

## DEPARTMENT OF THE ARMY HEADQUARTERS 4TH INFANTRY DIVISION (MECHANIZED) OFFICE OF THE STAFF JUDGE ADVOCATE 'FORT HOOD, TX 76544-5000

REPLY TO ATTENTION OF:

AFYB-JA-AE

05 September 2003

MEMORANDUM FOR COMMANDER, 4th Infantry Division (Mechanized), Fort Hood, Texas 76544

SUBJECT: AR 15-6 Investigation - Legal Review

- 1. In accordance with AR 15-6, paragraph 2-3, I have reviewed the AR 15-6 investigation into allegations of soldier misconduct contained in a swom statement by August 2003. I make the following determinations:

  64 76-4
  - a. The proceedings comply with the legal requirements.
- b. Errors in the proceedings, if any, do not have a material adverse effect on any individual's substantial rights.
  - c. Sufficient evidence supports the findings.
  - d. The recommendations are consistent with the findings.
- 2. The investigation is legally sufficient.
- 3. The point of contact is the undersigned, (DNVT) 534- b6-2/7c Z

  CPT, JA

Administrative Law Attorney

For use of t	SWORM his form, see AR 19	STATEMENT	agency is ODG	CODE	
		DATE 28 AUG 03	TIME 1530	FILE NUMBI	ER
AST NAME, FIRST NAME, MIDDLE NAME		SOCIAL SECURITY	NUMBER	GRADE/STA	TUS
BRT, 2BCT 4ID	bloi	-7c4			
	000	101			
Quhatis your posi	(D) (D)-4	_, WANT TO MAKE	THE FOLLOW	ING STATEMENT UN	DER OATH:
A I'm the	410n Z	as are a literature and a second		(. )(.)\)	
				(b)(2)-2	
Q How long have you b.	(2)-2	latoon?			
a Did you know	1 .	∕¥			٠
A Yes		C. See			
Q Have you or anyon	a alsa in I	ha BRT OK	20ed a a	lotaines h	0+11-010
the hood and the	brush and	d ofallin	AUEE OIN	d transport	thom
to a holding are	2a>	- o · · · · · · · · · · · · · · · · · ·	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
A No, we have tra	-	m on the h	od for n	omore than	0 a 10 K
movement We rea					•
O HOW fastwere was	mavina wh	0 - 11 - 10			
A No more than 3	O Kn Jil	en you tran	isported 1	te detainees	on thelta
and the second s	•	o bot a		<b>)</b>	
Q Po you know of	angule wit	o near a de	XOLIN EC		
O Do you Know of a	ing soldier	who stole	Bricks"	of money	at
Other valuables fr A. NO.	om Ingi	citizens o	r Detai.	nees?	
Q Are you aware o	if anincid	lost whom	Beenti	n- ann as and	
Individual carrying	an AK-47	, along a c	anal in	the vicinit	an I
Are you aware a individual carrying of FOB Normandy A Yes, ON ONE PATRO	during t	he may to	tune +	me frame?	1
A Yes, ON ONE PATRO Down a dike o	end come	vo section	was -	Patroling	
	a carre	mio con	tact w	11th a	
7	INITIALS OF PERS	SON MAKING STATE	EMENT		
DITIONAL PAGES MUST CONTAIN THE HEAD	DIALC TOTAL	OFTAKEN AT	<del></del>	PAGE 1 OF CONTINUED "	PAGES
				CONTINUED."	
OTTOM OF EACH ADDITIONAL PAGE MUST AGE OF PAGES." WHEN ADDITI MENT WILL BE CONCLUDED ON THE REVER	ONAL PAGES ARE L	OF THE PERSON M TILIZED, THE BACK	AKING THE ST OF PAGE 1 W	ATEMENT AND BE I	VITIALED

STATEMENT (Continued) guy with an AK-47. A section was petroling north and upon the contact report headed South in support. Upon arrival to B' sections location we (A section) were informed that they fired and wounded the goy w/ the AK-47. He was shot with a MK19 round that had blown of his arm so said by the soldiers in Bsection 'A' section searched the surroundine area to find no injured people nor any signs of impacts of the MK-19 rounds. A section returned to the same eight the tollowing day during daylight again to this no impacts of the 40mm gernades. Talking to locals we gathered no one in the area had been injured.

	504-164	•	•	
	AFFID	AVIT		<del></del>
WHICH BEGINS ON PAGE 1 AND EN BY ME. THE STATEMENT IS TRUE. CONTAINING THE STATEMENT. I H THREAT OF PUNISHMENT, AND WIT	I HAVE INITIALED ALL CORREC	TIONS AND HAVE INITIA	FED THE BOTTOM OF FAC	MENT MADE
				<del>y</del>
WITNESSES:		Subscribed and sworn to administer oaths, this $\frac{28}{28}$	before me, a person autho	
ORGANIZATION OR ADDRESS		t CAC	COT WELL SELECTION AND ADMINISTRA	
	b62/7c2		Person Administering Oath	
ORGANIZATION OR ADDRESS		<u> HK- 15-</u>	To Administering Oat  To Administer Oaths)	(n) 
NITIALS OF PERSON MAKING STATE	MENT 64/7c4		PAGE 2 OF 2	PAGES
				664

For use of this form see	NORN STATEMENT AR 190-45; the proponen	t aganov in ODCCCC	
LOCATION See of this folint, see	DATE DATE	TIME	FILE NUMBER
1107	27AUG03	1920	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURIT	Y NUMBER	GRADE/STATUS
ORGANIZATION OR ADDRESS			
664/7c	4		
			· · · · · · · · · · · · · · · · · · ·
1,	WANT TO MAK	CE THE FOLLOWING	STATEMENT UNDER OATH
Q. How Tong have you been into	e platom?	CE THE TOLLOWING	STATEMENT UNDER OATE
A. Since JAN 2001	- 1		
Q Did you know b	164/764		
A yes	/ /		
a Were use	1		1 O Fall lange
during the honer on a patrol	along a canal	in the VICINI	ty of FODNOIMO
Q Were you ever on a patrol during the MAY-JUN +;	me Frame? I	f so did you	a encounter an
	U7 2 1 8 4 1	- C LCX & A. (	
I M In A Section 1	What the 'and	1. + hange	and I heard the
Radio Call from B Section 15 minutes to and Illinoises	by III a page	1-0 Part 1	book well -
		ツヘリ イソノア・ナーブ	7108 (16 0100.1
1 10 des though	1/10 /MKM 01	1 -LA 0 - 4-14-14-5 (2)	111 have Jan
MK-19 gunner said he -	tired the rou	nds we	couldn't find
J Samage We wen	I Dack to the	Touk Tha	Date do a
1 2 1 1 0 day t see and do	image. The pea	ople in the 1	houses eve
I VER CONTRIBUTE		`	
9 Do you know of any occidetainers between the	asion whom no	م ا	5 6
detainees between the	1 00 ( 00) 100 / //	EN10-08 04.	the ORT placed
to transport	e nood and th	& Brush gu	and of CHIMILE
	SPONTED thous	on the ha-	1 am O hah' 1
the gunner	1		and pering
W How fast on I how far chi	Byon travel	with the	DNISHMARC -
the hood or Abehind	the cunner?		Prisoners an
A in a control of	, ,	0	
A. No more than 5 mile	es at a speed	04 15-50	mph,
Da yay Karu whan a	1000 5 - 5		
Q Do you know who made	the orecision t	o transfort.	them this way
147 don't hyou			
147 don't hyou	Stancon When	in mamban	c = 1 11 20-
147 don't hyou	stances when	e member	s of the BRT
a Do you know of any in board detainers?	stances when	e member	s of the BRT
Q Do you know of any in bear detainers?	stances when		s of the BRT
Boyou know of any in board detainers?  A.No. I'm not awage	of any.	6/64/704	s of the BRT
Boyou know of any in board detainers?  A.No. I'm not awage	stances when	6/64/7c4	
Boyou know of any in board detainers?  A.No. I'm not awage  EXHIBIT  8  INITIALS	of person making st.	6/64/7c 4  ATEMENT PAGE	S OF the BRT  GE 1 OF 2 PAGES
Do you know of any in beat detainers?  A. No., I'm not awage  EXHIBIT  ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATTHE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE	OF PERSON MAKING ST.  TEMENT OF TAKEN	b/64/7c 4  ATEMENT PACE  AT DATED	SE 1 OF 2 PAGESCONTINUED."
Boyou know of any in board detainers?  A.No. I'm not awage  EXHIBIT  8  INITIALS	TEMENT OF TAKEN	b/64/7c 4  ATEMENT PACE  AT DATED  MAKING THE STAT	SE 1 OF 2 PAGESCONTINUED.*

ACLU-RDI 976 p.4

USAPPC V2,00 6648

STATEMENT (Continued)			
A Are you aware or took items from	fany instances who	here any member	of the BRT
We were search	e found was tu	med in. On ma	ny occasions
Vehicle to a "nice"	hous Clair that	the world to be	tollow a
A NO	hey could search	the house for v	aluable?
A NO	thing else to ak	d to this inves	tisation?
			• :
			·
, 664/764			
the state of the s	AFFIDAVIT		
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE BY ME. THE STATEMENT IS TRUE. I HAVE INITIAL CONTAINING THE STATEMENT. I HAVE MADE THE THREAT OF PUNISHMENT, AND WITHOUT COERCI	LED ALL CORRECTIONS AND HAVE S STATEMENT FREELY WITHOUT I ON, UNLAWFUL INFLUENCE, OR UI	E INITIALED THE BOTTOM OF	TATEMENT MADE
WITNESSES:	(\$16	inature of Person Making State	
	Subscribed and administer oaths, to at a	sworn to before me, a person a this <u>27th</u> day of <u>August</u>	uthorized by law to
ORGANIZATION OR ADDRESS	1/2/2		
		nature of Person Administering	
ORGANIZATION OR ADDRESS		Name of Person Auministering  5 — (     Authority To Administer Oaths	
INITIALS OF PERSON MAKING STATEMENT	664/764	PAGE 2 OF	PAGES
		1	<del>← 6649</del>

_	For use of th	SWORN nis form, see AR 190	STATEMENT	aganav iz ODO	2000	
LOCATION		no territy side All 190	DATE 28 AUG 03	TIME OSSO	FILE NUMI	BER
	NAME, MIDDLE NAME	•	SOCIAL SECURITY	NUMBER	GRADE/ST	ATUS
ORGANIZATION OR	ADDRESS	-664/7c4				-
						····
Q what.	Section are y	ou in?	_, WANT TO MAKI	E THE FOLLOW	/ING STATEMENT L	JNDER OATH:
Q What	( 15 4040 Das)	~ ^ L				
T'M	the platoon 1	eaders dri	ven for 157	· Platosa		
I of Hom "	ing have you	heen in 10		1 10 10001	• •	
A over	2 years.		a platoun!			:
Q Do yo	ou know t	(6)	64/7c4			1
	you aware conditional road intendividual en					
Qwhat	my vehicle, happened a ction was h	Adam tip	st one on	site fr	om A sect	No.
when there	ction was be we dismoute the individual find house.	nted and colored (	road wai- onducted a NR didn't	find ,	the individ	ield. Iud
Q Bid	you speak -	1000000111		nights	>	
_ Wha	I happened 16		/ ~			
. • •	went back . he area. Ag	L(1) $L(A)$ $A$ $A$	- ~ 11 -	nducted	lanother thing.	search
XHIBIT O		INITIALS OF PERS	ON MAKING STAT	ENACNT		
ADDITIONAL PAGES I	MUST CONTAIN THE US	DIAIC #GT4TT	564/70	4		PAGES
S "PAGE OF	MUST CONTAIN THE HEA ADDITIONAL PAGE MUST _ PAGES." WHEN ADDITI NCLUDED ON THE REVER	BEAR THE INITIALS	OF THE PERSON A	AAKING THE S	DCONTINUED TATEMENT AND BE VILL BE LINED OUT,	." E INITIALED , AND THE
A FORM 2823, JUL		DA FORM 2823, 1	—	FURINI,		-665

	STATEMENT (Continued)
i,	a Did you speak to any of the civilians the part more
	A I didn't dismount that morning, we never had an interpreten with us son I doubt anyone spoke to the civilians
	There arganing else they you can add to this incident?
·	opened up with a MK-19 there would have been nothing left of the mun Hut that was there, we only found I AK round in the wall of the house. I never heard anyone making a statement about shooting at civilians
	Did any member of the BRT transport detainees by placing them between the hood and the brush guard of the vehicle?
7	the had or behing the garner
	and has tast all you travel!
)	god parts of the most Our speed was about 15-70 mphon the
₩.	Q Are you aware of any incident where a member of the BRT beat a detainer?
-	H Not to my knowledge We did how westle an individual
1	The state of the s
	The you aware of any times that manhan a la
+	A. I am not aware of an while he may
	A. I am not aware of any theft by members of the BRT. We did confiscate money but it was always turned in.
	Jo ramed M.
$\vdash$	AFFIDAVIT
	HAVE DEAD OR HAVE HAD BE TO THE
	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 A  CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  THEAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT
	/ Lb64/7c4
V	WITNESSES
	Subscribed and sworn to before me, a person authorized by law to administer oaths, this $28 + 6$ day of $14 - $
-	atatatatat
-	
	DRGANIZATION OR ADDRESS
_	266-217c2
_	and or reison Administering eath)
Ċ	PRGANIZATION OR ADDRESS  AR 15-6
	(Authority To Administer Oaths)
IN.	TIALS OF PERSON MAKING STATEMENT  D64764  PAGE 2 OF 2 DOCCE
	6651 PAGE 2 OF 2 PAGE 51

USAPPC V2.00

For use of this form	SWORN STATEMENT see AR 190-45; the proponent	aganay ia ODCCODC	
LOCATION	DATE 28A4403	TIME 1400	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME	OCIAL SECURITY	<del></del>	GRADE/STATUS
ORGANIZATION OR ADDRESS			
BRT, 2BCT, 4ID	b64/1c4		
1,	)A/ANT TO BAAK	T. T. F. C. L. C.	
Co White Co	, WANT TO MAK	E THE FOLLOWING S	TATEMENT UNDER OATH:
A. A Section are you	nÇ		
Q How long have you bee	n in the platoon?	>	
A about 14 months	·		
'Q Did you know !	► 664/7c4	•	
A Yes			
Q Are you aware of an	ncident where l	3 section en	gagosa individual
carrying an AK-47 along during the may-Jun	ig a canal int etime frampi	he vicinity o	of FOB Normand
A I'm aware of it b	at T did not o	antia' a ta	<b>1</b> 20
I was broke,	adwn.		
Q Have you everseen a	a detaines bai	> +00000	and that
the brush guard and s	he hood of a	HUMUER	-7
A NO NOT hotels		. (11/02/2	
A No, not between 4 did treasport then	he brush quar	dand the 1	hood, We
A How far and how fast	non the hoo	id of the	HUMVEE
O'How far and how-fast	did you trans	100NT 4 1	
A Fi		For I the de	tuinees ,
DOT SUM OF HESP	eedwasabont	25-20 01	7
A I'M not sure the sp not sure of the Dis	stance.	~ JO mpg	· + m
A NO	rembers at 11.	ROThe T	
ANO	ions of the	DRI DECY 2	a cretainee?
	, 664/764		
	1001/101		
EXHIBIT INITI	ALS OF PERSON MAKING STA		E 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "S	STATEMENT OF TAKEN	AT	
AS "PAGE OF PAGES." WHEN ADDITIONAL F	THE INITIALS OF THE PERSON PAGES ARE LITILIZED. THE DA	I MAKING THE STATE	
DA FORM DOOR	E OF ANOTHER COPY OF THIS	S FORM.	DE LIVED GOT, AND THE
DA FORM 2823, JUL 72 SUPERSEDES DA.FO	RM 2823, 1 JAN 68, WHICH	WILL BE USED.	· USAP 6 6 6 2

STATEMENT (Continued)  Q Are gou aware of any - Valuable I tems and "bricks	
I was you was are at any -	
1001 11 -	time members of 11 227
haluable I tems and "bricks	s'of Money from IRaq civilians for
Detainees?	from Inaa civilians or
NO	
Y UD you know of any incid	ent where soldiers followed hatte
Valuatile.	10 me so that they could search it for
exade under the pretex	T that the wehicle had to
A them?	That the rehide had tried to
A NO	
	e de la companya de l
Ly Do you have anything	olso to all 1. 11.
A No	else to add to this investigation.
h 64 17 - 11	
- 00.1107	
I,	AFFIDAVIT
WHICH BEGINS ON PAGE TAND ENDS ON PAGE . I FULL	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT LY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MA
CONTAINING THE STATEMENT I HAVE MADE THE CONTAINING	THE STICKS AND HAVE INTIALED THE BOTTOM OF FACH PAGE
CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMEN THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWF	VT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
664/7c	4
WITNESSES:	Statement)
WI NESSES:	Subscribed and sworn to before me, a person authorized by lan
	administer oaths, this day of Husust 1920
	at
ORGANIZATION OR ADDRESS	Latin for any
- TOURESS	(Signature of Person Administering Oath)
	-6627c2
	Typed Name of Person Administration Control
DRGANIZATION OF ADDRESS	AR 15-6
DRGANIZATION OR ADDRESS	(Authority To Administer Oaths)
DRGANIZATION OR ADDRESS ITIALS OF PERSON MAKING STATEMENT	AK 15-6

-		SWORN	STATEMENT		
LOCATION	For use of this	s form, see AR 19	0-45; the proponent a	gency is ODCSOPS	FILE NUMBER
LACT NAME SIDOT NAME			28 A44 03	1430	FILE MOINIBER
LAST NAME, FIRST NAM	ME, MIDDLE NAME	·	SOCIAL SECURITY	NUMBER	GRADE/STATUS
ORGANIZATION OR ADD		664/7	704		
BRT, 280	CT, 4ID	,001/1	C		
, <u> </u>			, WANT TO MAKE	THE FOLLOWING	STATEMENT UNDER OATH:
What is	your posit	ion?			
A Squad 1	eader		•		•
Q How long	have you be	en in this	D/atrion?		
A one yes	a	, , , , , , , , ,	,		
a Did you	•	7 66	4/724	,	,
A yes	MAICO	. 00	4/764		
Q Do you	Know anuth.		nincident u	shere Bsec	ction engaged
an indiv	idual carrying	an AK-4-	alone acar	alia the	vicinity of
FOB NO	rmandy dui	ing the	Maj-JUNZ	time Frau	ne?
A. I wa	s on emerga	ency leave	at the tim	e of the in	cident
					4
Brushgu	ou ever seen and the	hood of	s being tran. the vehicle?	sported bea	tween the
					ransport then
Q How for hood?	er and how	fast did	you travel	with the c	letainees on the
- A None	one than 5	Kms, Spe	ed was nor	none than	30mph
Q Do you	y Kowa s				
of the	BRT?	ing detail	nees that u	rere beat	en by members
A. NO	-				
					·
EXHIBIT		INITIALS OF PE	RSON MAKING STAT		2
ADDITIONAL PAGES MU.	ST CONTAIN THE HEAL	DING "STATEMEN	T OFTAKEN A		SE 1 OF PAGES
AS "PAGE OF P	DITIONAL PAGE MUST AGES." WHEN ADDITI	BEAR THE INITIA	LS OF THE PERSON A	AAKING THE STAT	CONTINUED." EMENT AND BE INITIALED
STATEMENT WILL BE CONC	LUDED ON THE REVER	SSE SIDE OF ANO	THER COPY OF THIS	K OF PAGE 1 WILL FORM.	EMENT AND BE INITIALED BE LINED OUT, AND THE
DA FORM 2823, JUL 7	2 SUPERSEDES	DA FORM 2823,	1 JAN 68, WHICH W	ILL BE USED.	6654 APPC V2.00

STATEMENT (Continued)	
1 Co Da you wan. A	
Val 1	any members of the BRT who stole
A A L	ks' of money from Civilians or detainees
A NO	- Tollings
C D	
W Do you know of and	y incident where members of the BRT Followed.
Valuables All of 1	e house so that they could search it for them?
tried to evade +	them?
PANO	
	b647c4
Q Day	
A NO	hing else to add to this investigation?
V	
	AFFIDAVIT
1, _	
THREAT OF PUNISHMENT, AND WITHOUT COERC	AFFIDAVIT  , HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE!  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CON, UNLAWFUL INFLUENCE, OR UNI AWEUL INDUCEMENT.
ON I AINING THE STATEMENT I HAVE ALLOWING	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CION, UNLAWFUL INFLUENCE, OR UNITAWEUL INDUCEMENT.
THREAT OF PUNISHMENT, AND WITHOUT COERC	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF FACIL PAGES
THREAT OF PUNISHMENT, AND WITHOUT COERC	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CION, UNLAWFUL INFLUENCE, OR UNI AWEUL INDUCEMENT.  (Granature of Person Making Statement)
THREAT OF PUNISHMENT, AND WITHOUT COERCE	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CION, UNLAWFUL INFLUENCE OR UNI AWEUL INDUCEMENT.  **Granature of Person Making Statement**  Subscribed and sworn to before me, a person authorized by law  administrate or the price of the content of t
THREAT OF PUNISHMENT, AND WITHOUT COERCE	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CION, UNLAWFUL INFLUENCE, OR UNI AWEUL INDUCEMENT.  (Granature of Person Making Statement)
CONTAINING THE STATEMENT. I HAVE MADE TO THE STATEMENT, AND WITHOUT COERCE	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CION, UNLAWFUL INFLUENCE OR UNI AWEUL INDUCEMENT.  **Signature of Person Making Statement**  Subscribed and sworn to before me, a person authorized by law  administer oaths, this 2 **Signature**  day of August**  19.200
THREAT OF PUNISHMENT, AND WITHOUT COERCE	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CHON, UNLAWFUL INFLUENCE OR UNI AWFUL INDUCEMENT.  Subscribed and sworn to before me, a person authorized by law  administer oaths, this   day of   August 1920  1920
CONTAINING THE STATEMENT. I HAVE MADE TO THE STATEMENT, AND WITHOUT COERCE	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CION, UNLAWFUL INFLUENCE OR UNI AWEUL INDUCEMENT.  **Signature of Person Making Statement**  Subscribed and sworn to before me, a person authorized by law  administer oaths, this 2 **Signature**  day of August**  19.200
CONTAINING THE STATEMENT. I HAVE MADE TO THE STATEMENT, AND WITHOUT COERCE	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CION, UNLAWFUL INFLUENCE OR UNI AWEUE INDUCEMENT  Subscribed and sworn to before me, a person authorized by law  administer oaths, this \( \sum \) day of \( \begin{align*} \text{August} \), 19.200  at  (Signature of Person Administering Oath)  \[ \sum \) (Signature of Person Administering Oath)  \[ \sum \) (Signature of Person Administering Oath)
CONTAINING THE STATEMENT. I HAVE MADE THE STATEMENT, AND WITHOUT COERCE TO THE STATEM	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CHON, UNLAWFUL INFLUENCE OR UNI AWFUL INDUCEMENT.  Subscribed and sworn to before me, a person authorized by law  administer oaths, this   day of   August 1920  1920
CONTAINING THE STATEMENT. I HAVE MADE TO THE STATEMENT, AND WITHOUT COERCE	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MAD  ALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE  HIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  CION, UNLAWFUL INFLUENCE OR UNI AWEUE INDUCEMENT  Subscribed and sworn to before me, a person authorized by law  administer oaths, this \( \sum \) day of \( \begin{align*} \text{August} \), 19.200  at  (Signature of Person Administering Oath)  \[ \sum \) (Signature of Person Administering Oath)  \[ \sum \) (Signature of Person Administering Oath)

	SW	ORN STATEMENT		
LOCATION	For use of this form, see A	R 190-45; the proponent	agency is ODCSO	
		28 A44 03	1615	FILE NUMBER
LAST NAME, MIL	ODLE NAME	SOCIAL SECURITY	Y NUMBER	GRADE/STATUS
ORGANIZATION OR ADDRESS BRT, 28CT	,4ID b	647c4-	COLUMN TO SERVICE AND SERVICE	
1,		WANT TO MAK	E THE FOLLOWING	S STATEMENT UNDER OATH:
Q What posi	tion did you fi			June time frame?
	n A Section,			
Q Do you k	inau	6647c4		,
and the	everseen a de hood of a deto	u'inee?		
A NO, We	have transpor-	ted them or	n the hoo	<b>J</b> ,
Q What we detained	as the max speeds on the hood	d and distant	re you tra	well-l with
Q Have you A NO.	u everseen ai	nember of H	ne BRT be	eat a detainee?
Valuab	4 Know if and le property of no or detain	r "bricks" of	f the BRT cash fro	Thos stolen m IRAQT
	aware of an in l carrying an i ormandy, during	cident where AK-47 along a the May to Ju	Bsection canal in t ne time Fu	Lengaged an " Le vicinity Tame?
A We (A	Sec) Arrived	on scene	after B	sec engaged.
We drove down	the path B	sec was on	to a do	255'ng to the
other side of +	le dike. In	ias behind	en 2k.	A5 a-d -
two Bldings s EXHIBIT 12	To ucrusally se	ound (Well h	of this co.	untry) and no
12	INITIALS	D 64	ATEMENT P.	AGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CO THE BOTTOM OF EACH ADDITION AS "PAGEOFPAGES. STATEMENT WILL BE CONCLUDE	VAL PAGE MUST BEAR THE I " WHEN ADDITIONAL PAGE	EMENT OF TAKEN NITIALS OF THE PERSON S ARE UTULIZED. THE RA	AT DATED_  N MAKING THE STA	CONTINUED."
DA FORM 2823, JUL 72	SUPERSEDES DA FORM 2	2823, 1 JAN 68, WHICH	WILL BE USED.	6656

STATEMENT (Continued)	
1-10 CUC - 0- 100010 000000	L. Theirs. dents came our a.
land is a man	In Scame Car 4,
6650 VIVI US + as We pass	ed. Went to another house
and there was no damage	e to the house. These acupant
	The Mouse, These daypane
	1-3E WORLD TI
travalled further down the	dile and
	dike and came to a Cicla
But there was no damage	there either-No Knocked down
	Thirtee down
trees, no tires - Northing. I	I say we reavelled 2K Area
and and	
no there was nothing to inc	licase there was a firefight
1	
les alone "45 HEPP 40mm	
	Ound's
The state of the s	
Nothing Follows	7.17.4
Color	504 10
1 a going	
1 1/2/11	
N OT	
	<del></del>
AF	FIDAVIT
HICH BEGINS ON PAGE WANDS SUBJECT TO STATE OF THE STATE O	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
I,	—, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT IL INFLUENCE, OR UNLAWFUL INDUCEMENT.
HICH BEGINS ON PAGE I AND ENDS ON PAGE IFULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTATIONS THE STATEMENT. I HAVE MADE THIS STATEMENT REAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUELD AND ARCHITECTURE.	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT INFLUENCE, OR UNLAWFUL INDUCEMENT.
I,	L. HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT DIL INFLUENCE, OR UNLAWFUL INDUCEMENT.  (Signature of Person Making Statement)  Subscribed and sworn to before me, a person authorized by law to
HICH BEGINS ON PAGE I AND ENDS ON PAGE IFULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTATIONS THE STATEMENT. I HAVE MADE THIS STATEMENT REAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUELD AND ARCHITECTURE.	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT INFLUENCE, OR UNLAWFUL INDUCEMENT.
HICH BEGINS ON PAGE I AND ENDS ON PAGE IFULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTATIONS THE STATEMENT. I HAVE MADE THIS STATEMENT REAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUELD AND ARCHITECTURE.	L. HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT DIL INFLUENCE, OR UNLAWFUL INDUCEMENT.  (Signature of Person Making Statement)  Subscribed and sworn to before me, a person authorized by law to
HICH BEGINS ON PAGE I AND ENDS ON PAGE THULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT IREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUELD ALL CORPORTAIN AND WITHOUT COERCION. TO STATEMENT AND WITHOUT COERCION.	UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT INFLUENCE, OR UNLAWFUL INDUCEMENT.  (Signature of Person Making Statement)  Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 th day of Aug., 19203
HICH BEGINS ON PAGE I AND ENDS ON PAGE THULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT IREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUELD ALL CORPORTAIN AND WITHOUT COERCION. TO STATEMENT AND WITHOUT COERCION.	UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT INFLUENCE, OR UNLAWFUL INDUCEMENT.  (Signature of Person Making Statement)  Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 th day of Aug , 19203 at
HICH BEGINS ON PAGE I AND ENDS ON PAGE THULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT IREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUELD ALL CORPORTAIN AND WITHOUT COERCION. TO STATEMENT AND WITHOUT COERCION.	UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT INFLUENCE, OR UNLAWFUL INDUCEMENT.  (Signature of Person Making Statement)  Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 th day of Aug., 19203
HICH BEGINS ON PAGE I AND ENDS ON PAGE THULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTATION THE STATEMENT. I HAVE MADE THIS STATEMENT IREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUELD AND ARCHITECTURE.	Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 id day of Aug., 19203 at
HICH BEGINS ON PAGE 1 AND ENDS ON PAGE THULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT HEAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUE GGANIZATION OR ADDRESS	UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT INFLUENCE, OR UNLAWFUL INDUCEMENT.  Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 th day of Aug., 19203 at  [Signature of Person Administering Oath]  [Signature of Person Administering Oath]  [Typed Name of Person Administering Oath]
HICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. THULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT IREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUE 164764	Contents of the entire statement made rections and have initiated the bottom of each page freely without hope of benefit or reward, without influence, or unlawful inducement.  (Signature of Person Making statement)  Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 th day of Aug., 19203 at
HICH BEGINS ON PAGE I AND ENDS ON PAGE IFULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTATION OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUE AND A STATEMENT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUE AND A STATEMENT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUE AND A STATEMENT OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUE AND A STATEMENT AND A STATEMEN	UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT INFLUENCE, OR UNLAWFUL INDUCEMENT.  Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 th day of Aug., 19203 at  [Signature of Person Administering Oath]  [Signature of Person Administering Oath]  [Typed Name of Person Administering Oath]
HICH BEGINS ON PAGE I AND ENDS ON PAGE IFULLY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORPORTATION OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUELD AND AND ADDRESS.	UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT INFLUENCE, OR UNLAWFUL INDUCEMENT.  Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 th day of Aug., 19203 at  [Signature of Person Administering Oath]  [Signature of Person Administering Oath]  [Typed Name of Person Administering Oath]

SWC	ORN STATEMENT			
For use of this form, see AF		agency is ODCS	OPS	
LOCATION	28 AUG 03	TIME	FILE NUMBER	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY		GRADE/STATUS	
ORGANIZATION OR ADDRESS	6647c4-			
BRT, 2BCT, 4ID	107/64-			
1,	, WANT TO MAKE	THE FOLLOWIN	NG STATEMENT UNDER OATH	- - - 1:
G-When is your position?				
A. I'm a gunner in B Section	١.			
Q How long have you been int	he section			
A. All the time except for a pe	erial from the r	niddle of r	nay until sometime	14
Q Did you Know	b 647c4			
A Yes	,			
Q Are you aware of an inci	ident where E	3 Section	engaged an indi	vidus
carrying an AK-47 along a sometime in the MAY-Ju	INE timefran	10 Z	of FOB Normano	ly.
A Yes, I was in A section	in at the tim	4	•	
A We searched the areas a anything, that would ind we went back the new	you arrived? oudside the h licate that a	icuse, We fire fic	int went on	
Oftane you ever seen a detainers by placing the brush guard of a HUN	member of nem between 1VEE2	the BRT en the b	transport	
A. No, but we have tro	ansported the	em on H	ne hood and	
A. I don't Know who ma	de the deci	sion to 7	transport then	-
	DF PERSON MAKING STA		PAGE 1 OF 2 PAGES	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATE THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE IN AS "PAGEOFPAGES." WHEN ADDITIONAL PAGES STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF	VITIALS OF THE PERSON S ARE UTILIZED THE RAI	MAKING THE S	TATEMENT AND DE MUTIALE	D
DA FORM 2823, JUL 72 SUPERSEDES DA FORM 2	823, 1 JAN 68, WHICH \	WILL BE USED.	RARA	000

ACLU-RDI 976 p.14

A How far and how fast would you trapel with deternees in the fost How?  A. We travelled a max distance of 10 km and a max speed of 25-30 mph.  A fire you aware of any incident where a member of the BRT who say a distance?  A fig. I'm not aware of any.  Q Are you aware of any individuals in the BRT who stop valuable items or "bricks" of money from IRADI civilians or detaines.  A NO.  Q Are you aware of anyone any incident where members of your platoon would follow a vehicle to a "vice" house so that they add search in throst for valuables under the pretext that they behicle had fled from them?  A. NO.  Q Can you add anything else to this investigation?  A. NO.  Q Can you add anything else to this investigation?  A NO.  APPROVITE THE INTRIBUTION OF AMAREMENT AND WITHOUT COERCIONS AND HAVE HAD READ TO METHE STATEMENT MADE ENTRINGS THE STATEMENT MADE ENTRINGS THE STATEMENT MADE ENTRINGS THE STATEMENT MADE ENTRINGS THE STATEMENT MADE THE STATEMENT HAD WITHOUT COERCIONS AND HAVE AND THIS STATEMENT THE STATEMENT HAD WITHOUT COERCIONS AND HAVE WITHOUT BEST THE BUTTON OF REMAINS, WITHOUT COERCION, UNLAWFUL INCUEDED THE BUTTON OF REMAIN ON THE STATEMENT MADE ENTRINGS THE STATEMENT HAD WITHOUT COERCION, UNLAWFUL INCUEDED THE BUTTON OF REMAIN, WITHOUT COERCION, UNLAWFUL INCUEDED THE BUTTON OF REMAIN OF REMAIN STATEMENT AND WITHOUT COERCION, UNLAWFUL INCUEDED THE BUTTON OF REMAIN STATEMENT AND WITHOUT COERCION, UNLAWFUL INCUEDED THE BUTTON OF REMAIN STATEMENT AND WITHOUT COERCION, UNLAWFUL INCUEDED THE BUTTON OF REMAIN STATEMENT ADD WITHOUT COERCION, UNLAWFUL INCUEDED THE BUTTON OF REMAIN STATEMENT ADD WITHOUT COERCION, UNLAWFUL INCUEDED THE BUTTON OF REMAIN ADD WITHOUT COERCION, UNLAWFUL INCUEDED THE BUTTON OF REMAIN ADDITION OF ADDRESS  DEGANIZATION O	STATEMENT (Continued)	
A fire you aware of any incident where a member of the BRT who stop baluable items a detained?  A Are you aware of any individuals in the BRT who stop baluable items or "bricks" of money from IRAQI c'vilians or detained A NO  A Are you aware of anyone any incident where members of your plattern would follow a vehicle to a "Nice" house so that they rade search it they for valuables under the pretext that the vehicle had feed from them?  A. NO.  A Can you add anything else to this investigation?  ANO.  AFFIDAVIT  WHICH BERNIES ON PAGE TABBLENS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE CONTAINING THE STATEMENT IS TRICE I HAVE INITIALED ALL CORRECTIONS AND HAVE HAD READ TO ME THIS STATEMENT MADE CONTAINING THE STATEMENT HAS STATEMENT FREELY WITHOUT PROPE of BEBERT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  BY THE STATEMENT IS TRICE I HAVE MADE THIS STATEMENT FREELY WITHOUT PROPE OF BEBERT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  BY THE STATEMENT IS TRICE IN HAVE MADE THE STATEMENT FREELY WITHOUT PROPE OF BEBERT OR REWARD, WITHOUT THE STATEMENT IN PROPERTY OF THE STATEMENT OF THE STATEMEN	Q How far and how fast v	uould you travel with detainers in th
A fire you aware of any incident where a member of the BRT bad, I'm not aware of any.  A fire you aware of any individuals in the BRT who stop valuable items or "bricks" of money from IRADI civilians or detained.  A NO.  Q Are you aware of anyoned any incident where members of your platoon would follow a vehicle to a "Nice" house so that they add search a three for valuables under the pretext the the behind had fled from then?  A NO.  Q can you add anything else to this investigation?  A NO.  Q can you add anything else to this investigation?  A NO.  Companies on mater antipulation on page 2. I full understand the contents of the entire statement made the statement represents the entire statement made the statement in the statement, in have made this statement receive the period of each page. There are no publishment, and without coencion, unlawful influence, on unlawful influence of the page in the statement of proving ment of person Mating Statement)  MITHALS OF PRESON MAKING STATEMENT IN A diminister Oathe)  DEGANIZATION OR ADDRESS  Without the page of page 2 in the content of page 2 in the content of page 2 in the content of page 3 in the content of	A. We travelled a max of 25-30 mph.	istance of 10 km and amay speed of
AFFEDAVIT  AFFEDAVIT  MICH BERTA ON "Bricks" of Money from IRAQI civilians or detained A NO  Q Are you aware of anyone any incident where members of your plateon would follow a vehicle to a "Nice" houss so that they called feel from them, for valuables under the pretext that the behide had feel from them?  A. NO.  Q Can you add anything else to this investigation?  A. NO.  Q Can you add anything else to this investigation?  A. NO.  WHICH BERNS ON PAGE I HAVE INITIALED ALL CORRECTIONS AND INVESTIGATION OF EACH PAGE 2 INTEREST OF PURISHMENT, I HAVE INITIALED ALL CORRECTIONS AND INVESTIGATION OF EACH PAGE 2 INFRIENCE OF UNLAWFUL INFO OF EACH PAGE 2 INFRIENCE OF UNLAWFUL INFO OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OF UNLAWFUL INFO OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OF UNLAWFUL INFO OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND TO SEE 3 INTRACT OF PUNISHMENT, AND THE OF THE OWN THOUT OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND THE OWN THOUT OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND THE OWN THOUT OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND THE OWN THOUT OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND THE OWN THOUT OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND THE OWN THOUT OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND THE OWN THOUT OF EACH PAGE 3 INTRACT OF PUNISHMENT, AND THE OWN THOUT OF EACH PAGE 3 INTRACT OF PUNISHMENT	Are you aware of any bear a detainer?	incident where a member of the BRT
AFFIDAVIT  AFFIDAVIT  AFFIDAVIT  AND  AND  AFFIDAVIT  AND  AND  AFFIDAVIT  AND  AND  AFFIDAVIT  AND  AND  AND  AND  AFFIDAVIT  AND  AND  AND  AFFIDAVIT  AND  AND  AND  AND  AFFIDAVIT  AND  AND  AND  AFFIDAVIT  AND  AND  AND  AND  AND  AFFIDAVIT  AND  AND  AND  AND  AND  AND  AND  AN	no aware a	of any
A NO  Affidavit  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  OF AND WITHOUT GOERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT  OF PUNISHMENT, AND WITHOUT GOERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT  OF A NO  OF A NO  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  OF A NO  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  OF A NO  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  OF A NO  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFIDAVIT  AFFIDAVIT  AFFIDAVIT  MHICH BEGINS ON PAGE T AND INDES  AFFIDAVIT  AFFID	He you aware of any in	dividuals to the BRT who sail had not
Fled from them?  A. NO.  AFFIDAVIT  WHICH BEGINS ON PAGE 1 AND IENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE INTRIBUTED THE BOTTOM OF EACH PAGE INTRIBUTED TO PRIVATE OR REWARD, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  DISTRIBUTE OF PASON MAKING STATEMENT FACE  DEGANIZATION OR ADDRESS  AFFIDAVIT  AFFIDATION OF FERSON MAKING STATEMENT  AFFIDAVIT  AFFIDATION OF FERSON AGMINISTENING OF PERSON Administening Outh)  AFFIDATION	a lang of the	oney from IRAUI civilians or detaines
Fled from them?  A. No.  AFFIDAVIT  WHICH BEGINS OF PAGE T AND INDES ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT AND THE STATEMENT IS THE LIAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE INTERAT OF PUNISHMENT, AND WITHOUT COCERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  BUTTHERST OF PUNISHMENT, AND WITHOUT COCERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  WITNESSES:  Subscribed and swom to before me, a person authorized by law to administer oaths, this 29th day of ALGUST.  DRIGANIZATION OR ADDRESS  ORGANIZATION OR ADDRESS  IT SUBSCRIBED TO Administer Oaths)  IT I AUTHORITY TO Administer Oaths)  IT I AUTHORITY TO Administer Oaths)	Q Are you aware of anyol platoon would follow a in	any incident where members of your
A. NO.  AFFIDAVIT  I. HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT MADE  THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE.  THREAT OF PUNISHMENT, AND MITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  DO Y TO Y  SIGNATURE OF PERSON MAKING STATEMENT  DRGANIZATION OR ADDRESS  AFFIDAVIT  HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT MADE  FOR THE STATEMENT HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT  SIGNATURE OF PERSON MAKING STATEMENT  DRGANIZATION OR ADDRESS  ORGANIZATION OR ADDRESS  ITIALS OF PERSON MAKING STATEMENT  OF CAMBOD AND MA		s under the pretext that the behild had
AFIDAVIT  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  THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE 1.  THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  WITNESSES:  Subscribed and swom to before me, a person authorized by law to administer oaths, this 29th day of August 42003  at  PAGANIZATION OR ADDRESS  ORGANIZATION OR ADDRESS  ITIALS OF PERSON MAKING STATEMENT  (Authority To Administer Oaths)		
AFIDAVIT  HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  MHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE  TONTAINING THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE 1  THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  DOUGH TO PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  Subscribed and sworm to before me, a person authorized by law to administer oaths, this 28th day of August 1 administer of Person Administering Oath)  DRIGANIZATION OR ADDRESS  ITIALS OF PERSON MAKING STATEMENT	Q Can you add anything &	else to this investigation?
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 SONTAINING THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE SONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT HREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  WITNESSES:  Subscribed and swom to before me, a person authorized by law to administer oaths, this 25th day of August day o		
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE SYME. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE 1. I HAVE MADE THIS STATEMENT FRELLY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  WITNESSES:  Subscribed and swom to before me, a person authorized by law to administer oaths, this 28th day of August 4 at 1 and 21 TC 2 at 1 at		
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 SONTAINING THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE SONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT HREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.  WITNESSES:  Subscribed and swom to before me, a person authorized by law to administer oaths, this 25th day of August day o		
THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE INTRINING THE STATEMENT IN THE STATEMENT IN HAVE INITIALED THE BOTTOM OF EACH PAGE INTRINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.    Subscribed and swom to before me, a person authorized by law to administer oaths, this 29th day of August 1, 10203 at    ORGANIZATION OR ADDRESS	Left	
ORGANIZATION OR ADDRESS  (Authority To Administer Oaths)  ORGANIZATION OR ADDRESS  (Authority To Administer Oaths)	BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT HAVE MADE THIS STATEMENT, AND WITHOUT COERCION, UNLAW	DRECTIONS AND HAVE INITIALED THE ENTIRE STATEMENT MADE DRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE . ENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT WELL INDUCEMENT.
DRGANIZATION OR ADDRESS    Signature of Person Administering Oath)	VITNESSES:	Subscribed and swom to before me, a person authorized by law to administer oaths, this 28th day of 0/16/15
DAGANIZATION OR ADDRESS  ORGANIZATION OR ADDRESS  ITIALS OF PERSON MAKING STATEMENT  ORGANIZATION OR PERSON MAKING STATEMENT		
DRGANIZATION OR ADDRESS  (Authority To Administer Oaths)  IITIALS OF PERSON MAKING STATEMENT	ORGANIZATION OR ADDRESS	(Signature of Person Administering Oath)
DAGANIZATION OR ADDRESS  (Authority To Administer Oaths)  IITIALS OF PERSON MAKING STATEMENT		
IITIALS OF PERSON MAKING STATEMENT	DRGANIZATION OR ADDRESS	HBC (5-C
		(Authority To Administer Oaths)
	THE PROPERTY OF THE PROPERTY O	· · · · · · · · · · · · · · · · · · ·

	ORN STATEMENT		The second secon
For use of this form, see A	R 190-45; the proponen	t agency is ODCS	
	27 AUG 0		FILE NUMBER
LAST NAME FIRST NAME MIDINE NAME	SOCIAL SECURIT	Y NUMBER	GRADE/STATUS
ORGANIZATION OR ADDRESS BRT, 2BCT, HID	b647c4		
	0011212		
A comment of the comm		KE THE FOLLOW	NG STATEMENT UNDER OATH:
A 1 1/2 years	platoon? 6657c5		
Q Were you on a patral w/		ona a can	al when the patrol
I engaged an Individual car	rying an AK	477 116	17011
I May was B section I'm	In \$ Soution	lua hanna	a consillaring C'
and went to help. Itw	as all over a	ith by th	e time wearring
A When you arrived did you	see any wow	nded civilia	ans?
Q Do you know when this h	0.000		
A. I have no clue	rappened!		
Q Have you everseen mem	hans of 11. Re	OT ola '	
and Gha th	S N RUCH VITE OF U	ロルロレモノ	
. 1001 between the had	and brush go	uard bw	on the hood itself
Q Do you know who made way?	the decesion	to trains	Port them that
A NO		·	
Q Have you piver soon and		1 - 0	
Q Have you ever seen or h detainers?			
H. Once we had to got a	physical duri	OS ON CHA	ac-i- la
individual was resis-	tinga We d	idn't be	of he ause the
QAre you aware of and	`	,	er nim
QAre you aware of any + Items from Iraa: Civi	imes when me	when of t	he BRT Stole
Items from I ragi Civil of money, Pictures of SA	DDAM and IRA	ances inc. 71 sorvice	luding "bricks" modals
CVIIO			
INITIALS	OF PERSON MAKING ST	TATEMENT 7C 4	PAGE 1 OF PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATTHE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE AS "PAGE OF PAGES." WHEN ADDITIONAL PAGE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF	TEMENT OF TAKES INITIALS OF THE PERSO ES ARE UTILIZED. THE R	N AT DATE N MAKING THE S	DCONTINUED."
DA FORM COOL	2823, 1 JAN 68, WHICH		LEARPE V2 00

ACLU-RDI 976 p.16

1/2/07	"en" say thee 1	had to search t	low a "nice" can the hous; because	the
	e tried to a	void them?		
A- No	* # #		•	
1 B. D.S.		1.6		
V January	ou have any	Hhing else ti	had might help	this
	tigation.			
A. No			•	
				•
	•		*	
				* *
				. ,
•				4
· -				•
	•			
		AFEIDAVIT		
1,		, HAVE READ OR HA	VE HAD READ TO ME THIS STA	
WHICH BEGINS ON PAGE 1	TRUE. I HAVE INITIALED A	LL CORRECTIONS AND HAVE IN TEMENT FREELY WITHOUT HO VLAWFUL INFLUENCE, OR UNL	ONTENTS OF THE ENTIRE STATE NITIALED THE BOTTOM OF EAC PE OF BENEFIT OR REWARD, W AWFUL INDUCEMENT.	MENT MA H PAGE ITHOUT
THREAT OF PUNISHMENT,	64764		Mure of Person Making Statemen	*1
THREAT OF PUNISHMENT, A	64764	(Signa	nture of Person Making Statemen	
THREAT OF PUNISHMENT, A	64764	(Signal Subscribed and sw.	orn to before me, a person autho	rized by la
THREAT OF PUNISHMENT, A	64764	(Signal Subscribed and sw.		rized by la
THREAT OF PUNISHMENT, A	64164	(Signal Subscribed and sw. administer oaths, this	orn to before me, a person autho	rized by la
THREAT OF PUNISHMENT,	64164	Subscribed and sw. administer oaths, this	orn to before me, a person autho	rized by la , 192
THREAT OF PUNISHMENT, A	64164	Subscribed and sw. administer oaths, this	orn to before me, a person autho	rized by la , 192
THREAT OF PUNISHMENT, A	64164	Subscribed and swind administer oaths, this at	orn to before me, a person authors 27 day of August  ure of Person Administering Oath	rized by la , 19 <i>2</i> C
THREAT OF PUNISHMENT, A	641c4-	Subscribed and sw. administer oaths, this at  (Signat	orn to before me, a person autho	rized by la , 19 <i>2</i> C

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

STATEMENT (Continued)	
O. Have nous and	
a Vice cog	heard of members of BRT followin
	inverteur all the second of th
Valu	ablest
A No the only -	would search a house was on a planner
Rain on Prime we	would search a house was on a planner
	The person of the person as
Q Have you ever seen on	heard of BRT soldiers beating detainers
A Nos Somal	indies of previous
bentines we ge	et physical during an arrest but no
told he went on a	Dut chain of Command has always
as we would face	e UCMT action ic
A In the vicinity of	e UCMI action if we did
to June timetrams	amp Normandy sometime in the may
Q Do you have anything too	ald to this investigation.
Was always Sa	ying that wanted to get shot in the arm go home would fake being sick, e would often say that wanted to is hard on us but is hard on us but
or leg so that rould	an home would fake being sick
164/CH He was always whising H	e would often say that went of to
Kill	Sug Man Discussions
fair Sometimes	13 Mara on as box
would spirate the	sergeant. HISS,
Kill thous 10 mg	ipon at children and threatened to
Kill they if they di	and go away,
11-5-6	11.17 11 b647c4
b657c5	664764
	AFFIDAVIT
1, 3	
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2 . I FU	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
CONTAINING THE STATEMENT IS TRUE. I HAVE MADE THIS CONTAINING THE STATEMENT I HAVE MADE THIS CONTAINING THE STATEMENT	CONTENTS OF THE ENTIRE STATEMENT MADE ORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE.
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAW	ORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE.  ENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
· 6647c4	W SE IN LOUINCE, ON ONLAWFUL INDUCEMENT.
061167	
	(Sighature of Person Making Statement)
WITNESSES:	Subscribed and swom to before me, a person authorized by law to
	administer oaths, this 274 day of August , 19203
	at
ORGANIZATION OR ADDRESS	
	Signature of Person Administering Oath
· · · · · · · · · · · · · · · · · · ·	Control of the AC
	(Typed Name of Person Administering Oath)
ORGANIZATION OR A CONTRACT	AR 15-6
ORGANIZATION OR ADDRESS	(Authority To Administer Oaths)
INITIALS OF PERCONALS AND A PROPERTY OF THE PR	34.0,
THE LOCAL PROPERTY OF A THE PARTY OF	
L /4/1 7	
INITIALS OF PERSON MAKING STATEMENT 6647C	PAGE 2 OF 2 PAGES

O/M/S	DAI CTATEMENT	and the state of t	T00000
For use of this form, see AR LOCATION			
LOCATION	27AUG 03	1745	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY		GRAD <u>E/STAT</u> US
ORGANIZATION OR ADDRESS			
2647	C4		
	WANT TO MAKE	THE FOLLOWING S	STATEMENT UNDER OATH:
Q How long have you been in the A Since the end of March 2	s moderala.		TATEMENT GROEN GATTI.
Q Pid you Know	664764		·
A Yes	,		
an AK 47 along a cano A, No, I was in A Section	I in the vie	cinity of FO	ividual carrying  B Normandy?
Q Have you ever seen anyone between the brush guard	from the Bl	RT transport	r a detainer NVEE?
Of On Top behind the	gunners po	sit107.	[
A. Yes, on the hood. u.	ve would on	aly carry #	hem forshort
O Do you know who mad detainees on the ho	e the decisi	ion to tra	nsport the
A No			,
O Have you ever seen or h	reand of men	nbers of H	re BRT beat
a detainee?		6,64	+7c4
A Ive never seen it, but I	heard from 1	the	वा
during an arrest backers	e else said.	that en	90T physical
A I've never seen it, but I beat a detainer Everyon, during an arrest because dichn't severely beat	him	y was resi	sting but
EXHIBIT 1/2 INITIALS C	DE PERSON MAKING STA	ATEMENT	
	564 lc	PAC	GE 1 OF PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATE THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE IN AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ,	IITIALS OF THE PERSON ARE UTILIZED, THE BA	I MAKING THE STAT	CONTINUED."  FEMENT AND BE INITIALED  BE LINED OUT, AND THE
DA FORM 2823, JUL 72 SUPERSEDES DA FORM 28			666 <sup>4</sup>

ACLU-RDI 976 p.20

SWC For use of this form, see AR	ORN STATEMENT	Capov is ODCCO	
OCATION	DATE  28 AUG 03	TIME	FILE NUMBER
AST NAME, FIRST NAME, MIDDLÉ NAME	SOCIAL SECURITY		GRADE/STATUS
RGANIZATION OR ADDRESS		THE RESERVE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN	
BRT, 28CT, 4ID 6641	24	<del></del>	
I,	, WANT TO MAKE	THE FOLLOWING	STATEMENT UNDER OATH:
A. I'm a gunner for A Section	1 157 Platoon.		·
O. How long have you been in - A Since the end of June,	the platoen?		
Q Are you aware of an incider carrying on AK 47 in the JUNE time frame?  A. No, I don't think I was	vicinity of F	OB NSIMA	indy during the MAY-
Are you aware of any incoderainees between the bru	ident where m	eanbers a	f the BRT places
A. No, Sometimes we would them because there was	ild Nava 1600		1 4 6 6
A. No more than 5 Kms. The	T would gout	ravel wi	the the detainers
This manner?	•	•	•
A. I'm not sure			8
A. Not to my Knowledge		he BRT W	sho beaz detainees
Q Are you aware of an Valuable items or "bor deterinees?	MICKS 94 W	oney fr	om civilians
A, I'm not aware of an or detainers, If we conf	iscated it w	le somet	hing from civilian
IIBIT / INITIALS C	OF PERSON MAKING STAT	CIVICIA 1	AGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE IN "PAGE OF PAGES." WHEN ADDITIONAL PAGES TEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF A	OTTIALS OF THE PERSON I	T DATED_ MAKING THE STA	CONTINUED."
FORM 2823, JUL 72 SUPERSEDES DA FORM 28	823, 1 JAN 68, WHICH W	W.L. DE LIGES	

ACLU-RDI 976 p.22

Invest	1 gution?	else than you co	in add to this	
A. Nox	that I could	el think of		
	* **			
- 54 	•			
	•			
				• •
	,			
			•	
	3	AFFIDAVIT		
WHICH BEGINS ON PAGE 1 AN	D ENDS ON THE	, HAVE READ OR HAVE HAI	READ TO ME THIS STATEMENT	
CONTAINING THE STATEMENT IS TO CONTAINING THE STATEMENT THREAT OF PUNISHMENT, AND	O WITHOUT COERCION, UNLAY	CET ONDERSTAND THE CONTENT ORRECTIONS AND HAVE INITIALI ENT FREELY WITHOUT HOPE OF VFUL INFLUENCE, OR UNLAWFUL	PREAD TO ME THIS STATEMENT IS OF THE ENTIRE STATEMENT MA THE BOTTOM OF EACH PAGE BENEFIT OR REWARD, WITHOUT INDUGEMENT	DE
	6647c4 -	A Section of the Control of the Cont		
		The second secon	Statement)	
WITNESSES:		Subonillation		w to
WITNESSES:		Subscribed and sworn to leadminister oaths, this	day of Augus -	203
WITNESSES:		Subscribed and sworn to be administer oaths, this 28 f	day of Augus r, he	23
	3	at at	day of Hugust, to 20	03 
	3	at at	erson Administering Gath)	03 
		at  **Signature of /	erson Administering Path)	03 
ORGANIZATION OR ADDRESS		at  **Signature of /	day of Hugust, to 20	03 
ORGANIZATION OR ADDRESS ORGANIZATION OR ADDRESS ORGANIZATION OR ADDRESS		at  (Signature of F	erson Administering Path)	03 



## DEPARTMENT OF THE ARMY HEADQUARTERS 2BCT, TASK FORCE IRONHORSE FOB WARHORSE BAQUBAH, IRAQ

AFYB-CO-S6

3 September 2003

MEMORANDUM FOR Chief of Staff, Headquarters, Task Force Ironhorse

SUBJECT: Findings and Recommendations of the investigation into alleged violations of the Law of Land Warfare

1. Findings.

665765

a. Allegation number one. The allegation of unlawful use of force on 8 June 2003 s unsubstantiated. There is no credible evidence that civilians were fired upon by members of the 2nd BCT BRT. All of the 16 individuals interviewed stated that no unarmed civilians were attacked that night. (Exhibit 2) stated that fired 2 rounds from M-16 at an armed individual. Both rounds missed the target. After the individual fled into a field says that 5 40mm rounds were fired. (Exhibit 3) puts the number of 40 mm rounds at 15. ated that 2 round apparently hit some Palm trees next to a house. (Exhibit 4) stated that saw 2 men through LRAS and one of them had hot spots in the shoulder area. This could indicate that an individual was bleeding but it is inconclusive. The wounded individual in question was the purported individual that fled into the field. Exhibit 5) from A section, 1st platoon arrived on site approximately 5-10 minutes after the incident started. He stated that a thorough search of the area was conducted and they did not find any weapons, impact points, blood trails, or damage to vehicles or buildings. (Exhibit 6), (Exhibit 7), and

all stated that another search of the area the next morning failed to reveal anything either. Also said that after talking to the locals they gathered that no one had been injured. There is no evidence to suggest that civilians were fired upon on that night.

b. Allegation number two. There is no proof that the allegation of maltreatment of detainees is true. Every member of the platoon (Exhibits 2-17) did admit to transporting detainees on the hoods of the vehicles. No one admitted to stuffing detainees between the brush guard and the hood of the vehicle. It is physically impossible to put a person in between the brush guard and the hood. There is only 3 inches of clearance behind brush guard. The distance and speed traveled varied among those individuals interviewed. The shortest distance reported at 1-11/2 kilometers. estimated the distance to be 10-15 kilometers. The speed varied from 15 mph by (Exhibit 8), and Exhibit 9) to 30 mph by Exhibit 10), (Exhibit 11) (Exhibit 12), and . Exhibit 13). Although members of the BRT did not mistreat the detainees, placing them on the hood is not a safe method of transportation. There is also no evidence that any detainee was ever severely beaten by members of A section, 1st Platoon. Four individuals, and (Exhibit 15), did admit that they had to get physical with one detainee who

6647c4

664764

6647c4 resisted their attempts to apprehend him (Exhibit 16) stated that beat a detainee. There is no evidence to support this claim.

c. Allegation number three. The third allegation of theft of private property is uncorroborated. Every member of the platoon denies the allegation. Seven members of the platoon. (Exhibit 17).

, admit to confiscating money and other items from detainees. Each one asserts that the items were turned in to the supported Task Force.

claim that on several occasions health and welfare searches were conducted to ensure no personnel possessed confiscated property. Every member of the platoon also denies following vehicles to nice homes so that they could be searched for valuable items. There is no corroborating evidence that members of the platoon stole property from detainees or

2. Recommendations

Iraqi Citizens.

6657c5 a. Allegation number one. Take no action against evidence to support the allegation of unlawful use of force.

- b. Allegation number two. Although the allegation of maltreatment of detainees is not substantiated, the platoon leadership should coordinate for appropriate vehicles to provide safe transportation of detainees if the tactical situation permits. No administrative or judicial actions should be taken.
- c. Allegation number three. Take no action. There is no evidence that any member of 1st platoon committed theft against any detainees or Iraqi citizens.
- 3. Point of contact is the undersigned at DSN 662 7c2

662702

Investigating Officer

For use of this form, s	ee AR 15-6; the proponent agency is OT	UAG.	
IF MORE SPACE IS REQUIRED IN FILLING OUT		ORM, ATTACH ADDITIONAL SHEETS	
SECT	TON 1 - APPOINTMENT		
Appointed by b627cZ			
The state of the s	(Appointing authority)		
on 24 AUGUST 2003 (Affact inclosure 1: Letter of appointme	ent or summary of oral appoi	nuneni daia.) (See para 3-15, AR 15-6.)	•
(Date)	•	1 (100 para 5 15, AR 15-0.)	
	TION II - SESSIONS		
The (investigation) (board) commenced at FOB Carpenter, Salamar	Pak Iran		
, and a supplied to the suppli	(Place)		1445 Time) .
on 27 AUGUST 2003 (If a formal board met for more than on	e session check here     1		
ended, me place, persons present and absent, and explanation of absences, if	any.) The following persons	(members respondents counsel) was	n began and
present (After each name, that cate capacity, e.g., President, Recorder, Mem	ber, Legal Advisor.)	were were	
Investigating officer 662 7	•		
0021	L 2		
	•		
	•		
		•	
	,		
The following persons (members, respondents, counsel) were absent: (Include	le brief explanation of each a	bsence.) (See paras 5-2 and 5-8a. AR 15-6.	.)
			•
	•		
			-
	e de la companya de l		g
The (investigating officer)-(board) finished gathering/hearing evidence at	1700	on 30 AUGUS	ST 2003
	(Time)	(Date	<del></del>
	1340	on 3 SEPTEMBER 20	)03
	Time)	(Date)	
A. COMPLETE IN ALL CASES	CKLIST FOR PROCEEDINGS	-	10
Inclosures (para 3-15, AR 15-6)			YES NO NA
Are the following inclosed and numbered consecutively with Roman numerals	S: (Attached in order listed)		
in. The letter of appointment or a summary of oral appointment data?	, and a second state of		X
b. Copy of notice to respondent, if any? (See item 9, below)			
c. Other correspondence with respondent or counsel, if any?			
d. All other written communications to or from the appointing authority?			T IX
c. Privacy Act Statements (Certificate, if statement provided orally)?			X
f Explanation by the investigating officer or board of any unusual delays, differencountered (e.g., absence of material witnesses)?	fficulties, irregularities, or of	ner problems	×
g. Information as to sessions of a formal board not included on page 1 of this	TAROLT?		1 1 ^
h. Any other significant papers (other than evidence) relating to administration	ve aspects of the investigation	Or board?	<u>    X</u>
OTNOTES: If Explain all negative answers on an attached shape		······································	<u> </u>
Lise of the N/A column constitutes a positive representation that the circ	umstances described in the questi	on aid not occur in this investigation	
FORM 1574, MAR 83			

2 Exhibits spara 3-16, AR (5-6)  a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as	Y	ES N	Ю¥;
exhibits and attached to this report?		× į	:
5. is an index of all exhibits offered to a sponsidered by investigating officer or board attached before the first exhibit?		<del>zi</del>	
Has the testimony statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?		<u> </u>	
d. Are expires, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?		<del>`</del>	Ť
e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	<del></del>		+
f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim geoord?			_
g. If official notice of any matter was taken over-the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?	- 1	-  -	
3 Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			_   '
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)			
At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
Was each absence of any member properly excused (para 5-2a, AR 15-6)?	-		_ 💹
Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?		1_	
If any members who voted on findings or recommendations were not present when the board received some without		1	<u> </u>
does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II. Chapter 5, AR 15-6)  Notice to respondents (para 5-5, AR 15-6):			
a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
b. Was the date of delivery at least five working days prior to the first session of the board?			
c. Does each letter of notification indicate —		+-	_
(1) the date, hour, and place of the first session of the board concerning that respondent?		1_	_
(2) the matter to be investigated, including specific allegations against the respondent, if any?			_
(3) the respondent's rights with regard to counsel?		<del> </del>	_
(4) the name and address of each witness expected to be called by the recorder?	<del>-  </del> -	<u> -</u>	-
(5) the respondent's rights to be present, present evidence, and call witnesses?		4	-
d. Was the respondent provided a copy of all unclassified documents in the case file?		ļ:	-
e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?	_		_
If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):	_		1
a. Was he properly notified (para 5-5, AR 15-6)?	_	<u> </u>	
b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?		<del> </del>	1
Counsel (para 5-6, AR 15-6):	-		
a. Was each respondent represented by counsel?			
Name and business address of counsel:			
	_		
(If counsel is a lawyer, check here 🗍 )	_	<u> </u>	
b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the		<u> </u>	<u> </u>
action taken on it included in the report (para 5-6b, AR 15-6)?			
If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a. Was the challenge properly denied and by the appropriate officer?		Ī .	
b. Did each member successfully challenged cease to participate in the proceedings?			
Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b. Examine and object to the introduction of real and documentary evidence, including written statements?	<del>- [                                   </del>		<del></del>
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?	1 1		
d. Call witnesses and otherwise introduce evidence?	1 1		
	1		
e. Testify as a witness?			
e. Testify as a witness?  f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?	1 1	1	*****
e. Testify as a witness?  f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?  If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in			
e. Testify as a wimess?  f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?  If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of wimesses (para 5-8b, AR 15-6)?			
e. Testify as a witness?  f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?  If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in			

Page 2 of 4 pages, DA Form 1574, Mar 83

USAPA V1.20

The (investigating officer) thought have	PECTION IA - HINDINGS	(para 3-10, AR 15-6)
The (investigating officer) (board), having carefully See enclosure II. Memorandum of findings and	considered the evidence	, finds:
A STANDARD OF THEMES OF	id recommendations.	
A STATE OF THE STA		
- W	•	
	<i>y</i> → 1	en e
gara.		
	and the second	
	•	
	•	
SE	CTION V - RECOMMENDATION	S (para 3-11, AR 15-6)
view of the above findings, the (investigating officer	r) (board) recommends:	
view of the above findings, the <i>(investigating office)</i> e enclosure II. Memorandum of findings and r	recommendations.	
	e e e e e e e e e e e e e e e e e e e	
	• •	
<b>:</b>		
	<i>.</i>	
•		
•		

Page 3 of 4 pages. DA Form 1574, Mar 83

667 (BAPA VI.20)

SECTION VI - AUTHENTICATIO	ON (para 3-17, AR 15-6)
THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE OF	If any voting member or the recorder fails to sign here or in Section VII
below, indicate the reason in the space where his signature should appear.)	· · · · · · · · · · · · · · · · · · ·
* # *	11-7-
	662702
	the state of the s
(Recorder)	(Investigating Officer) (President)
(Member)	
	(Member)
(Member)	(Member)
DOCAD YTIDONIAM. HV MOITT32	77 (C. 277 P) (C. C.
To the extent indicated in Inclosure, the undersigned do(es) not a	coppur in the findings and
in the maiosure, rucinity by thursty pill it infilling analog recommandation in sub-	atola tha diagonatica in to 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
reasons for disagreement. Additional/substitute findings and/or recommendation	is may be included in the inclosure.)
(Member)	(Member)
SECTION VIII - ACTION BY APPOINTING A	AUTHODITY (-a-2 2 1 p is 6
he findings and recommendations of the (investigating officer) (heard) are (as	innerwed (disasses 2)
ubstitutions] (If the appointing authority returns the proceedings to the investigation action, attach that correspondence (or a summary, if oral) as a number	
та и пиние	ered inclosure.)
DI I	
bde commander r	needs to enoune
every leader is faire	
of defaunces and dis	we want
what is considered	andra. Le
Mimi in co. 1000	office C
1 11.	
handling of detain	7865.
1	
· ·	
	1/2 1/0/
RECEIVED	la en pur
いといこにもこれ	1
0.9 SEP 2007	RAYMOND T. ODIERNO
	Major General, USA
	Commanding
	,

Page 4 of 4 pages, DA Form 1574, Mar 83



#### DEPARTMENT OF THE ARMY HEADQUARTERS TASK FORCE IRONHORSE TIKRIT, IRAQ

REPLY TO ATTENTION OF

AFYB-CG

· = 662 7c2

24 August 2003

MEMORANDUM FOR Mechanized, Headquarters, 2d Brigade, 4th Infantry Division (Mechanized), FOB Warhorse, Baqubah, Iraq

SUBJECT: Appointment of Investigating Officer

1. You are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into three (3) allegations of soldier misconduct contained in a sworn statement by 2d Brigade, dated 18 August 2003. 665 7c5

- a. Unlawful use of force. Whether the ordered soldiers to fire an MK-19 on unarmed civilians (men, women, and children), and whether civilians were wounded or killed in the incident.
- b. Maltreatment of detainees. Whether members of BRT, 2d Brigade placed detainees on top of a HMMWV, between the brush guard and hood during transportation to Brigade holding area.
- c. Theft of private property. Whether members of BRT, 2d Brigade stole property from the homes of Iraqi citizens and the property of detainees.
- 2. You will use informal procedures under AR 15-6, Chapter 4. You will make specific findings and recommendations on all relevant issues you identify in the course of your investigation. If, during your investigation, you suspect that persons you intend to interview may have violated any provision of the Uniform Code of Military Justice (UCMJ) or any other criminal law, you must advise them of their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate. Rights warnings and waivers will be documented on DA Form 3881. All witness statements will be sworn and recorded on DA Form 2823.
- 3. Prepare the report of proceedings on DA Form 1574 and submit the original to me within 10 days of receipt of this memorandum. You must submit any requests for delay to me in writing. Include with your report all documentary evidence, sworn statements, and other information or evidence you considered.

  bb 2 7c 2 bb 2 7c 2
- 4. Before proceeding with the investigation, contact an initial legal briefing. will serve as your primary legal advisor.

5627c2

FOR THE COMMANDER

b627c2
Chief of Staff



#### DEPARTMENT OF THE ARMY

HEADQUARTERS, HI CORPS AND FORT HOOD 1001 761ST TANK BATTALION AVENUE FORT HOOD, TEXAS 76544-5000

20 August 2003

MEMORANDUM THRU G3, III Corps & Fort Hood, Fort Hood, Texas 76544-5001

FOR Commanding General, III Corps & Fort Hood, Fort Hood, Texas 76544-5001

SUBJECT: Report of Alleged Law of War Violation

- 1. Purpose. To report an alleged Law of War violation IAW Department of Defense Directive (DoDD) 5100.77.
- 2. Synopsis of Allegation. A 4th Infantry Division (4ID) soldier alleges during Operation Iraqi Freedom he witnessed the unlawful use of force against non-combatants, theft of private property from Iraqi civilians, and the wrongful dispossession of private and/or enemy property.
- 3. Complainant Data.

a Complainant.

1647c4

b. Current Unit of Assignment. Brigade Reconnaissance Troop (Rear) (Provisional), 2d Brigade (Rear) (Provisional), 4th Infantry Division (Mechanized) (Rear) (Provisional).

c. Current Status. 16474 6647c4.

d. Source of Complaint. In July 2003,

at Fort Hood that he had witnessed rules of engagement violations while he was in Iraq. telephonically notified the Chief, Criminal Law

Division, III Corps.

In turn,

6647c4

AFZF-J**A-**MJ SUBJECT: Report of Alleged Law of War Violation 5647c4 4. General Nature of the Allegations. On 31 July 2003, Ill Corps, personally met with I s to discuss the -664764 allegations. h647c4 The following represents a brief synopsis of that interview. A more detailed report of allegation one, taken from handwritten statement (enclosure 1) and Interview with the , is set forth at enclosure 2. Although use of the term "alleged" is omitted from the following sub-paragraphs, all of the information reported below is based on statements made by and has not been otherwise substantiated or corroborated. - h64.7c4 -6627c2 a. Allegation 1 - Unlawful use of force, 🖿 states that while on patrol witnessed his platoon sergeant, order soldiers to fire an MK-19 on unarmed civilians (men, women/and children). In turn, soldiers directed grenades (from an MK-19) and M-16 fire at the civilians. All of the civilians were unarmed and had not engaged in a hostile act or demonstrated a hostile intent, although a single shot was heard from an area approximately 90° from the soldiers and 45° from the house. I comments indicate that several of the civilians were injured, to include one civilian who appeared to have had his arm severed. h64-7c4 1665705 h647c4 b. Allegation 2- Maltreatment of enemy prisoners of war. states that on at least one occasion, unit members placed EPWs on the top of a HMMWV and between the brush guard and hood. The vehicles would be driven with the EPWs in these positions. states was also told of soldiers in A Section who severely beat an EPW. 5647c4 5647c4 c. Allegation 3- The tof private property. relates that on numerous occasions, members of stole property from the home of Iraqi citizens and the property of EPWs. relates that soldiers stole items such as "bricks" of money, Iraqi service medals, pictures of Saddam Hussein, cigarette lighters, and t-shirts. Some

#### 4. Applicable Law Pertaining to Reporting Alleged Law of War Violations.

a. DoDD 5100.77<sup>1</sup> [enclosure 3], paragraph 4.3., provides that it "is DoD policy to ensure that . . . [a]II reportable incidents committed by or against U.S. or enemy persons are promptly reported, thoroughly investigated, and, where appropriate, remedied by corrective action."

soldiers would employ subterfuge to search the homes of Iraqi civilians, by following a car to a "nice" house and then claim that a search was necessary because the vehicle

Electronic version.

6676

had fled from them.

## AFZF-JA-MJ SUBJECT: Report of Alleged Law of War Violation

- b. DoDD 5100.77, paragraph 6.1., provides that "[a]II military and civilian personnel assigned to or accompanying a DoD Component shall report reportable incidents through their chain of command. Such reports may also be made through other channels such as the military police, a judge advocate, or an Inspector General. Reports that are made to officials other those specified in this subsection shall, nonetheless, be accepted and immediately forwarded through the recipient's chain of command."
- c. III Corps & Fort Hood Regulation 27-2 [enclosure 4], paragraph 6a, provides that "[a]II suspected incidents will be investigated."

#### 5. Recommendation.

- a. Promptly forward this information through command and operational channels so that a prompt investigation can be conducted and recorded, and appropriate remedial action taken, as necessary, in accordance with the DoD directive.
- b. I will forward the allegations to SJAs at CENTCOM, V Corps, and 4ID for information purposes.

6. POC is 662/Cz

Encls

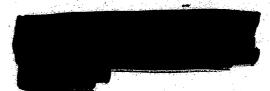
6647c4

1. Copy - statement

2. Overview of allegation 1

3. DoDD 5100.77

4. III Corps & FH Regulation 27-2



Staff Judge Advocate

	SWORN STATEMENT	
For use of th	his form, see AR 190-45; the proponent agency is 0	DCSOPS
	"PRIVACY ACT STATEMENT	,000,3
UTHORITY: Title TO USE Section 3	C1; Title 5 USC Section 2951; E.O. 9397 dated No	Number 22 : 2042 (00-)
mioni siz i oin cozi	š ūliū lāvy enilorosmeni tilirinks valttavas sa sata	ch information .
TOUR SOCIAL SECURITY HUR	moer is used as an additional/alternate means of ide	intilication to tacilitate films and and
	a security number is voluntary.	and retrictions and retric
ROOM (223 BUNG 1800) FOR	2. DATE (YYYYMMDD) 3. TIME	4. FILE NUMBER
KOOM CZZZ, BLOG 1501, FOR LAST NAME FIRST NAME, MIDDLE NAME	= Hood 2003 0818 1350	5 U/A
MAME TANGET WIND DES MAME	6. SSN	7. GRADE/STATUS
ORGANIZA HON OR ADDRESS		
. BRTG 20 BD6, 42	FHTX	The second secon
No.		The second secon
1,	. WANT TO MAKE THE FOLLOW!	NG STATEMENT UNDER OATH:
		THE STATE OF THE STATE OF THE
	-6647c4	
	$\mathcal{L}^{(k)}$ $\mathcal{L}^{(k)}$ $\mathcal{L}^{(k)}$ $\mathcal{L}^{(k)}$ $\mathcal{L}^{(k)}$ $\mathcal{L}^{(k)}$	
	<b>\</b>	
	200	
	& Bire of Soliday	
. 6		
7	•	
	·	1
		C
****		
		•
		<b>(</b>
	6647c4	•
жен		· · · · · · · · · · · · · · · · · · ·
William .	11, INCTIALS OF PERSON MAKING STATEMEN	
	. 1 . 2 . 1	PAGE 1 OF PAGES
ONAL PAGES MUST CONTAIN THE HEADING	"STATEMENT TAKEN AT DATE	



valed sool all

B647c4

BRT ZAS BDE YIL 15 PLT.

It all Started with my platoon sergant Kunning and hiding every time we got thato a fixe fight. There is about 4 to 5 times where he abandoned upo tha fight The joke of the plt was bin running and hiding. He must of heard us talking about Lim one day because right béfore a mission one highs he went up to dis gunner and asked him If he wanted to test the M-19 out on some one tanight. We went on a patrol mission that night to We usually just drive around and look for people with AKS and conforstate them We have always been able to drive up to them and take the we good from them with no shots fired. That. Aight on a mission werseen a IRAQI civilian walking towards is on the other side of the cannal so he decided to set you an embush and Kill him in stead of diving up to him and taking the weapon "he halted until he was next to as an the other side of the canal and opened free on him, He never took his wagen of his shoulder. He just ran away from as into the feild for cover. Or the country side in IRAQ all people hove glins for protection because most of them have never even seen an American soldier.

ACLU-RDI 976 p.35

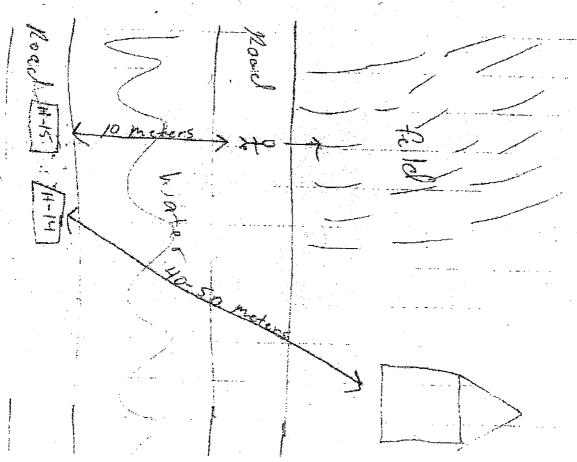
# BATES NUMBERING ERROR PAGE 6680

### 6647c4

After the man ran that the Rild for cover we waited, dose to a minute and there was herer any Fire returned That when my pla SGT told his Ighnner to spray the field with M-18 rounds. The gunner put about 45 rounds into the Rield, still there was no return fine, But next door to the house was a house. It is so hit over there that every one sleeps shis side. After the M-19 etplasions all you heard was homen and children screaming. My PH SST told my ganner to get eyes on the house with the best LRAS.S.S. There were I man - 4-6 women and about 10 children My PLT SGT asked my gunner if there was any weapons and he said no that they were just trying to set them all inside. Then a single shot come from of in the distance, well over 500 meters away. Then my Mt SGT said FXXX it, and light them up. His gunner shot about 3-4 M-19 tounels into the front yard and Everyone else shot there M-165, It lasted about 10 seconds, . Then we just stoped and watched them. My gunner looking through the Like. A.S.S. seen that the Emen here injured, One of there had dis arm half blown off. All the people at the house were paricing. Some ran into the woods, some into the house, and a couple ran next door to 6689 another house. We just sat there and notched them.

Rated 2003 of 18

finally a sur drove by and backed a hunch of injur people the it and drove of And so did we looking for motion people to Kill. The KOE for as over there was to engage and capture the enemy, seize all weapons, and give medical attention to any one hunt. The ROE was not fall owed because there were no enem or weepons.



statement of 6647c4

We would also take pows and there wasn't anyone to come pick him up so we would find the power on top of the Hund with the gunner until one toyed to throwing, After that we would hop the them and Stuff them I'm between the hood and the brush ser of the Hum V. I asked to at least tie his leg to the brush griand so be he idont fall of and My NCO would say who cares it he falls off We just ran him over and one to worry about When we captured a join in a vehicle We had to call a tow truck to pick 14 to The day we didn't sell feat like waiting so they threw an incinerary granade in it and total the CQ that it crashed into the ditch and caught fine. There are other times when we would search houses and steal stuff from the Louises or the pows such as bricks of money. IRAQI army metals uniforms, pictures of Saddom, Tshirts wish his. face on them all the way down to ciggarrette lighter They would draw down the road and see a car pull into a nice house and say the car was ounning from them to search the house and see what they could get There is a story about A section bs+ control on a INLAUI and beat him half to death. Bad enough that the Whole Good of the Hum V was covered in blood. 6647c4

4 2 0683

Statement of 5647c4

gaken at 1350

Paxed 2003 08/8

After the Incident we got back into our touck and continued our patrols. A section was on there way to meet us. We spotted what we though was people burriets we apons up ther road. So we haited for Asection to show up Than we sentched for the wegpons. We couldn't find any so we returned to the house. MY Matoon I pader and some of my noos went to search the house but we had prouble finding it. We don't know if we ever found the right house.

STATEMENT OF	_ TAKEN AT _	1350	RATER	
S. STATEMENT (Continued) \$ 647c4			_ DATED _ ZSC3	<u> </u>
And the second s				
	•			
		6647ct		
		664		
AND THE TANK	Som			
Mariana di Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn Kabupatèn	COLLEGE			
L L L L L L L L L L L L L L L L L L L				er er og gjerne i tre Sterne gjerne Gregorije
30				y
	AFFIDAVIT		Talland to the second s	1
WHICH BEGINS ON PAGE T. AND ENDS ON PAGE 7. I FU BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT HEAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAW	ILLY UNDERSTA ORRECTIONS A ENT ERSELY WI	ND THE CONTENTS C ND HAVE INITIALED T THOUT HOPE OF BEN	HE BOTTOM OF EACH	ENT MADE
고 하지만 그는 것이 되었다. 그 사용 하는 사람들은 사람들은 사람들은 것이 되었다.			son Making Statement)	
VITNESSES: 6627cZ	administe	r caths, this 18+4 d	ere me, a person authorized ay of Aurost	Z003
BIGGIDDI EM 224 HHONIX	at R	юм <u>С27</u> 4 В С	BG-10001, FHTX	
DRGANIZATION OR ADDRESS	<u>-</u>	(Signature of Fers	n Administering Oath)	,_47c4
ROOM 1224 BLDG 1001, FHTX			Son Administering Oath,	- '
DRGANIZATION OR ADDRESS	7	Adge Advocati	e. Coptain, 11.5. Administer Oaths)	
TALS OF PERSON MAKING STATEMENT	· · · · · · · · · · · · · · · · · · ·		PAGE 7 OF 7	3647c 4
E 3, DA FORM 2823, DEC 1998	Americania	1	7 01 7	USAPA V1.00

ACLU-RDI 976 p.41



#### DEPARTMENT OF THE ARMY HEADQUARTERS TASK FORCE IRONHORSE TIKRIT, IRAQ

AFYB-CG

24 August 2003

6627cZ

MEMORANDUM FOR Headquarters, 2d Brigade, 4th Infantry Division (Mechanized), FOB Warhorse, Baqubah, Iraq

SUBJECT: Appointment of Investigating Officer

1. You are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into three (3) allegations of soldier misconduct contained in a sworn statement by	6647c4
dated 18 August 2003.  665765	
a. Unlawful use of force. Whether ordered soldiers to fire an MK-19 on una	rmed

- a. Unlawful use of force. Whether civilians ordered soldiers to fire an MK-19 on unarmed civilians (men, women, and children), and whether civilians were wounded or killed in the incident.
- b. Maltreatment of detainees. Whether members of BRT, 2d Brigade placed detainees on top of a HMMWV, between the brush guard and hood during transportation to Brigade holding area.
- c. Theft of private property. Whether members of BRT, 2d Brigade stole property from the homes of Iraqi citizens and the property of detainees.
- 2. You will use informal procedures under AR 15-6, Chapter 4. You will make specific findings and recommendations on all relevant issues you identify in the course of your investigation. If, during your investigation, you suspect that persons you intend to interview may have violated any provision of the Uniform Code of Military Justice (UCMJ) or any other criminal law, you must advise them of their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate. Rights warnings and waivers will be documented on DA Form 3881. All witness statements will be sworn and recorded on DA Form 2823.
- 3. Prepare the report of proceedings on DA Form 1574 and submit the original to me within 10 days of receipt of this memorandum. You must submit any requests for delay to me in writing. Include with your report all documentary evidence, sworn statements, and other information or evidence you considered.
- 4. Before proceeding with the investigation, contact the same of t

FOR THE COMMANDER:

Chief of Staff



#### DEPARTMENT OF THE ARMY HEADQUARTERS, III CORPS AND FORT HOOD 1001 761ST TANK BATTALION AVENUE

FORT HOOD, TEXAS 76544-5000

AFZF-JA-MJ

20 August 2003

MEMORANDUM THRU G3, III Corps & Fort Hood, Fort Hood, Texas 76544-5001 FOR Commanding General, III Corps & Fort Hood, Fort Hood, Texas 76544-5001 SUBJECT: Report of Alleged Law of War Violation

- 1. Purpose. To report an alleged Law of War violation IAW Department of Defense Directive (DoDD) 5100.77.
- 2. Synopsis of Allegation. A 4th Infantry Division (4ID) soldier alleges during Operation Iraqi Freedom witnessed the unlawful use of force against non-combatants, theft of private property from tradicivilians, and the wrongful dispossession of private and/or enemy property. h647c4
- 3. Complainant Data.
  - a. Complainant.
- b. Current Unit of Assignment. Brigade Reconnaissance Troop (Rear) (Provisional), 2d Brigade (Rear) (Provisional), 4th Infantry Division (Mechanized) (Rear) (Provisional).

b647c4

c. Current Status.

h647c4

d. Source of Complaint. In July 2003, at Fort Hood that he had witnessed rules of engagement violations while he was in Iraq. telephonically notified the Chief, Criminal Law Division, III Corps.

SUBJECT: Report of Alleged Law of War Violation b647c4 4. General Nature of the Allegations. On 31 July 2003, III Corps, personally met with I s to discuss the allegations. -6647c4 h647c4 The following represents a brief synopsis of that interview. A more detailed report of allegation one, taken from handwritten statement (enclosure 1) and , is set forth at enclosure 2. Although use interview with the of the term "alleged" is omitted from the following sub-paragraphs, all of the information reported below is based on statements made by s and has not been otherwise substantiated or corroborated. h64.7c4 -6627c2 6647c4 s states that while on patrol a. Allegation 1 - Unlawful use of force. witnessed his platoon sergeant, order soldiers to fire an MK-19 on unarmed civilians (men, women/and children). In turn, soldiers directed grenades (from an MK-19) and M-16 fire at the civilians. All of the civilians were unarmed and had not engaged in a hostile act or demonstrated a hostile intent, although a single shot was heard from an area approximately 90° from the soldiers and 45° from the house. comments indicate that several of the civilians were injured, to include one civilian who appeared to have had his arm severed. 664-7c4 1665765 b. Allegation 2- Maltreatment of enemy prisoners of war. tates that on at least one occasion, unit members placed EPWs on the top of a HMMWV and between the brush guard and hood. The vehicles would be driven with the EPWs in these states was also told of soldiers in A Section who severely beat positions. an EPW. 5647c4 5647c4 c. Allegation 3- The t of private property. relates that on numerous occasions, members of the stole property from the home of Iraqi citizens and the property of EPWs. relates that soldiers stole items such as "bricks" of money, Iraqi service medals, pictures of Saddam Hussein, cigarette lighters, and t-shirts. Some soldiers would employ subterfuge to search the homes of Iraqi civilians, by following a car to a "nice" house and then claim that a search was necessary because the vehicle had fled from them. 4. Applicable Law Pertaining to Reporting Alleged Law of War Violations. a. DoDD 5100.771 [enclosure 3], paragraph 4.3., provides that it "is DoD policy to ensure that . . . [a]II reportable incidents committed by or against U.S. or enemy persons are promptly reported, thoroughly investigated, and, where appropriate,

AFZF-JA-MJ

remedied by corrective action."

Flectrobic yeasion

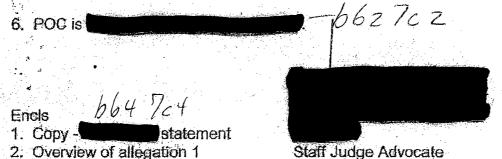
AFZF-JA-MJ

SUBJECT: Report of Alleged Law of War Violation

- b. DoDD 5100.77, paragraph 6.1., provides that "[a]| military and civilian personnel assigned to or accompanying a DoD Component shall report reportable incidents through their chain of command. Such reports may also be made through other chainels such as the military police, a judge advocate, or an inspector General. Reports that are made to officials other those specified in this subsection shall, nonetheless, be accepted and immediately forwarded through the recipient's chain of command."
- c. III Corps & Fort Flood Regulation 27-2 [enclosure 4], paragraph 6a, provides that "fall suspected incidents will be investigated."

#### 5. Recommendation.

- a. Promptly forward this information through command and operational channels so that a prompt investigation can be conducted and recorded, and appropriate remedial action taken, as necessary, in accordance with the DoD directive:
- b. I will forward the allegations to SJAs at CENTCOM, V Corps, and 4ID for information purposes.



3. DoDD 5100.77

4. III Corps & FH Regulation 27-2