ROI 33237

(b) (3)



ACLU DDII ROI 33238

(b) (3)



ACLU DDII ROI 33239

(b) (3)



ACLU DDII ROI 33240

(b) (3)



(b) (3)



ACLU DDII ROI 33241

(b) (3)

(b) (3)

ACLU DDII ROI 33242

(b) (3)



ACLU DDII ROI 33243

(b) (3)



ACLU DDII ROI 33244

(b) (3)

(b) (3)

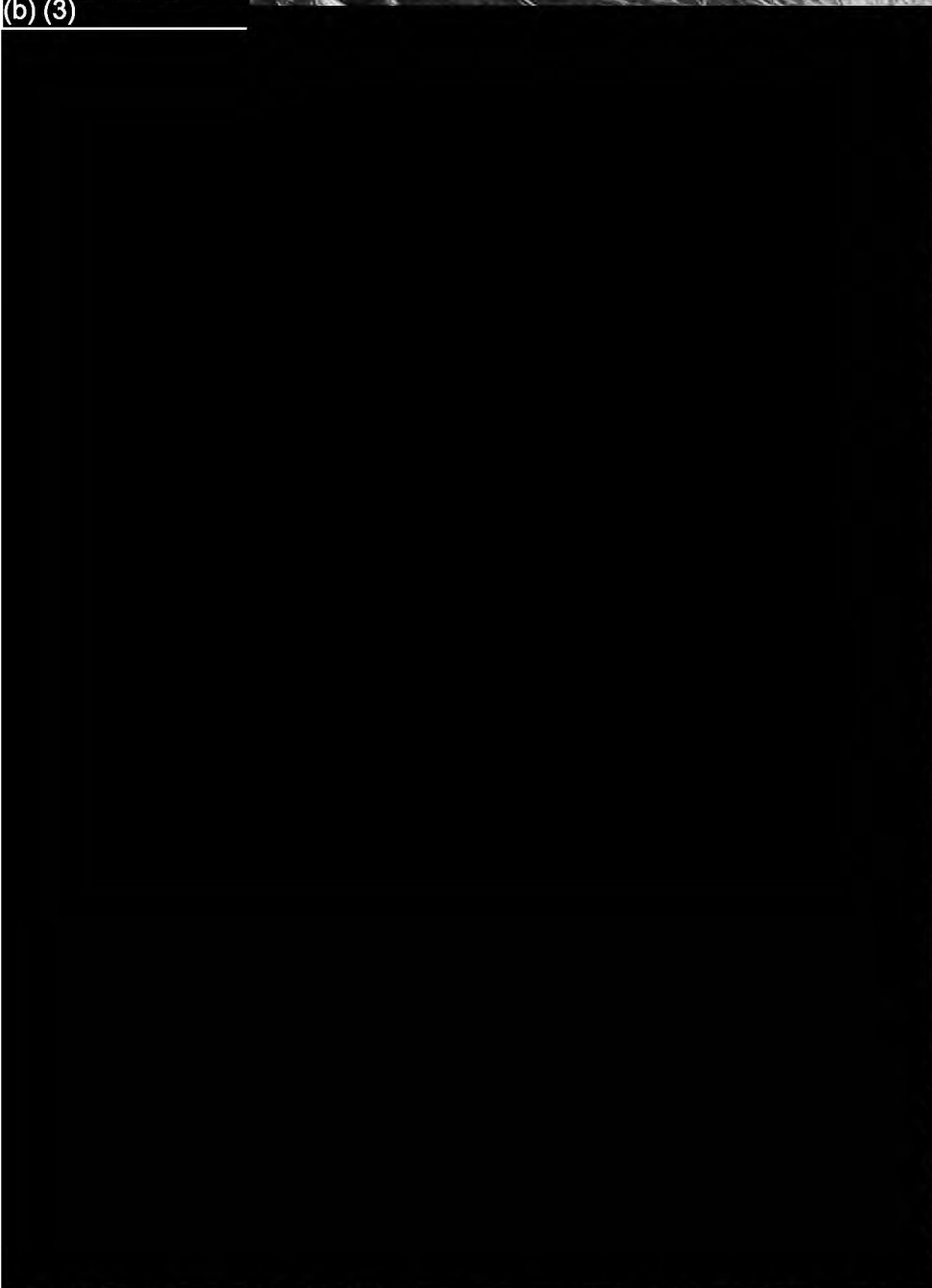
ACLU DDII ROI 33245

(b) (3)



ACLU DDII ROI 33246

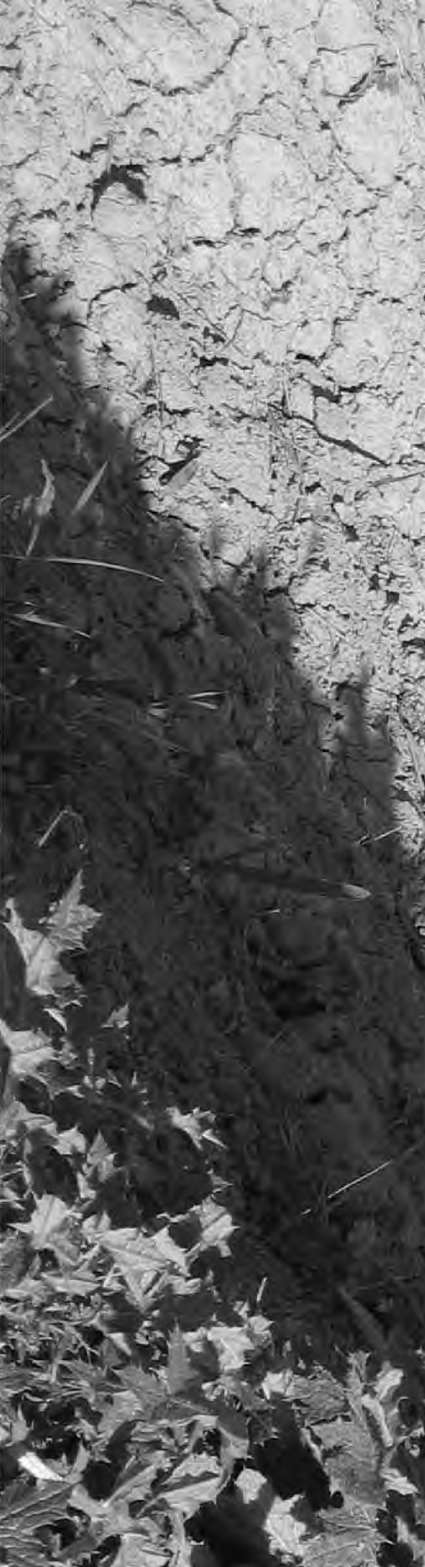
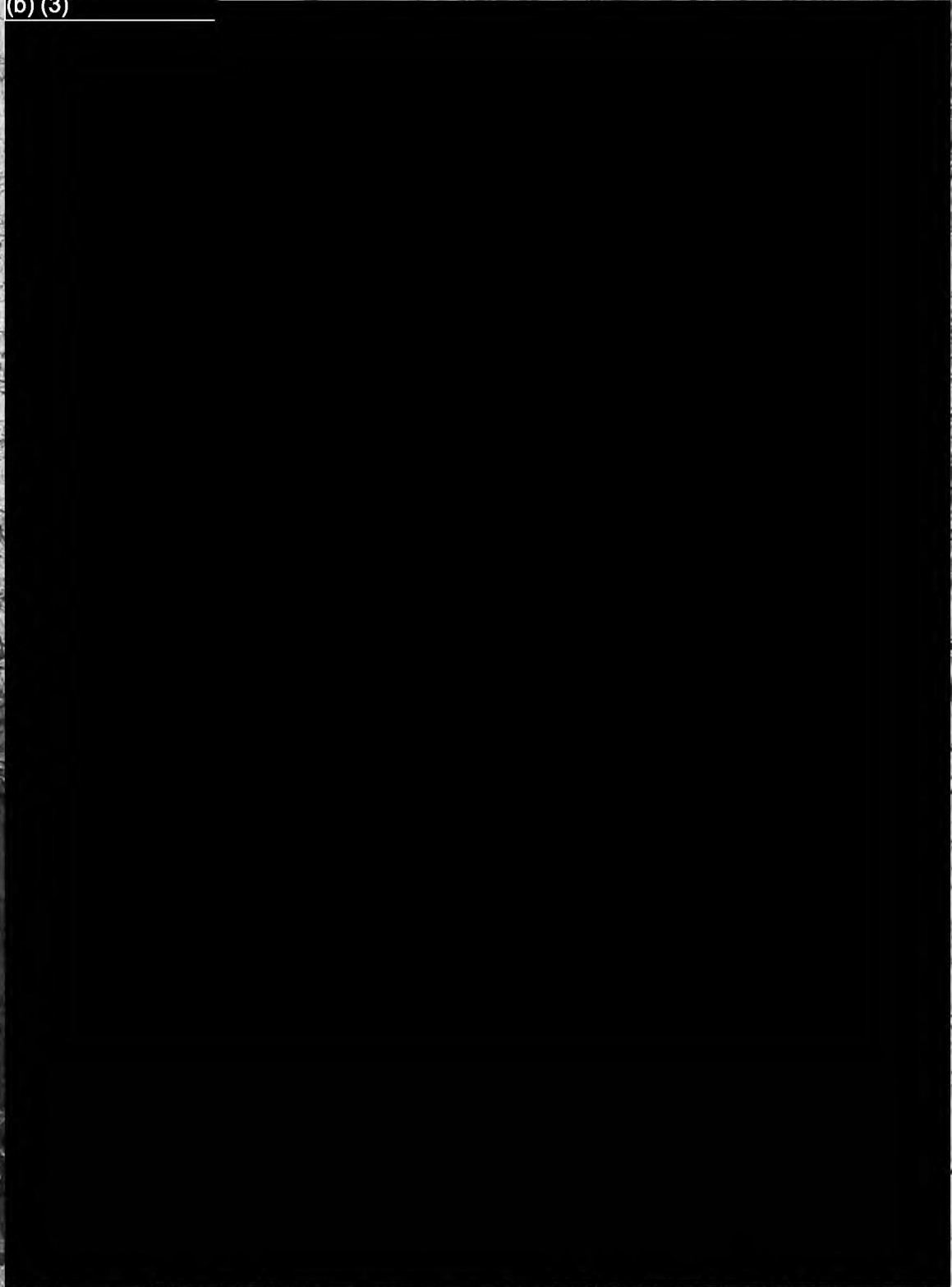
(b) (3)



ACLU DDII ROI 33247

(b) (3)

ACLU DDII ROI 33248



ACLU DDII ROI 33249



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

ACLU DDII ROI 33250



ACLU DDII ROI 33251

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

ACLU DDII ROI 33252

000382



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

ACLU DDII ROI 33253



ACLU DDII ROI 33254



ACLU DDII ROI 33255

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

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

ACLU DDII ROI 33256

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

ACLU DDII ROI 33257



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

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



ACLU DDII ROI 33258

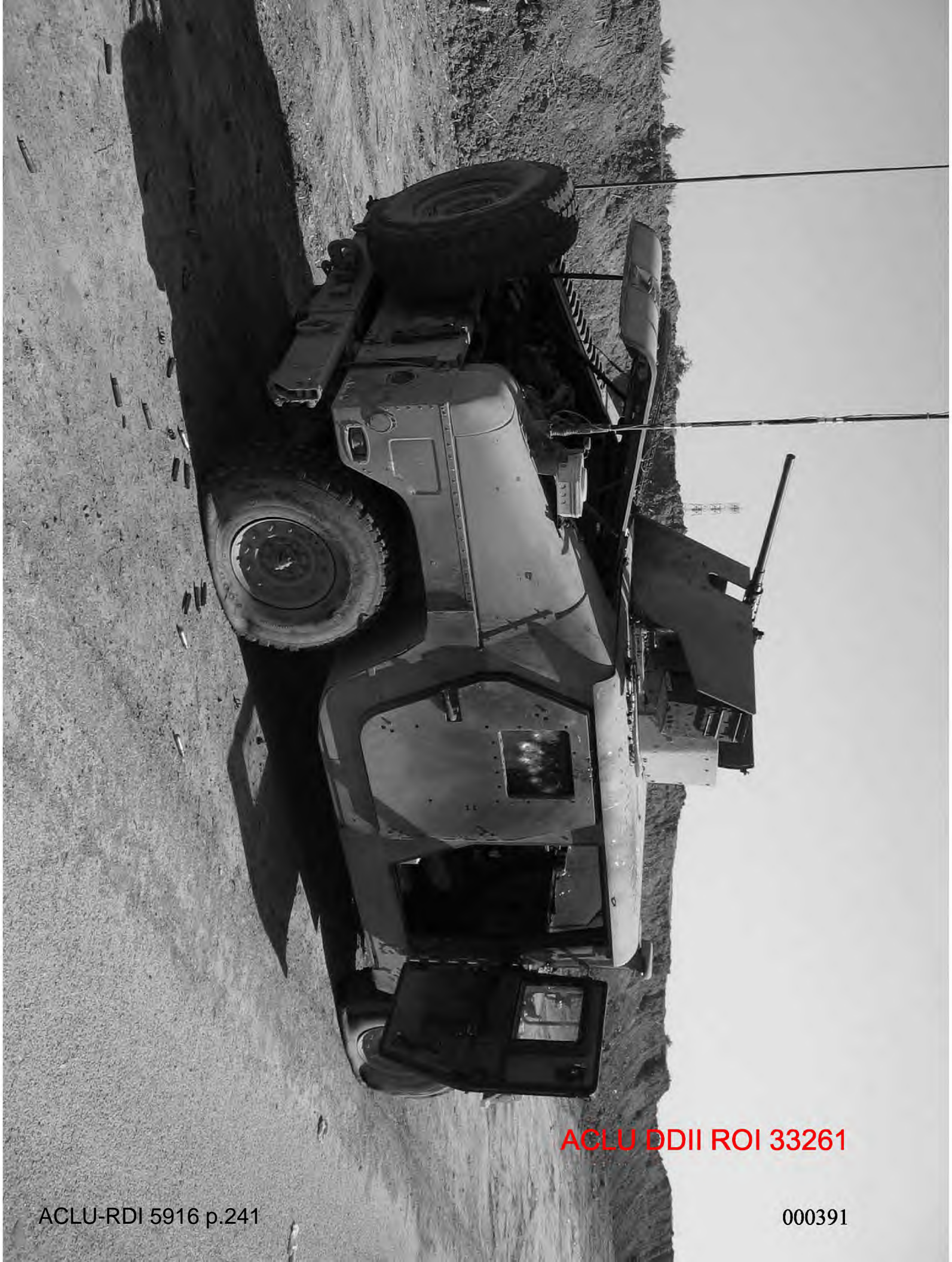


(b)(6), (b)(7)(C)

ACLU DDII ROI 33259

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

ACLU DDII ROI 33260



ACLU DDII ROI 33261



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

ACLU DDII ROI 33262



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

ACLU DDII ROI 33263



ACLU DDII ROI 33264



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

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

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

ACLU DDII ROI 33265



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

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

ACLU DDII ROI 33266



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

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

ACLU DDII ROI 33267



ACLU DDII ROI 33268



ACLU DDII ROI 33269



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

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

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

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

ACLU DDII ROI 33272



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

ACLU DDII ROI 33273

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

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

ACLU DDII ROI 33274



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

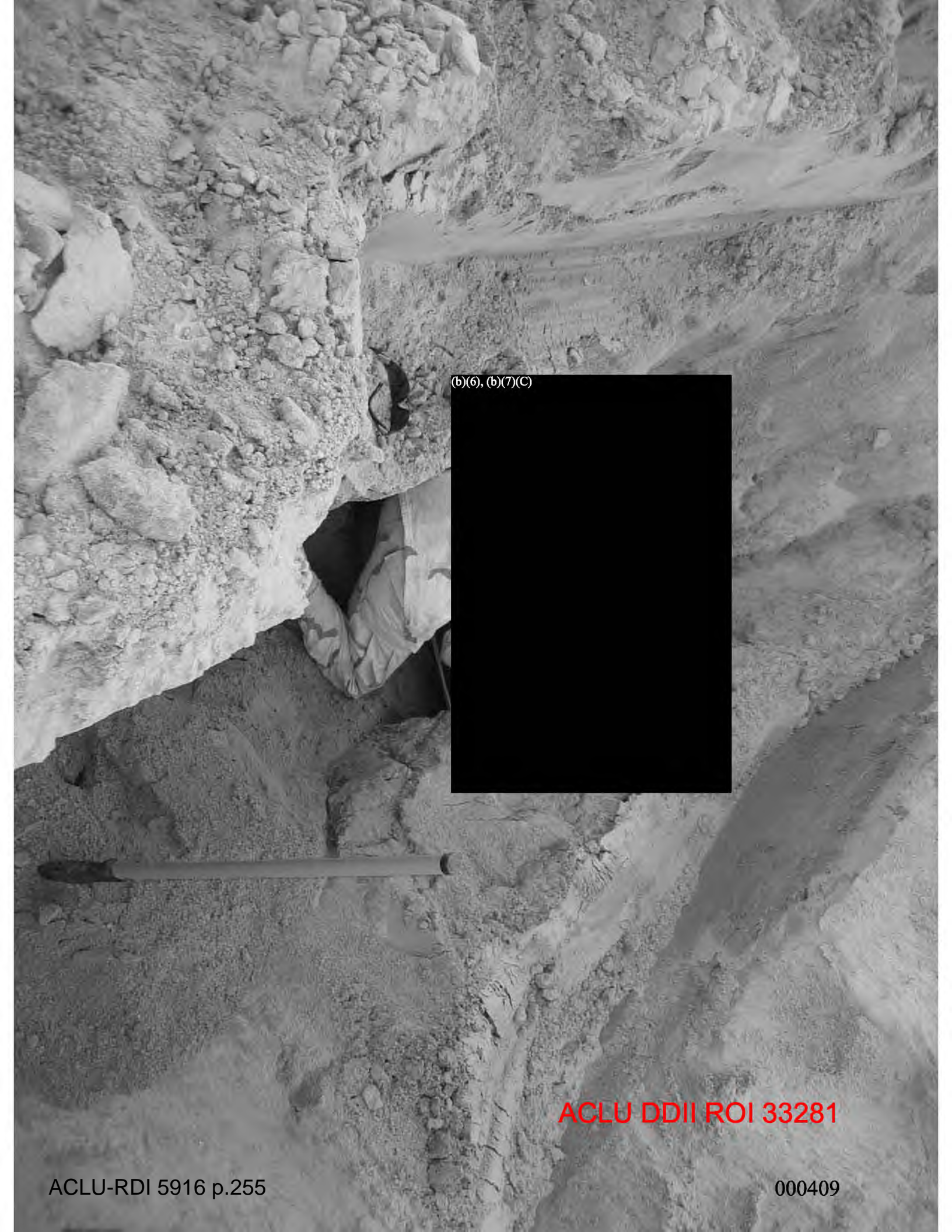
ACLU DDII ROI 33279

000407

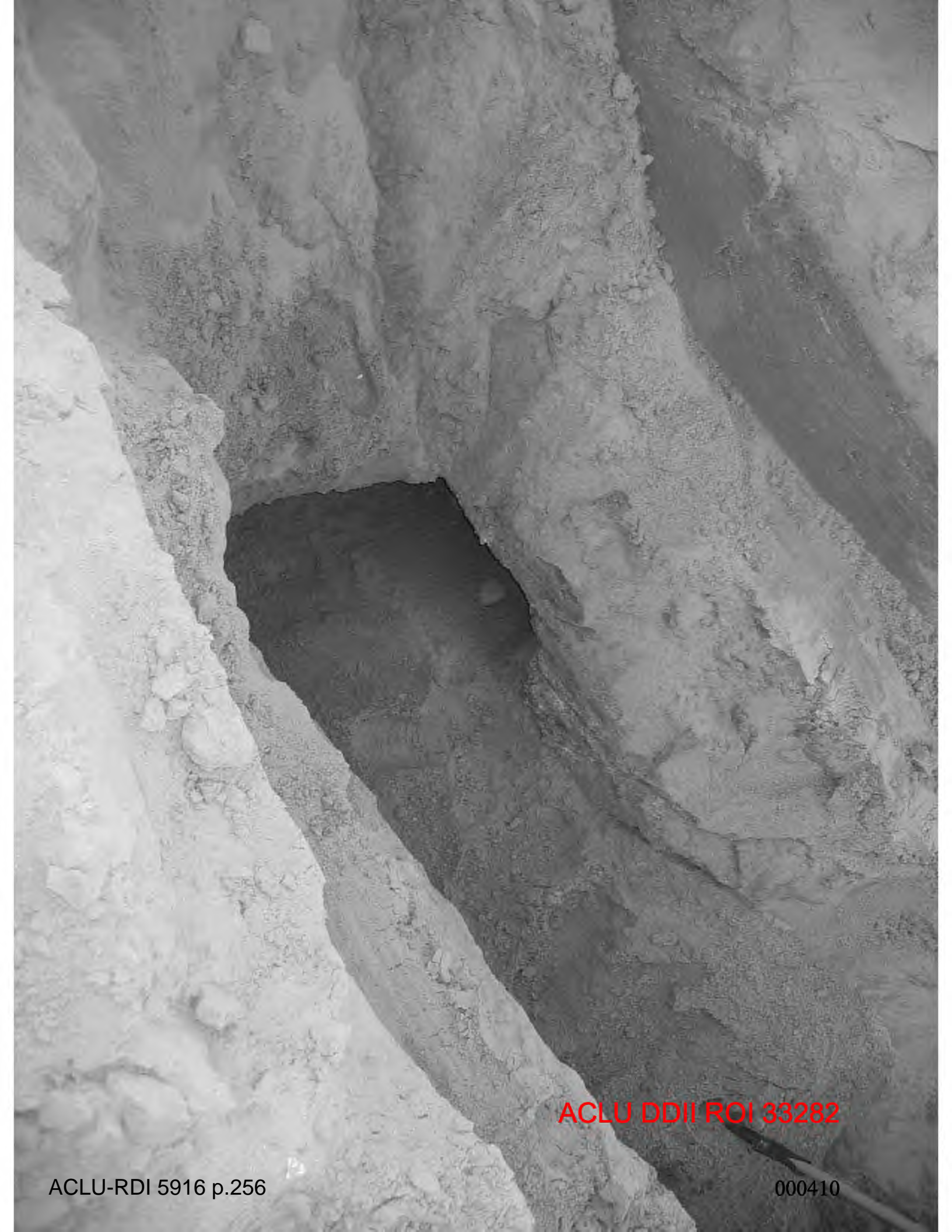
(b)(6), (b)(7)(C)

ACLU DDII ROI 33280

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



ACLU DDII ROI 33281



ACLU DDII ROI 33282



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


ACLU DDII ROI 33283

000411



ACLU DDII ROI 33284

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

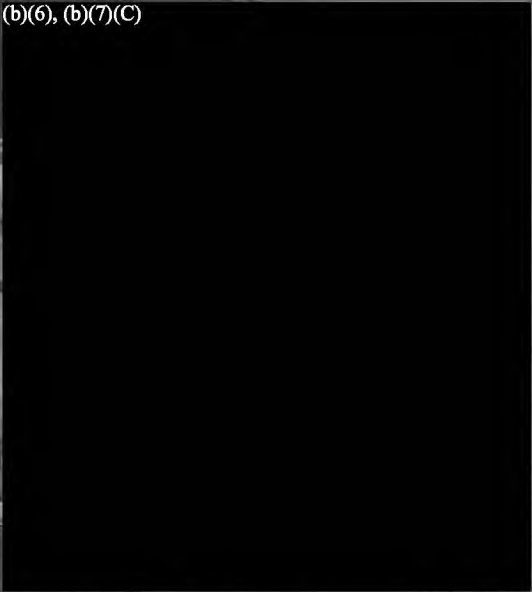
A black and white photograph showing a person in a trench. The person is wearing a light-colored shirt and dark pants, and is looking down. A large black redaction box covers the right side of the image, obscuring the person's face and the background. The text "(b)(6), (b)(7)(C)" is written in the top left corner of the redacted area.

ACLU DDII ROI 33285



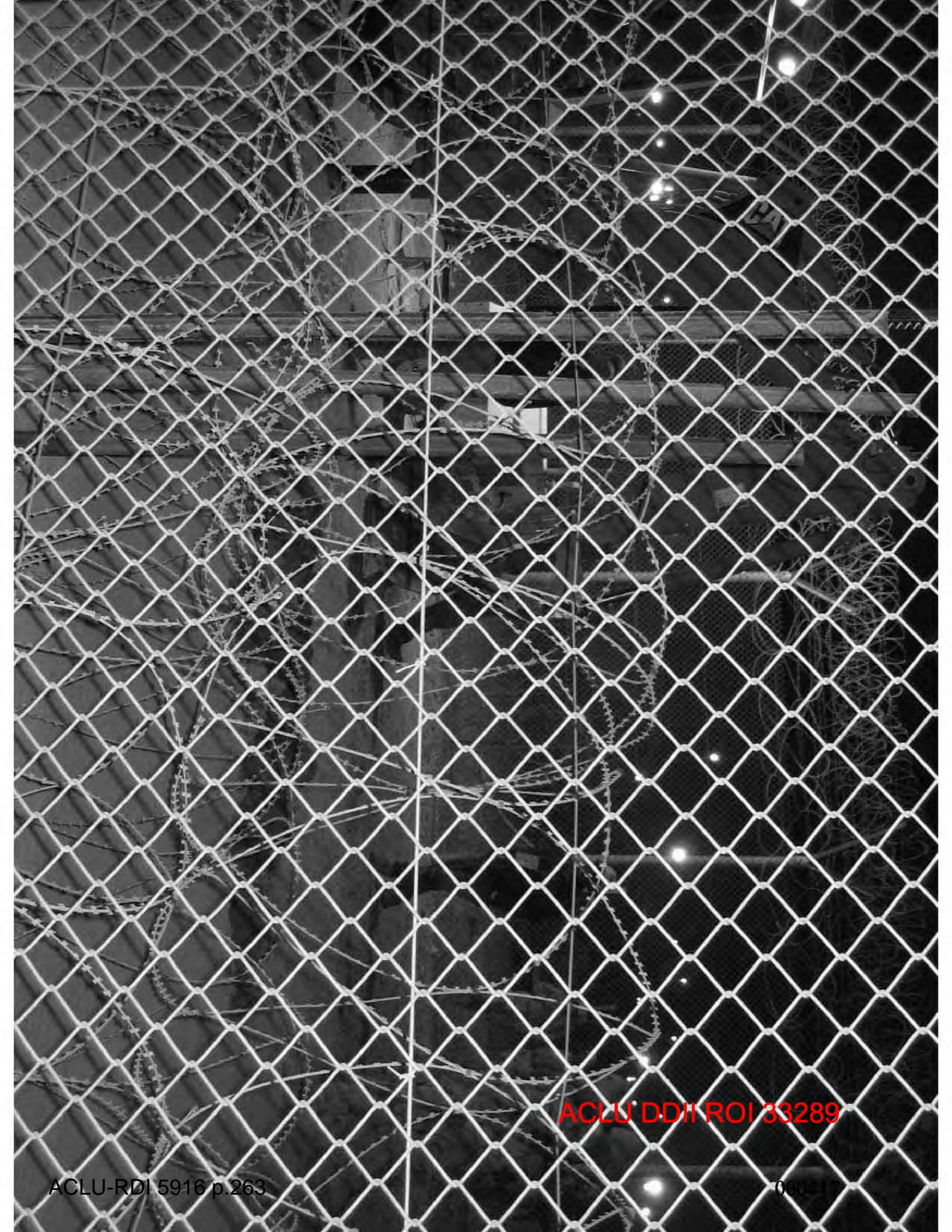
ACLU DDII ROI 33286

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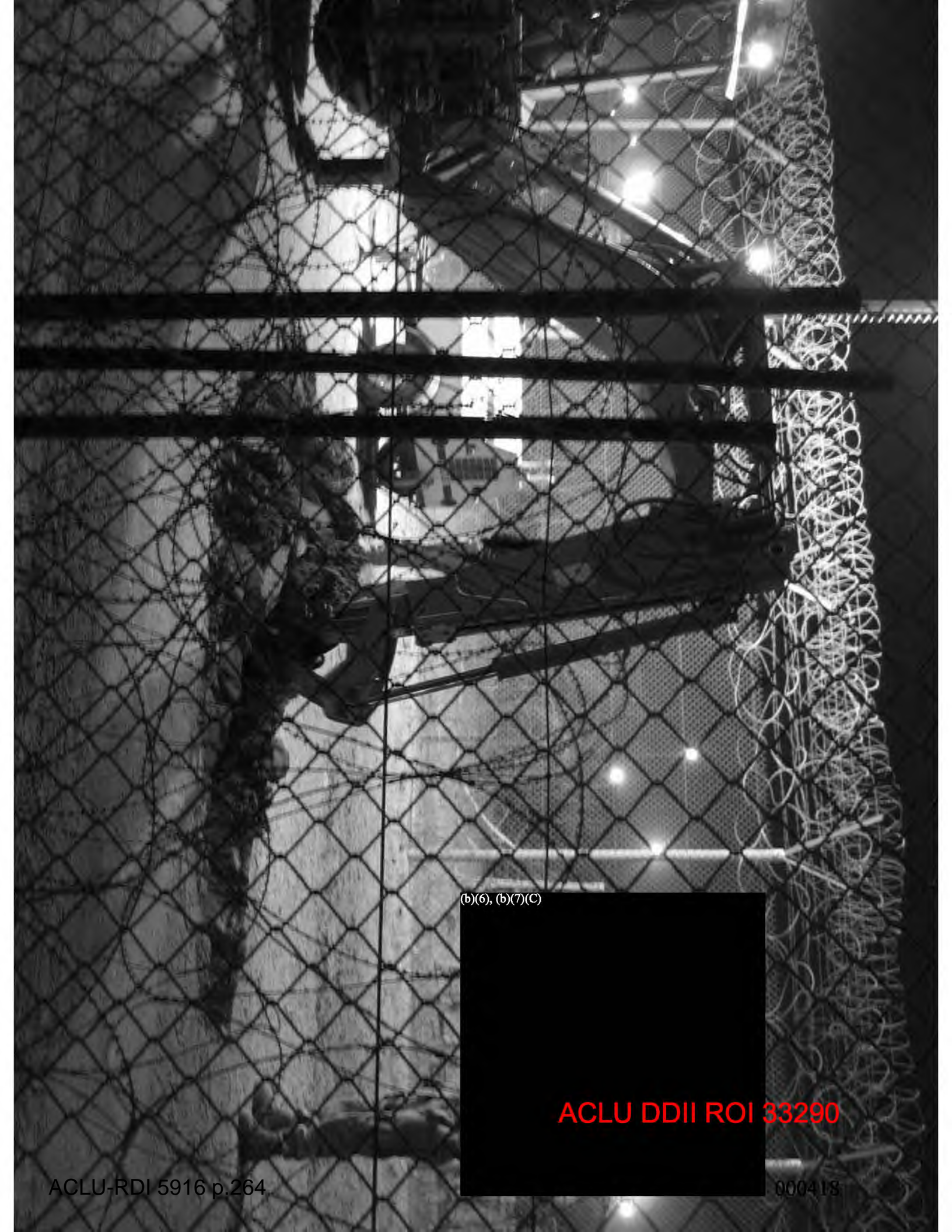


ACLU DDII ROI 33287

ACLU DDII ROI 33288

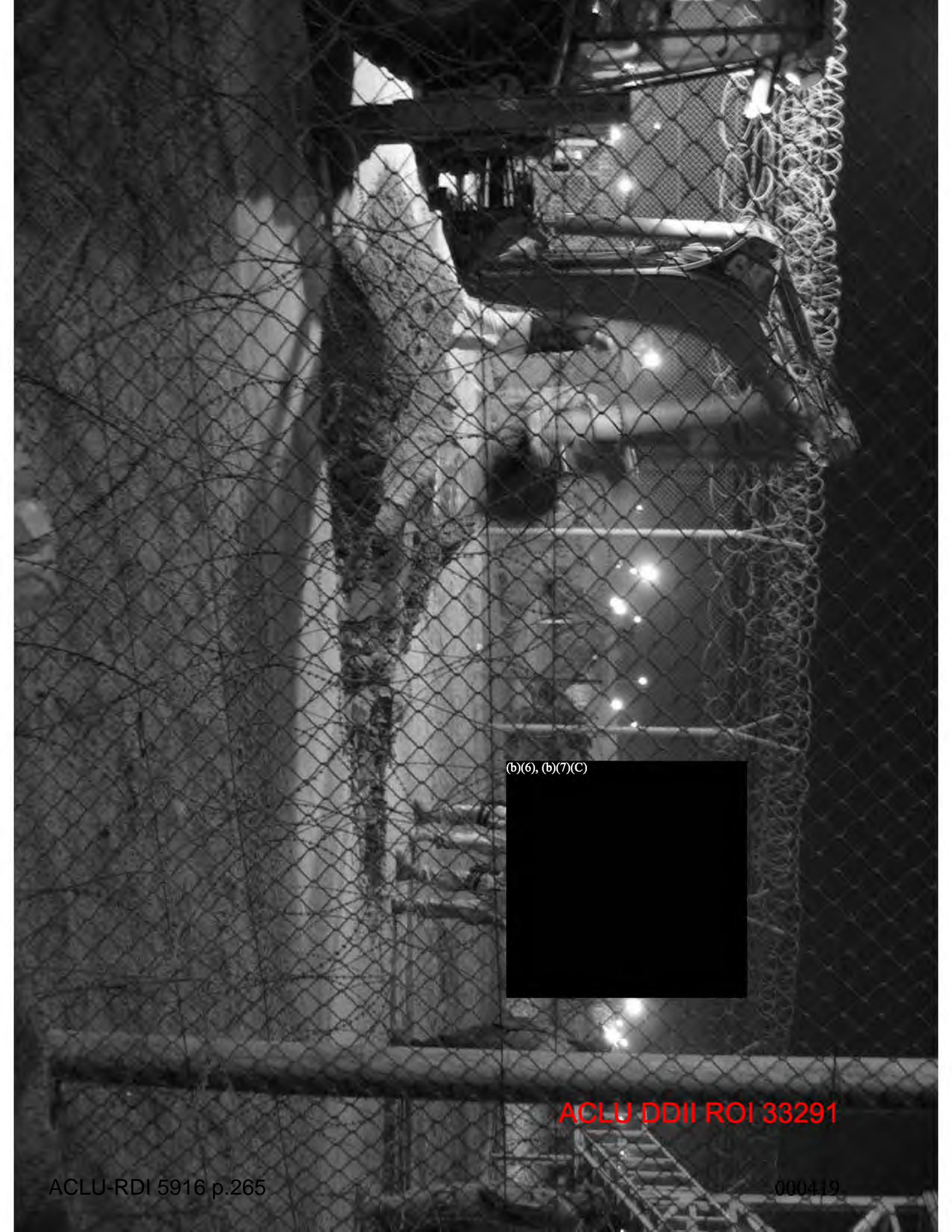


ACLU DDII ROI 33289



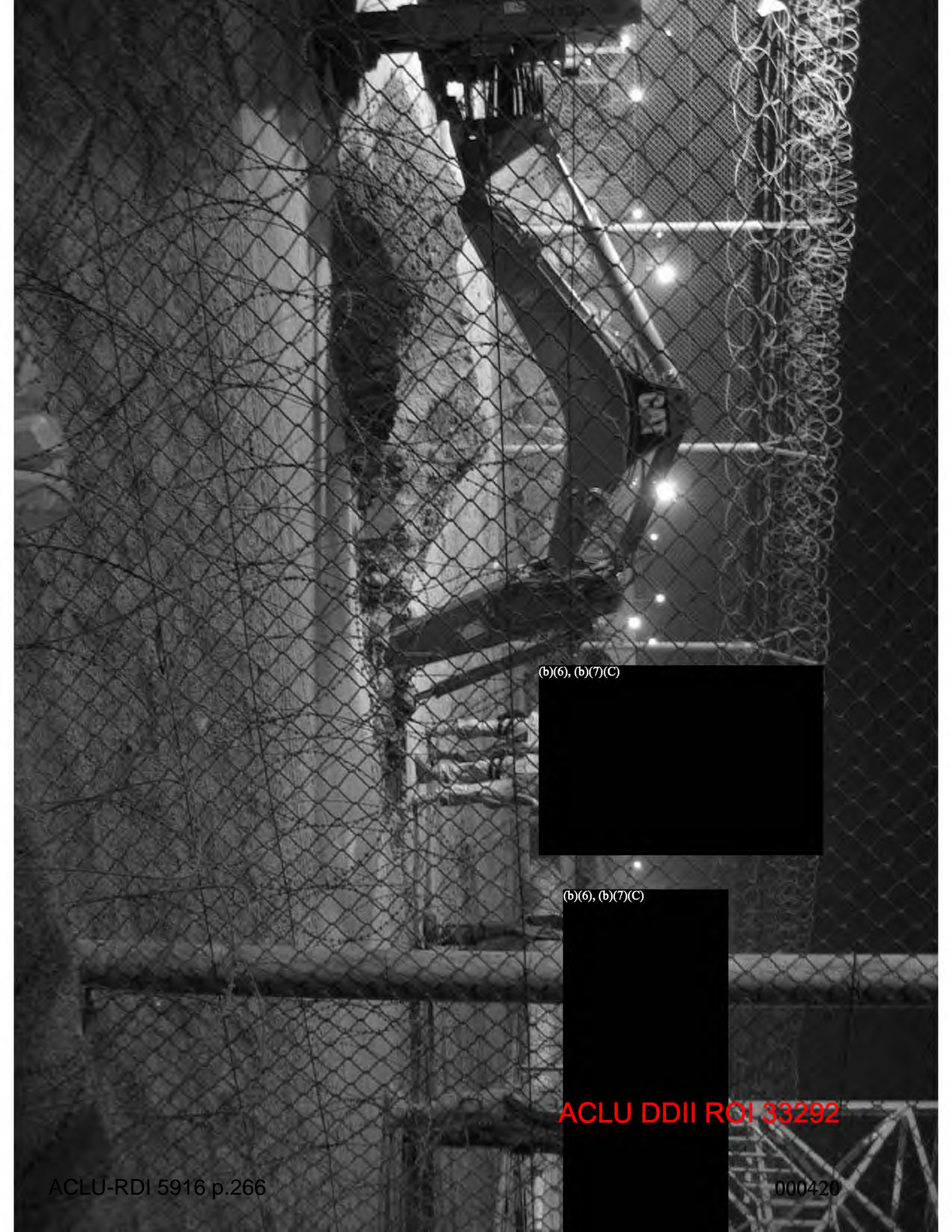
(b)(6), (b)(7)(C)

ACLU DDII ROI 33290



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

ACLU DDII ROI 33291



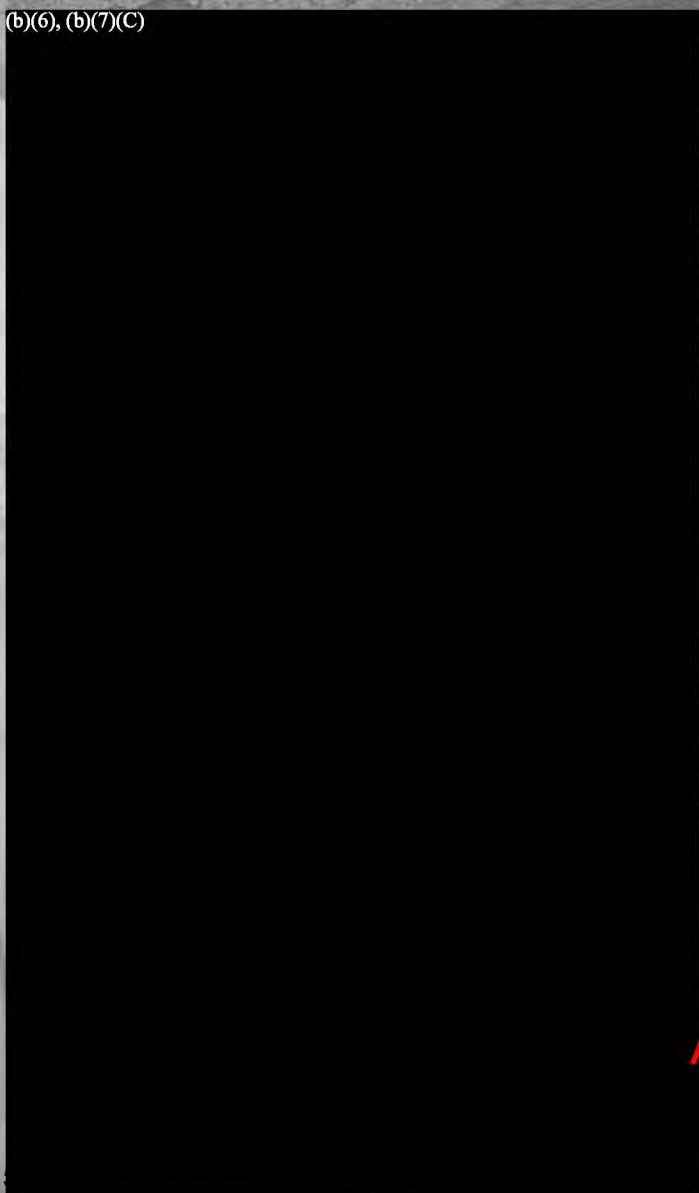
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(b)(6), (b)(7)(C)

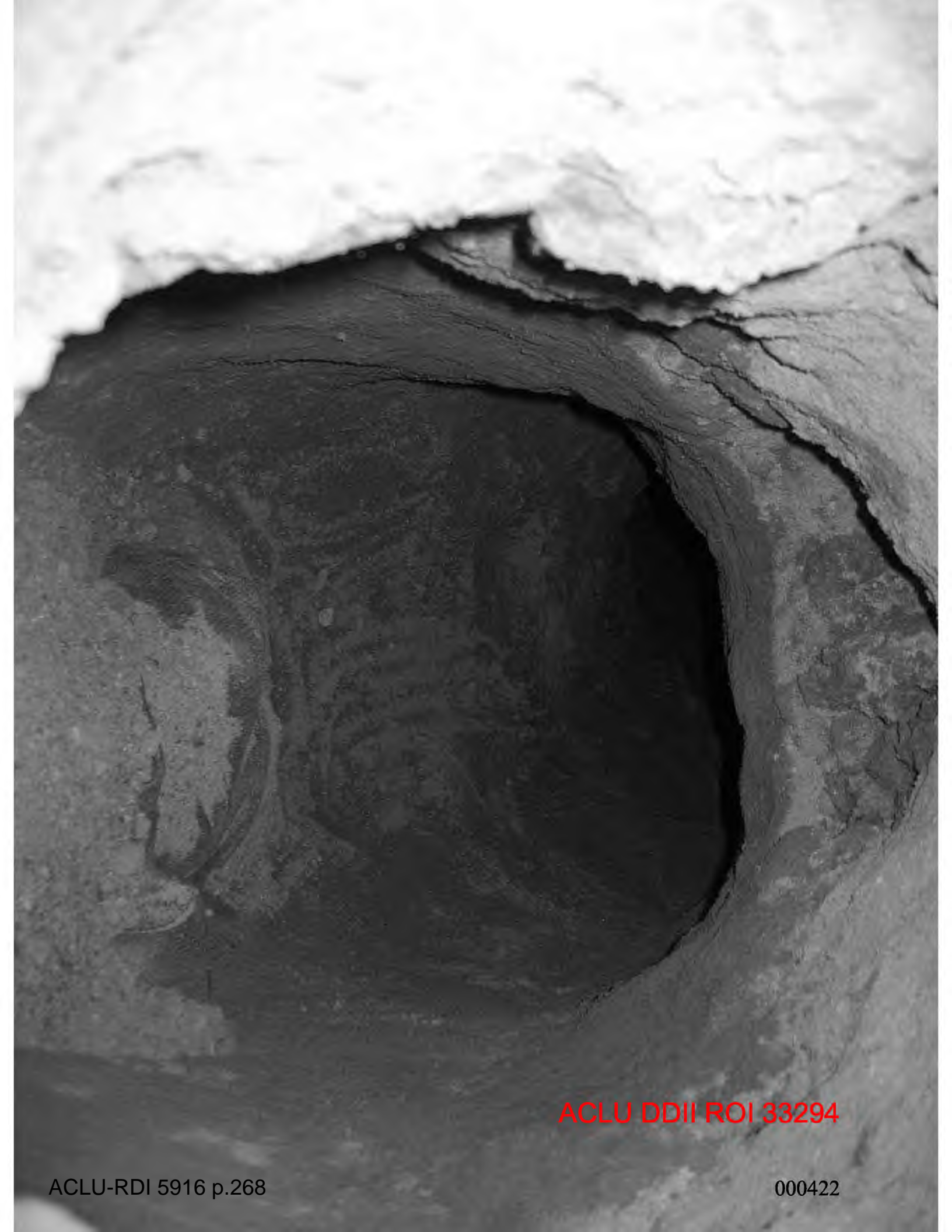
ACLU DDII ROI 33292

000420

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



ACLU DDII ROI 33293



ACLU DDII ROI 33294



ACLU DDII ROI 33295



ACLU DDII ROI 33296

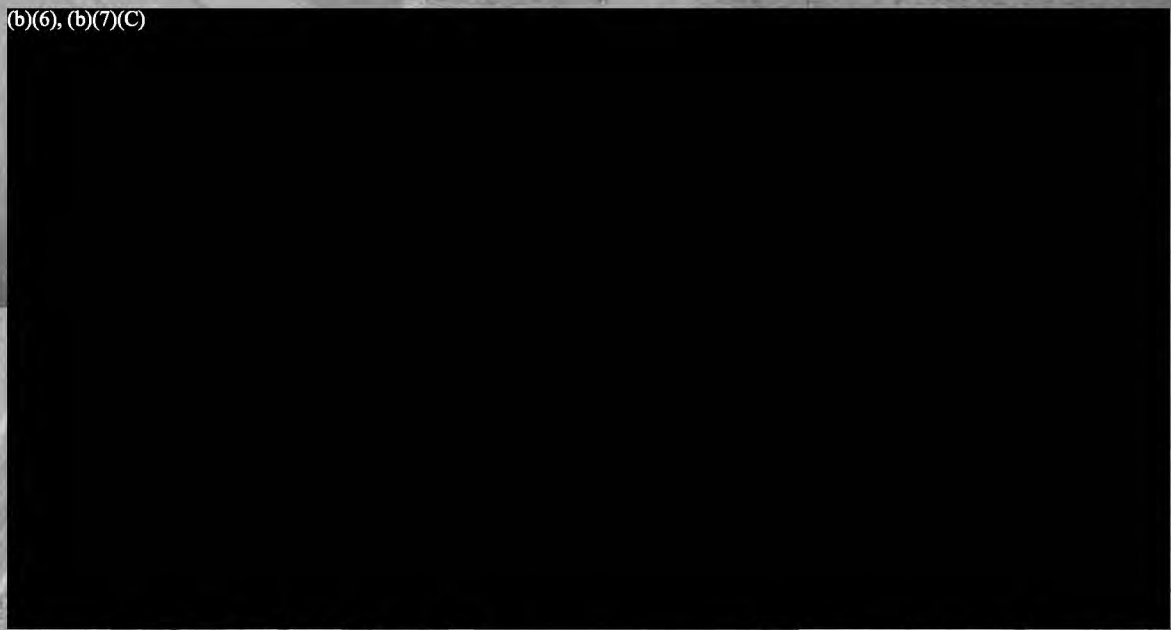


(b)(6), (b)(7)(C)

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

ACLU DDII ROI 33297

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



ACLU DDII ROI 33298

ACLU DDII ROI 33299



ACLU DDII ROI 33300



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


ACLU DDII ROI 33301

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



ACLU DDII ROI 33302

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



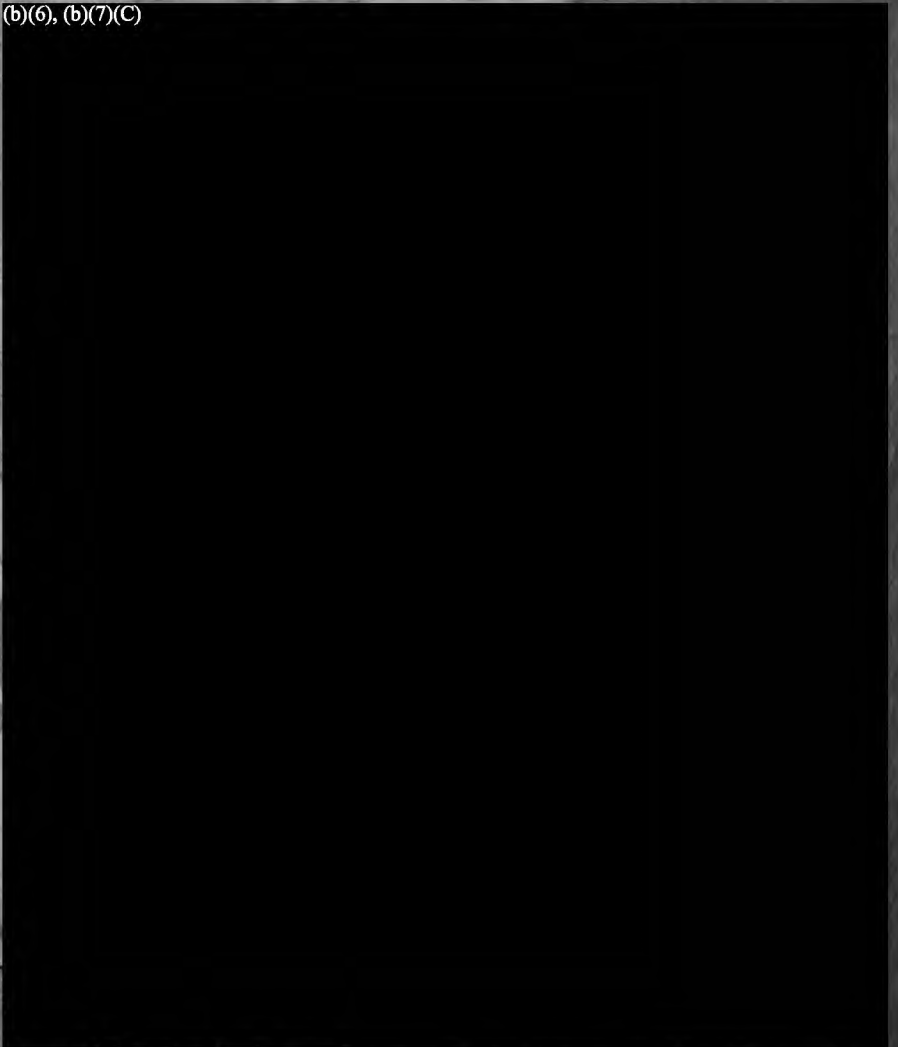
ACLU DDII ROI 33303

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



ACLU DDII ROI 33304

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



ACLU DDII ROI 33305

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

ACLU DDII ROI 33306



ACLU DDII ROI 33307

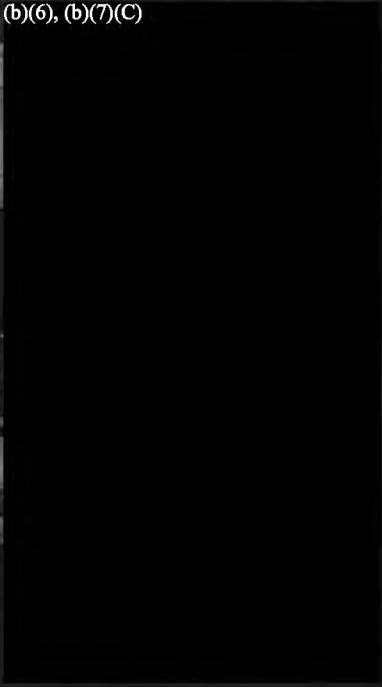


ACLU DDII ROI 33308

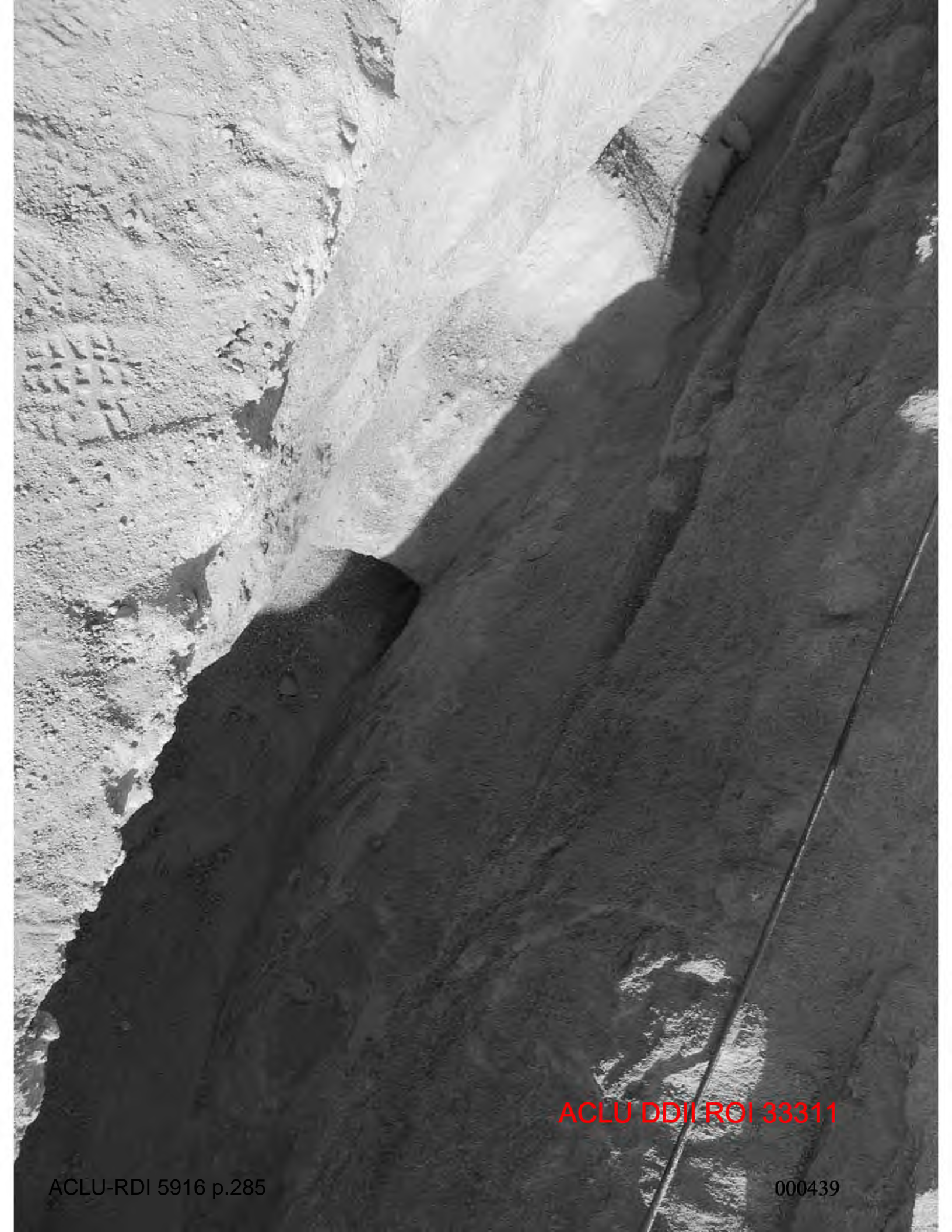


ACLU DDII ROI 33309

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



ACLU DDII ROI 33310



ACLU DDII ROI 33311



ACLU DDII ROI 33312

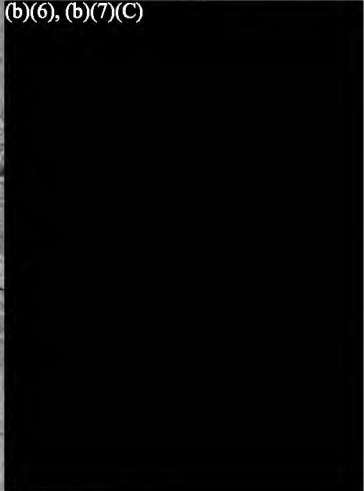


ACLU DDII ROI 33313



ACLU DDII ROI 33314

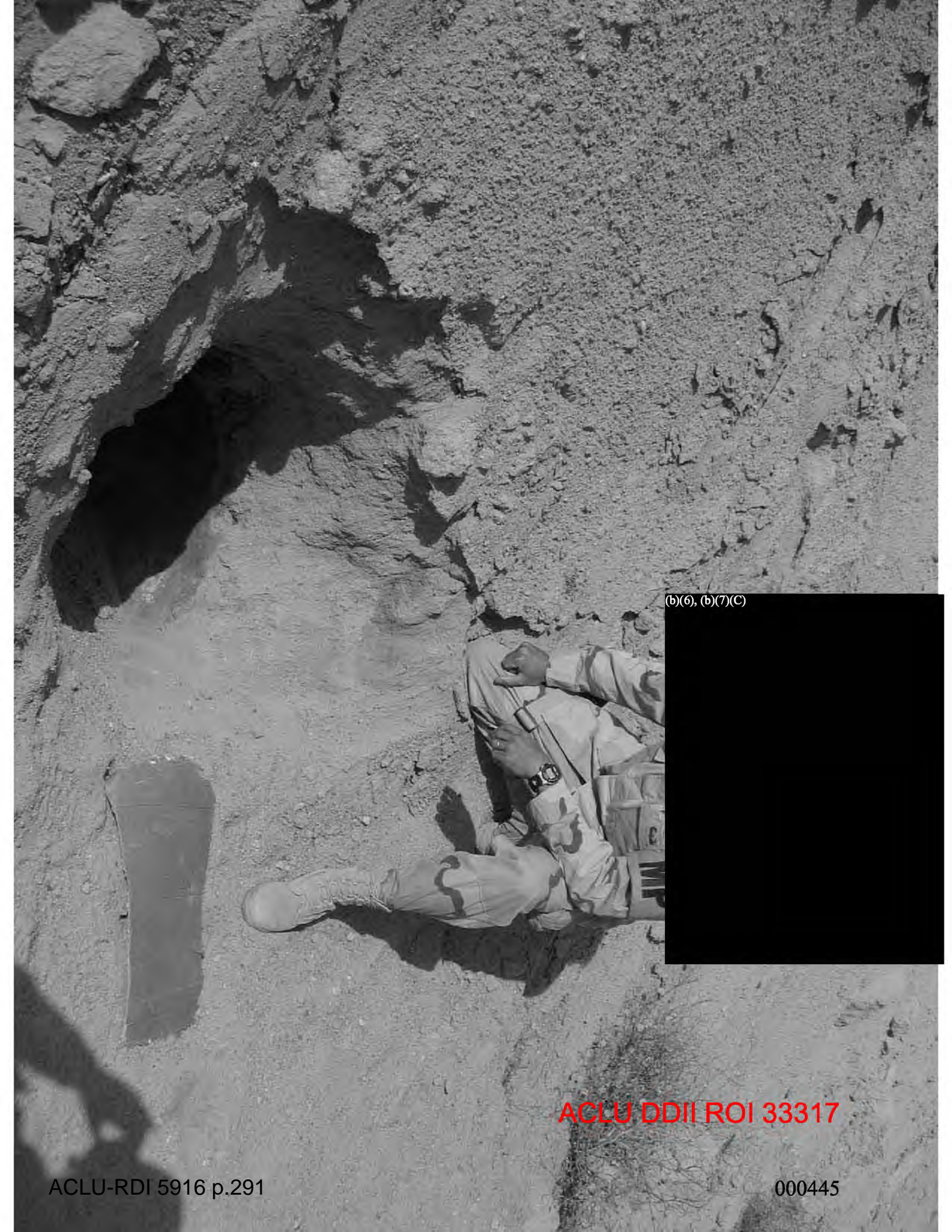
(b)(6), (b)(7)(C)



ACLU DDII ROI 33315

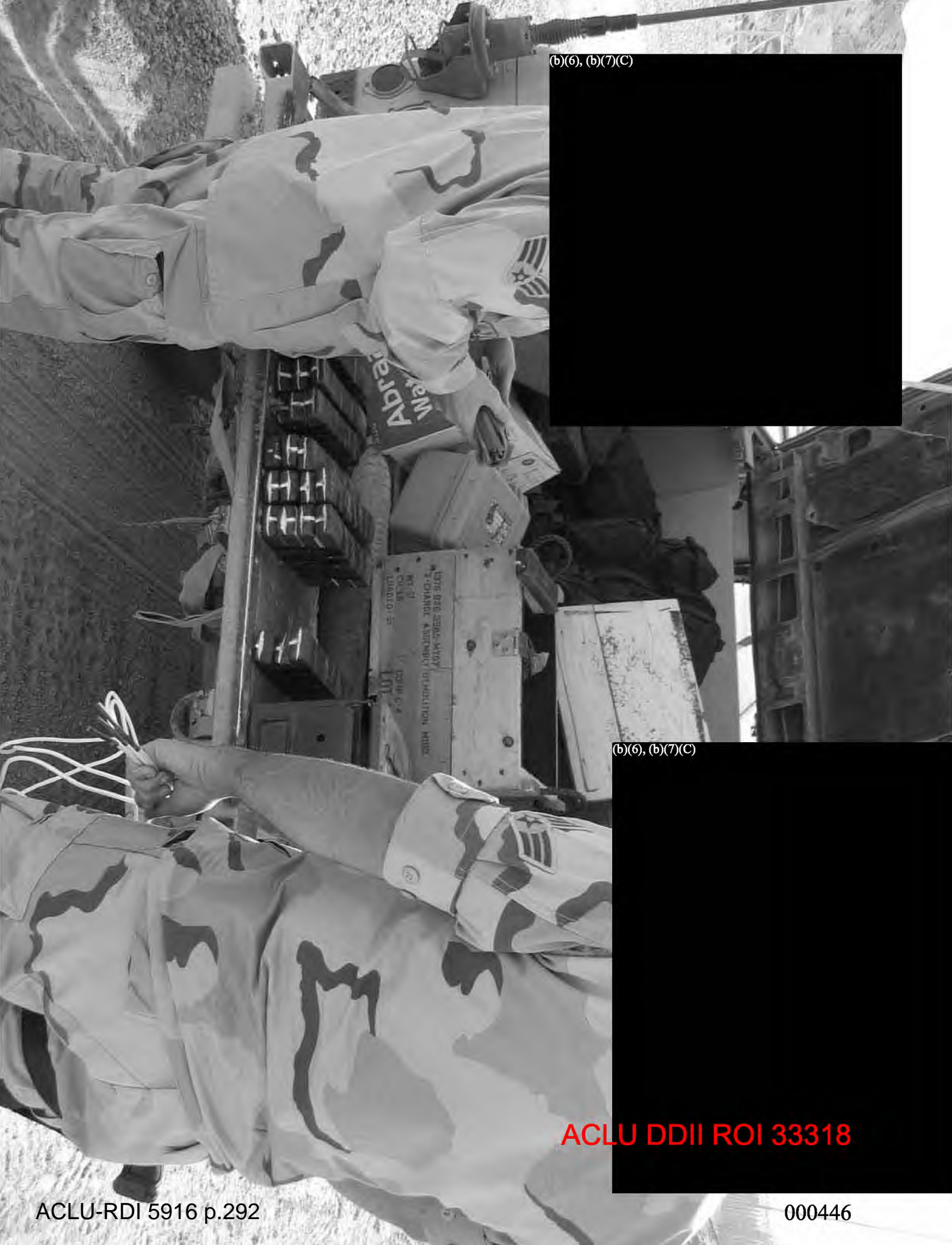
(b)(6), (b)(7)(C)

ACLU DDII ROI 33316



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

ACLU DDII ROI 33317



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

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

ACLU DDII ROI 33318

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



ACLU DDII ROI 33319

EXHIBIT 39

ACLU DDII ROI 33320

Other Media In case file

ACLU DDII ROI 33321

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER 0083-05-CID259	
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 36247	
RECEIVING ACTIVITY 48th MPDET (CID) (FWD)		LOCATION CAMP VICTORY, Baghdad, IZ APO AE 09342	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER CRIME SCENE		ADDRESS (Include Zip Code) N/A	
LOCATION FROM WHERE OBTAINED Bank of irrigation Canal, vicinity of Grid MB 73586 62500, off of ASR DETROIT, Baghdad, IZ		REASON OBTAINED EVIDENCE	TIME/DATE OBTAINED 1240, 6 APR 05

ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, condition and unusual marks or scratches)</small>
1	1	Shell casing, 5.56mm, bearing the manufacturer's Stamp, "LC 90", Placed in a padded, clean envelope which was sealed and marked for ID, (b)(6), (b)(7)(C) 1240, 6 APR 05
— LAST ITEM —		

CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1	6 APR 05	SIGNATURE NOT APPLICABLE	(b)(6), (b)(7)(C)	Evaluation AS Evidence
		NAME, GRADE OR TITLE CRIME SCENE	(b)(6), (b)(7)(C)	
1	7 Apr 05	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	RECEIVED BY EVIDENCE CUSTODIAN
		NAME, GRADE OR TITLE SA	NAME, GRADE OR TITLE SA	
		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	

ACLU DDII ROI 33508

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

MPR/CID SEQUENCE NUMBER

0083-05-CID257

CRD REPORT/CID ROI NUMBER

36247

RECEIVING ACTIVITY

48th MP Det (CID) (FWD)

LOCATION

Camp Victory, Baghdad, IZ

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED

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

ADDRESS (Include Zip Code)

B BTRY, 11673 FA REG
ISA Anaconda, Balad, IZ

☐ OWNER

SGT

☒ OTHER

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

LOCATION FROM WHERE OBTAINED

From the hands
of SGT (b)(6), (b)(7)(C)
Bldg 84, Camp
Victory, IZ

REASON OBTAINED

Evidence

TIME/DATE OBTAINED

1000, 9 APR 05

ITEM
NO.

QUANTITY

DESCRIPTION OF ARTICLES

(Include model, serial number, condition and unusual marks or scratches)

Pistol m-9, serial number 1363582, marked for
ID; (b)(6), (b)(7)(C) 1000, 9 APR 05
LAST ITEM

CHAIN OF CUSTODY

ITEM
NO.

DATE

RELEASED BY

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

RECEIVED BY

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

PURPOSE OF CHANGE OF CUSTODY

1

9
APR
05

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

SGT

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

Sgt

Evaluation
As
Evidence

1

10
APR
05

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

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

SA

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

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

RECEIVED
By
Ensign
CUSTODIAN

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

ACLU DDII ROI 33509

DA FORM 4137

Replaces DA FORM 4137, 1 Aug 74 and

ACLU-RDI 5916P257

DA FORM 4137-R Privacy Act Statement

26 Oct 95 Which are Obsolete.

LOCATION

DOCUMENT
NUMBER

805003505

42-2

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

MPR/CID SEQUENCE NUMBER

0083-05-CID259

CRD REPORT/CID ROI NUMBER

36247

RECEIVING ACTIVITY

48th MP Det (CID) (FWD)

LOCATION

Camp Victory, Baghdad, IZ

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED

☐ OWNER

SGT

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

☒ OTHER

ADDRESS (Include Zip Code)

B BTRY, 11623 FA

LSA Anaconda, Balad, IZ

APD AC 09391

LOCATION FROM WHERE OBTAINED

from the hands of SGT (b)(6), (b)(7)(C) Bldg 84, Camp Victory, IZ

REASON OBTAINED

Evidence

TIME/DATE OBTAINED

1005, 9 APR 05

ITEM NO.

QUANTITY

DESCRIPTION OF ARTICLES

(Include model, serial number, condition and unusual marks or scratches)

1 1 Rifle, m-4, Serial Number W077786, with sling, marked for ID, (b)(6), (b)(7)(C) 1005, 9 APR 05

LAST ITEM

CHAIN OF CUSTODY

ITEM NO.

DATE

RELEASED BY

RECEIVED BY

PURPOSE OF CHANGE OF CUSTODY

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

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

Evaluation AS Evidence

NAME, GRADE OR TITLE

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

SGT

NAME, GRADE OR TITLE

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

SA

10

APR 05

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

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

Received by Evidence Custodian

NAME, GRADE OR TITLE

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

SA

NAME, GRADE OR TITLE

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

SA

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

ACLU DDII ROI 33510

AGENT'S INVESTIGATION REPORT	ROI NUMBER 0083-05-CID259-36247
CID Regulation 195-1	PAGE 1 OF 1 PAGES

DETAILS

Basis For Investigation: About 0900, 8 Jun 05 SA (b)(6), (b)(7)(C) his office, was notified by SA (b)(6), (b)(7)(C), (b)(7)(F) 37th Military Police (MP) Detachment (DET) (CID) (FWD), Logistical Support Area Anaconda, Iraq (IZ) APO AE 09391, that other Special Agents of his office had seen an interview with SGT (b)(6), (b)(7)(C) conducted by a reporter of the Public Affairs Office, which discussed events that transpired during the ambush and the subsequent CID investigation that ensued. SA (b)(6), (b)(7)(C) coordinated with SJA, which requested he obtain the digital footage of that interview and an interview be conducted on Victim Mr. (b)(6), (b)(7)(C) located at the Theater Internment Facility, Camp Bucca, IZ. Mr. (b)(6), (b)(7)(C) medical records were also requested. Subsequent Requests For Assistance were sent to Balad and Camp Bucca CID offices.

On 9 Jun 05, this office received a request for correction from Criminal Investigation Command (CRC), indicating page 2 from Exhibit 3 (b)(6), (b)(7)(C) Sworn Statement) was missing. A copy of page 2 was located at the 18th MP Brigade, Camp Victory, Baghdad, IZ APO AE 09342. Exhibit 41 (Video Tape) was also removed from the Final Supplemental as an attached Exhibit (IAW CIDR 195-1, paragraph 5-10d), and noted in the Not Attached portion of the report.

On 10 Jun 05, this office received the First Information Report from the 380th MP DET (CID) (FWD) Camp Bucca CID Office, Camp Bucca, IZ APO AE 09375 which included the following: Agents Investigation Report (AIR) of SA (b)(6), (b)(7)(C), (b)(7)(F) detailing his interview with Mr. (b)(6), (b)(7)(C) Mr. (b)(6), (b)(7)(C) indicated he was not involved in an ambush but happened to be in the location because he was rummaging out trailers in attempts to looting them, since he was poor. Mr. (b)(6), (b)(7)(C) witnessed Coalition Forces attacked by terrorists but did not participate in the ambush; however he was caught in the crossfire and subsequently shot. Mr. (b)(6), (b)(7)(C) does not recall being shot at close range, but does recall a US Soldier next to him before he passed out. Mr. (b)(6), (b)(7)(C) medical records detail his injuries he sustained during the ambush. Mr. (b)(6), (b)(7)(C) Dossier and Detainee Personnel Report provided biographical information.

On 12 Jun 05, this office received the First Information Report from the 37th Military Police (MP) Detachment CID Office, which contained the following: AIR of SA (b)(6), (b)(7)(C) which reflected an interview with SPC (b)(6), (b)(7)(C) 7th Public Affairs Detachment, Logistical Support Area Anaconda, APO AE 09391, which provided a copy of an interview of SGT (b)(6), (b)(7)(C) Apr 05, conducted by Public Affairs Officer Reporter PFC (b)(6), (b)(7)(C) The interview discussed events that occurred during the ambush and the subsequent CID investigation that ensued.

///LAST ITEM///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) 48 th MP Det (CID) (FWD)	(b)(6), (b)(7)(C)	12 Jun 05
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CID FORM 94-E

1 OCT 95

ACLU-RDI 5916 p.300

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AUTOMATIC TERMINATION (Para 13, AR 340-16)
(When Data Is Entered)

ACLU DDII ROI 38512

000638

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0145-05-CID919 (0083-05-CID259-36247)

CID Regulation 195-1

PAGE 1 OF 2 PAGES

DETAILS

Basis for Investigation: On 26 May 05, several personnel assigned to the 37th Military Police (MP) Detachment (CID)(FWD), Logistics Support Area Anaconda (LSSA), Balad, Iraq (IZ) APO AE 09391, advised the undersigned they had observed a Public Affairs Office (PAO) video involving the interview of SGT (b)(6), (b)(7)(C) B Battery (BTRY), 1ST Battalion (BN), 623RD Field Artillery (FA) Regiment (REG), 503RD MP BN, 18TH MP BRIGADE (BDE), LSSA, and concerning the ambush of Coalition Forces by Anti-Iraqi Forces (AIF) on 20 Mar 05.

The undersigned was the case agent assigned to Report of Investigation (ROI) 0083-05-CID259-36247, wherein SGT (b)(6), (b)(7)(C) was the subject of an Attempted Murder investigation, arising from his actions on 20 Mar 05, subsequent to an ambush by AIF. At the time of the investigation, the undersigned was assigned to the 48th MP DET (CID)(FWD), Camp Victory, Baghdad, IZ APO AE 09342. Coordination was effected with CPT (b)(6), (b)(7)(C) Trial Counsel, 18th MP BDE, Camp Victory, IZ APO AE 09342, who requested this office attempt to obtain a copy of any taped interview of SGT (b)(6), (b)(7)(C). Further, CPT (b)(6), (b)(7)(C) requested that coordination be made with the Air Force Theater Hospital (AFTH), LSSA, APO AE 09391, and that copies of any X-Rays or CAT Scans completed on the victim of ROI 0083-05-CID259-36247 be collected. CPT (b)(6), (b)(7)(C) advised that he had met with the victim, Mr. (b)(6), (b)(7)(C) Internment Serial Number (ISN) 172105, at the Bucca Central Confinement Facility, IZ. CPT (b)(6), (b)(7)(C) stated Mr. (b)(6), (b)(7)(C) was now more cognizant and he requested further interview of Mr. (b)(6), (b)(7)(C) regarding the incident on 20 Mar 05.

Coordination was made with Special Agent in Charge (b)(6), (b)(7)(C) 48th MP DET (CID)(FWD), Camp Victory, Baghdad, IZ APO AE 09391, who related his office would be re-opening ROI 0083-05-CID259-36247, to complete further investigative activity. It was requested that this office obtain any video footage of PAO interviews with SGT (b)(6), (b)(7)(C) and that this office obtain any X-Rays or CAT Scans done by the AFTH on Mr. (b)(6), (b)(7)(C).

Witness Interviews: About 1540, 6 Jun 05, the undersigned interviewed SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 27th Public Affairs Detachment, LSSA, APO AE 09391. SPC (b)(6), (b)(7)(C) advised his office maintained a large digital data base, containing digital recordings made for the LSSA PAO. SPC (b)(6), (b)(7)(C) searched the data base and located an interview conducted on or about 1 April 05 of SGT (b)(6), (b)(7)(C). SPC (b)(6), (b)(7)(C) produced and released a copy of the interview on a Digital Video Disc (DVD), which was collected as evidence. SPC (b)(6), (b)(7)(C) identified the camera operator for the interview as PV2 (b)(6), (b)(7)(C) and the reporter as PFC (b)(6), (b)(7)(C). Both (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) both assigned to the 27th Public Affairs Detachment, LSSA, APO AE 09391 (See Evidence/Property Custody Document 566-05, 6 Jun 05).

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

JENCE NUMBER

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

SA
37th MP Det (CID) (FWD)
LSA Anaconda, IZ APO AE 09391

8 June 05

CID FORM 94-E

1 OCT 95

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AUTOMATIC TERMINATION (Para 13, AR 340-16)
(When Data Is Entered)

ACLU-RDI 5916 p.301

000639

ACLU DDH ROI 32513

AGENT'S INVESTIGATION REPORT	ROI NUMBER 0145-05-CID919 (0083-05-CID259-36247)
CID Regulation 195-1	PAGE 2 OF 2 PAGES

DETAILS

Agent's Note: During a review of the video footage, containing the interview of SGT (b)(6), (b)(7)(C) it was noted that SGT (b)(6), (b)(7)(C) told the reporter, "We had a chip on our shoulder when we went out that day..." (See copy of DVD at 1:44 minutes).

Coordination with Medical Personnel: About 1652, 6 Jun 05, the undersigned met with Airman First Class (A1C)(USAF) (b)(6), (b)(7)(C) Patient Administration Division, AETH, LSSA, APO AE 09391. A1C (b)(6), (b)(7)(C) advised that records of Patient 823 (Mr. (b)(6), (b)(7)(C)) had been archived and forwarded to the Central Medical Record Depository at Fort Sam Houston, TX.

Witness Interview: About 1345, 7 Jun 05, the undersigned interviewed PFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 27th Public Affairs Detachment, LSSA, APO AE 09391. PFC (b)(6), (b)(7)(C) recalled conducting an interview of SGT (b)(6), (b)(7)(C) on or about 1 or 2 Apr 05, which concerned an ambush of 1/623 FA REG soldiers during a convoy in March 2005. PFC (b)(6), (b)(7)(C) stated he did not recall the questions he asked SGT (b)(6), (b)(7)(C) during the interview, but confirmed that his entire conversation with SGT (b)(6), (b)(7)(C) was recorded on digital tape. PFC (b)(6), (b)(7)(C) provided no further information.

Coordination with SJA: About 1715, 7 Jun 05, the undersigned briefed CPT (b)(6), (b)(7)(C) further on this investigation. CPT (b)(6), (b)(7)(C) advised that further attempts to obtain X-Rays or CAT Scans regarding Mr. (b)(6), (b)(7)(C) were not needed, as his office had obtained copies.

////////////////////////////////////LAST ITEM////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA (b)(6), (b)(7)(C), (b)(7)(F) 37 th MP Det (CID) (FWD) LSA Anaconda, IZ APO AE 09391	SIGNATURE (b)(6), (b)(7)(C)	8 June 05
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CID FORM 94-E

1 OCT 95

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ACLU DDJ ROI 33514
LAW ENFORCEMENT SENSITIVE
PROTECTIVE MARKING IS EXCLUDED FROM
AUTOMATIC TERMINATION (See 13 AR 340-16)
(When Data Is Entered)

EXHIBIT 48

ACLU DDII ROI 33515

PAGE(s) 000641 thru 000644

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ACLU DDII ROI 33516

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	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

FINAL DISPOSITION ACTION

RELEASE TO OWNER OR OTHER (Name/Unit) _____

DESTROY _____

OTHER (Specify) _____

FINAL DISPOSITION 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)

ACLU DDII ROI 33518
(Signature)OFFICIAL USE ONLY
ENFORCEMENT SENSITIVE

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0083-05-CID259-36247
0055-05-CID579-

PAGE 1 OF 1

DETAILS

Basis For Investigation: About 1500, 9 Jun 05, this office received a Request For Assistance (RFA) from the 48th MP Det (CID), Camp Victory, Iraq. The RFA requested this office interview Detainee (b)(6), (b)(7)(C) and obtain medical records documenting his current health status.

About 1530, 9 Jun 05, the undersigned received (b)(6), (b)(7)(C) Dossier and Personnel Report from In/Out Processing, Theater Internment Facility (TIF), Camp Bucca, Iraq APO AE 09375 (CBI). (See Dossier and Personnel Report)

About 1600, 9 Jun 05, the undersigned, with assistance from Interpreter Mr. (b)(6), (b)(7)(C) this office interviewed (b)(6), (b)(7)(C) could not write because his arm was in a cast. (b)(6), (b)(7)(C) said about three months ago he attempted to rummage through some burned out trailers in Al-Madan, near Baghdad, next to an electricity factory. He said the trailers were on a Saudi Arabian truck and were previously damaged. He planned to loot the trailer because he was poor. (b)(6), (b)(7)(C) said that while he was there a U.S. convoy passed by and was attacked by terrorists wearing masks. (b)(6), (b)(7)(C) claimed he did not know the identity of the terrorists, because they were not from his area. (b)(6), (b)(7)(C) said he was in the crossfire between the U.S. Soldiers and the terrorists so he ran to a nearby river to seek shelter. He said the terrorists split up and ran in all directions, and some of them ran near his location at the river. At this time, the U.S. soldiers began shooting in his direction. (b)(6), (b)(7)(C) said he was shot in the buttocks and became unconscious for an undetermined period. He remembered waking with an American Soldier by his side. (b)(6), (b)(7)(C) said he then fell unconscious again, and did not wake until he was in a hospital. (b)(6), (b)(7)(C) felt the hospital might have been at Abu Ghraib but he was unsure. He said the hospital was actually a large tent. (b)(6), (b)(7)(C) said he had never been involved in an insurgency or any violence directed toward coalition forces. (b)(6), (b)(7)(C) did not remember being shot at close range. He said the shot which hit him in the buttocks was fired from a HMMVV, but he did not see the shooter. (b)(6), (b)(7)(C) did not know the origin of several injuries he suffered.

About 1645, 9 Jun 05, SGT (b)(6), (b)(7)(C) Patient Administration Division (PAD), Internment Facility Aid Station (IFAS), CBI, provided a copy of (b)(6), (b)(7)(C)'s in-patient medical records. SGT (b)(6), (b)(7)(C) explained that the IFAS did not possess any of (b)(6), (b)(7)(C)'s previous medical records from other facilities outside of CBI. (See medical records)
///last entry///

TYPE AGENT'S NAME AND SEQUENCE NUMBER

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

380th MP DET (CID) (FWD)
Camp Bucca CID
Camp Bucca, Iraq, APO AE 09375

ACLU DDH ROI 33519

SIGNATURE

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

DATE

9 Jun 05

EXHIBIT


50






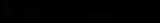


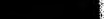



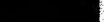
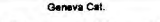

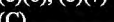






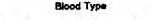



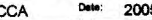

0083 05 C10259 36247

Last Name	(b)(6), (b)(7)(C)
First Name	
Middle	
Category	CI-CIVILIAN INTERNEE
Power	IZ-Iraq
Arm of Service	
MOS	
COS	13-FARMER (AGRICULTURE)
Service No	(b)(6), (b)(7)(C)
Grade	
Geneva Cat.	
ICRC	
Camp Name	BUCCA
Enclosure	M-MEDICAL
Holding/Cel	DNR 4,8

Height		Nationality	IZ-Iraq
Weight		Religion	33-SUNNI-ISLAM
Hair Color	BK	Race	X-OTHER
Eye Color	BR	Marks	

Sex	M
Blood Type	
DOB	(b)(6), (b)(7)(C)
Complexion	

(b)(6), (b)(7)(C)		CI-CIVILIAN INTERNEE		Issuing Facility: BUCCA Issued: 2005/06/09 using UIC: BUCCA	ID Particular		
		Grade	Geneva Cat.		41824		
		Height (in)	Weight (lbs)		Hair	Eye	Marla
					BR	BR	
		Date Of Birth	Blood Type		ICRC		
(b)(6), (b)(7)(C)					Left Index	Right Index	
Signature							
(b)(6), (b)(7)(C)							

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

ACLU DDII ROI 33520

DETAINEE PERSONNEL REPORT

For use of this form, see AR 190-8; the proponent agency is ODCDOPS


0083 05 CID 259 36247

PART I - TO BE COMPLETED AT TIME OF PROCESSING

CARD I		1. INTERMERNT SERIAL NO. (1-13) (b)(6), (b)(7)(C)		2. NAME (Last, first, middle (14-34) (b)(6), (b)(7)(C)		3. RANK (35-37)	
4. ENEMY SVC NO. (38-46) (b)(6), (b)(7)(C)		5. TYPE (47)		6. DATE OF CAPTURE (48-53) 2005/03/21		7. DATE OF BIRTH (54-59) (b)(6), (b)(7)(C)	
8. NATIONALITY (60-61) IZ-Iraq		9. EDUCATION (62) C-		10. RELIGION (63-64) 33-SUNNI-ISLAM		11. MARSTA (65)	
				12. PW CAMP UIC BUCCA		13. PW PROCESS DT 2005/04/17	
CARD II (Keypuncher will pick up item 1 above)		14. SEX (14) M		15. LANGUAGE I (15-16) AI-ARABIC-IRAQ		16. LANGUAGE II (17-18)	
17. PHYSICAL CONDITION (19) G-GOOD		18. PW CAMP LOCATION (20-22) UMM QASAR		19. ENEMY UNIT (23-24)			
20. ARM OF SVC (35)		21. MOSC (36-39) 13-FAR		22. CIVILIAN OCCUPATION (40-45) ER (AGRICULTURE)		23. UIC-CAPTURE UNIT (46-51) 617TH MP CO	
24. CORPS AREA OF CAPTURE		25. PLACE OF CAPTURE MB7370063300		26. POWER SERVED IZ-Iraq		27. PLACE OF BIRTH BAGHDAD	
28. ADDRESS TO WHICH MAIL FOR PW MAY BE SENT BUCCA 105TH MP BN UMM QASAR APO AE 09375				29. FATHER/STEPFATHER (b)(6), (b)(7)(C)			
				30. MOTHER'S MAIDEN NAME (b)(6), (b)(7)(C)			
31. PERMANENT HOME ADDRESS OF PW (b)(6), (b)(7)(C)				32. NAME, ADDRESS, AND RELATIONSHIP OF PERSON TO BE INFORMED OF CAPTURE (b)(6), (b)(7)(C)			
33. OTHER PARTICULARS FROM ID CARD 41824				34. DISTINGUISHING MARKS			
35. IMPOUNDED PERSONAL EFFECTS AND MONEY (IAW AR 37-36)							

THE ABOVE LIST OF IMPOUNDED ITEMS IS CORRECT

(Signature of Detainee)

36. REMARKS ASSAULT ATTACK ON COALITION FORCES//MOVED TO MEDICAL ON 17MAY2005 NO TELE		37. PHOTO 	
38. PREPARED BY (Individual and unit) (b)(6), (b)(7)(C)		39. SIGNATURE	
40. DATE PREPARED 2005/06/09		41. PLACE 105TH MP BN	

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DETAINEE PERSONNEL REPORT

For use of this form, see AR 190-8; the proponent agency is ODCDOPS

0083 05 CID259, 36247

PART II - TO BE MAINTAINED BY UNIT HAVING CUSTODY

42a. LAST NAME

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

b. FIRST NAME

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

43. INTERNMENT SERIAL NUMBER

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

MEDICAL RECORD

44.

a. IMMUNIZATION (Vaccinations and Innoculations with Dates)

b. MAJOR ILLNESSES AND PHYSICAL DEFECTS (With Dates)

c. Blood Group

45. INTERNMENT EMPLOYMENT QUALIFICATIONS

46. SERIOUS OFFENSES PUNISHMENTS AND ESCAPES (With Dates)

47. TRANSFERS

FROM (Location)	TO (Location)	DATE
BCF		2005/05/15

48. REMARKS

49. FINANCIAL STATUS AT TIME OF FIRST INTERNATIONAL TRANSFER

a. CERTIFICATE OF CREDIT BALANCE ISSUED TO EPW (Amount in words)

b. AMT IN FIGURES

c. LOCATION

d. DATE

50. FINANCIAL STATUS AT TIME OF SECOND INTERNATIONAL TRANSFER

a. CERTIFICATE OF CREDIT BALANCE ISSUED TO EPW (Amount in words)

b. AMT IN FIGURES

c. LOCATION

d. DATE

51. REPATRIATION

a. Reason

b. MODE

c. DATE

52. FINANCIAL STATUS AT TIME OF REPATRIATION

a. CERTIFICATE OF CREDIT BALANCE ISSUED TO EPW (Amount in words)

b. AMT IN FIGURES

c. LOCATION

d. DATE

ACLU DDII ROI 33522

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: 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 617 Military Police Company TOC	2. DATE (YYYYMMDD) TIME 2005/03/24 (b)(6), (b)(7)(C) 1000 (b)(6), (b)(7)(C)	FILE NUMBER (b)(6), (b)(7)(C)
3. LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	6. SSN (b)(6), (b)(7)(C)	7. GRADE/STATUS E6
8. ORGANIZATION OR ADDRESS 617 Military Police Company Camp Liberty Iraq, APO AE 09342		

9. (b)(6), (b)(7)(C)

I, _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During an engagement between my squad, 2nd SQ, 4th PL and Anti Iraqi forces (AIF) on 20 March 2005, I observed some actions of soldiers from B/623 FA. These soldiers were escorting a convoy south bound on ASR Detroit in the Salma Park area of Iraq. After the initial engagement from the AIF on to the convoy, my squad, reacted and moved to contact on the AIF to stop them from killing or injuring any coalition forces or third country nationals in the convoy. After the fighting had ended, and I was trying to make sure that the scene was secure. I approached the area where my alpha team truck was to check on the injuries they sustained. Seeing that our medic, SPC (b)(6), (b)(7)(C) was taking care and directing soldiers to render aid to the three that were injured, I decided to proceed on into the main canal to insure that the scene was safe and all AIF were secure. At this time I observed a soldier that I was not familiar with. I presumed he was from the convoy escort element. I asked him and he advised that he was from 623. At this time I told him I needed him to come with me to finish securing the scene. The soldier and I then proceeded down the main canal to find anymore enemy combatants. At this time he advised that "it was pay back time". believing that this soldier was referring to the death of another soldier from a few days before. I told him to settle down. About half way down the canal we came upon one live AIF. He was on the opposite side of the canal, in the prone position, parallel with the canal and had one hand hidden under him. At this time the soldier said to me "let me shoot him, let me shoot him, I got pay back coming". I ordered him not to and advised him that we would be able to get information from him. He still insisted to just shoot him when the AIF would not remove his hand from under himself. Finally after a few moments, and some hand and arms signals the AIF complied. He appeared to me to only have a injury to his left leg from a gun shot wound. I never observed any weapons in his direct area of reach. Again the soldier said to me that he wanted to shoot the AIF. Again, I ordered him not to. I told him that we had to much more to worry about, there were still about ten more AIF in the canal to secure. He then advised me that we just couldn't leave this AIF unattended. Being that we did not have any way to secure his hands, I asked him if he could handle him and he replied he had it under control and would watch the AIF. I left him and proceeded down the canal. When I left, the soldier was watching the AIF and pointing his rifle at him. After about 50 meters down the canal, I heard the report from what sounded to be a pistol from behind me. I then turned around and observed that the soldier was pointing his M9 at the AIF and the AIF, that was sitting up, fell back onto his side. I then yelled out "are you all right?" He replied yes. Believing that he had just killed the AIF, and knowing that I still had more area to secure, I proceeded on to the end of the canal where I located on AIF that was not injured and fully capable of fighting. At that time SGT (b)(6), (b)(7)(C) came to my area and with Flex cuffs we secured the last AIF and took him back to our vehicle. We then began to check more of the area for injured or alive AIF and render aid to them. //END OF STATEMENT (b)(6), (b)(7)(C)//

10. EXHIBIT	11. 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 _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

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(b)(6), (b)(7)(C)
After we had fought the four insurgents in the canal and made our way up to the location were SGT (b)(6), (b)(7)(C) vehicle was, I found SPC (b)(6), (b)(7)(C) still on his M2 machine gun. I could see that he was covered with blood. I asked him if he was all right and he advised he had been shot in the hand but could still fight. A soldier from the convoy who had been ambushed, proceeded along with me on the main canal that the insurgents were occupying. After searching the insurgents, we found several of them who were still alive. We separated them from their weapons and secured them. During all of this, SPC (b)(6), (b)(7)(C) drove SGT (b)(6), (b)(7)(C) SPC (b)(6), (b)(7)(C) and SPC (b)(6), (b)(7)(C) to a landing zone, to be MEDEVACED, some were about two miles east of our position on ASR Detroit. After the area was secure, we rendered aid to the AIF that needed it and MEDEVACED them. In the total fight that after noon, 24 AIF were killed on location, 7 were wounded, and I was taken prisoner. While waiting on the MEDEVAC, an MI patrol stopped and asked if they could question some of the AIF. During there questioning , the AIF informed them there was a total of 50 AIF and 10 vehicles involved in the ambush. We could only account for 35. Later reports given to me, said that 3 more of the insurgents died either in the MEDEVAC or at the hospital. The AIF involved in this ambush were well equipped, well trained, had a tactical plan of attack with high moral. There fighting positions were thought out with a plan for a primary attack, fall back positions with covering fire and an escape route. During this fight, each and every soldier in my squad, fought with honor, valor and performed acts heroism that were above and beyond there duty. The gunners from each vehicle never quit fighting and always continued looking for AIF in our area and engaged them, to include SPC (b)(6), (b)(7)(C) engaging with both the MK19 and M240 his vehicle was equipped with. SPC (b)(6), (b)(7)(C) at one point in the battle, seeing that he was better needed up towards SGT (b)(6), (b)(7)(C) vehicle, came down from the weapon platform and drove the vehicle to that location to cover them while aid was rendered. In total, 22 x AKM, 13 x RPK, 6 x RPG launchers, 16 x RPG rockets, 39 x handgrenades, 123 x AKM magazines (full), 52 x AKM magazines (empty), 1 x drum AKM (w/ 75 estimated rounds), approximately 2500 x loose 6.2mm. ammunition and several thousand rounds of linked RPK rounds. #####END OF STATEMENT (b)(6), (b)(7)(C) #####

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

I, [REDACTED], 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 OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL (b)(6), (b)(7)(C)

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WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of March, 2005 at 617 Military Police Company TOC
(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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