

24 July 2003

MEMORANDUM FOR Commander, 1-9 Field Artillery Battalion

SUBJECT: AR 15-6 Investigation Legal Review, Beating of 2 Iraqi Detainees.

1. After carefully reviewing the above referenced AR 15-6 Investigation, I find that it is legally sufficient.
2. Facts. On 30 June 2003, soldiers of 1-9 FA were patrolling Highway 10. Near the intersection of HWY 1 and HWY 10, the convoy stopped to investigate a civilian vehicle parked on the side of the road. Immediately after the convoy started moving again, an RPG round struck one of the Avengers in the convoy. Soldiers then dismounted to provide security to the convoy. One of those soldiers, SSG [REDACTED] noticed a vehicle with its lights on nearby his position. Soon after, 2 Iraqis appeared from the side of the road with their hands in the air, apparently trying to surrender. SSG [REDACTED] captured the 2 Iraqis, then searched both them and the vehicle. When questioned, the 2 Iraqis indicated that the vehicle had run out of gas, and that they were seeking assistance. After they obtained gas, they returned to the vehicle. After refueling, the 2 Iraqis heard an explosion, and noticed American soldiers in the area. They left the vehicle and dropped to the ground so that they or their vehicle would not be accidentally targeted by the American response to the attack. At this point, several witnesses indicated that a group of five to six unruly soldiers then approached the 2 detainees. SSG [REDACTED] left to obtain "zip ties" for the detainees when the other soldiers arrived. Statements from two soldiers, SPC [REDACTED] and SPC [REDACTED] witnessed several of these soldiers punch, kick, butt stroke, and shout at the detainees. The Iraqi detainees did not resist during their beating. Soon after, the detainees were taken to the Brigade Detention Cell. Their injuries were noticed by the Guards at the detention cell, and a medic was immediately summoned to treat the injuries.
3. Findings and Recommendations. The Investigating Officer, MAJ [REDACTED] found that the 2 Iraqis did not have any wounds on them when initially captured. Several soldiers stated that the Iraqis were cooperative, and did not offer resistance. The IO found that five or six American soldiers beat the Iraqis at the site of the capture without provocation or justification. Finally, the IO concluded that the beatings took place before the Iraqis were taken to the Detention Facility. Based upon these findings, the IO recommended that 1-9 FA BN receive additional classes on the ROE and appropriate methods of handling detainees. The IO also recommended that further investigations be conducted to determine which individuals were involved in the assaults. The recommendation of the IO is consistent with the findings.
4. The POC is the undersigned at [REDACTED]

[REDACTED]
CPT, JA
Operational Law Attorney

Q6711

TAB A: Report/Findings

006712

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by

B6-2

COL, AR, Commanding

(Appointing authority)

on 10 JULY 2003 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at HQ, 2nd Brigade Combat Team, Spartan Base (Place) at 1000 hrs (Time)

on 12 JULY 2003 (Date) (If a formal board met for more than one session, check here ☐. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)
None.

The (investigating officer) (board) finished gathering/hearing evidence at 1600 hrs. (Time) on 15 JULY 2003 (Date)
and completed findings and recommendations at 2000 hrs. (Time) on 20 JULY 2003 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO ^{1/}	NA ^{2/}
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	X		
	b. Copy of notice to respondent, if any? (See item 9, below)		X	
	c. Other correspondence with respondent or counsel, if any?			X
	d. All other written communications to or from the appointing authority?		X	
	e. Privacy Act Statements (Certificate, if statement provided orally)?		X	
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?		X	
	g. Information as to sessions of a formal board not included on page 1 of this report?			X
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?		X	

FOOTNOTES: ^{1/} Explain all negative answers on an attached sheet.

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2	Exhibits (para 3-16, AR 15-6)	YES	NO ^{1/}	NA ^{2/}
a.	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
b.	Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
c.	Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
d.	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?			X
e.	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X		
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 record?	X		
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)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
4	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)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, 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)				
9	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?			
(2)	the matter to be investigated, including specific allegations against the respondent, if any?			
(3)	the respondent's rights with regard to counsel?			
(4)	the name and address of each witness expected to be called by the recorder?			
(5)	the respondent's rights to be present, present evidence, and call witnesses?			
d.	Was the respondent provided a copy of all unclassified documents in the case file?			
e.	If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
a.	Was he properly notified (para 5-5, AR 15-6)?			
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)?			
11	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 <input type="checkbox"/>)			
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 action taken on it included in the report (para 5-6b, AR 15-6)?			
12	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?			
b.	Did each member successfully challenged cease to participate in the proceedings?			
13	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?			
c.	Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d.	Call witnesses and otherwise introduce evidence?			
e.	Testify as a witness?			
f.	Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			

FOOTNOTES: 1/ Explain all negative answers on an attached sheet.

2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

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SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:
SEE Attachment labeled DA 1574 Findings.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

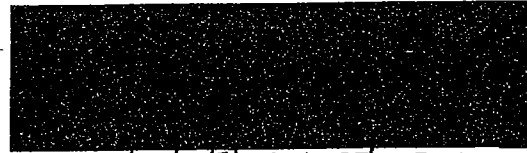
In view of the above findings, the (investigating officer) (board) recommends:
See attachment labeled DA 1574 Findings

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SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (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.)

B6-2



(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

B6-2



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DA 1574, SECTION IV - FINDINGS

B6-4 { Summary: On 30 JUN 03 @ 2230 hrs, [REDACTED] and [REDACTED]
b7C-4 [REDACTED] were apprehended and brought to the 2nd Brigade Combat
Team (2nd BCT) detention cell on suspicion of conducting an attack against U.S.
forces and possession of a pistol. During the inprocessing it was discovered that the
detainees had been beaten and suffered several non-life-threatening injuries: [REDACTED] B6-4
sustained a left mandibular hematoma (struck in the jaw), a scleral hematoma (from a b7C-4
blow to the left eye), an anterior neck contusion (blow to the Adam's apple), and
several other lacerations; [REDACTED] sustained a ruptured right tympanic membrane.
B6-4 { (small laceration to the ear drum), a pulmonary contusion (struck in the ribs), a right
b7C-4 mandibular hematoma (struck in the jaw), and several lacerations. A disputation
ensued as to how and where the men were beaten, with one argument being that the
beatings occurred at the site of the incident, the counter-argument being that the
detainees were beaten at the detention facility presumably by the guards there. The
investigation revealed that both detainees were beaten at the site of the incident and
arrived at the BCT detention facility in the condition mentioned above. It is my
assessment that excessive force was used against the detainees who, according to
every witness making sworn statement, never offered any resistance. Two witnesses
B6-4 { accused [REDACTED] 1/9 FA BN, of beating the victims, but others who
b7C-4 were observed could not be identified.

Events Leading Up To Incident:

On 29 JUN at 2300 hrs, [REDACTED] a taxi driver, was on B6-4
his way from Khadimiya to pick up his wife at Haswa. He drives a white mid-1980s b7C-4
Volkswagen Passat taxicab, which is not the standard Iraqi orange and white taxi. En
route he was flagged down at the Abu Ghurayb market - he was off duty, but thought
that it was an opportunity to earn a little extra money, so he picked up [REDACTED] B6-4
B6-4 { [REDACTED] as a customer. [REDACTED] a steel worker in Abu Ghurayb, was also on his b7C-4
way to Haswa. As they departed, they approached a U.S. checkpoint just across what
is called the Abum Nessar Bridge. The taxi got through the checkpoint without any
problem, but upon crossing the bridge the taxi began to sputter. [REDACTED] then B6-4
realized that his taxi was out of gas, and pulled over to seek assistance. [REDACTED] and b7C-4
B6-4 { [REDACTED] noticed a house north of them and walked up to it to inquire about assistance.
b7C-4 They were then met by some of the residents - - specifically three to five young men -
- who provided them with five liters of fuel.

Shortly after refueling, both men noted the taxi being approached by vehicles
of an American convoy from the opposite side of the highway (Highway 10). A
soldier, described as a black man, asked [REDACTED] why he was stopped; he explains
as best he can and once again they are again underway. Suddenly the men hear an
explosion ahead of them about 300 meters. According to [REDACTED], "something hit B6-4
the convoy." Immediately, troops in the convoy began returning fires, which terrified b7C-4
both the driver and his passenger. Rather than remain in the taxi, both men decided to
get out of the taxi and take cover in the field, which was being irrigated at the time;
"they were afraid their car might get hit by the soldiers firing."

The convoy, comprised of a command HMMWV, an Avenger, and two
Bradley Linebackers, was conducting a night patrol throughout the 1-9 FA BN zone
of the 2nd BCT area of responsibility; the convoy also had an NBC news reporter

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embedded with them. The explosion was caused by an RPG attack in which the Avenger was impacted and ultimately destroyed. The vehicle immediately became engulfed in flames. [REDACTED] a track commander (TC) for one of the Linebackers notified first the Bulldog X-Ray, and then the other Linebacker TC [REDACTED], B/1-3 ADA BN; SSGs [REDACTED] and [REDACTED] headed toward the site to provide security.

SSG [REDACTED] reached the site first. His crew included SPC [REDACTED] driver, and SPC [REDACTED] gunner. Upon arriving at the site, SSG [REDACTED] noticed a stationary white car with its headlights on. He then began to approach the vehicle, but before reaching it he noticed two Iraqi males coming out of the field from behind some bushes with their hands raised in surrender and shouting, "No Ali-Baba!" SSG [REDACTED] then dismounted his Linebacker under the cover of both his gunner and driver; subsequently, he motioned for the two men to get on the ground, to which the men complied. According to SSG [REDACTED], "they were dirty, didn't seem hostile at the time, and did not appear injured." The two men never offered any resistance. When SSG [REDACTED] asked whose car it was, [REDACTED] pointed to himself and responded in English, "taxi driver", indicating that it was his car. SSG [REDACTED] then ordered SPC [REDACTED] to shine his headlights on the Iraqis while he conducted a search of the men and their vehicle. Nothing was found on the men, but a search of the taxi did produce a .32 caliber pistol emplaced between the driver's seat and the front passenger's seat. According to [REDACTED], "I keep a pistol to protect myself from looters". SSG [REDACTED] then notified SSG [REDACTED]

SSG [REDACTED] then returned to the two Iraqis in order to zip-strip them, but discovered that he had no zip ties. He went and got a zip tie, then proceeded to tie up [REDACTED] first. As he zip tied him, SSG [REDACTED] noticed that four to six soldiers, whom he believed were from 1-9 FA BN, began to converge onto the location where the detainees were being held. Based upon sworn statements of the detainees, SSG [REDACTED], SPC [REDACTED], and SPC [REDACTED] - all of whom were eyewitnesses - this small mob of soldiers proceeded to beat the two detainees without the slightest provocation or justification other than mere suspicion.

Amplification of the Beating Incident:

Incident According to [REDACTED] [quoting from interview] I was searched by six men. After I was searched, I was beaten, but didn't know who was beating me. They were some black and some white. The tall black man hit me with a rifle in the face (pointed at his left eye and his jaw). All six beat me, but the tall black man hurt me the worst (notes that the black man had a very thin mustache). I was punched from behind about 20 times and kicked six or seven times in the side, the legs, and the ribs. We were then separated. I was moved to another vehicle and beaten some more, then moved to another area with the taxi driver.

Incident According to [REDACTED] [quoting from interview] I was beaten by six to eight men. They were mixed, some white and some black. It was dark and I was scared. I was punched in the chest below the breast. I did not resist because I wasn't expecting a beating. I cooperated fully. I had the rifle put into my mouth and also pointed at my chest. I was punched on the way to the vehicle.

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Incident According to [REDACTED]: While SSG [REDACTED] was zip-stripping the detainees, four to six black soldiers showed up with a white officer from 1-9 FA BN. One large soldier was "particularly pissed and had his weapon pointed into one detainee's face and said 'you shooting at my f----- platoon sergeant? I knew it was you. Talk to me!'" He then observed that the large black soldier reached back and struck the younger man [REDACTED] open-handedly multiple times.

Incident According to SPC [REDACTED] was scanning the area while SSG [REDACTED] was searching the two Iraqis. Suddenly he saw a soldier come from behind his Bradley, pull off his CVC, and throw it onto the front of his track. According to SPC [REDACTED] the soldier was a stocky-built black male who was "storming mad;" furthermore, SPC [REDACTED] identified this soldier as one of the individuals I questioned for this investigation named SGT [REDACTED]. [REDACTED] watched as the apparently furious soldier hustled over to the detainees, saying, "Why you shooting missiles at my platoon sergeant?" The soldier then proceeded to beat both detainees; one detainee (probably [REDACTED]) was on his knees when he was punched with both open and closed fists, with one blow causing him to fall backwards. The other detainee (probably [REDACTED]) was also on his knees when the soldier began striking him several times. SPC [REDACTED] also observed one of the six individuals pointing his M-16 into the chest of "the old man" [REDACTED]. He could not distinguish the other 5 men in the mob, but in subsequent questioning and observation was certain that the soldier he saw doing most of the beating was SGT [REDACTED]. He also stated that all six of the individuals beating the detainees were from 1-9 FA BN. Finally, SPC [REDACTED] added that "the two Iraqi civilians never resisted or tried to fight back." The six soldiers then put the two detainees in a HMMWV and transported them to a different location where they were later questioned by LTC [REDACTED], 1-9 FA BN commander.

Incident According to SSG [REDACTED] After searching the two Iraqi detainees, SSG [REDACTED] zip-tied one of them [REDACTED]. He noticed a group of five to six soldiers coming towards his location. According to [REDACTED], the group consisted of "five or six, including 2 Staff Sergeants, who all appeared to be African Americans." He described these soldiers as "aggressive" and "hostile". The most aggressive and hostile of the group was who SSG [REDACTED] identified as SGT [REDACTED]. [REDACTED] also caveated his statement by saying, "I did not witness any violence except for words. It is possible that while I was away these soldiers became violent, because when I left the soldiers were still there. When I returned the two Iraqis were gone." The following day, SSG [REDACTED] requested to make another statement because key information was left out of his original statement. He amended the statement to include some of the aforementioned details. SSG [REDACTED] also noted that the Iraqi detainees never offered any resistance.

Post-Incident Events

The detainees were transported to a different location where they were questioned directly by LTC [REDACTED], who is a Foreign Area Officer trained in the Arabic language. CPT [REDACTED], the A/1-9 commander was present just prior to the questioning, and according to his statement, "saw no marks on their faces besides a little blood." According to most of the witnesses, LTC [REDACTED] questioned the two men for anywhere between 15 and 20 minutes. They were then separated, questioned

again, and then were prepared to be taken to the detention facility. The men seemed to comprehend LTC [REDACTED] questioning; this is somewhat disputed, however, by [REDACTED] who claimed, "the tall black man spoke some Arabic but I couldn't understand what he was saying." There were no indicators that LTC [REDACTED] became hostile with the detainees. Again the men offered no resistance. After the brief interrogation, the detainees were then taken to the 2nd BCT detention facility.

At 0311 hours on 30 JUN 03, A/1-9 FA BN, led by CPT [REDACTED] transported the two Iraqis to the 2nd BCT detention facility, where they were processed by SSG [REDACTED] chemical reconnaissance squad leader, and SGT [REDACTED] 3rd MP CO. It was at this time that SGT [REDACTED] first noticed the condition the detainees were in; according to [REDACTED], "from what I saw both individuals were messed up pretty bad." He noted that one individual had one side of his face really swollen and that he kept moaning in pain [REDACTED]. The other individual was bleeding from the mouth [REDACTED] and his face was swollen, too. SGT [REDACTED] decided that "These individuals were injured so bad that I radioed to Regulator X-Ray (3rd MP CO) that we needed a medic." SGT [REDACTED], medic, arrived at about 0430 hours. During the investigation, I asked her whether or not the injuries looked like they were sustained right before her arrival; her response was an emphatic no – the blood was dried and it looked like they were sustained hours prior to arrival at the detention facility.

Upon examination, SGT [REDACTED] determined that the detainees had been "brutally beaten". According to her statement, [REDACTED] was beaten primarily on the left side of the head, resulting in "a swollen neck" and he was bleeding from the mouth. She then observed that [REDACTED] was also beaten in the facial area and had a possible fracture to the right side of his rib cage.

At about this time, SGT [REDACTED] spoke with CPT [REDACTED] and asked what they had done to these guys. CPT [REDACTED] response was matter-of-factly, "they just got roughed up a little bit." According to SPC [REDACTED], CPT [REDACTED] "boasted several times that they (A CO 1/9 FA), knew the story of the detainees because his commander knew Arabic and had interrogated the detainees on site." During the investigation, I specifically asked each detainee about his treatment here at the detention cell. [REDACTED] responded that nobody ever touched him or mistreated him at the detention facility. [REDACTED] went further pointing out that not only was he untouched, but that he was "treated very well and respectfully."

Conclusion:

On 29 JUN 03 [REDACTED] and [REDACTED] were apprehended based upon suspicion of conducting an attack on American soldiers. On 30 JUN 03, they were discovered badly beaten at the BCT detention facility (LB96068723). They were brought in by A/1-9 FA BN, and they were handed over to and processed by the 92nd Chemical Company, which is responsible for the detention facility. Several conclusions can be drawn from witness accounts and interviews as well as the victims themselves: first, [REDACTED] and [REDACTED] did not possess any weapons other than a .32 caliber pistol, which was found in the taxicab at the time of the arrest; second, both men surrendered immediately and never offered any resistance throughout the entire ordeal; third, they were beaten on site by five or six

soldiers who demonstrated a lack of understanding of the Rules of Engagement (ROE) and who without provocation or justification employed excessive force in handling the detainees; fourth, one soldier, SGT [REDACTED], has been implicated by at least two witnesses as one of the five or six who did the beatings; [REDACTED] was afforded an opportunity to make a positive identification as well, but upon seeing SGT [REDACTED], said he was the right height and description, but he could not be certain; and fifth, the two men, by their own admission, were never abused or mishandled in any way at the detention facility – on the contrary, both detainees acknowledged humane treatment during the whole time they were being detained.

} B6-4
b7C-4
3 B6-4
b7C-4

Recommendations:

1. That 1-9 FA BN receive a class on ROE for handling detainees.
2. That the ROE be included in the 1-9 FA BN Field S.O.P.
3. Further investigation may be required since all the individuals who participated in the beating could not be identified.

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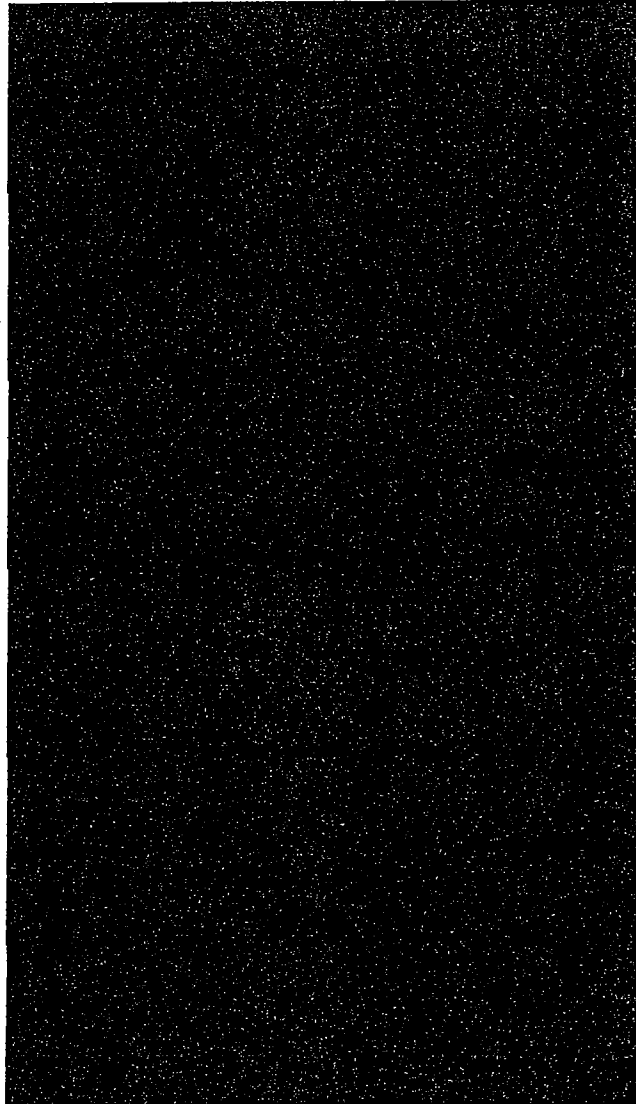
TAB B: Witness Statements

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Witness Statements

B6-4 1676-4

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006723

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION	2. DATE (YYYYMMDD) 20030715	3. TIME 1455	4. FILE NUMBER
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5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4 167C-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS E-6
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8. ORGANIZATION OR ADDRESS
B Btry 1/3 ADA 67C-4

9. I, [REDACTED] B6-4 167C-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 Jun at approx. 2331 while doing a routine patrol of the retrans area, Assassin elements came over the radio and were yelling "RPG, RPG. The [REDACTED] been hit." I called the situation up to [REDACTED] and immediately tried to find out the location of the strike/Attack. Once a location was obtained, I contacted [REDACTED] and [REDACTED] and informed them to meet me on [REDACTED] to assist with the attack. Once on location, myself and [REDACTED] took up far side security on the east and [REDACTED] nearside on the west. [REDACTED] told me he had to detainees that came out of the grass and were now in the prone position. I dismounted my Truck and went to check it out. Two individuals were lying prone on the ground, with their hands to their sides. [REDACTED] informed me that the white veh. was theirs. I told him to search it and find what he could. He found a pistol/revolver. At that time I told him to continue to detain them because they were going to jail. I got [REDACTED] walked down to the west to check on [REDACTED] and [REDACTED]. After that I returned to my truck and continued to search and scan. After some time [REDACTED] came up to the truck and informed me the [REDACTED] wanted to talk to me. I dismounted and moved over by a [REDACTED] that was west of my position and informed [REDACTED] of what I knew about the two individuals. After that I returned to the truck and waited for further guidance.

/ End of Statement /

[REDACTED] B6-4
67C-4

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4 167C-4	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

STATEMENT OF _____

TAKEN AT _____

DATED _____

9. STATEMENT (Continued)

B6-4 / b7C-4



AFFIDAVIT

I, [REDACTED] B6-4 / b7C-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] Person Making Statement

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of JULY, 2008 at 2008 JRC

[REDACTED]
(Typed Name of Person Administering Oath)

[REDACTED]
(Authority To Administer Oaths)

PAGE / OF / PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION 1-9FA TAC	2. DATE (YYYYMMDD) 2003 07 14	3. TIME 1801	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4 / b7C-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS O-3	

8. ORGANIZATION OR ADDRESS A11-9 FA	b7C-4
--	-------

9. I, CPT [REDACTED] B6-4 / b7C-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the night of 29-30 JUN 03 I responded with members of my battery when the Avenger on patrol with my battery was hit by an RPG. We left with 2 HMMWV's and 2 FASVs. While heading east on HWY 10 the rest of the patrol evacuating the injured reporter was moving West. 1SG's HMMWV did a U-Turn and went with the patrol back to the aid station. The Convoy continued with now just 1 HMMWV and 2 FASVs. Upon arriving at the site of the attack we pulled over next to 2 gun trucks from HHB/1-9FA. When we arrived at the site there were 2 gun trucks, 3 Bradley's, and 1 FASV. The vehicles all came from static sites except the 2 gun trucks which had left 1-9FA 15 before us. Upon arriving at the site I looked at the burning Avenger and then was told the 2 crew members were next to the FASV. I asked the 2 crew members if they were OK. They looked kind of in shock/tired and told me they were OK, except for bruises. ~~While~~ I then asked them how the attack happened. They told me that they had stopped to check out a

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4 / b7C-4	PAGE 1 OF 5 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

006726

STATEMENT OF CPT [REDACTED] TAKEN AT 1-9 FA Tac DATED 14 Jul 03

9. STATEMENT (Continued)

Stationary vehicle with 8 individuals around it. After ~~pass~~ leaving the vehicle they were engaged ca 100m or so up the road by an RPG from the north side of the road. While talking to the Avenger Crew I was told by a soldier that there were detainees by the 2 Bradley's 100m + up the road to the East. I moved up the road with a couple of soldiers and found members of B/1-3 ADA and possibly HHB/1-9FA watching the 2 detainees who were zip stripped and lying face first on the ground. I asked them if they spoke English. They said no and something in Arabic. To check if they were telling the truth or not I asked them one more question as to what they were doing and all they said was stuff in Arabic. So I went over to one of the Bradley's and talked to either SSG [REDACTED] or [REDACTED] and asked them the circumstance behind detaining them. They told me they spotted them in the field, on the

I, CPT [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

AFFIDAVIT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2003 at 1-9 FA Tac

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

PAGE 2 OF 5 PAGES

B6-4 / b7C-4
Statement of [REDACTED] Taken at [REDACTED] A TOC dated 14 Jul 03

north side of the road (direction of attack) in their thermals. They called them forward, asked them what they were doing there and was told somehow there car ran out of gas and they had run off into the field after the attack. The ADA soldiers had searched the car and found a revolver and detained them. Cars have been used to mark / slow down convoys for RPG attacks so I decided to take them to the detention center so someone else that is trained in interrogation could figure out if they were involved or not. I went back over to and told the soldiers to move the detainees up the road to one of the FASV's for transportation back to the detention center. As the prisoners were moved I went to check again on the burning avenger. While by the burning Avenger a soldier told me LTC [REDACTED] had arrived, saw I went over to where LTC [REDACTED] was and told him what had happened, how the site was secured, and briefed

that we had 2 detainees. I took LTC [REDACTED] to where the 2 detainees were and he proceeded to question them in Arabic (LTC [REDACTED] is trained to speak Arabic). He was having what appeared to be a normal conversation with the individuals asking them what they knew. Several times while he was talking to them I went off to check on the vehicle seeing with 3 dead civilians that had run into a CAT around the time of the RPG attack (just after). I was present though when LTC

006728

B6-4 b7C-4
Statement of CPT [REDACTED] Taken at I-9FA TOC dated 14 Jul 03

faces. I saw no marks on their faces besides a little blood on the nose of the older Iraqi. After the prisoners had been turned in, ~~the next~~ the next day, I asked the ADA how the detention went. The detainees were on the road when zip stripped and told to lie down. One of the detainees kept trying to get up they said so they pushed him toward the ground, pavement, to ~~instill~~ ^{B6-4 b7C-4} instill in him to stay down. This maybe were the bloody nose came from.

Anyway after LTC ^{B6-4 b7C-4} [REDACTED] was done questioning the detainees, we were all around the civilian vehicle, trying to figure out how to get the bodies out and upload the truck onto a PLS. ^{B6-4 b7C-4} ~~Several~~ Many people were around where the detainees were and I believe soldiers may have rotated guarding them. When the PLS was about done loading the truck, ^{B6-4 b7C-4} LTC [REDACTED] we left to get an interpreter to take to the Jordanian Hospital and I went back over to where the detainees were and told the soldiers to load them into a FASU. This was anywhere from 1/2 to 1 hour since I had last seen them. They were loaded up with one soldier in the back to guard them and we left for the detention center.

We arrived at the detention center and I went up to the in processing tent. I told the soldier on duty that I had 2 detainees possibly involved in an RPG attack, gave them the revolver, and asked ~~ACLU~~ ^{B6-4 b7C-4} ~~RD~~ ⁰⁷⁸⁴¹⁹ wanted the detainees. They said no till I

006729

B6-4
Statement of CPT [REDACTED] taken at 1- [REDACTED] TOC dated 14 JUL 03

outside the FASV. I do not know the 2 soldiers names at the detention center, neither one of them was wearing DCU tops. It took me about 1/2 an hour to finish the paperwork, which I ~~wished~~ had to get more statements the next day and bring back; ~~and then the detention center wanted.~~ After I finished the paperwork they told me to have the prisoners brought over. I had one of my soldiers go get them and they brought them over. I saw their bodies in the light and do not remember seeing any other marks on them besides the blood on the nose I saw earlier. ~~The 2 soldiers at the~~ The 2 soldiers at the detention center then looked at the detainees, pulled out their electric shock sticks, and had the detainees get on their knees. I asked them if there was anything else they needed, they said "No". So I said I would bring the rest of the statements by COB that day and we left with the detainees still on their knees by the inprocessing area.

Nothing Follows

B6-4 B7C-4

B6-4

B6-4

B6-4

see caption of photo let it happen
(couple shown prior 4

— young guys face done with blunt dyed

— old woman ribs not done " 9

B7C-4

B6-4

B6-4

B6-4

B6-4

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION 1/4 FA TOC	2. DATE (YYYYMMDD) 20030714	3. TIME 2041	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS B 1/3 ADA 2BCT			

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

On 29 JUN 03 I was ordered to respond to an RPG attack on an Avenger at 0000am. Upon Arriving at the site I noticed red headlights pointed in my direction but not moving. I proceeded East until I reached the vehicle. Upon arriving 2 Iraqi males came out of the bushes with their hands up. I dismounted my truck and placed the men on the ground. My Gunner and Driver covered the 2 men while I searched the car the older man had indicated was his. I found a .32 cal. revolver between the front seat and Homade Console. I returned to the Iraqis and searched them. Someone came and asked if these 2 were to be arrested and returned later with 4 zip strips. I zipped the older man while the other soldier, who I did not recognize as he was not in ADA, zipped the younger Iraqi man. An officer asked if anyone could move the car and said I could drive a straight shift, so I moved the car approximately 100 meters westward. I asked around as to where the car should go I was told to leave it where it was now. Upon returning to my truck my prisoners had been taken away. My Gunner, SPC [REDACTED], said they had been taken away in a AMRV.

Nothing follows
WLC 14 JUL 03

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

006732

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

B6-4 b7C-4

14 JUL 03

14 JUL 03

B6-4

b7C-4

AFFIDAVIT

I, [REDACTED] B6-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]

B6-4 b7C-4

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2003 at 1-9 PAKAN, TDC

ORGANIZATION OR ADDRESS

[REDACTED]

B6-2

b7(C)-2

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

006733

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION 2BCT TOC	2. DATE (YYYYMMDD) 20030715	3. TIME 1335	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS B 1/3 ADA 2BCT Iraq B7C-4			

9. I, [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am amending my statement of 14JUL03 to include the following. After the 2 Iraqi men were zipped a group of soldiers (American) came to my location. There were 5 or 6 in the group to include 2 E-6's. I am not sure of the other ranks among them but the party was made up of all African-Americans. By their body language and speech the soldiers were hostile to the Iraqis. I told these soldiers to take it easy and back off they moved 2 or 3 feet away. I cannot say with any certainty that these soldiers abused the Iraqis because I did not witness any violence except for words. As stated before I moved the civilian car. It is possible that while I was away these soldiers became violent because when I left the soldiers were still there. When I returned the 2 Iraqis were gone.

No thing Follows [REDACTED] B6-4 B7C-4 15JUL03

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4 B7C-4	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

No Statement Made
15 JUL 03
No Statement Made
15 JUL 03

AFFIDAVIT

I, B6-4 B7C-4 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

B6-4
B7C-4
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of JULY, 2003 at 2nd BCT, 7th AC

ORGANIZATION OR ADDRESS

B6-2
(Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

006735

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION HWY 10	2. DATE (YYYYMMDD) 2003 Jun 13	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E5 / SGT	
8. ORGANIZATION OR ADDRESS A 19 FA			

9. I, SGT [REDACTED] B6-4 B7C-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

30 June 2003, I arrived to the scene, and immediately took my defense position. I saw the two prisoner come in the badly muddy and dirty. Both of them was fired up. Someone who know a little of there language started to question them. The prisoner keep say gas, I'm out of gas that why we was walking the mud area trying to find fuel from the area. And we heard a noise like a explode and we dive in the mud. Lt. Col [REDACTED] came and started to question the prisoner. Ask them in their language what going on. That told the Lt. Col the same things. That Lt. Col come over my side and started to ask him the same thing. Look in the person pocket and found a wallet, knife and documents. Put them back the person pocket. Started back asking the prisoner question again. When he got finished. He left and talk to Cpt [REDACTED] Then SVC Battery came and begin to pick up the dead body and vehicle. And we took the prisoner and put them in cut.

B6-4
B7C-4

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 1/9 T62	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED 13 July 03

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

C06736

STATEMENT OF 36T [REDACTED] ^{B6-4} TAKEN AT _____ DATED 2003 Jul 13

9. STATEMENT (Continued)

During that time one of the prisoner begin to resist ^{B6-4} by talking and saying no mr., no mr. The soldier ^{B6-4} reach over and took the prisoner and pull to make him move. And I look at the person face and seen it ^{B6-4} brushed up little. And I told one of the soldier this person have a knife his pocket keep a eye on him. Then we returned to compound. ^{B7C-4}

No thing

Follow er ^{B6-4}

AFFIDAVIT

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

^{B6-4} ^{B7C-4} [REDACTED] 13 July 03
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2003 at FAIRFAC

ORGANIZATION OR ADDRESS

^{B6-4} ^{B7C-2} [REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

006737

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 1/9 FA TOL	2. DATE (YYYYMMDD) 20030714	3. TIME 2243	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS HHB 1/9 FA			

9. [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 29 JUNE 2003, I was assigned as a shadow patrol along with SSG [REDACTED] B6-4. We were to be the rolling QRF for SSG [REDACTED] B6-4 Patrol. At 2320 we were informed that an avenger from 1-3 ADA had been ambushed by an RPG. At 2330 we left the 1-9 FA FOB and went to the ambush site. We drove east on Hwy 10 until we reached the ambush area. When we arrived we saw a civilian truck badly wrecked and about 200 meters further east was the burning avenger. SSG [REDACTED] B6-4 took his patrol further east to the far ADA Bradley where they started trying to sort out the events. SSG [REDACTED] B6-4 and I stayed between the Avenger and the civilian truck facing the north side of Hwy 10, we were told that was where the RPG came from. Once our security was in place, SSG [REDACTED] B6-4 and I went to the other ADA Bradley that was immediately to the north side of the ambushed Avenger. The Bradley and avenger crews were on the ground trying to describe what had happened to us. We then were told by 1-9 TOL to inspect the civilian accident. SSG [REDACTED] B6-4 and I took SPC [REDACTED] B6-4 our medic to the truck. SPC [REDACTED] B6-4 declared all 3 civilians dead and we returned to our perimeter positions. Then LTC [REDACTED] B6-4 called to let us know he was about 5 minutes out. He wanted to talk to the 2 detainees when he arrived. The two detainees were escorted down to an A 1-9 FAAS-V by CPT [REDACTED] B6-4, A Btry commander, and I believe SSG [REDACTED] B6-4. They walked them about 800 meters from the ADA [REDACTED] B6-4 on the east of our perimeter.

B7C-4

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT. [REDACTED] B6-4	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

006738

B6-4

STATEMENT OF

TAKEN AT

1-9 FA TOC

DATED

14 July 2003

9. STATEMENT (Continued) I saw the two detainees, both had their hands zip tied behind their backs and only one was wearing shoes or sandals. The 2 detainees were secured on the west side of the FAAS-V. LTC [REDACTED] then arrived and went straight to the burning avenger where he talked with CPT [REDACTED]. Then LTC [REDACTED] had SSG [REDACTED] and I extract one of the civilians out of the truck so SPC [REDACTED] could better examine him. SPC [REDACTED] declared him dead. SSG [REDACTED] and I followed LTC [REDACTED] over to the 2 detainees. LTC [REDACTED] then asked 2 soldiers from A 1-9 to separate the 2 detainees. The 2 soldiers took one of them to the east side of the vehicle where I could not see. I watched and heard LTC [REDACTED] question the first detainee. LTC [REDACTED] kept his hands behind his back while he questioned him. Then SSG [REDACTED] and I turned to watch back to the north. LTC [REDACTED] continued to question the first detainee. After approximately 10 minutes, Service Btry arrived to recover the Avenger and civilian truck. SSG [REDACTED] and I went over to help recover the truck. That was the last time I saw the 2 detainees, and they were both in good condition. All I saw wrong with them was that they had mud all over their clothes and feet or sandals on the one. Then as we finished the recovery we heard someone say they had the 2 detainees in a FAAS-V and were ready to SP. We waited for them to leave and then when Service btry was ready we left. We went to the Jordanian Hospital to rejoin our patrol. At about 0145 we returned to 1-9 FOB. I never saw the 2 detainees again. ————— nothing follows —————

B7C-4

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2003 at 2nd BCT TOC

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION Al Fallujah	2. DATE (YYYYMMDD) 12 July 03	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E5 / SGT	

8. ORGANIZATION OR ADDRESS
3rd Military Police Company

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

On the 30 of June around or about 04:30 am, I was called to the Detainee Cell for medical assistance. Upon arrival, there stood two Iraqi looters that had been brutally beaten. The first individual that I seen had been beaten on the left side of the head. The individual also had a swollen neck and was bleeding from the mouth. The second individual had been beaten in the facial area also. He also had possible fracture to the right side of Rib cage. I basically screened both men with equipment I had available. I had SPC [REDACTED], the interpreter, to asked the individuals what happened and when. They stated that when they were captured, they were beaten with weapons. I then requested for Charlie med to assist in treatment for the individuals.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

B7C-4

STATEMENT OF

B6-4
TAKEN AT

19:00

DATED

12 July 03

9. STATEMENT (Continued)

Nothing follows

B6-4
B7C-4

AFFIDAVIT

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of JULY, 2003 at J. M. DETENTION FACILITY

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS

MAKING STATEMENT

B6-4 B7C-4

PAGE

OF

PAGES

006740

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION 1-9FA BATT.	2. DATE (YYYYMMDD) 2003 07 14	3. TIME 1935	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS E-5	
8. ORGANIZATION OR ADDRESS A Btry 19 FA B7C-4			

9. I, [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

on the night of June 29, EARLY June 30, I WAS IN A CONVOY responding to AN RPG ATTACK. I WAS THE LAST VEHICLE IN THE 4 VEHICLE, PROVIDING REAR SECURITY. WHEN I ARRIVED AT THE SITE WE PULLED REAR SECURITY TO ENSURE NO VEHICLE CAME DOWN THE ROAD. I SAW TWO IRAQI MEN BEING ESCORTED BY SOME SOLDIERS AND THEY WERE WALKING FINE. THE SOLDIERS HAD THEM STAND BY THE FASV, AND THEN SAT THEM DOWN. THE LTC [REDACTED] B6-4 CAME AND QUESTIONED THE 2 IRAQI'S AND HE SHOWED NO ANGRY OR ANY HOSTILITY TOWARDS THE TWO GUYS. AFTER HE FINISHED WE TURNED OUR FASV AROUND TO BLOCK OFF TRAFFIC SO THE GUYS COULD LOAD UP A TUCK ON A PIS. AFTER THEY FINISHED WE LEFT AND CAME BACK TO THE COMPOUND. — Nothing follows —

B6-4 B7C-4
 [REDACTED] 14 July 03

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

B6-4 B7C-4
19 July 83

nothing follows

AFFIDAVIT

B6-4 B7C-4 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

B6-4 B7C-4

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2007 at 2nd BSG 1-9 RA BN TDC

ORGANIZATION OR ADDRESS

B6-2
B7C-2

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

006742

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION 2nd BCT TOC	2. DATE (YYYYMMDD) 2003-07-15	3. TIME 1517	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS E-2 PV2	

8. ORGANIZATION OR ADDRESS

B 13 ADA

9. [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The night of the incident, SSG [REDACTED] B6-4 and I were on Patrol in the area of the Getrans-site, we heard over the radio that one of our avengers had been hit down the road from our position by an RPG, we proceeded to the location of the attack, and began to pull security. SSG [REDACTED] B6-4 dismantled after scanning the area to assist some of us military personnel while I continued to scan the area and monitor the radios. The other Bradley was to my left and a civilian vehicle was to my 10-11. I saw two civilians lying face down within the light of the Bradley headlights. I look back later to see the two civilians zip tied and standing with several military personnel standing around them. They were pulled to the side where one was pushed to his knees. I went back to scanning my sector, later SSG [REDACTED] B6-4 and me moved to the inside of the perimeter for SSG [REDACTED] B6-4 to speak to one of the officers. About 0300-0330 we headed back to Getransite to continue patrols. [REDACTED] B6-4

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

006743

STATEMENT OF _____

TAKEN AT _____

DATED _____

9. STATEMENT (Continued)

B6-4 B7C-4
20030715

AFFIDAVIT

I, [REDACTED] B6-4 B7C-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of JULY, 2003

ORGANIZATION OR ADDRESS

B6-2
B7C-2

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

006744

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION [REDACTED] 2. DATE (YYYYMMDD) 20030714 3. TIME 2205 4. FILE NUMBER
 5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 6. SSN [REDACTED] 7. GRADE/STATUS E6/USA.
 8. ORGANIZATION OR ADDRESS HNB 1-9FA, TOC APO, AE 09303-3214

9. [REDACTED] 86-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

on 29 JUN 03 at 2400 I was scheduled for shadow patrol for 1-64 FST. At 2320 we received word of an RPG attack on an Avenger and deployed 5 gun trucks to vic 15E to establish a ORF and perimeter security. I Arrived at the scene at 2345 to observe an Avenger HMMWV on fire @ Linbacker set on the east side, A linbacker on the west, A CATV near the HMMWV, A destroyed pickup truck on the west side and a civilian car on the east side. I established security and called for and provided ground control for OH-58D's, callsign Eagle and Demon. CPT [REDACTED] showed up and we moved to the civilian car. En route, we were informed that there were 2 detainees at the East Linbacker. Upon arrival we observed 2 individuals zip tied and seated on the ground with a group of 5-6 soldiers surrounding them as guards. One individual, a large black soldier, was upset and shouting at the detainees, using profanity and expressing anger that his HMMWV was destroyed. Unknown whether he meant his HMMWV or if he was implying B1-3ADA's HMMWV. I was informed LTC [REDACTED] was enroute and I departed that area to return to my C2 HMMWV. I returned to CPT [REDACTED] and informed him LTC [REDACTED] would question the detainees down by my C2 vehicle. The 2 detainees were walked to that area and placed on the west side of the CATV. They did not appear to have any type of walking impediment. LTC [REDACTED] arrived and began questioning the individuals while I provided PSD to him. I left the questioning to [REDACTED] control the incoming shift of Kiowas. On Return LTC [REDACTED] had finished his questioning and he tasked me to retrieve the bodies out of the destroyed pickup truck. While moving to that mission, I noted the CAT-V departing and was told the detainees

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 86-4 PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

006743

B6-4

STATEMENT OF SSG [REDACTED] TAKEN AT 1-9 FA TOC DATED 14 JUL 03

9. STATEMENT (Continued)

were aboard and en route to the Brigade holding cell [REDACTED]

B6-4

[Large area crossed out with a large X]

B7C-4

B6-4

AFFIDAVIT

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

B6-4

[REDACTED]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me; a person authorized by law to administer oaths, this 14 day of JULY, 2003 at 1-9 FA TOC

ORGANIZATION OR ADDRESS

B6-2
B7C-2

[REDACTED]

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

B6-4

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 1-9 FA TOC	2. DATE (YYYYMMDD) 2003 14 July	3. TIME 21 44	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED]	7. GRADE/STATUS E-4 /SPC	
8. ORGANIZATION OR ADDRESS B-1/3 ADA B6-4			

9. I, [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Upon the night of the 29 of June 2003 responded to a distress call of an RPG attack on an Avenger during a patrol in the area. When we arrived on the scene we came across an abandoned car. Minutes later we found the personnel in question in the field to left of the road. My crew detained them until they were taken from our custody by personnel of 1/4 FA. During this transaction I witnessed the detainees being misshandled and "roughed up". Miss-treatment that took place was put to a stop by my squad-leader and other 1/4 personnel. The detainees were not badly beaten when they left my custody. After they were removed from the scene my section remained with the burning Avenger until relieved the following morning.

nothing follows

B6-4

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

006747

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

B6-4



14 JUL 03

B7C-4

AFFIDAVIT

I, B6-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

B6-4

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2003 at 1-9 PM T.P.G.

ORGANIZATION OR ADDRESS

B6-2
B7C-2

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD) 2003 07 15	3. TIME B6-4	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED]	7. GRADE/STATUS E-4 SPC	

8. ORGANIZATION OR ADDRESS
1B 1/3 ADA B6-4

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

1
B7C-4
1

29th of June ~~we~~ B-14 was on ORF when we recieved the call that an Avenger was struck by an RPG. When we arrived on the scene we first noticed the burning Avenger & the injured reporter, we then noticed a car 100m down the road w/ its headlights on. As soon as we got to the car two Iraqi civilians walked out from our left from behind some brush SSG [REDACTED] and I immediatly ~~B~~ p told them to get down on there belly's, then as my driver SPC [REDACTED] and I watched them from the front right & left of the Bradley SSG [REDACTED] Searched there vehicle [REDACTED] and found a Pistol we notified SSG [REDACTED] B-23 and we proceed to zip tie the individuals. Then minutes later a short, heavy set Black male came from my right and through his coc onto my

B6-4

B6-4

B6-4

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

006740

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

track and struck open handed to one Iraqi civilian and the blow knocked his backwards, he repeated the assault on him and the other Iraqi civilian but only open + closed fists no weapons or objects one individual had his M-16 one one civilians Chest + chest only that I witnessed. There were 5-6 19 personnel during this incident. They took the two & civilians down the street to a hummer. The two Iraqi civilians never resisted or tried to fight back.

nothing follows

B6-4 B7C-4

AFFIDAVIT

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

B6-4
B7C-4

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of JULY, 2003 at 2nd BCT TOC

ORGANIZATION OR ADDRESS

B6-2
B7C-2

[REDACTED]
(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

006750

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Iraq	2. DATE (YYYYMMDD) 20030715	3. TIME 1555	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS B Btry 1-3 ADA			

9. I, [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

on 29 June 03 I was on Patrol down Hwy 10. After the turn around of Hwy 10 and Hwy 1, we proceeded back up Hwy 10. when we were hit with an RPG round. The First time I saw the detainees was on side of the CAT when Lt. Col [REDACTED] B6-4 was questioning one of them. The one Col [REDACTED] B6-4 was talking to was on his knees and the other one was lying down. This was the last time I saw the two person that was detained. [REDACTED] B6-4
 Statement _____ End of

B7C-4
1

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

006751

B6-4
STATEMENT OF [REDACTED]

TAKEN AT Iraq

DATED 20030715

9. STATEMENT (Continued)

B6-4
[REDACTED]

B7E-4

B6-4

AFFIDAVIT

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

B6-4

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of July, 2003 at Iraq.

ORGANIZATION OR ADDRESS

B6-2
B7C-2

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

B6-4

PAGE 1 OF 1 PAGES

006752

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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 DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 1-9 FA TOC	2. DATE (YYYYMMDD) 20030714	3. TIME 23:25	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS			

9. [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 29th of June I was NCOIC of the 1/9 FA night patrol on MWOY 10. We were alerted around 2320 that we needed to secure a sight where a "Avenger" had been hit with a RPG. Upon arriving of the scene I immediately notified higher of a civilian car accident. Trying to get information from other soldiers on the situation I was informed that 2 [REDACTED] B6-4 civilians had been detained as suspects. I immediately called my lead element to have the civilians zip tied. I walked to my lead element, about 300 meters down the road, and by that time the civilians were already zipped up. After that I walked back to the dead civilians to try to assess the situation. After verifying the dead people were actually dead (with the doc) I received word that Battle King 6 was en route and wanted to speak to the detainees. As I was walking back up to my lead element 3 or 4 soldiers were escorting the detainees. It looked like I was not cooperating. The soldiers had to drag him down. I then continued on to the lead vehicle. After informing them not to go near the crash scene I walked back. When I got back [REDACTED] was already questioning the detainees. Eventually I had to leave for the Jordanian hospital to try and get a ambulance for the dead people.

Nothing Follows

B6-4
[REDACTED]

10. EXHIBIT B6-4	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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006753

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

[Large X mark across the statement area]

B6-4 B7C-4

[REDACTED]

14 July 03

I, [REDACTED] B6-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

B6-4
B7C-4

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2003

[REDACTED]
(Typed Name of Person Administering Oath)

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE ____ OF ____ PAGES

006754

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION D Cell MEK Compound A	2. DATE (YYYYMMDD) 20030713	3. TIME 1840	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS SSG/E-6	
8. ORGANIZATION OR ADDRESS			

9. 54 B3065 Chemical Recon Squad Leader
 [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 June 03 at 0000 hrs I assumed duty as Sergeant of the guard at the D Cell. I was on duty with Sgt [REDACTED] B6-4. At 0330 hrs, a group from 1/9 FA drove up in a FAASV and 2 Humvees. They said they had 2 prisoners captured during an incident of attack on friendly forces. Sgt [REDACTED] B6-4 did the paper work signing the prisoners over to the D Cell. The prisoners were in the FAASV when I asked where they were at. I went to the FAASV to escort the prisoners to the D Cell from the FAASV. They were inside with 2 guards from 1/9 FA. As it was dark, I couldn't see the prisoners until we brought them into the inprocessing tent. When I did, I saw the older man was bleeding from his nose and the younger man's face was severely swollen on the left side. I did what happened to the prisoners to the Captain who brought them in. He didn't say anything. Since their paperwork was in order they left. When we were in processing them I saw the younger man had a lot of blood in his mouth. The interpreter on duty, SPC [REDACTED] B6-4 asked them what happened. The younger man said they punched him in the face at least 4 times and hit him in the neck with a rifle butt. The older man said he was also punched in the face and kicked in the chest. Sgt [REDACTED] B6-4 called X-Ray for a medic to come and look at the prisoners. Sgt [REDACTED] B6-4 was the medic and she looked them over and said that nothing was broken and they were beat up pretty bad.

B7C-4

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____

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008755

B6-4

STATEMENT OF [REDACTED] TAKEN AT D Cell DATED 2003 0713

9. STATEMENT (Continued)

She gave them some medications for the pain and swelling. She said it didn't look like they needed to go to C 26 FSB. So we put the older prisoner in the D Cell and the M.I., [REDACTED] to the older man to the interrogation tent. After he was done, he came out and the younger man and we put the older man in the D Cell: when [REDACTED] was done with the younger man, he told us that the soldiers who captured them beat them up pretty badly. I was relieved at 0600 by the next shift. **///END OF STATEMENT///**

B7C-4

B6-4

AFFIDAVIT

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

B6-4

[REDACTED] (Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of JULY, 2003 at 2nd ARST DETENTION FACILITY

ORGANIZATION OR ADDRESS

B6-2
B7C-2

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

B6-4

PAGE 2 OF 2 PAGES

006756

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION 1-9 FA TOC	2. DATE (YYYYMMDD) 2003 07 14	3. TIME 2000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS A 1-9 FA			

9. I, [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 29 JUN 03 Round about 1345 one of Patrol Vehicles was hit with RPG myself CPT [REDACTED] B6-4, Sgt [REDACTED] B6-4, Sgt [REDACTED] B6-4 went to the location when arrived to location we noticed civilian truck ran head on into on of our track vehicles killing all people inside we looked into vehicle to see what we could medic replied the were dead the check the burning advenger to see how much damage was done the vehicle was totally destroyed. Then we was told there to prisoners with Bradley crew, so we walked about 100m to the location the have already been searched and zippped tied lying face down could not see who the were. CPT tried to question them the speaking english so he instructed a soldier to take them back to the back until LTC [REDACTED] B6-4 arrives to translate. I could to check the area making sure people was doing their job and standing in big groups for easy target. Once LTC [REDACTED] B6-4 arrived I stood at to left watching area as he questioned them; He shined a light to check them over once he finished he instructed a soldier to watch them as he checked others things. Then they were put in a fast-v and transported to holding area with mps. CPT [REDACTED] B6-4 filled out papers once finished instructed me to tell soldiers to turn them over to mps. Nothing follows [REDACTED] B6-4

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

006757

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

B6-4

B7C4

B6-4 B7C-4

AFFIDAVIT

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

B6-4
B7C-4

(Signature of Person Making Statement)

14 JUL 03

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of JULY, 2003

ORGANIZATION OR ADDRESS

B6-2
B7C-2

(Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

006758

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION FALLUJAH	2. DATE (YYYYMMDD) 00030713	3. TIME 1905	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] B6-4	6. SSN [REDACTED] B6-4	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS A CD 103 MI BN 1 BCT 3ID			

9. I, [REDACTED] B6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 ON 00030630 AT APPROXIMATELY 0315 HOURS LOCAL TIME A CONVOY ARRIVED AT THE 2 BCT FALLUJAH DETENTION CENTER, A MIXED CONVOY OF BOTH TRACKED AND WHEELED VEHICLES, A CONVOY TYPICALLY INDICATIVE OF THE ARRIVAL OF NEW DETAINEES. TYPICALLY PAPERWORK TO BE COMPLETED BY THE ARRESTING UNIT REQUIRES 30-45 MINUTES; SO, I WAITED BEFORE APPROACHING THE IN-PROCESSING TENT MAINTAINED BY D-CELL 3 MP CO. AT APPROXIMATELY 0430 HOURS LOCAL TIME SGT [REDACTED] OF D-CELL, THE SGT FOR THE DETENTION FACILITY FOR THAT TIME APPROACHED ME, TELLING ME THE PAPERWORK WAS ALMOST FINISHED, TELLING ME THE TIME FOR IN-PROCESSING WAS ABOUT TO BEGIN. WE WALKED TO THE IN-PROCESSING TENT TOGETHER WHERE AN OFFICER FROM THE ARRESTING UNIT SAT FILLING OUT PAPERWORK. AS THE OFFICER WAS FINISHING HE ROASTED SEVERAL TIMES THAT THEY, THE ARRESTING UNIT (A CD 1/2 FA), KNEW THE STORY OF THE DETAINEES BECAUSE HIS COMMANDER KNEW ARABIC AND HAD INTERVIEWED THE DETAINEES ON SITE ONCE FINISHING THE PAPERWORK THE OFFICER STOOD, SAYING HE WOULD BRING IN THE DETAINEES. SGT [REDACTED] B6-4, SUPPORTING D-CELL WENT TO ASSIST IN TRANSPORTING THE 2 DETAINEES. MINUTES LATER THE TWO DETAINEES ARRIVED WITH SANDRAGS COVERING THEIR HEADS, WITH ZIPP TIES MAINTAINING THEIR HANDS BEHIND THEIR BACKS. AT NO TIME DID THE OFFICER FROM THE ARRESTING UNIT REAPPEAR AT THE IN-PROCESSING TENT. THE CONVOY OF VEHICLES DEPARTED THE DETENTION FACILITY. IN ORDER TO BEGIN PROCESSING WE REMOVED THE BAGS FROM THE DETAINEES HEADS TO DISCOVER BOTH DETAINEES, TWO IN NUMBER, HAD BEEN BEATEN. THE OLDER DETAINEE HAD DRIED BLOOD IN HIS NOSE AND MOUTH AS WELL AS DRIED BLOOD STREAMING DOWN HIS CHEEK. THE YOUNGER [REDACTED] B6-4 OF THE TWO DETAINEES HAD A BLOODY MOUTH, SWOLLEN CHEEK, AND SWOLLEN EYE. SGT [REDACTED] B6-4 CALLED FOR MEDICAL ASSISTANCE AND SGT [REDACTED] B6-4 ARRIVED SHORTLY THEREAFTER. THE TWO DETAINEES WERE MEDICALLY SCREENED BEFORE INTERVIEWING AND INTERROGATION TOOK PLACE. DURING MEDICAL ATTENTION BOTH DETAINEES TOLD STORIES OF BEING PUNCHED, KICKED AND KICKED IN THE HEAD, FACE, AND RIBS BY THE AMERICAN SOLDIERS WHO ARRESTED THEM. THE YOUNGER DETAINEE ALSO TOLD

B7L-4
1

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

006759

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

OF BEING ASSAULTED BY A WEAPON, HE POINTED TO AN M-16 ~~WEAPON~~ PROpped IN THE CORNER OF THE TENT, STRUCK IN THE NECK BY ONE OF THE AMERICAN SOLDIERS WHO ARRESTED HIM. FOR MORE INFORMATION FROM THE FOLLOWING INTERVIEW OF BOTH DETAINEES REFERENCE SUBSEQUENT REPORT WRITTEN BY MYSELF: CIR NAME: [REDACTED] IDN: 09120199552; DTG 0455-0545 ON 00030630. B6-4

B6-4

NOTHING FOLLOWS

B6-4

00030713

B7C-4

AFFIDAVIT

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

B6-4

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of JULY, 2007 at 2nd DEPT. PRISON FACILITY

ORGANIZATION OR ADDRESS

B6-2
B7C-2

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

006760

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION Detention Facility 2. DATE (YYYYMMDD) 20030713 3. TIME 1844 4. FILE NUMBER
 5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED] 6. SSN [REDACTED] 7. GRADE/STATUS E5/RA
 8. ORGANIZATION OR ADDRESS 3D MP Co

[REDACTED] B6-4 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 30 June 03, approximately at 0311 at the D-cell A1/a brought in 2 individuals for wpns violation and attack on coalition forces. I talked to the cpt. and told him before he brought the individuals out of the vehicle that he had to complete the paperwork. B6-4 also at that time it was just myself and [REDACTED] working up front so I did not have any security to watch them. After completing the paperwork [REDACTED] B6-4 brought these two individuals over right in front of the table. From what I saw both individuals were messed up pretty bad. the one individual had one side of his face really swollen with his eye blood shot. like someone hit him a few to many. There was blood on his face and he kept on ~~bleeding~~ ^{moaning} cause he was hurt. The other individual also was bleeding from the mouth, his face swollen too. These individuals

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] B6-4 PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

006761

B6-4

STATEMENT OF

TAKEN AT

D-cell

DATED

13 July 03

9. STATEMENT (Continued)

were injured so bad that I radio to regulator x-ray that we needed a medic at D-cell. At 0440 SGT [REDACTED] ^{B6-4} showed up at the scene at B6-4 evaluated the two individuals. Also SPC [REDACTED] ^{B6-4} from MI was there when SSG [REDACTED] brought the individuals in the inprocessing area for interpreter.

///End of STATEMENT ///
PT

B7C-4
/

AFFIDAVIT

I, [REDACTED] ^{B6-4 B7C-4} HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

B6-4
B7C-4

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of July, 2003 at Detention Facility

ORGANIZATION OR ADDRESS

B6-2
B7C-2

[REDACTED]
(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] ^{B6-4 B7C-4}

PAGE 2 OF 2 PAGES

06762

B6-4 b7C-4

Witness Summary: [REDACTED]

The following witness summary is provided in lieu of a sworn statement because the individual making the statement was speaking through an interpreter.

B6-4
b7C-4

[REDACTED] is a steel worker at a plant in Abu Ghurayb. On the night of 29 June 2003 at approximately 2330 hours, he was on his way to Hiswa. He flagged down a taxi that was also on its way to Hiswa. On the way, the taxi runs out of gas after passing through an American checkpoint and crossing a bridge. [REDACTED] and the taxi driver noticed a house near the road, and went to inquire about assistance. About 3 younger men came to his aid with about five liters of fuel. [REDACTED] recalled that he had just lit a cigarette when he heard an explosion up ahead of them. It was a U.S. military convoy up ahead that had one vehicle on fire. The two men remained in the car until they heard soldiers shooting; [REDACTED] decided not to remain in the car out of fear that the car might be hit by the soldiers. After about 20 minutes in the irrigation ditch, Americans came after them. They surrendered. Upon surrendering and having his hands tied behind him, he recalls being badly beaten. He claims he was stretched out on the ground and then beaten. There were six soldiers, some black and some white. One black man who was tall and wore a very thin mustache beat him and hurt him worse than all the others — [REDACTED] remembers the black man hitting him in the face with the butt of a rifle. In general, [REDACTED] recalled being punched in his side and from behind about 20 times, and also recalls being kicked about seven times in his side, legs, and ribs. He alleges that all six soldiers took turns beating him. One of the men, again a black man, robbed him of 75,000 Iraqi dinars, 100 dollars in US cash, and a pack of Mikado Cigarettes. [REDACTED] reports that he was later moved to another location before being finally moved to the detention facility. When asked how he was treated at the detention facility, [REDACTED]'s response was "Nobody touched or beat me here", which he reiterated twice for clarity. Finally, when asked if he ever resisted, he unequivocally denied ever offering any resistance; the translator added that he asked [REDACTED] very directly "in our language" to ensure that we would elicit an honest response. I also asked him if he ever had a weapon -- he answered that he never had a weapon, and that the only weapon observed over the course of the night was a pistol that belonged to the taxi driver.

006763

B6-4 B7C-4

Witness Summary: [REDACTED]

The following witness summary is provided in lieu of a sworn statement because the individual making the statement was speaking through an interpreter.

B6-4
B7C-4

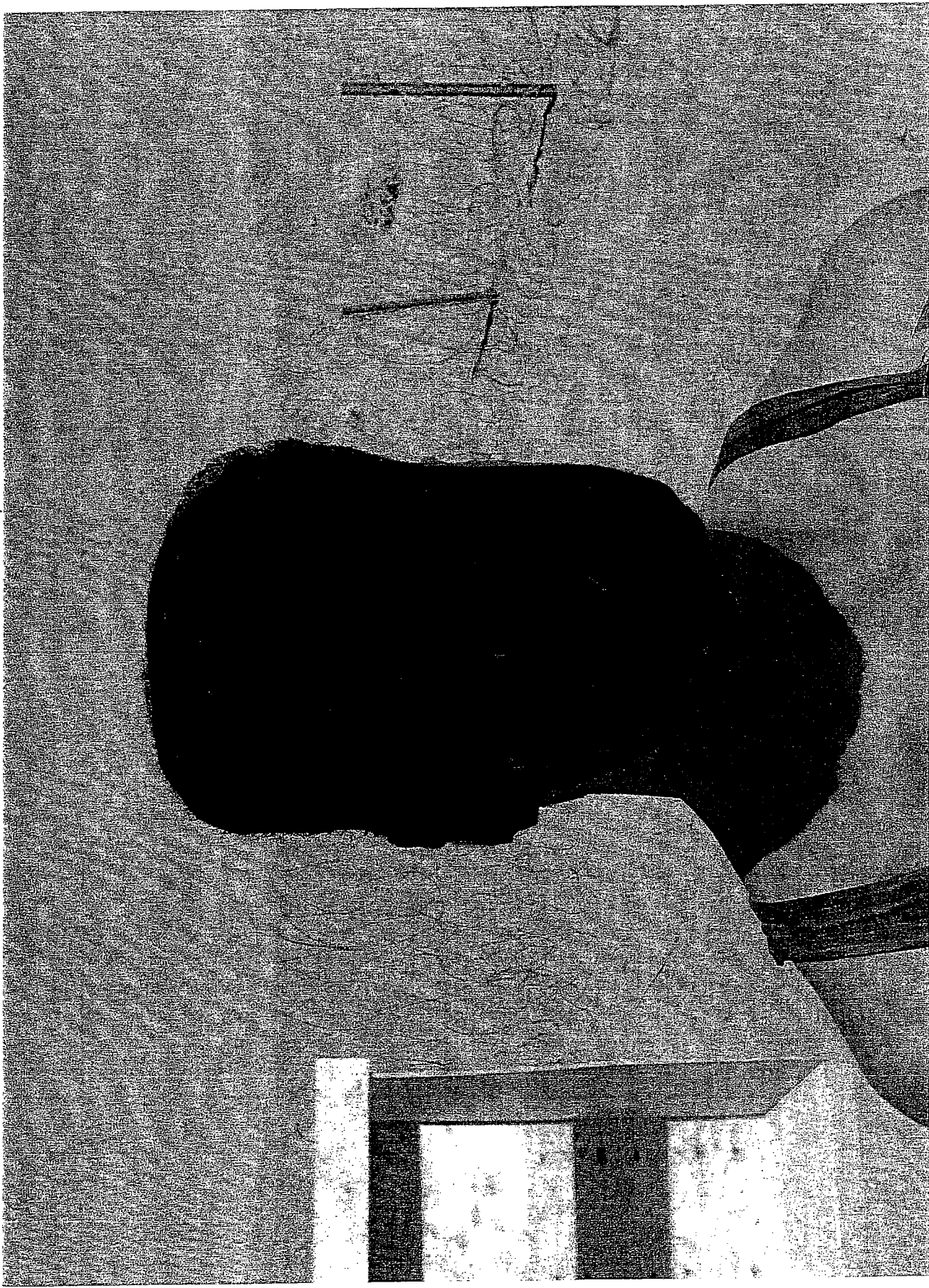
[REDACTED] is a taxi driver who has three wives and was on his way to pick up a wife who was staying in Haswa. He had just finished work in the vicinity of the Abu Ghurayb Market and about to leave for Haswa when he noticed an individual flagging him down; he saw an opportunity to earn some extra cash, so he pulls over to take the customer. He believed it was between 2230 and 2300 hours when he picked up [REDACTED]. [REDACTED] was also going to Haswa. On the way, [REDACTED] emphasized that they went through the American checkpoint without any problem and then upon crossing the Abum Nessir Bridge, the taxi (a white Volkswagen Passat) started rattling and eventually ran out of gas. He walked to a nearby house to ask for assistance; the residents there – five or six males about 18 years old – provided him with about five liters of gas. [REDACTED] then noted that a convoy was coming by from the opposite direction. One man from the convoy pulled up close and asked them why they were stopped; [REDACTED] responded that they ran out of gas and were just refueling so they could continue on. As he drove on, [REDACTED] noticed the convoy about 300 meters ahead of him. Then suddenly, according to [REDACTED], "something hit the convoy." He noted that both he and his passenger heard shooting and exited the vehicle on the right side; afraid, they ran to take cover in an irrigation ditch. Subsequently, they were surrounded by troops, to whom they surrendered with their hands raised in the air. [REDACTED] reports being searched and tied and then laid prostrate on the ground. He recalls his car being searched and explaining that he "keeps a pistol to protect him from looters." He next recalled being approached by six to eight soldiers, who immediately started beating him; the soldiers were mixed, some black and some white. He recalled being incredibly scared. According to [REDACTED], he was punched in the chest below the breast, punched in the right jaw with a fist (not a weapon), his lip was cut, and he was punched in the chest several times. He also accounts that he had a rifle muzzle put into his mouth as well as stuck in his chest. I asked him if he ever offered any resistance, and his answer was emphatically no – [REDACTED] said that he "cooperated fully because he was not expecting a beating." After being beaten, he was moved to a different location where he was questioned by a tall black man who "spoke some Arabic." He added that "the tall black man spoke some Arabic, but he couldn't understand what the tall black man was saying." He then recalled being transported to the detention facility. I asked him about his treatment from the moment he arrived at the facility; [REDACTED] said that he was never beaten there in fact he was treated very humanely and very respectfully.

006764

TAB C: Exhibits

006765

B6-4
[redacted]
B6-4
[redacted]



006766



006767

B6-4

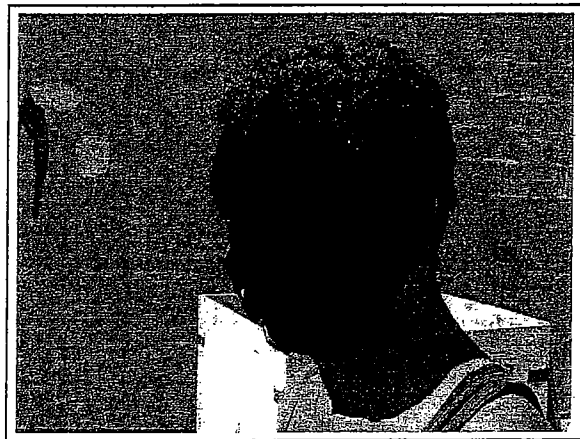
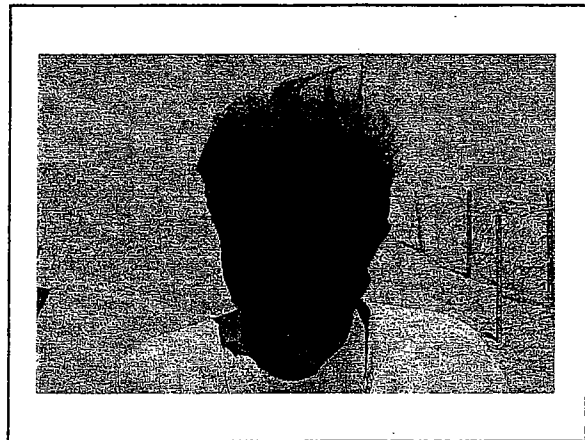
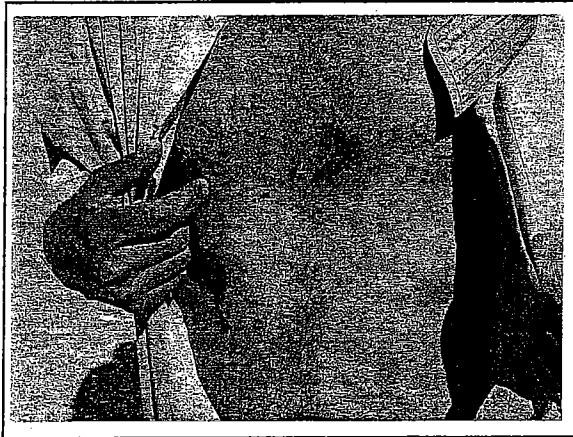


006768

B6-4
[REDACTED]
C
B6-4
[REDACTED]



006769



C06770₁

TAB D: Appointment Orders

006771

DEPARTMENT OF THE ARMY
HEADQUARTERS, 2ND BRIGADE, 3D INFANTRY DIVISION (MECHANIZED)
SPARTAN BASE, IRAQ
APO AE 09303

AFZP-VB-C

10 July 2003

MEMORANDUM FOR MAJ [REDACTED] ^{B6-4 B7C-4} 2d Brigade Combat Team, Spartan Base, Iraq.

SUBJECT: Appointment of 15-6 Investigating Officer

1. You are hereby appointed as an investigating officer IAW AR 15-6 to conduct an informal investigation into the facts and circumstances surrounding the beating of 2 Iraqi detainees on or about 2 July 2003. The Iraqis were discovered beaten at the Brigade Detention Facility at LB 96068723. 1-9 FA was the unit who apprehended the Iraqis. 92^d Chemical Company is the unit responsible for the detention facility.

2. In your investigation, all statements from all unit personnel and any additional witnesses will be sworn and included with your report. Use DA Form 2823 for this purpose. If you suspect any soldier of a crime, you will advise that soldier of his Article 31 rights. Use the DA Form 3881 for this purpose. Using DA Form 1571 you will make written findings determining the facts and circumstances relating to the beatings and will also make written recommendations concerning any matter within the scope of this investigation.

3. You will submit your findings and recommendations to the undersigned not later than ten (10) days from the date of this appointment.

4. POC for this action is CPT [REDACTED] ^{B6-4 B7C-4} Brigade Legal Advisor, at [REDACTED] ^{B6-4 B7C-4}

^{B6-4 B7C-4}
[REDACTED]
COL, AR
Commanding

006772