

AFZX-C-CO

(b)(3)  
(b)(6)

MEMORANDUM FOR [redacted] [redacted] IO AE

b6-2

SUBJECT: Memorandum of Instruction for Summary Courts-Martial Officer

1. You are hereby appointed as a Summary Court-Martial Officer in the case of US v. [redacted]
2. You are instructed to contact the 2d ACR Legal Center as soon as possible to receive a legal briefing on the procedures for the court-martial prior to conducting your summary court-martial.
3. You are advised that you should contact [redacted] for all of your administrative needs.
4. You have been given a complete copy of the Court-Martial Packet and a copy of our Summary Court-Martial Briefing Book. The briefing book contains a copy of Appendix 9 of the Manual for Courts-Martial, a copy of DA Pamphlet 27-7 (Guide for Summary Court-Martial Trial Procedure) and a copy of Rules for Court-Martial 1301 – 1304 of the Manual for Courts-Martial. These are the regulations you will need in order to conduct the Summary Court-Martial.
5. Take the time to read through the entire Court-Martial Packet as soon as possible so that you can determine what witness(es) you wish to call in the Court-Martial. The Trial Counsel and/or the Defense Counsel may make suggestions as to witness(es) that you may want to call, but the decision of who to call is yours. It is your responsibility to determine which witness(es) you will need for the Court-Martial. The accused has a right to request witness(es) as well. It is your responsibility to determine which witnesses are relevant and necessary, and to ensure their attendance at the Court-Martial. Your legal advisor can assist you in this matter, as well as other aspects of the Summary Court proceedings. [redacted] will contact the witness(es) for you.
6. I want you to read Sections 1 & 2 of DA Pam 27-7 very carefully as soon as possible (contact your legal advisor to have your duties and responsibilities clarified).
7. During the Court-Martial, if you have any questions regarding procedural matters, you are instructed to contact your legal advisor, [redacted] is,

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[redacted signature]

001812

12 DEC 2003

MEMORANDUM FOR Commander, 1st Armored Division, Baghdad, Iraq, APO AE 09324

SUBJECT: Transmittal of Court-Martial Charges in the case of S. [REDACTED]

[REDACTED]

b6-2

1. The attached court-martial charges against [REDACTED] have been reviewed. The specifications allege offenses under the Uniform Code of Military Justice and are supported by the evidence attached. The charges are forwarded in accordance with R.C.M. 404, MCM (2002), for appropriate disposition.

2. I recommend:

a.  Trial by  Summary Court-Martial,  Special Court-Martial,  Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or  General Court-Martial.

b.  Nonjudicial punishment under Art. 15.

c.  Nonpunitive administrative action.  Relief of duties for cause,  Letter of concern/nonpunitive reprimand, or  Administrative discharge proceedings.

d.  That no action be taken at this time *A*.

3 Encls

- 1. Charge Sheet
- 2. Allied Papers
- 3. Enlisted Record Brief

b6-2

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001813

AFZX-CB

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Transmittal of Court-Martial Charge in the case of [REDACTED] *062*

1. The attached court-martial charges against [REDACTED] have been reviewed. The specifications allege offenses under the Uniform Code of Military Justice and are supported by the evidence attached. The charges are forwarded in accordance with R.C.M. 403, MCM (2002), for appropriate disposition.

2. I recommend:

a. \_\_\_\_\_ Trial by ( ) Summary Court-Martial, ( ) Special Court-Martial, ( ) Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or ( ) General Court-Martial.

b. \_\_\_\_\_ Nonjudicial punishment under Art. 15.

c. \_\_\_\_\_ Nonpunitive administrative action. ( ) Relief of duties for cause, ( ) Letter of concern/nonpunitive reprimand, or ( ) Administrative discharge proceedings.

d. \_\_\_\_\_ That no action be taken at this time.

3 Encls

1. Charge Sheet
2. Allied Papers
3. Enlisted Record Brief

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001814

AFZX-CB-EN

MEMORANDUM FOR Commander, 2d Squadron, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Transmittal of Court-Martial Charges in the case of [REDACTED] b6-2

1. The attached court-martial charges against [REDACTED] have been reviewed and are forwarded in accordance with R.C.M. 401, MCM (2002), for appropriate disposition.
2. Summaries of expected testimony and documentary evidence upon which the charges are based are attached.
3. All material witnesses are expected to be available at the time of trial.
4. Personal data of the accused is attached as a copy of the accused's Enlisted Record Brief.
5. The following additional personal data of the accused is provided:
  - a. Number of dependents in command: Three.
  - b. Previous disciplinary actions: None.
6. There is no record of prior court-martial convictions.
7. The soldier is not currently pending separation action under the provisions of AR 635-200.
8. I recommend:
  - a.  Trial by  Summary Court-Martial,  Special Court-Martial,  Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or  General Court-Martial.
  - b.  Nonjudicial punishment under Art. 15.
  - c.  Nonpunitive administrative action.  Relief of duties for cause,  Letter of concern/nonpunitive reprimand, or  Administrative discharge proceedings.
  - d.  That no action be taken at this time

- 3 Encls
1. Charge Sheet
  2. Allied Papers
  3. Enlisted Record Brief

001815

## CHARGE SHEET

I. PERSONAL DATA				
1. NAME OF ACCUSED (Last, First, MI)		2. SSN		3. GRADE OR RANK
5. UNIT OR ORGANIZATION				4. PAY GRADE
				6. CURRENT SERVICE
				a. INITIAL DATE
				b. TERM
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL		
	None		None	N/A

### II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 128.

SPECIFICATION 1: In that bb-5, U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, unlawfully shock a detainee with an M34 blasting device.

SPECIFICATION 2: In that bb-5 U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, unlawfully shock a detainee with an M34 blasting device.

SPECIFICATION 3: In that bb-5 U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, unlawfully strike a detainee.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 134.

SPECIFICATION: In that bb-5, U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, wrongfully maltreat two detainees by stripping them of their clothing.

### III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI)		b. GRADE	c. ORGANIZATION OF ACCUSER
d. SIGNATURE OF ACCUSER		e. DATE	
<u>bb-2</u>		06 DEC 2003	

**AFFIDAVIT:** Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

Typed Name of Officer	Organization of Officer
Grade	Official Capacity to Administer Oath (See R.C.M. 307(b) - must be a commissioned officer)
Signature	

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PREVIOUS EDITION IS OBSOLETE.

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12. On 07 DEC, 2003, the accused was informed of the charges against him/her and of the name(s) of The accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

bb-2  
Typed Name of Immediate Commander

Organization of Immediate Commander

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1335 hours, 7 Dec, 2003 at \_\_\_\_\_  
Designation of Commander

Regiment, Baghdad, Iraq, APO AE 09322  
Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE <sup>1</sup> \_\_\_\_\_

bb-2  
Typed Name of Officer

Official Capacity of Officer Signing

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY      b. PLACE      c. DATE (YYYYMMDD)

Referred for trial to the \_\_\_\_\_ court-martial convened by \_\_\_\_\_

\_\_\_\_\_, subject to the following instructions: \_\_\_\_\_

By \_\_\_\_\_ of \_\_\_\_\_  
Command or Order

Typed Name of Officer

Official Capacity of Officer Signing

Grade

Signature

15. On \_\_\_\_\_, I (caused to be) served a copy hereof on (each of) the above named accused.

Typed Name of Trial Counsel

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 - When an appropriate commander signs personally, inapplicable words are stricken.  
2 - See R.C.M. 601(e) concerning instructions. If none, so state.

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001817

DEPARTMENT OF THE ARMY  
2d Armored Cavalry Regiment  
APO AE 09322

AFZX-C-CO

MEMORANDUM FOR Commander, 1st Armored Division, Baghdad, Iraq, APO AE  
09322

SUBJECT: Recommendation for Separation Under AR 635-200, Chapter 10 (In Lieu of  
Trial by Court Martial)

1. I recommend **(approval)** **(disapproval)** of the request for separation from  
*b6-5* , under the provisions of AR  
635-200, Chapter 10.
2. I recommend that be separated from the service and issued a(n)  
**(General)** **(Other Than Honorable Discharge Certificate)**.
3. Pursuant to AR 635-200, Paragraph 1-35, I recommend that *b6-5* not be  
transferred to the Individual Ready Reserve (IRR).

Encls  
nc

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001818

DEPARTMENT OF THE ARMY  
2d Squadron, 2d Armored Cavalry Regiment  
APO AE 09322

AFZX-CB

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment, Baghdad, Iraq,  
APO AE 09322

SUBJECT: Recommendation for Separation Under AR 635-200, Chapter 10 (In Lieu of  
Trial by Court Martial)

1. I recommend **(approval)** **(disapproval)** of the request for separation from \_\_\_\_\_  
\_\_\_\_\_ **b6-5**, under the provisions of AR  
635-200, Chapter 10.

2. I recommend that SSG Peasgood be separated from the service and issued a(n)  
**(General)** **(Other Than Honorable)** Discharge Certificate.

3. Pursuant to AR 635-200, Paragraph 1-35, I recommend that **b6-5** not be  
transferred to the Individual Ready Reserve (IRR).

Encls  
nc

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001819



DEPARTMENT OF THE ARMY  
84th Engineer Company  
2d Squadron, 2d Armored Cavalry Regiment  
APO AE 09322

AFZX-BC-EN

MEMORANDUM FOR Commander, 2d Squadron, 2d Armored Cavalry Regiment, Baghdad,  
Iraq, APO AE 09322

SUBJECT: Recommendation for Separation Under AR 635-200, Chapter 10 (Discharge in Lieu  
of Trial by Court-Martial)

1. I recommend **(approval)** **(disapproval)** of the request for separation by

*b6-5* under the provisions of AR 635-200, Chapter 10.

2. I recommend that be separated from the service and issued a(n) **(General)**  
**(Other Than Honorable)** Discharge Certificate.

3. Pursuant to AR 635-200, Paragraph 1-35, I recommend that *b6-5* not be transferred  
to the Individual Ready Reserve (IRR).

Encls  
nc

1 ORIGINAL INTO RECLASSIFIED BY SEC OI Det Memo 01-  
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001820



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY TRIAL DEFENSE SERVICE  
82D AIRBORNE DIVISION BRANCH OFFICE  
FOB RIDGWAY, IRAQ

AFZA-JA-TDS

24 December 2003

MEMORANDUM FOR Commanding General, 1st Armored Division

SUBJECT: Chapter 10 Request, :

1. Request that you approve <sup>b65</sup> request for a Chapter 10 for the following reasons:

a. <sup>b6-5</sup> has never been in any trouble in the entire 7 years he has been in the service, to include article 15s.

b. <sup>b6-5</sup> has an exemplary service record (see attached good soldier packet). He was chosen to deploy ahead of the rest of . He saved the lives of numerous Iraqi citizens by destroying DPICM submunitions and other UXOs from neighborhoods in Iraq. He was also on the First Response Team for the United Nations bombing and was involved in evacuating casualties. He destroyed over 10,000 VS-50 AP mines and over 500 DPICM Cluster munitions. He was chosen to deploy with 2nd Squadron within 96 hours over all NCOs in his company. His service record is filled with situations where he risked his life for others. In this particular case, he was involved in the stripping of detainees because he did not want to "rough them up" as ordered or kill them like the guards had done prior. It seems ironic that those who shot looters in violation of ROE have been allowed to continue their military careers while is facing such severe consequences for the offenses charged.

c. His immediate chain of command recommended that he receive an article 15. The Regimental Commander specifically stated in the preferral packet that the case would be returned to the squadron commander for disposition. However, when that commander attempted to take action, the case was removed from his hands. Furthermore, both the Company Commander and Squadron Commander recommended approval of a chapter 10 on 24 December 2003. They both also stated that they would support a General Discharge given service record and dire family situation.

d. has a four month old baby that was born with two holes in his heart. He also has a two year old son who is being treated at the moment for what the doctor's suspect is Leukemia. Approval of the chapter 10 will deprive him of the medical benefits he desperately needs to care for those children.

2. Based on the circumstances, the accused requests approval of the chapter 10 request with a General discharge. AR 635-200, Chapter 10,

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AFZA-JA-TDS

SUBJECT: Chapter 10 Request,

specifically authorizes such a discharge even though it is rare.  
b.p.5 understands that he can receive an Other Than Honorable  
discharge from this request although he simply requests that a general  
discharge be considered. Thank you for your consideration of this  
matter.

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001822

REQUEST FOR DISCHARGE IN LIEU OF TRIAL BY COURT-MARTIAL

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 U.S.C. 552a)

AUTHORITY: 5 USC 301, 10 USC 3013.

PURPOSE: To be used by the commander exercising general trial by court-martial jurisdiction over you to determine approval or disapproval of your request.

ROUTINE USES: Request, with appropriate documentation including the decision of the discharge authority, will be filed in the MPRJ as permanent material and disposed of in accordance with AR 640-10, and may be used by other appropriate Federal agencies and State and local governmental activities where use of the information is compatible with the purpose for which the information was collected. Submission of a request for discharge is voluntary. Failure to provide all or a portion of the requested information may result in your request being disapproved.

AFZA-JA-TDS

24 December 2003

MEMORANDUM FOR Commander, 1st Armored Division

SUBJECT: Request for Discharge in Lieu of Trial by Court-Martial

1. I, <sup>b6-5</sup> voluntarily request discharge in lieu of trial by court-martial under the provisions of AR 635-200, Chapter 10. I understand that I may request discharge in lieu of trial by court-martial because charges have been preferred against me under the Uniform Code of Military Justice that authorizes the imposition of a punitive discharge. I have been charged with violating Articles 128 and 134 of the Uniform Code of Military Justice.

2. I am making this request of my own free will and have not been subjected to any coercion whatsoever by any person. I have been advised of the implications that are attached to it. By submitting this request for discharge, I acknowledge that I understand the elements of the offenses charged, have discussed the elements and evidence with a trial defense lawyer detailed to represent me, and understand that I am guilty of a charge against me or of a lesser included offense therein contained which also authorizes the imposition of a punitive discharge.

3. Prior to completing this form, I have consulted with counsel who has fully advised me of the nature of my rights under the Uniform Code of Military Justice; the elements of the offense with which I am charged; any relevant lesser included offense thereto; the facts which must be established by competent

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AFZA-JA-TDS

SUBJECT: Request for Discharge in Lieu of Trial by Court-Martial

evidence beyond a reasonable doubt to sustain a finding of guilty; the possible defenses which appear to be available at this time; and the maximum permissible punishment if found guilty. Although I have been provided legal advice, this decision is my own.

4. I understand that, if my request for discharge is accepted, I may be discharged under conditions other than honorable and furnished an Under Other Than Honorable Conditions Discharge Certificate. I have been advised and understand the possible effects of an Under Other Than Honorable Conditions Discharge and that, as a result of the issuance of such a discharge, I may be deprived of many or all Army benefits, that I may be ineligible for many or all benefits administered by the Veterans Administration, and that I may be deprived of my rights and benefits as a veteran under both Federal and State law. I also understand that I may expect to encounter substantial prejudice in civilian life because of an Under Other Than Honorable Conditions Discharge. I further understand that there is no automatic upgrading nor review by any Government agency of an Under Other Than Honorable Conditions Discharge and that I must apply to the Army Discharge Review Board or the Army Board for Correction of Military Records if I wish review of my discharge. I realize that the act of consideration by either board does not imply that my discharge will be upgraded. I further understand that if I am issued an Under Other Than Honorable Conditions Discharge, I will automatically be reduced to the rank of Private (E-1).

5. I understand that once my request for discharge is submitted, it may be withdrawn only with the consent of the commander exercising general court-martial authority, or without that commander's consent, in the event trial results in an acquittal or the sentence does not include a punitive discharge, even though one could have been adjudged by the court. Further, I understand that if I depart absent without leave, this request may be processed and I may be discharged even though I am absent.

6. I have been advised that I may submit any statements I desire on my own behalf to accompany my request for discharge. Statements in my own behalf are submitted with this request.

AFZA-JA-TDS.

SUBJECT: Request for Discharge in Lieu of Trial by Court-Martial

7. I hereby acknowledge receipt of a copy of this request for discharge.

8. I do not request a separation physical.

9. I request a delay in the processing of all trial by court-martial charges against me pending final action on my request for discharge UP AR 635-200, Chapter 10.

10. Under the provisions of paragraph 10-5, AR 635-200, if the charges are referred to trial and trial results in acquittal or the sentence does not include a punitive discharge, even though one could have been adjudged by the court, withdrawal of this request for discharge is hereby automatically requested without any further action on the part of the accused or his counsel.

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b6-5

\*\*\*\*\*STATEMENT OF COUNSEL\*\*\*\*\*

Having been advised by me of the basis for his contemplated trial by court-martial and the maximum permissible punishment authorized under the Uniform Code of Military Justice; of the possible effects of an Under Other Than Honorable Discharge if this request is approved; and of the procedures and rights available to him, <sup>b6-5</sup> personally made the choices indicated in the foregoing request for discharge in lieu of trial by court-martial.

**RECORD OF TRIAL BY SUMMARY COURT-MARTIAL**

1a. NAME OF ACCUSED (Last, First, MI) <b>bb-5</b>	b. GRADE OR RANK	c. UNIT OR ORGANIZATION OF ACCUSED BAGHDAD, IRAQ,	d. SSN
2a. NAME OF CONVENING AUTHORITY (Last, First, MI) <b>bb-2</b>	b. RANK	c. POSITION	d. ORGANIZATION OF CONVENING AUTHORITY BAGHDAD, IRAQ,
3a. NAME OF SUMMARY COURT-MARTIAL (If SCM was accuser, so state.) <b>bb-2</b>	b. RANK	c. UNIT OR ORGANIZATION OF SUMMARY COURT-MARTIAL BAGHDAD, IRAQ,	

*(Check appropriate answer)*

4. At a preliminary proceeding held on <u>20 04</u> , the summary court-martial gave the accused a copy of the charge sheet.	YES	N
	X	

5. At that preliminary proceeding the summary court-martial informed the accused of the following:

a. The fact that the charge(s) had been referred to a summary court-martial for trial and the date of referral.	YES	N
	X	
b. The identity of the convening authority.	X	
c. The name(s) of the accuser(s).	X	
d. The general nature of the charge(s)	X	
e. The accused's right to object to trial by summary court-martial.	X	
f. The accused's right to inspect the allied papers and immediately available personnel records.	X	
g. The names of the witnesses who could be called to testify and any documents or physical evidence which the summary court-martial expects to introduce into evidence.	X	
h. The accused's right to cross-examine witnesses and have the summary court-martial cross-examine on behalf of the accused.	X	
i. The accused's right to call witnesses and produce evidence with the assistance of the summary court-martial if necessary.	X	
j. That during the trial the summary court-martial would not consider any matters, including statements previously made by the accused to the summary court-martial, unless admitted in accordance with the Military Rules of Evidence.	X	
k. The accused's right to testify on the merits or to remain silent, with the assurance that no adverse inference would be drawn by the summary court-martial from such silence.	X	
l. If any findings of guilty were announced, the accused's right to remain silent, to make an unsworn statement, oral or written or both, and to testify and to introduce evidence in extenuation or mitigation.	X	
m. The maximum sentence which could be adjudged if the accused was found guilty of the offense(s) alleged.	X	
n. The accused's right to plead guilty or not guilty.	X	

6. At the trial proceeding held on <u>20 04</u> , the accused, after being given a reasonable time to decide, <input type="checkbox"/> did <input checked="" type="checkbox"/> did not object to trial by summary court-martial. <i>(Note: The SCM may ask the accused to initial this entry at the time the election is made.)</i>	(Initial)
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

7a. The accused  was  was not represented by counsel. *(If the accused was represented by counsel, complete b, c, and d below.)*

b. NAME OF COUNSEL (Last, First, MI)	c. RANK (If any)
--------------------------------------	------------------

d. COUNSEL QUALIFICATIONS

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8. The accused was arraigned on the following charges and specifications. The accused's pleas and the findings reached are shown below:

CHARGE(S) AND SPECIFICATION(S)	PLEA(S)	FINDINGS (Including any exceptions and substitutions)
<p>CHARGE I: ARTICLE 128, UCMJ.</p> <p>Specification 1: Unlawfully shock, between o/a 15 Jun 03 and 15 Jul 03, an Iraqi detainee with an M34 shocking device.</p> <p>Specification 2: Unlawfully shock, between o/a 15 Jun 03 and 15 Jul 03, an Iraqi detainee with an M34 shocking device.</p> <p>Specification 3: Unlawfully shock, between o/a 15 Jun 03 and 15 Jul 03, an Iraqi detainee with an M34 shocking device.</p>	<p>Guilty.</p> <p>Guilty.</p> <p>Guilty.</p> <p>Guilty.</p>	<p>Guilty.</p> <p>Guilty.</p> <p>Guilty.</p> <p>Guilty.</p>
<p>CHARGE II: ARTICLE 134, UCMJ.</p> <p>Specification: Wrongfully maltreat, between o/a 15 Jun 03 and 15 Jul 03, two detainees by stripping them of their clothing.</p>	<p>Guilty.</p> <p>Guilty.</p>	<p>Guilty.</p> <p>Guilty.</p> <p>COPY RECEIVED ON _____</p>

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9. The following sentence was adjudged: To be \_\_\_\_\_ and to forfeit \$ \_\_\_\_\_.

10. The accused was advised of the right to request that confinement be deferred. (Note: When confinement is adjudged.)

YES                       NO

11. The accused was advised of the right to submit written matters to the convening authority, including a request for clemency, and of the right to request review by the Judge Advocate General.

YES                       NO

12. AUTHENTICATION

\_\_\_\_\_

*Signature of Summary Court-Martial*                      *Date*

13. ACTION BY THE CONVENING AUTHORITY

\_\_\_\_\_

*Typed Name of Convening Authority*                      *Position of Convening Authority*

\_\_\_\_\_

*Rank*

\_\_\_\_\_

*Signature of Convening Authority*                      *Date*

001827



UNITED STATES

v

b6-5

**L**

STIPULATION OF  
FACT

9 January 2004

\*\*\*\*\*

1. It is hereby stipulated between Trial Counsel and Defense Counsel, with the express consent of the accused, that the following facts and attachments are true, susceptible of proof at trial, and admissible under the Military Rules of Evidence. These facts can be considered by the Summary Court-Martial in determining the providency of the accused's pleas of guilty and in determining the appropriate sentence even if the evidence of the facts is otherwise inadmissible. Accused and Counsel agree to waive any possible objections, which may properly be waived, under the Military Rules of Evidence, the United States Constitution, and applicable case law, to matters contained in this stipulation.

2. The accused, **b6-5** is presently a soldier on active duty in the United States Army. He was on active duty and has been continuously on active duty since 15 June 2003.

3. The accused was at Baghdad, Iraq, between 15 June 2003 and 15 July 2003.

4. The accused, **b6-5**, unlawfully struck a detainee at or near Baghdad, Iraq between 15 June and 15 July 2003. **b6-5** pushed the detainee to the ground and placed his foot into the detainee's chest. The detainee did not act in any manner to provoke such response by

5. The accused, **b6-5**, was present while a subordinate soldier stripped detainees of their clothes. **b6-5** did not do anything to stop this conduct.

6. Striking a detainee unlawfully and allowing a subordinate to strip the detainee of their clothes substantially hinders the rebuilding of Iraq and undermines the trust Iraqi Local Nationals need to facilitate relations between the United States Government and the Iraqi people.

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7. At no time during the events in question was the accused laboring under any mental disease or defect which might have tended to preclude him from appreciating the nature and consequences of his actions.

b6-5, b6-2

UNITED STATES

v.

66-5

APPENDIX 1 (QUANTUM)

8 January 2004

\*\*\*\*\*

1. I, 66-5, offer to plead guilty to the Charges and Specifications, as stated in the Offer to Plead Guilty, and offer to abide by the other terms and conditions set forth in the Offer to Plead Guilty, provided the Convening Authority withdraws the current charges from a Special Court-Martial and then refers the charges to a Summary Court-Martial.

2. Except as limited above, any other lawful punishments can be approved.

66-5

\_\_\_\_\_, U.S. Army  
Commanding

FEISOLAH IHHO REUACITEU IAW SEC 01 DER MEMO 01-  
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UNITED STATES

v.

*b6-5*

OFFER TO PLEAD  
GUILTY

8 January 2004

\*\*\*\*\*

1. I, *b6-5* am accused in a pending court-martial, offer to plead guilty as set forth in this paragraph:

- To Charge I Specification 1: Not Guilty
- To Charge I Specification 2: Not Guilty
- To Charge I Specification 3: Guilty
- To Charge I: Guilty
- To Charge II and its Specification: Not Guilty

2. As part of this offer, I also agree to the following:

a. I agree to enter into a Stipulation of Fact correctly describing the offenses to which I am offering to plead guilty if such stipulation is requested by the Trial Counsel. I also agree that this stipulation may be used to inform the presiding officer of the summary court-martial of matters pertinent to findings and sentence.

b. I understand that if I were tried by general court-martial, I have a right to be tried by a court consisting of at least five officer members (three members if tried by special court-martial), or by a court consisting of at least one-third enlisted members. None of the members would come from my company. I further understand that I have a right to request trial by military judge alone, and if approved, there would be no court members and the judge alone would decide whether I am guilty or not guilty. If the military judge then found me guilty, the judge alone would determine my sentence. Knowing all the above, I request to be tried by summary court-martial.

3. I agree to take the actions above provided that the Charges are referred to a Summary Court-Martial.

4. I understand that I may request to withdraw the plea of guilty at any time before my plea is accepted and that if I do so, this agreement is canceled. This agreement may also be canceled if:

- a. I fail to fulfill any promise contained in the agreement, or
- b. The Stipulation of Fact is modified at any time without my consent; or

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c. The presiding officer of the summary court-martial's inquiry reveals a disagreement as to a material term in the agreement, or

d. My withdrawal from the pretrial agreement (which I understand that I have the right to do at any time).

5. This writing, including Appendix I (Quantum), includes all terms and conditions of this Offer to Plead Guilty and contains all promises made to me or by me concerning my plea of guilty. There are no other terms or conditions that are not contained in this writing.

Date: \_\_\_ January 2004

I have explained all terms and provisions of the forgoing Offer to Plead Guilty (to include Appendix I) to the accused and am satisfied that he understands their meaning and effect.

Date: 8 January 2004

The foregoing offer is (accepted) (rejected)

Date: \_\_\_\_\_

\_\_\_\_\_, U.S. Army  
Commanding

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REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
2d Armored Cavalry Regiment  
APO AE 09322



AFZX-C-CO

4 September 2003

MEMORANDUM FOR Commander, 2d Squadron, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Recommendations for Action Regarding AR 15-6 Investigation

1. I have reviewed the AR 15-6 investigation into detainee abuse by soldiers in the *b6-2*. I concur with the investigating officer's findings.
2. Based upon this investigation, I have recommended that the Commanding General, First Armored Division, relieve *b6-5* for cause for maltreating detainees.
3. In accordance with your recommendations, I am returning full authority to you to discipline *b6-5* in a manner that you believe is appropriate.
4. Finally, I am concerned that soldiers from the *b-2* did not understand the Rules of Engagement for handling detainees and for using deadly force against intruders within your base camp. I direct you to evaluate your subordinates' understanding of the Rules of Engagement. Based upon your review, you may want to consider additional training on the Rules of Engagement and the law of war.

*b6-2*

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DEPARTMENT OF THE ARMY  
2D ARMORED CAVALRY REGIMENT  
APO AE 09322

REPLY TO  
ATTENTION OF:

AFZX-C-JA

28 AUG 2003

MEMORANDUM FOR RECORD

SUBJECT: Chain of command recommendation of relief for cause of

b6-5

1. On 28 AUG 2003, the soldier's company commander, b6-2 recommended that b6-5 be relieved for cause.
2. On 28 AUG 2003, the soldier's squadron commander, b6-2 recommended that b6-5 be relieved for cause.
3. On 28 AUG 2003, the soldier's regimental commander, b6-2 ay, recommended that b6-5 be relieved for cause.
4. POC is the undersigned at DNVT 587-4512.

b6-2

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DEPARTMENT OF THE ARMY  
 ay, 2d Armored Cavalry Regiment  
 Camp Dragon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

27 August 2003

MEMORANDUM FOR COMMANDER, 2<sup>ND</sup> ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

During Operation Scorpion Sting our whole platoon was attached to Eagle Troop. We assisted them in cleaning up the streets from copper wire in their sector. We spent two days doing that, and we would take at least 15 truck loads of copper wire to the back of the camp each day. About one week later, we got a call from Cougar x-ray to go link up with Eagle Troop to go pick up some copper wire. When we got there we loaded up the copper wire into our trailers, and headed back to the camp where we had put the copper wire from the week before. As we arrived to the camp, we saw several Iraqi citizens running from where we had put the copper wire the week prior. **b6-4** and I chased after them. We didn't catch them, so we headed back where everyone else was at. About 20 minutes later **b6-4** told the platoon sergeant that he wanted to go after them again. He said ok. When **b6-4** got back from going after the looters, he came back with five detainees. We down loaded them and had them help the other two unload the trailers. I stayed at my truck because I was hurting from the heat. I also explained to my soldiers why we need to give the detainees water. Then, after we had them finish downloading the trailers, we took them to the CMOC.

That day **b6-4** and **b6-4** said they saw me shock a detainee. The statements were false, I did not shock a detainee. After **b6-4** brought back the five detainees, **b6-4** was on the 27 truck as a M249 gunner, **b6-4** stayed at his truck like I did because he also was hurting from the heat. All of our trucks were about fifty feet apart at the site facing the opposite way from each other pulling security. **b6-4** never once, that I saw, got off of the truck he was on to do anything. I never saw come around my truck after arriving back at Camp Marlboro. He was a prior heat injury so he really did not move out of his truck unless it benefited him. I feel that both **b6-4** and **b6-4** have had it out for me since they both got moved from my squad.

Periodically we would go in the back entrance of the camp to see if we could catch looters in the back of the camp. On two occasions we detained looters. The first time, we took them to the CMOC where we attempted to hand them over to Bulldog elements. Bulldog 6 told my platoon sergeant that he didn't want them here. Then he told my platoon sergeant to "take them out back and beat the fuck out of them." I thought he was serious because every sense we had crossed the berm, it appeared that he had it out for the Iraqi people. We took the detainees to a building in back of the camp, and a team leader in the platoon told the platoon sergeant if he wanted to teach them we should strip them and send them on their way. We could have shot them because they said that they were breaching the outer perimeter. At the time we were way beyond the outer perimeter. We didn't make the outer perimeter until the first week in August. The ROE was to only shoot when you felt your life or another soldier's life was threatened or when fired upon. The Bulldog element was shooting the looters I thought that was to extreme at the time. Therefore, the platoon sergeant didn't want to shoot them and that is why they got stripped.

July 3, 2003 was the day that **b6-4** brought back a detainee to the warehouse where we lived. I don't now why he did that, or what he was thinking when he brought him back. That day we went to go get cokes for the 4<sup>th</sup> of July party at the camp. When we headed back to the camp we entered into the back gate because I believe the front gate was closed due to the threat con. As we entered the back gate, there were Iraqi people running from where the copper wire was at. As we started to chase them I got a flat tire, so my truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare tire so my squad could fix the flat tire. When I came back **b6-4** had pulled in with a detainee in the back of his truck. We unloaded him and put him next to the wall. The platoon sergeant sent everyone to chow since it was about to be over. **b6-4** said that he would watch him while we go to chow. The

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two soldiers of mine also stayed back that day so they change the tire. When soldiers in the platoon found out that *they* brought back the detainee they were going back there to take pictures. I told them to stop. I don't know what happen while I was at chow, but when we got done with chow we took the detainee to the CMOC. When you come in the way we enter into the building, you can not see to the other half of the warehouse due to a camo net up between were we parked our trucks and were we live. So when I came back I couldn't see if anything was happening around the trucks.

I don't understand why only two people in the platoon said they saw me do something I didn't do. Everyone else in the platoon said they didn't see me do any of those things.

I admit to participating in the stripping of an Iraqi national. I know this was wrong. I am sorry for this and am fully prepared to take responsibility for my actions and the consequences. I have not beat, kicked, or otherwise physically abused Iraqi nationals at any point in time during my time in theatre.

I have been in the Regiment for six of the seven years I have been in the Army. I deployed ahead of the Regiment with 2<sup>nd</sup> Squadron. Due in large part to my expertise in engineer operations and ability to make quick and sound judgments, I was selected as one of 10 engineers to accompany the squadron. My service to the country and Regiment is a source of great pride for me. I look forward to continuing to serve both as soon as possible.

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DEPARTMENT OF THE ARMY  
y, 2d Armored Cavalry Regiment  
Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

28 August 2003

MEMORANDUM FOR COMMANDER, 2<sup>ND</sup> ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

I have worked with      *bb-4*      for approximately one year. During that year he served as the second squad leader, performing well above the standards. When 2/2 ACR received deployment orders, *bb-4* was chosen to deploy ahead of the rest of the      *bb-4*     . He was selected based on his knowledge on engineer task and his ability to make quick, sound decisions. These were characteristics needed to provide initial advice to the Squadron Commander and the TAC. *bb-4* saved numerous lives of Iraqi citizens by destroying DPICM submunitions and other UXO's from neighborhoods in Iraq. He had always had the best interest of the locals in mind. The platoon started assisting Bulldog Company with looters on Camp Marlboro's "back 40" around mid June 2003. During this time *bb-4* I was involved with detaining several looters from the back 40. On one occasion, that I was present for, 3-4 looters were detained. We attempted to hand them off to Bulldog personnel and were told to take the looters out scare them, rough them up and release them. I return to our platoon AO and sent the others trucks out to release the looters. Just a day or two earlier a looter had been shot and killed on the back 40, therefor the PSG and *bb-4* made a decision to make the detainee strip. This was done to embarrass the looter so he would not return to be shot and possibly killed. The decision may not have been the right one politically, but was effective on saving the lives of those looters. *bb-4* realizes that the wrong decision was made and is prepared to accept the consequences of his actions.

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DEPARTMENT OF THE ARMY  
 1st Armored Cavalry Regiment  
 Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

27 August 2003

MEMORANDUM FOR COMMANDER, 2<sup>ND</sup> ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

During the first week of June 2003, we first detained looters from the back of Camp Marlboro. At the time we (EN 27, EN22) took the looters to the CMOC, they told us they could not take them at the time, and told us to take them out and scared them. I told my translator to tell the looters they are going to the jail. After we told them they are going to jail, we took them to their house next to Camp Marlboro, turned them over to their family, and witnessed the detainee's father beat them front of us. When I saw this, I told all my squad leaders when we detain any looters we will take them back to their family. The second time we detained looters, I took them back to their house located down an ally. I didn't feel comfortable going down the alleyway and I didn't want my platoon to get ambushed, so I decided that the next time we detained looters I wasn't going to take them back to their house.

In mid June 2003, my platoon was on a mission to retrieve copper wire and drop off in the back of Camp Marlboro. We again detained looters from the back of Camp Marlboro. Instead of taking them to their house, I took them to the CMOC. At the time our ROE was not to shoot the looters. Only time we were authorized to shoot or kill anyone was when we felt our life or another soldiers' life was in danger, i.e.; someone is pointing weapon at you or get shoot at. That's what I understood about our ROE. It wasn't true because Bulldog element shot and killed one looter, and wounded at least two other people. When they shot and killed the looter, they put the dead body on the hood of a vehicle and took the body into Al-Thawra. When I took the looters from the back of Camp Marlboro I could have shot and killed them when they tried to run, but I didn't. I attempted to turn them over to Bulldog elements and let them take care of it. When I walked into the CMOC (same location as Bulldog TOC) I saw *bb-4*, and told him I have detained the looters for them. At that time *bb-4* told me, "just take them back and beat the fuck out of them". I was shocked at what he just told me to do. *bb-4* was standing next to me and heard what was said. I walked out and told the squad leaders what *bb-4* had just told me. I was going to just take them out of Camp Marlboro and release them. At that time *bb-4* said, if you want to teach them a lesson, why don't you strip them and send them away. When *bb-4* told me I really wasn't thinking about stripping the looters, but while I was taking the looters to the back of the camp, I realize these looters will return and possibly be killed by Bulldog elements. I didn't want that to happen to them, so when we stopped at the back of Camp Marlboro there was an empty building we went to. I wanted to just release them but I feared that they would return. I made a bad decision and told *bb-4* to strip the detainee. I know that it was not the right thing to do, but at the same time I wanted for the detainee to never want to return to our camp to steal. I never saw the same looters again after that stripping.

On 3 July 2003 we had a mission to pick up sodas for the squadron 4<sup>th</sup> July party. When we were coming back from picking up the sodas we saw looters at the back of Camp Marlboro. We tried to detain them, but they got away. EN22 had a flat tire, so I told EN22, EN23 to return back to camp. When EN23 came in to our AO, *bb-4* told me he had detained a looter after all. I told him we would just take him back later since dinner chow was almost ending. I told them to go to the chow, then we will take the looter back to the CMOC. *bb-4* didn't want to eat so he stayed back and watched the detainee. After I returned from chow, I was sitting on my cot, *bb-4* told me *bb-4* was bouncing a soccer ball on the detainees' head. I went to the back of the AO and asked *bb-4* what the hell he was doing and told him not to do that again. We took the detainee to the CMOC. When the entire platoon was back at our AO, I told them we would not abuse or miss treat detainees. When we do pick up any detainees in future we will just take them to the COMC.

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Around mid July 2003, while we were returning from the RTOC, I saw a person on the top of the telephone pole cutting wire. We stopped and detained them. I was with EN26, SIGO, when I detained the individuals and took them to the CMOC turning them over to Bulldog elements.

On 19 July 2003, we were going to the ASP. I saw a person pointing to a vehicle and copper wire on the sidewalk. It looked like someone stole the wire. I told EN21, EN22 to stop. When I walked up with my translator to try to find out where they got this copper wire, my translator told me it was stolen. I was trying to talk to the Iraqi citizen who owned the vehicle to find out where he got this wire from when he tried to push me or grab me. I felt like he was going for my weapon. I grabbed him and told my Driver to hand cuff him. While we were trying to put the handcuffs on, I heard gun shots coming from my left. I told ~~bb-4~~ stay and cuff the detainee. When I walked over to the vicinity the gunshot came from, I saw a person with an AK-47 ready to shoot again. The individual was aiming at EN21, I fired 3 shots and took him down. When I walked over to the body, I saw that it was a female, she was trying to get to the AK-47 she dropped. ~~bb-4~~ took the AK-47 and took her to Camp Marlboro. ~~bb-4~~ gave the shooter first AID, and she lived. Later we found out, from our translator who escorted the women through the medical channels, that the woman's brother was the shooter. After he ran she thought he was shot and brought out another AK-47. I feel that if I had not taken the actions I did, that she would have shot and possibly killed members of my platoon who could not see her. I know that what I did was wrong, I made a bad judgement call on stripping the looters. I am ready to take responsibility for my action.

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DEPARTMENT OF THE ARMY  
2d Armored Cavalry Regiment  
Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

28 August 2003

MEMORANDUM FOR COMMANDER, 2<sup>ND</sup> ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

*bb-4* was assigned to 84th Engineer Company as 2nd Platoon Sergeant about two weeks after I took over as the Platoon Leader. Since his first day, he has mentored and coached me to be a leader. His emphasis on taking care of the soldier and living the Army values has set a base for my development as an officer. During Operation Iraqi Freedom, *bb-4* has demonstrated his ability to react to any situation, ranging from helping a depressed soldier to calming upset citizens of Iraq. When the platoon started detaining looters, *bb-4* was the first to make sure they were treated right. He would give water to the thirsty and when informed of possible mistreatments, he talked to the platoon to make sure it would not happen. For a brief period looters were being shot when looter on the back of Camp Marlboro. When told to rough up, scare, and release detainees *bb-4* felt it necessary to embarrass them to the point they would not return to loot and possibly get shot. His decision was to make he detainee strip and walk home nude. The decision may not have been the best, but it worked. *bb-4* is aware that he made a bad choice, but in that choice had saving the lives of the looters in his mind. He is a great asset to the platoon and should not be punished to the point of losing his position as Platoon Sergeant.

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DEPARTMENT OF THE ARMY  
2d Armored Cavalry Regiment  
APO AE 09322

AFZX-CB-EN

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

SUBJECT: Investigating Officer's Report

I acknowledge receipt of the AR 15-6 investigating officer's report and accompanying memorandum from the Commander, 2d ACR. I acknowledge that I will have three days from today's date to reply to this report and to submit relevant rebuttal materials on my behalf.

b6-5 I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

b6-5 I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

DATE: 25 Aug 2003  
0910 hrs

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DEPARTMENT OF THE ARMY  
Headquarters, 2d Armored Cavalry Regiment  
APO-AE 09322



AFZX-C-CO

23 August 2003

MEMORANDUM FOR

b6-2

SUBJECT: Notification of AR 15-6 Investigating Officer's Report

1. I have reviewed the Investigating Officer's report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer's findings. You mistreated Iraqi detainees who were under your control.
2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer's report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.

Encl.

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DEPARTMENT OF THE ARMY  
Headquarters, 2d Armored Cavalry Regiment  
APO-AE 09322



AFZX-C-CO

23 August 2003

MEMORANDUM FOR

b6-2

d

SUBJECT: Notification of AR 15-6 Investigating Officer's Report

1. I have reviewed the Investigating Officer's report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer's findings. While serving as the platoon sergeant, you mistreated Iraqi detainees who were under your control.
2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer's report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.
3. You are suspended from your platoon sergeant duties pending resolution of this matter.

Encl.

1. CONSOLIDATED INTO RECLASSIFIED IAW Sec of Def Memo 01-  
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15-6 Report  
Maltreatment of Detainees  
July - August 2003

AFZX-C-JA

12 August 2003

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

SUBJECT: 15-6 Report of Investigation, Maltreatment of Detainees, July-August 2003

1. I have reviewed the subject report of investigation. The report is legally sufficient and the recommendations are consistent with the findings.
2. The appointing authority should consult with the trial counsel regarding UCMJ or other adverse actions prior to taking them.
3. For administrative completeness the appointing authority should complete Section VIII of the DA Form 1574.
4. There is no legal objection to approval of the findings and recommendations of the investigating officer.

FBI/DOJ/IAW Sec 01 Det Memo 01-  
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**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

bb2

(Appointing authority)

on 28 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

Camp Marlboro, Baghdad, Iraq

at

(Place)

(Time)

on 29 July - 8 Aug 03  
(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.)

The (investigating officer) (board) finished gathering/hearing evidence at

1800hrs

on

8 August 2003

(Time)

(Date)

and completed findings and recommendations at

1600hrs

on

10 August 2003

(Time)

(Date)

**SECTION III - CHECKLIST FOR PROCEEDINGS**

**A. COMPLETE IN ALL CASES**

	YES	NO	N/A
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		

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		YES	NO <sup>1)</sup>	NA
2	Exhibits (para 3-16, AR 15-6)			
	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>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
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)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
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)?			

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

The (investigating officer) (board), having carefully considered the evidence, finds:  
I find that soldiers of 2nd Platoon, 84th Engineers Company have committed detainee abuse.

b6-5 all

The first incident was on or about the middle of June 03. An Iraqi civilian was detained in the fields behind Camp Marlboro. The Iraqi was trying to steal copper wire. He was arrested by members of 2nd Platoon. The detainee was then brought to the Civilian Military Operations Center (CMOC) for processing into the detention center. Upon 2nd Platoon's arrival at the CMOC, [REDACTED] told the [REDACTED] that he did not want any detainees at the CMOC. It was better for him to take the detainee away and to release him. [REDACTED] recommended that the detainee be scared, beaten, or whatever the Platoon wanted to do to him. [REDACTED] then decided to take the detainee to an abandoned building behind Camp Marlboro. When they arrived [REDACTED] and [REDACTED] took the detainee inside the building. They yelled and screamed at him. [REDACTED] gave an order to [REDACTED] to remove all the clothing of the detainee. [REDACTED] removed the detainee's clothing. [REDACTED] released the detainee after all of his clothing was removed. Exhibits M, T, & U support these facts.

The second incident occurred a few days to a week later. The Platoon had detained two looters trying to steal copper wire. They took the detainees to the same building behind Camp Marlboro. [REDACTED] took the two detainees into the building. [REDACTED] told [REDACTED] to remove all of the clothing of the detainees. The detainees were released once all of their clothing was removed. Exhibits A, D, E, M, O, Q, T, & U support these facts.

The third incident occurred on the 3rd of July. The Platoon was tasked to get sodas for the Squadron's fourth of July party. On their way back to Camp Marlboro with the sodas, they were tasked to chase looters away from the back fields. ENG23 captured a looter. ENG23 was then told to take the detainee back to the Engineers barracks on Camp Marlboro. ENG23 arrived at the barracks and the detainee was removed from the back of the truck and placed up against the wall. [REDACTED] bounced a soccer ball off the head of the detainee. He was reprimanded by both [REDACTED] and [REDACTED]. In addition, [REDACTED] admitted to hitting the detainee and stated in his sworn statement that others also hit the detainee. Exhibits B, D, E, G, H, J, K, L, M, O, Q, R, T, U, Z, & AA support these facts.

Three soldiers wrote sworn statements of the use of an M34 blasting device to shock Iraqi detainees. Exhibits B, D, I, W, & Y support these statements. However, during further investigation, the accused denied any use of the M34 blasting device to shock any Iraqi detainee. Exhibits M, U, V, X, & Z support these statements.

In addition, during the course of this investigation, [REDACTED] was implicated in numerous alleged questionable actions. These alleged actions are serious and are detrimental to the overall mission. Exhibit T supports this statement.

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

In view of the above findings, the (investigating officer) (board) recommends:  
At a minimum the unit:

- a. Enforce patrol and mission debriefs at the Troop level at a minimum. For more significant events a debrief should be conducted by the S-2.
- b. Reprimand [REDACTED] for his poor judgement, lack of battlefield composure, and loss of military discipline and professionalism as senior noncommissioned officer. Continued performance like this could result in an uprising of the citizens of Iraq against US Forces
- c. Refine and clarify the ROE and treatment of detainees. Conduct a stand down day to refocus the Troops and establish clear procedure for processing detainees.
- d. Appoint an Investigating officer in commensurate grade or higher to conduct an inquiry of [REDACTED] alleged actions.

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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.)

\_\_\_\_\_  
(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.)

ESB/DIA/HRD/INVESTIG/AR 15-6  
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DEPARTMENT OF THE ARMY  
Headquarters, 2d Armored Cavalry Regiment  
Unit 92401  
APO AE 09322-2401



AFZX-C-CO

28 July 2003

MEMORANDUM FOR RECORD

SUBJECT: Appointment of Investigating Officer

1. <sup>b6-2</sup> \_\_\_\_\_, \_\_\_\_\_, you are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into the circumstances involving alleged detainee abuse by soldiers assigned to the 84<sup>th</sup> Engineer Company.
2. In your investigation, all witness statements will be sworn. From the evidence, you make findings of fact.
3. Submit four copies of your findings on DA form 1574 to this headquarters, ATTN: AFZX-C-RS1, within 3 days.

FOR THE COMMANDER:

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CORR-101, dtd 9 Nov 01

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION <i>Camp Marlboro, Baghdad, Iraq</i>	2. DATE <i>31 July 03</i>	3. TIME <i>2040 hrs</i>	4. FILE NO.
5. NAME (Last, First, MI) <i>[REDACTED] b6-5</i>	8. ORGANIZATION OR ADDRESS		
6. SSI# <i>[REDACTED]</i>	7. GRADE/STATUS <i>[REDACTED]</i>		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The [REDACTED] *b6-5* with the United States Army and wanted to question me about the following offense(s) of which I am suspected/accused: *stripping Iraqi citizen and beating an Iraqi citizen*

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE <i>[REDACTED] b6-5</i>
1a. NAME (Type or Print)		4. SIGNATURE <i>[REDACTED]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		5. TYPED NAME OF INVESTIGATOR <i>[REDACTED] b6-2</i>
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR <i>[REDACTED]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION <i>Camp Mithbaro IRAQ</i>	2. DATE <i>1 AUG 03</i>	3. TIME <i>15:54</i>	4. FILE NO.
5. NAME (Last, First, MI) <i>[REDACTED] b65</i>	8. ORGANIZATION OR ADDRESS <i>[REDACTED]</i>		
6. SSN <i>[REDACTED]</i>	7. GRADE STATUS <i>[REDACTED]</i>		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name is below told me that he/she is with the United States Army and wanted to question me about the following offense(s) of which I am suspected/accused: *stripping of Iraq citizens and Beating Iraq citizens*

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

- I do not have to answer any question or say anything.
  - Anything I say or do can be used as evidence against me in a criminal trial.
  - (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.
- or -
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE <i>[REDACTED] b65</i>
1a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR <i>[REDACTED]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		5. TYPED NAME OF INVESTIGATOR <i>[REDACTED] b62</i>
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR <i>[REDACTED]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION CAMP MARBOL BAGHDAD IRAQ	2. DATE 1 AUG 03	3. TIME 17:00	4. FILE NO.
5. NAME (Last, First MI) [REDACTED]	8. ORGANIZATION OR ADDRESS [REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] and wanted to question me about the following offense(s) of which I am

suspected/accused: Striping Iraqi Citizens + Beating Iraqi Citizens

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

- I do not have to answer any question or say anything.
  - Anything I say or do can be used as evidence against me in a criminal trial.
  - (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.
- or -
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED]
1a. NAME (Type or Print)		4. [REDACTED] 66-5
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR [REDACTED] 66-2

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

001854

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION <i>Camp Marban, Baghdad</i>	2. DATE <i>8 Aug 03</i>	3. TIME <i>1417</i>	4. FILE NO.
5. NAME (Last, First, MI) <i>[REDACTED] b65</i>	8. ORGANIZATION OR ADDRESS <i>[REDACTED]</i>		
6. SSN <i>[REDACTED]</i>	7. GRADE/STATUS <i>[REDACTED]</i>		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name is indicated on the right is with the United States Army  
*[REDACTED] b65* and wanted to question me about the following offense(s) of which I am

suspect/accused: *Detainer Abuse*

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		<i>[REDACTED]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		<i>[REDACTED]</i>
2a. NAME (Type or Print)		<i>[REDACTED]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		<i>[REDACTED]</i>
		4. SIGNATURE OF INVESTIGATOR
		5. TYPED NAME OF INVESTIGATOR
		6. ORGANIZATION OF INVESTIGATOR

*[REDACTED]* b6-5  
*[REDACTED]* b6-2

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

CORR-101, dtd 9 Nov 01

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION Camp Marlboro, Baghdad Iraq	2. DATE 8 Aug 03	3. TIME 1050hrs	4. FILE NO.
5. NAME [REDACTED] bb-5	8. ORGANIZATION OR ADDRESS [REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name is bb-5 States Army and wanted to question me about the following offense(s) of which I am suspected/accused: Detainee Abuse

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED] bb-5
1a. NAME (Type or Print)		4. SIGNATURE OF INTERVIEWEE [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		5. NAME OF INTERVIEWEE [REDACTED] bb-2
2a. NAME (Type or Print)		6. ORGANIZATION OR ADDRESS AND PHONE OF INTERVIEWEE [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

Personal Info Redacted LAW Sec of Det Memo 01-CORR-101, dtd 9 Nov 01

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION <i>Camp Marshall Baghdad Iraq</i>	2. DATE <i>8/14/03</i>	3. TIME <i>1000hrs</i>	4. FILE NO.
5. <i>bb5</i>	8. ORGANIZATION OR ADDRESS 		
6. SSN 	7. GRADE/STATUS 		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name is *bb-2* and wanted to question me about the following offense(s) of which I am *Detainee Abuse* suspect/accused:

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

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.
- (For civilians not subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS *(Continue on reverse side)*

**Section B. Waiver**

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

WITNESSES <i>(If available)</i>		3. SIGNATURE OF INTERVIEWEE 
1a. NAME <i>(Type or Print)</i>		<i>bb-5</i>
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME <i>(Type or Print)</i>		5. TYPED NAME OF INVESTIGATOR <i>bb-2</i>
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

Personal Infor Redacted LAW Sec of Def Memo 01 - CORR-101, did 9 Nov 01

001857

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION <i>Camp Manthoro Baghdad Iraq</i>	2. DATE <i>8 Aug 2003</i>	3. TIME <i>1130hrs</i>	4. FILE NO.
5. NAME (Last, First, MI) <i>[Redacted]</i>	8. ORGANIZATION OR ADDRESS <i>[Redacted]</i>		
6. SSN <i>[Redacted]</i>	7. GRADE/STATUS <i>[Redacted]</i>		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army *[Redacted]* and wanted to question me about the following offense(s) of which I am

suspected/accused: *Detention Abuse*

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

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military-lawyer detailed for me at no expense to me, or both.
- (For civilians not subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE <i>[Redacted]</i>
1a. NAME (Type or Print)		4. ORGANIZATION OR ADDRESS AND PHONE <i>[Redacted]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		5. TYPED NAME OF INVESTIGATOR <i>[Redacted]</i>
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR <i>[Redacted]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

001858

CORR-101, dtd 9 Nov 01

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION Camp Harbore 2/2 ACZ Baghdad Iraq	2. DATE 1 Aug 03	3. TIME 1245 hrs	4. FILE NO.
5. [REDACTED]	8. ORGANIZATION OR ADDRESS [REDACTED]		
6. [REDACTED]	7. GRADE/STATUS [REDACTED]	[REDACTED]	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] and wanted to question me about the following offense(s) of which I am suspected/accused: stripping Iraqi Citizens + Beating Iraqi Citizens

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE X [REDACTED]
1a. NAME (Type or Print)	[REDACTED]	4. SIGNATURE OF INTERVIEWER [REDACTED] 66-5
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	5. TYPED NAME OF INVESTIGATOR [REDACTED]
2a. NAME (Type or Print)	[REDACTED]	6. ORGANIZATION OF INVESTIGATOR [REDACTED] 66-2
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	[REDACTED]

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

Personal Info Redacted LA W DEC 01 10:14 AM '03  
CORR-101, did 9 Nov 01

001859

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION: Camp Murbars, Baghdad, Iraq
2. DATE: 8-8-03
3. TIME: 12:56
4. FILE NO.
5. NAME (Last, First, MI): [Redacted]
6. SSN: [Redacted]
7. GRADE/STATUS: [Redacted]
8. ORGANIZATION OR ADDRESS: [Redacted]

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that she is with the United States Army and wanted to question me about the following offense(s) of which I am

suspected/accused: Detainee Abuse

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

- 1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning.
4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)
1a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print)
b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWEE
4. SIGNATURE OF INVESTIGATOR
5. TYPED
6. ORGANIZATION

Section C. Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

001860

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CORR-101, dtd 9 Nov 01



**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION <i>Camp Marlboro Baghdad Iraq</i>	2. DATE <i>8 Aug 03</i>	3. TIME <i>1225</i>	4. FILE NO.
5. ORGANIZATION OR ADDRESS <i>[REDACTED]</i>	8. ORGANIZATION OR ADDRESS <i>[REDACTED]</i>		
6. SSM <i>[REDACTED]</i>	7. GRADE/STATUS <i>[REDACTED]</i>		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator *b6-5* of the United States Army and wanted to question me about the following offense(s) of which I am suspected/accused: *Detainee Abuse*

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

- I do not have to answer any question or say anything.
  - Anything I say or do can be used as evidence against me in a criminal trial.
  - (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.
- or -
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWER <i>[REDACTED]</i>
1a. NAME (Type or Print)		<i>b6-5</i>
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INTERVIEWEE <i>[REDACTED]</i>
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR <i>[REDACTED]</i>
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR <i>[REDACTED]</i>

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

CORR-101, dtd 9 Nov 01

Index of all Exhibits

- Exhibit A
- Exhibit B
- Exhibit C
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- Exhibit Y
- Exhibit Z
- Exhibit AA

*b6-4 all*

UNCLASSIFIED AND UNRECORDED BY THE DOD ON 01 FEBRUARY 01  
CORR-101, dtd 9 Nov 01

bb-4 all

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: CAMP DRAGON, BAGHDAD IRAQ
2. DATE (YYYYMMDD): 2003 07 28
3. TIME: 1930
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 19 JULY IT WAS BROUGHT TO MY ATTENTION THAT A SOLDIER UNDER MY COMMAND HAD WENT TO THE CHAPLIN REFERENCE THE POSSIBLE MIS-TREATMENT OF IRAQI CIVILIANS. UPON FINDING THIS OUT, I WENT TO THE [redacted] AND RECEIVED THE INFORMATION THAT WAS BROUGHT TO HIS ATTENTION. UPON HEARING THE POSSIBLE ALLEGATIONS I WENT TO THE PLATOON LEADER & SERGEANT TO GET AN INITIAL READ. THEY BOTH SAID THEY HAD HEARD RUMORS OR TALK BUT KNEW NOTHING. I THEN TALKED WITH A COUPLE OF SOLDIERS. [redacted] WAS THE SOLDIER THAT WENT TO THE CHAPLIN AND HE CONFIRMED WHAT THE CHAPLIN HAD TOLD ME. HE SAID THAT THE PLATOON HAD STRIPPED AN IRAQI CIVILIAN, SHOCKED AN IRAQI CIVILIAN WITH AN M34 BLASTING DEVICE AND ROUGHED A CIVILIAN UP IN THEIR APO. I ALSO TALKED WITH [redacted] WHO STATED THAT THE PLATOON PROVOKED A LOT OF THINGS AND BOTH SOLDIERS STATED THE PLATOON WAS DOING THINGS THEY SHOULD NOT BE DOING. THE FOLLOWING DAY, 20 JULY 03, I HAD THE [redacted] AND [redacted] CAME TO MY LOCATION. I THEN BEGAN ASKING THEM QUESTIONS REFERENCE THE PROPOSED ALLEGATIONS. I ALSO SPOKE WITH ALL [redacted] UPON MY QUESTIONING I GATHERED THE FOLLOWING INFORMATION. TO THE BEST OF MY KNOWLEDGE ALL INCIDENTS HAPPENED IN THE ABSENCE OF THE PL. HE STATED HE HAD NO KNOWLEDGE AND HAD HEARD SOME TALK BUT HAD NOT SEEN ANY OF THE ABOVE STATED INCIDENTS. AFTER INITIAL QUESTIONING [redacted] ADMITTED TO BEING PRESENT FOR ALL AND DIRECTING THE STRIPPING OF ONE INDIVIDUAL. [redacted] SEEMS TO HAVE BEEN PRESENT FOR ALL AND TOOK PART IN THE STRIPPING AND SHOCKING INCIDENT. [redacted] ADMITTED TO BEING PRESENT BUT HAD NO DIRECT INVOLVEMENT. [redacted] ALSO ADMITTED TO BEING PRESENT BUT HAD NO DIRECT INVOLVEMENT. UPON QUESTIONING OTHER SOLDIERS TO THE BEST OF MY KNOWLEDGE I BELIEVE IT IS TRUE. SO FROM THE

10. EXHIBIT: A
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF: 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [redacted] TAKEN AT [redacted] DATED [redacted]
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

STATEMENT OF Mike

TAKEN AT B-DC, Baghdad

DATED 28 July 2003

9. STATEMENT (Continued)

information that I gathered the stripping incident happened twice, there was one shocking incident and one possible roughing up incident. With all soldiers questioned only one mentioned the roughing up, and one admitted seeing it (b6-4 on). The NCO's present / accused said they performed these acts as a means to teach them a lesson by not steady wire and not shooting them. Upon questioning all NCO's and officers I (b6-5) read them their rights. Soldiers were not read their rights hence both the reason for only mentioning two names. I am under on the total number of incidences. It may be three separate but in my knowledge I believe it to be three incidents / allegations and only two individuals. Prior to this incident the NCO's in question had all my confidence and support. To see they were good NCO's and possibly went so far and took on more of a situation than they should have. **NOTHING FOLLOWS**

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

AFFIDAVIT

I, \_\_\_\_\_, 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 28<sup>th</sup> day of July, 2003 at B-DC, Baghdad, Iraq

(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

USAPA V1.00

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 Baghdad
2. DATE (YYYYMMDD) 20030728
3. TIME 20:50
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted] 6. SSN 66-4
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On or about 2 weeks prior to the 4th of July, I witnessed acts against an Iraqi civilian that I feel along with other soldiers felt was wrong. 3 of the platoons trucks had gone on a mission to buy drinks for the 4th of July (trucks 27, 23, 22). On the way back from the mission they went through the back forty to look for looters. One Iraqi boy was apprehended (between 16 + 18 years old) and brought back to Camp Marlboro. Instead of taking him to be turned in the Plt Sgt called the truck with the prisoner and told them to go directly to the Warehouse with out dropping off the prisoner. The translator was dropped off at the translator office and they all met at the warehouse. While everyone was unloading the drinks the prisoner was taken off the truck and leaned up against the wall. The "bb-5" up and asked the prisoner if he wanted water then proceeded to pour water all over the prisoner. Then "bb-5" took a blasting machine and shook the prisoner on his feet & neck while he was in zip cuffs. I then left the area and told what was happening. He went to the Plt Sgt and told him that it was not right. I returned to the warehouse about 1 hour

10. EXHIBIT B
11. INITIALS OF PERSON MAKING STATEMENT [redacted]
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

001865

Personal Infor Redacted IAW Sec of Def Memo 01-
CORR-101, did 9 Nov 01

STATEMENT OF [REDACTED] TAKEN AT Rix, Baghdad DATED 28 July 05

9. STATEMENT (Continued) and 20 minutes later. They loaded the prisoner in the Plt Sgt's truck and 21, 27, and 22 victors left the camp with the prisoner and went back to the back side of Camp Marlboro. There the prisoner was taken off the truck and taken into a building. While he was inside I could not see him at first but heard lots of yelling. Then I could see him and watched as they stripped him of his clothing. They made him start walking away naked and then sprayed pepper spray on his clothing that was all in the building. Then they said that will surprise him if he comes back to get his clothes. Then [REDACTED] and [REDACTED] returned to the trucks and we all returned to Camp Marlboro. For speaking up [REDACTED] was talked badly about behind his back by most of the platoon and was not allowed to go out on missions with the Plt Sgt unless there was no other option.

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.

[REDACTED] 66-4  
(Signature of Person Making Statement)

WITNESSES:  
[REDACTED] 66-2

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28<sup>th</sup> day of July, 2005 at Regimental Tac Base, Baghdad, Iraq

[REDACTED] 66-2  
(Signature of Detainee Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

AR-15-6  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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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 Baghdad
2. DATE (YYYYMMDD) 20030728
3. TIME 2130
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED] 6. SSN [REDACTED] 7. GRADE/STATUS [REDACTED]
8. ORGANIZATION OR ADDRESS [REDACTED]

9. [REDACTED] 66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
A few days after July 4th at about 1500hrs [REDACTED] came to me and said you wont believe what I saw. I said what he told me that they had caught an Iraqi stealing. He told me that they had taken a 9 millimeter pistol and hit him with it and knocked him unconscious and left him there bleeding and in zip cuts. Then [REDACTED] 66-4 walked up to me and told me the same thing and that he had watched it happen.

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]
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

Personal Info Redacted IAW Sec of Def Memo 01.
CORR-101, did 9 Nov 01

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 (SSM).
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: Camp Marlboro Baghdad Iraq
2. DATE (YYYYMMDD): 20030729
3. TIME: 1730
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME: [REDACTED] 66-4
6. SSN: [REDACTED]
7. GRADE/STATUS: [REDACTED]
8. ORGANIZATION OR ADDRESS: [REDACTED]

I, [REDACTED] 66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On or about 15 Jul 03 I was approach by [REDACTED] 66-4 concerning treatment of Iraqi detainees. It was brought to my attention that one of my soldiers approach him and told of mistreatment of the Iraqis. Upon hearing this information I went to my platoon sergeant and informed him that there are rumors of mistreatment of detainees, and that if it is happening it needs to stop. I acknowledged and said it is not happening and won't happen. Through the investigation by [REDACTED] I found out that since approx 2 weeks prior to myself talking to [REDACTED] 66-2 that all detainees were detained and taken directly to Bulldog X-Ray at Camp Marlboro. The allegations brought to my attention by [REDACTED] 66-5 and [REDACTED] 66-5 were forcing detainees to strip, shocking with a blasting machine, and excessive beating. I personally was unaware of these types of actions if they were occurring. I was with [REDACTED] 66-4 and another squad while detaining 3 or 4 individuals on approx 2nd or 3rd week of June. During this process, the Iraqis were flex cuffed and put into the truck. They were then taken to Bulldog X-Ray at Camp Marlboro to be handed off to Bulldog Battery. Upon arriving, the mother of one of the boys came to the camp and her son left in her custody. We were then instructed that nothing could be done right then, so our choices were to leave the detainees in the holding cell at Camp Marlboro or take them out, drive around and release them. We chose to take them out + release the detainees. I stayed at Camp Marlboro and sent my other 2 trucks out to release the detainees. I am aware of one instance of a detainee being brought to our warehouse. My second squad vehicle had a flat tire, so while the tire was being fixed my Platoon Sergeant drove back to the warehouse with the detainees in the back. One of the soldiers in the back had bounced a soccer ball off the detainees head. I approach [REDACTED] and told him we did not like the way the Iraqi was being treated. Since that talk [REDACTED] made sure no Iraqis were treated mistreated again. I am not aware of any shocking with a blasting machine. I have talked with my soldiers and no individuals have seen or done this action. I have heard the possibility of 2 Iraqis being forced to strip + walkhome, but have not seen this. - Nothing Follows -

10. EXHIBIT: C
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] 66-4
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

1 USUAL INDIAN REUCATED LAW Sec 01 Det Memo 01-
CORR-101, did 9 Nov 01



STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

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Personal Info Redacted IAW Sec of Def Memo 01-  
CORR-101, dtd 9 Nov 01

AFFIDAVIT

\_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF RECEIVING A REWARD WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR \_\_\_\_\_ 66-4

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS \_\_\_\_\_

66-2

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of July, 2003 at Camp Alabaco, Baghdad, Iraq

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

66-2

\_\_\_\_\_  
(Authority To Administer Oaths)  
15-6

INITIALS OF PERSON MAKING STATEMENT \_\_\_\_\_

PAGE 2 OF 2 PAGES

USAPA V1.00

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: Camp Marlboro Baghdad Iraq
2. DATE (YYYYMMDD): 20030629
3. TIME: 2010
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: 66-4
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS: [REDACTED]

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Before the 4th of July, my PI was called to pick up a bunch of copper wire from Eagle troops sector. We came back to camp Marlboro to the back 40 and saw a bunch of looters. We chased them on foot to route Aeres one of them was making fun of us as he ran away. We got back to our vehicles and our PSG had 2 detainees. The looters started to come back so my squad dropped a trailer and went out to the Aeres. At that time we caught 2 more looters. We brought them back and [REDACTED] told us one of the detainees was the one making fun of us. They took him off the truck took him to the front of their truck and roughed him up. Put their foot in his chest. I saw [REDACTED] shoot him with a blasting machine. We went back and dropped them off at the CROC. When we got back the PSG asked me if it bothered me and I said yes. The second occasion we picked up looters at the same place. We then drove to a building near the back 40 they pulled the chagris out of the truck and the [REDACTED] and a few others took them inside. I was sitting in my Humvee and I saw one chagris run out naked, about 5 min later the other one came out naked. The third incident we caught one looter and took him to the same place. I did not see him come out. I did see them come out with his clothes.

10. EXHIBIT: D
11. INITIALS OF PERSON MAKING STATEMENT: X 66-4
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

CORR-101, dtd 9 Nov 01

STATEMENT OF 66-4 TAKEN AT Camp Marlboro DATED 29 July 2003

9. STATEMENT (Continued)

The final incident I was present for we caught one doctor brought him back to camp marlboro I asked the P56 what he wanted to do with him. He told me to bring him to the warehouse. When we got there I went out the front to use the latrine. I stayed outside for about 10 min. When I walked back in, 66-5 came out and told me they were all going to hell. I walked to the back and saw 66-5 throw a soccer ball off the chagis head. I told him to stop and pulled the P56 off to the side and told him what had happened was wrong. He told me that they would throw it down. A day or so later he told me it wouldn't happen again.

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

AFFIDAVIT

I, \_\_\_\_\_, 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.

66-4  
(Signature of Person Making Statement)

WITNESSES:

66-2  
[Redacted]

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of July, 2003 at Camp Marlboro, Baghdad, Iraq.

66-2  
(Signature of Person Administering Oath)

[Redacted]  
(Typed Name of Person Administering Oath)

15-C  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
XNDW

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

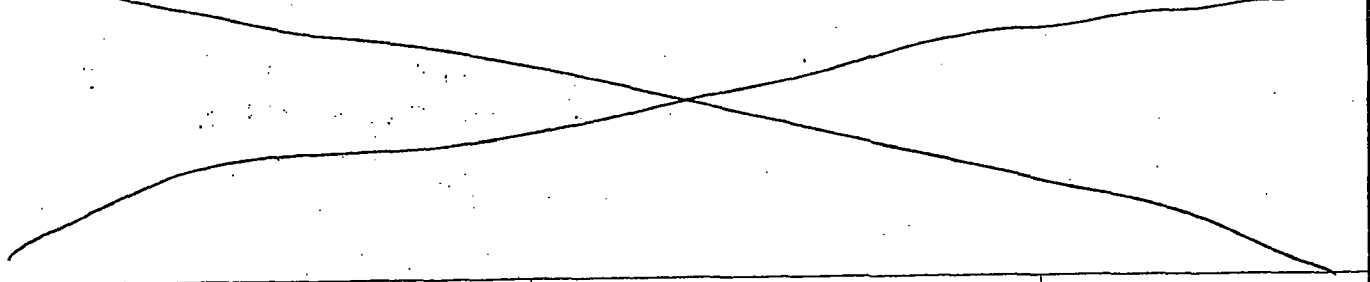
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate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

1. LOCATION: CAMP MARLBORO
2. DATE (YYYYMMDD): 20030729
3. TIME: 2110
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [Redacted]
6. SSN: 66-4
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

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

We arrested 2 IRAQI LOOTERS RUNNING FROM INSIDE THE SPOT WHERE THE SQUADRON WAS KEEPING THE STOLEN COPPER. I WAS KIND OF SURPRISED THAT THEY WERE NOT SHOT BEFORE THEY MADE THEIR WAY TO US. THE DAY BEFORE THE GUARD TOWER SHOT A LOTTER AND KILLED HIM AND TO OUR UNDERSTANDING THE ROE WAS CHANGED TO SHOOT THE LOOTERS. AFTER THE ARREST WE BROUGHT THEM TO AN ABANDONED HOUSE BEHIND CAMP MARLBORO. THAT IS WHEN THE IRAQIS WERE BROUGHT INTO THE HOUSE. I HAD MY RESPONSIBILITY OF MY SECTOR OF FIRE ON THE GUN SO I HAVE NO KNOWLEDGE OF WHAT HAPPENED IN THE HOUSE. AFTER A SHORT TIME THE LOOTERS RAN, ONE AFTER THE OTHER, NUDE ACROSS THE STREET TO ANOTHER HOUSE.

EN23 BROUGHT WHAT SEEMED TO BE A LOOTER TO THE PLATOON AO FOR A REASON I DID NOT KNOW. IT WAS MY DAY OFF SO I WAS WASHING CLOTHES AND JUST SEEN THE TRUCK PULL IN. I WALKED OUTSIDE TO WASH CLOTHES AND UPON MY RETURN THE LOOTER WAS ON BACK OF ONE OF THE TRUCKS AND THE PLATOON LEFT FOR THEIR MISSION.



10. EXHIBIT: E
11. INITIALS OF PERSON MAKING STATEMENT: X 66-4
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.

RECEIVED INTO RECORDS LAW SEC 01 DET MICHIGAN 01 - CORR-101, dtd 9 Nov 01

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

Personal Info Redacted IAW Sec of Def Memo 01 -  
CORR-101, dtd 9 Nov 01

*[The main body of the statement is crossed out with a large handwritten 'X']*

AFFIDAVIT

I, \_\_\_\_\_, 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.

X bb-4  
(Signature of Person Making Statement)

WITNESSES:

bb-2  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

JKY  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29<sup>th</sup> day of July, 2003 at Camp Harbora, Bethesda, Md

[Redacted Signature] bb-2  
(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

15-6  
(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
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Marlboro
2. DATE (YYYYMMDD): 030730
3. TIME: 15:55
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] bb-4
6. SSN: [REDACTED]
7. GRADE/STATUS: 2
8. ORGANIZATION OR ADDRESS: [REDACTED]

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Prior to the 4th of July, EN22, EN23, EN27 seen looters. We detained 1 of them. We then went behind Camp Marlboro. They (bb-5) I believe then stripped the Iraqi of his clothes. While this was going on I was on EN23 pulling security on the .50 cal. Then I seen the Iraqi run out of the building. Then we left and came back to Camp Marlboro.
Did you see the Iraqi run out of the Building and past your truck naked? -
yes

10. EXHIBIT: F
11. INITIALS OF PERSON MAKING STATEMENT: X bb-4
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

1. ORIGINAL MUST BE FILED IN LAW SEC 01 DEL MCHHIO 01-
CORR-101, did 9 Nov 01

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[Large area containing a large handwritten 'X' over the statement text]

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.

\_\_\_\_\_  
(Signature of Person Making Statement) b6-4

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30<sup>th</sup> day of July, 2003 at Green Mountains Federal Prison

\_\_\_\_\_  
(Signature of Person Administering Oath) b6-2

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

15-6  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_

INITIALS OF PERSON MAKING STATEMENT  
X

PAGE X OF X 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: Camp Marlboro
2. DATE (YYYYMMDD): 20030730
3. TIME: 1710
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME: [REDACTED]
6. SSN: 66-4
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. [REDACTED] 66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Around the beginning of July a incident took place in our Wharehouse were EN 23 Brought in a Iraqi Civilian appartently for stealing and Me and [REDACTED] 66-4 was Changing the tire on Eng. 22 when they came in and took him out the back of the truck he was zip tied + blind folded with a SAND bag. When I looked up To see whats going on he was sitting against the wall and they were yelling at him for stealing an how bad it was. Then when we was finished with EN 22, us and EN 27 Brought the Iraqi to the building in the Back 40 and I got out To smoke a cigarette and then I seen the boy coming out without any clothes on, I just turned around and then we loaded back into vehicles and came back to the wharehouse.

[REDACTED] 66-4

10. EXHIBIT: G7
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] 66-4
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 THE NUMBER

CORR-101, did 9 Nov 01



STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

b6-4

[Redacted]

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

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 \_\_\_\_\_ OF BENEFIT \_\_\_\_\_ WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, \_\_\_\_\_

b6-4

[Redacted Signature]

WITNESSES:

[Redacted] b6-2

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20<sup>th</sup> day of July, 2003 at Fort Meade Rockhill, MD

[Redacted Signature] (Signature of Person Administering Oath)

b6-2

[Redacted Name] (Typed Name of Person Administering Oath)

15-C (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

001877

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 CAMP MARLBORO, BAHADIN IRAQ	2. DATE (YYYYMMDD) 20030730	3. TIME 1750	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS bb-4			

9. bb-4 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 The day a detained Iraqi prisoner was brought back to our AO I took my Humvee to the repair bay to fix a flat tire. When I returned we loaded him up and took him back to the C-MOC. The trucks were EN22, EN27, EN03.

10. EXHIBIT H	11. INITIALS OF PERSON MAKING STATEMENT X bb-4	PAGE 1 OF 1 PAGES 001878
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

CORR-101, dtd 9 Nov 01



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: Camp Marlboro Baghdad Iraq
2. DATE (YYYYMMDD): 20030730
3. TIME: 1845
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: 66-4 [REDACTED]
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS: [REDACTED]
9. [REDACTED]

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

I was on 27. 66-4's trucks were coming to the back gate when we saw looters stealing copper wire. We chased down 3 looters and detained them. [REDACTED] also caught 3 looters and brought them to our location, then got put on perimeter guard. We were making the looters unload wire. I was told to go check and make sure they were unloading wire. As I passed by [REDACTED] truck I saw him check a looter with the M-34 blasting machine. The day [REDACTED] was moved from the squad that night. [REDACTED] held a H meeting and said that if anything came down from what [REDACTED] said he and 66-5 would take full blame for everything.

~~On 27~~
As we got so earlier we 27 & 22 caught two kids foot in yard 66-5. Took them to the back yard [REDACTED] and [REDACTED] took them inside the building and took all their clothes and made them up there with no clothes.

10. EXHIBIT: I
11. INITIALS OF PERSON MAKING STATEMENT: 66-4
PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED 001880

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

Personal Info Redacted IAW Sec 01 USC 112110 U1 - CORR-101, did 9 Nov 01

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[Large redacted area with a large 'X' drawn across it]

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]  
Signature of Person Making Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30<sup>th</sup> day of July, 2003 at Camp Karl Laro, Baghdad, Iraq b6-5

[Redacted Signature]  
Signature of Person Administering Oath

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

15-6  
(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  
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 <i>Camp Marlboro Baghdad Iraq</i>	2. DATE (YYYYMMDD) <i>20030730</i>	3. TIME <i>2015</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] <i>66-4</i>	6. SSN [REDACTED]	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS <i>1011</i>			

9. *66-4* WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

*That when the local was brought into our warehouses under flex cuffs w/a sand bag over his head to prevent a failure in security. Also that [REDACTED] <sup>66-5</sup> and [REDACTED] stated that they were the ~~the~~ ones who were going to take ~~best records~~ the punishment due to ~~in~~ apparent but the fact that they were the highest ranking NCO's at the time brought up.*

*Nothing Follows*

10. EXHIBIT <i>J</i>	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] <i>66-4</i>	PAGE 1 OF <i>1</i> 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

CORR-101, dtd 9 Nov 01

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[Large area crossed out with a large X, indicating redacted content.]

Personal Info Redacted IAW Sec of Def Memo 01-  
CORR-101, dtd 9 Nov 01

AFFIDAVIT

         <sup>b6-4</sup> \_\_\_\_\_, 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.

         <sup>b6-4</sup>  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30<sup>th</sup> day of July, 2003  
Camp Harbison, Bechtel Inc

<sup>b6-2</sup>

         <sup>b6-2</sup>  
(Typed Name of Person Administering Oath)  
15-6  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS \_\_\_\_\_

INITIALS OF PERSON MAKING STATEMENT          <sup>b6-4</sup>

PAGE OF PAGES

USAPA V1.00

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.

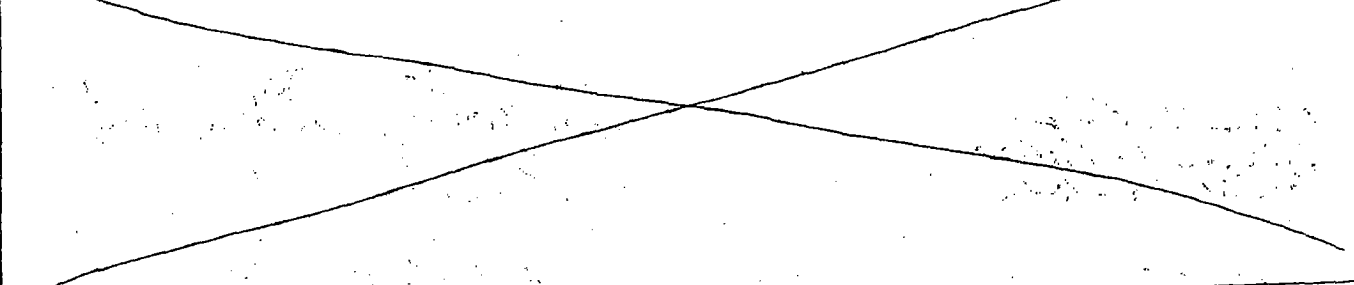
1. LOCATION: Camp Marlboro Baghdad Iraq
2. DATE (YYYYMMDD): 31 July 03
3. TIME: 1700
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

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

I saw 22, 23, + 27 come into the back of the warehouse with a 15 yr old Iraqi male. [redacted] b6-5 [redacted] proceeded to take him out of the truck and put him against the western side wall of the warehouse. They were whispering things in his ear while he was handcuffed + blindfolded. The PSG then told us to go to chow. Other people were unloading Bodas out of 23 but + I went to chow. When we came back, the blindfold was off, they were taking of the handcuffs because they were too tight, + they were getting ready to take the boy to either the cove or outside Camp Marlboro.

At a Platoon Meeting the PSG told us to not worry about the occurring situation, + he would take care of it.

In another meeting, he was telling us [redacted] b6-4 was a traitor for blabbing about the sto if going on + that he would get him back, because he had dirt on [redacted] b6-4.



10. EXHIBIT: K
11. INITIALS OF PERSON MAKING STATEMENT: + b6-4
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

CORR-101, dtd 9 Nov 01



STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

*[Faint, mostly illegible handwritten text, possibly a continuation of a statement or affidavit.]*

AFFIDAVIT

*b6-4*  
I, \_\_\_\_\_, 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:

*b6-4*  
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31<sup>st</sup> day of July, 2003  
Camp Marlboro, Bachelard Iraq

Signature of Person Administering Oath

*b6-2*

Signature of Person Administering Oath

*15-C*

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

*[Redacted initials]*

*b6-4*

PAGE OF PAGES

901885

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: Camp Marlboro Baghdad Iraq
2. DATE (YYYYMMDD): 20030731
3. TIME: 1940
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: [REDACTED]
8. ORGANIZATION OR ADDRESS: [REDACTED]
9. [REDACTED]

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

Before the 4th of July, I can't remember the exact date, but our truck 23 and the rest of the trucks except 26 went out to round up looters. We picked up 2 or 3 looters brought them back to the camp, but I guess the camp didn't want them. We then drove back out the gate to an open field with some buildings. Once we stopped I got out and pulled security. We waited a little while I guess some people got out and went into the building. I didn't see who exactly, but noticed that some people weren't in their trucks, only the people who were out pulling security. Next thing I noticed 2 naked kids ran past my field of fire. Then we got in the trucks and left.

On another occasion when we were chasing looters we ended up picking up one looter. We took him to camp, but for some reason we didn't drop him off. We ended up driving back to the warehouse with VB. Once back at the warehouse they took him out of the truck set him against the wall. Most of the platoon went to chew myself. I went out to play volleyball with another unit.

10. EXHIBIT: L
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
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

001888

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

*[Faint, mostly illegible handwritten text, possibly a continuation of a statement or affidavit.]*

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 4 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. *bb-4*

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths; this 8<sup>th</sup> day of July, 2003.

Gregory Markwire, Bachelor, Free

*bb-2*  
(Typed Name of Person Administering Oath)

15-6  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Marlboro, Baghdad, Iraq
2. DATE (YYYYMMDD): 200 30731
3. TIME: 2130
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted]
6. SSN: [redacted]
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the month of June 2003, myself and other 2nd platoon elements have captured and detained looters stealing or burning wire. The first few cases, we brought the looters back to Camp Marlboro and attempted to turn them in to Bulldog troop. We were told by Bulldog personnel that they didn't want to do anything because it was too much paperwork for such a small thing. They instructed us to take them out, drive around for a while, tell them they're going to jail, scare them, ruff them up, or whatever we wanted. We blindfolded them and drove around for about 1/2 hour, yelling at them and let them go. After the first couple cases, we stopped taking them to Bulldog. We would take them to an abandoned gas station, yell at them, make a lot of noise, banging on walls and a metal box. [redacted] instructed my to remove their clothing, so I did so. We then took off the zip cuffs & blindfold and made them run down the street naked while we drove away. One case, we chased some looters and they ran through very rough terrain and got away. When we returned to Camp Marlboro, [redacted] called [redacted], and said he had 1 prisoner he was going to drop off to Bulldog. [redacted] told him to hurry

10. EXHIBIT: M
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

STATEMENT OF

bb-4

TAKEN AT

Camp Marlboro

DATED

31 July 2003

9. STATEMENT (Continued)

up and get back to the warehouse. A few minutes later, Z3 pulled up with the prisoner still in the truck. I took the prisoner out of the truck, and made him sit against the wall. bb-4 told me to watch him while everyone was at dawn. The prisoner kept trying to get up and I ~~had~~ had to repeatedly push him back to sitting down. He was trying to show me his Right hand. When I looked at it, it was turning purple and swelling, so I removed the Zip Raff that was on too tight and his blind fold. I then put a new ~~blind~~ blind on him not so tight. He looked around and saw a soccerball near by. He said "Mr, football." I grabbed the ball and said, "You like football?" and bounced it off his forehead. bb-4 saw this and yelled at me. He then told and that we can't do stuff like that. That night, told everyone that we weren't going to take care of looters anymore and from that point on, we would just give them to Bulldog and let them handle it how they wanted. We've caught 2 Iraqi personnel stealing electricity since then, and they were taken straight to Bulldog. NOTHING FOLLOWS.

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

INITIALS OF PERSON MAKING STATEMENT

bb-4

PAGE 2 OF 2 PAGES

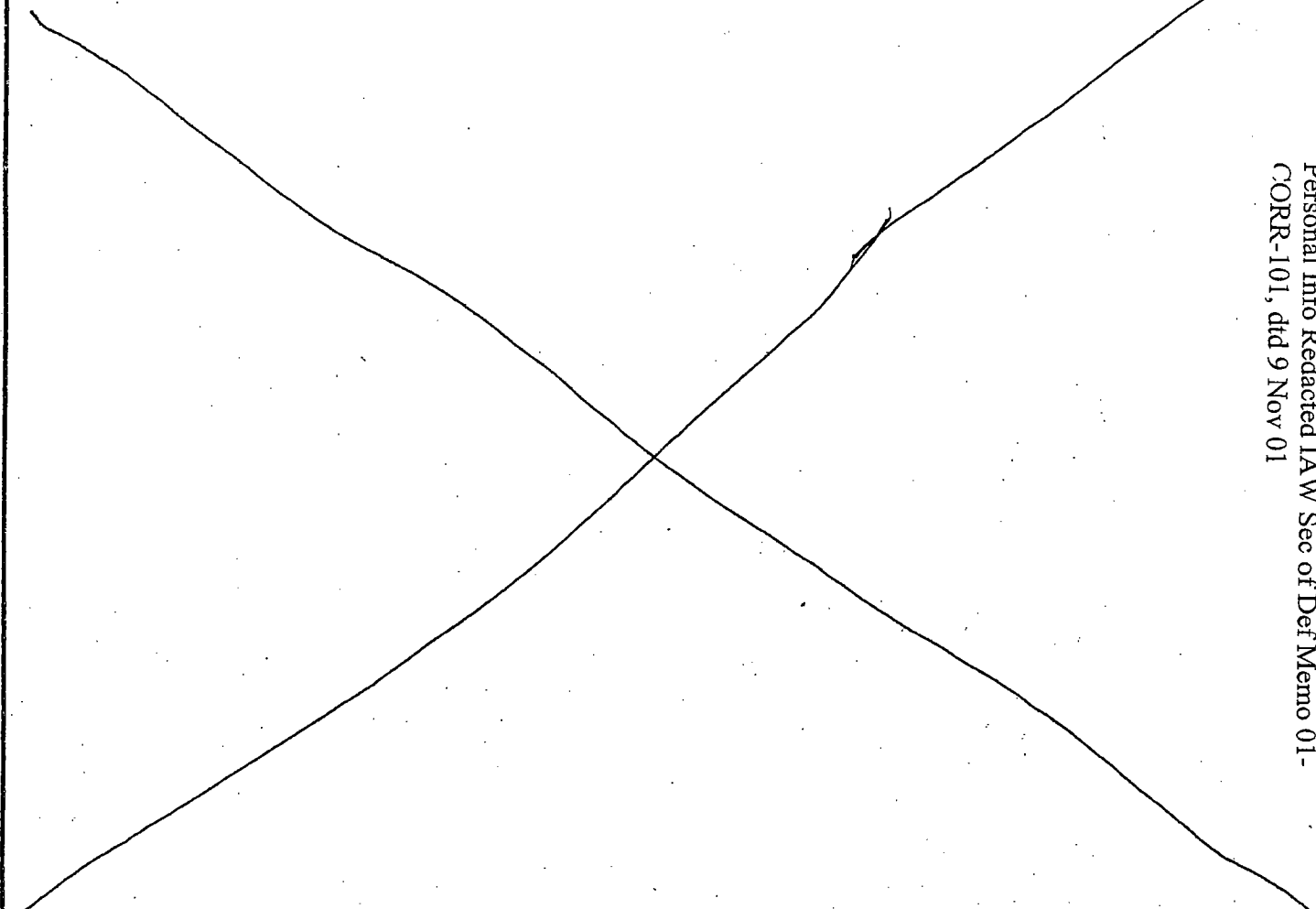
STATEMENT OF \_\_\_\_\_

TAKEN AT \_\_\_\_\_

DATED \_\_\_\_\_

9. STATEMENT (Continued)

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01



AFFIDAVIT

I, \_\_\_\_\_, 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.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
ORG. \_\_\_\_\_

b6-2

\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS \_\_\_\_\_

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31<sup>st</sup> day of July, 2003 at Camp Harbano, Baghdad, Iraq

b6-4

b6-2

(Typed Name of Person Administering Oath)

15-6  
(Authority To Administer Oaths)

001890

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 66-4	6. SSN [REDACTED]	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Did not see or do not know anything that happen

nothing follows

10. EXHIBIT N	11. INITIALS OF PERSON MAKING STATEMENT 66-4	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ 001891

PERSONAL INFO REDACTED IAW SEC 01 USC 11211U U1-  
CORR-101, dtd 9 Nov 01

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

*[Faint, mostly illegible handwritten text, possibly a statement or notes.]*

*[Faint, mostly illegible handwritten text, possibly a signature or date.]*

AFFIDAVIT

bb-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:

bb-2

bb-4  
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3rd day of July, 2003 at Camp Marshall, Berkeley, Ind.

bb-2

(Typed Name of Person Administering Oath)

15-6  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 001892 OF 1892 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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Marlboro, Baghdad, Iraq
2. DATE (YYYYMMDD): 20030801
3. TIME: 1119
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: 66-4
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS:

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

During July 3rd 2003 we receive a mission to go buy sodas for the 4th of July events, the truck that were chosen to go where 21, 22, 23 and 27. We got to the soda place and bought them then we returned back to camp on the way back we were told to police up the looters by Camp Marlboro we caught one and brought him back to the gate at the time 66-4 asked if we were to turn him in to the emoc somebody said to take him to the warehouse so we drove to the warehouse at the time I saw 51st signal playing volleyball and told [REDACTED] 66-4 he said to go ask for next game and come back to download sodas as soon as we stopped we got to the warehouse and parked I then went to the volleyball court and asked for next game and returned to download sodas when I came back the looter we caught was sitting down by the wall in between 26 and 22. We finished downloading sodas and we went to wait for the next game. During our play in the second

10. EXHIBIT: 0
11. INITIALS OF PERSON MAKING STATEMENT: 66-4
PAGE 1 OF 2 PAGES

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

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

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

STATEMENT OF

[REDACTED]

664

TAKEN AT

Camp Marlboro

DATED

1 Aug 2003

9. STATEMENT (Continued)

66-4 came and asked if any sodas fell off the truck because there was a bunch of sodas missing. I said no and told him to count them again 2 minutes later. I told me to go and count them so I went to the rear of the warehouse and on the way in 66-4 told me we were good. it was a misscount I partially counted them and started to head out to play again on the way out I heard the Iraqi scream I then looked and caught a glance of our medic pouring water on him I left and started to play again. There was another incident that involved 2 naked guys. We had a mission with I can't fully remember what it was but it was a bullshit mission on our way back to camp we heard over the radio platoon next to go get some looters so we decided to go after them the truck I was in (23) we didn't get nobody because our driver was inexperienced when there were no loote left we followed the rest of the trucks (-27, 22) to son shack our truck wanted and everyone else dismounted some to smoke and others to do whatever they did. Well as we waited an Iraqi runed passed us naked I started laughing and 66-4 did to about 5 min later another Iraqi stated running naked passed our truck again and thats all I saw and know about that incident.

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

001894

STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued)

Personal Info Redacted IAW Sec of Def Memo 01-  
CORR-101, dtd 9 Nov 01

**AFFIDAVIT**  
I, [REDACTED] **bb-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.

**bb-4**  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15<sup>th</sup> day of August 2003 at Camp Marlboro, Breckinridge Stg.

[REDACTED]  
[REDACTED]  
[REDACTED] **bb-2**

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
[REDACTED]  
[REDACTED] **bb-2**  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
15-6  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED] **bb-4**

PAGE OF PAGES

001895

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 identified.

ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION CAMP MARLBORO BAGHDAD, IRAQ	2. DATE (YYYYMMDD) 01 AUG 2003	3. TIME 12:22	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME bb-4	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON THE THIRD OF JULY, THE SUPPOSIVE TIME A CERTAIN INCIDENT MAY HAVE HAPPENED, I WAS ON MY WAY TO THE BAY, TO CHECK A BUSTED HUB SEAL AND A CLASS TWO TRANSFER LEAK. AFTER WAITING AN HOUR - HOUR 3 1/2 I WAS BROUGHT INTO A SLOT IN THE BAY WHERE I WAS TURNED AWAY, AFTER RETURNING FROM THE BAY I HAVE AN OBSTACLE OF 100 CASES OF SPAS IN MY WAY SO THAT I CAN PARK MY VECTOR IN THE DESIGNATED SPOT. SOME TIME AFTER THE 4TH OF JULY, ACTUAL DATE, I DONT RECALL, MY PLATOON CAME IN CONTACT AND 27D CAME OVER COUGAR NET AND SAID THE WERE SHOT AT AND RETURNED FIRE. 22 CAME ON GAVE AN EXPLANATION OF THE SHOOTING AND A GRID POINT. LATER THAT DAY SAPPER 6 TALKED TO THE MEN INVOLVED, ONE-ON-ONE, THEN THE WHOLE PLATOON ABOUT NOT BEATING IRAQI AND TO JUST TAKE THEM TO THE C-MOCK; BUT ABOUT THE SHOOTING HE WAS PLEASED NOONE WAS HURT AND WE DETAINED THE SHOOTER.

CORR-101, did 9 Nov 01

10. EXHIBIT

P

11. INITIALS OF PERSON MAKING STATEMENT

bb-4

PAGE 1 OF

1

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT

DATED

001896

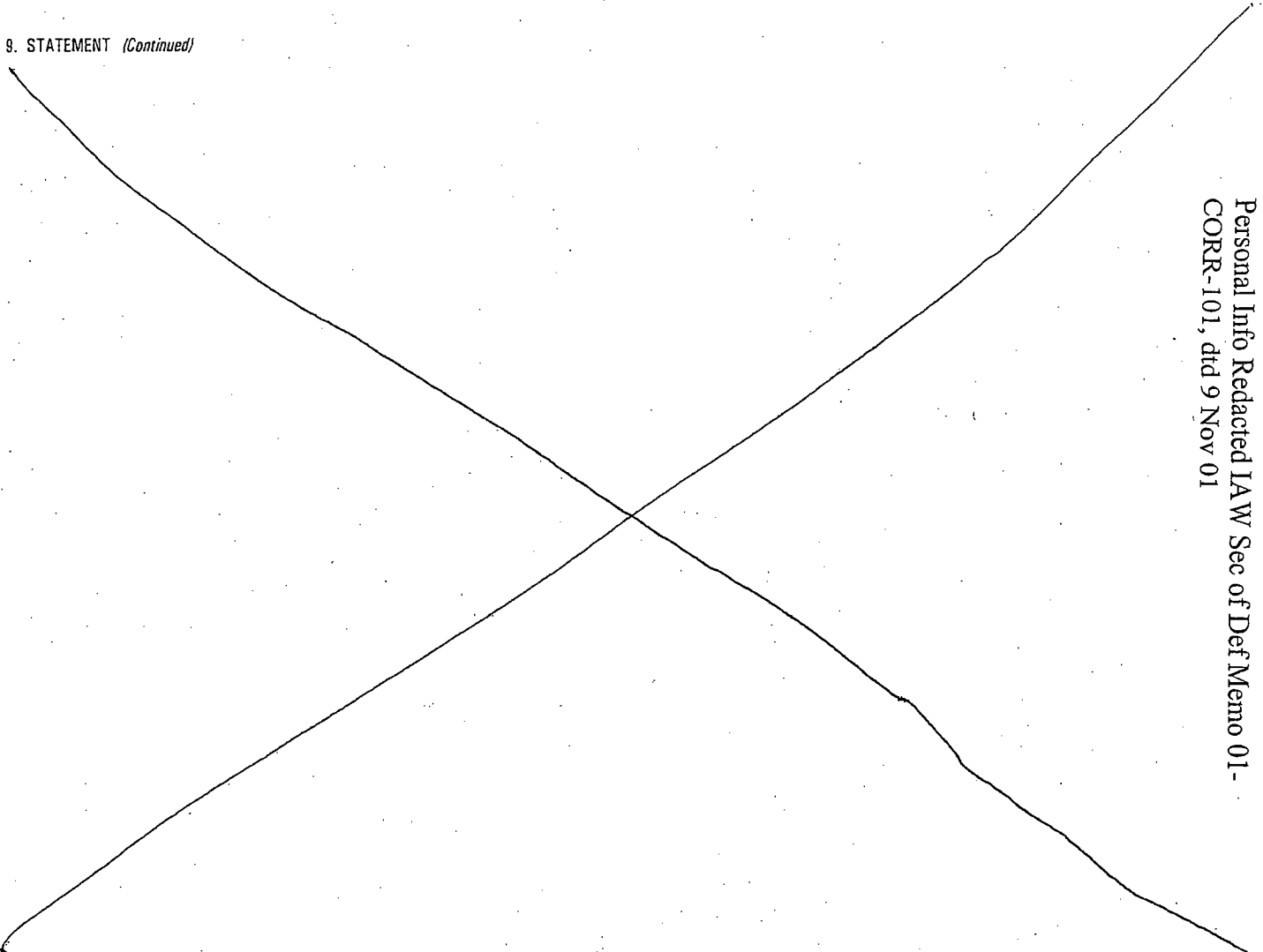
STATEMENT OF \_\_\_\_\_

TAKEN AT \_\_\_\_\_

DATED \_\_\_\_\_

9. STATEMENT (Continued)

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01



AFFIDAVIT

I, \_\_\_\_\_, 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.

\_\_\_\_\_  
(Signature of Person Making Statement) *bb-4*

WITNESSES:

\_\_\_\_\_  
*bb-2*  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1<sup>st</sup> day of August, 2003 at Camp Marlboro, Baghdad Iraq

\_\_\_\_\_  
*bb-2*  
(Signature of Person Administering Oath)

\_\_\_\_\_  
(Typed Name of Person Administering Oath)  
*ISC*  
(Authority To Administer Oaths)

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Marlboro, Baghdad, Iraq
2. DATE (YYYYMMDD): 20030801
3. TIME: 1346
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: bb-4
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

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

As far as mistreatment of Iraqi civilians, all I've seen is discomfort and embarrassment. On two separate occasions an Iraqi had been stripped and then released for with no clothes as punishment for stealing from 2/2 ACR's scrap yard. Also an Iraqi detainee picked up for the same offense was brought to the sapper AO by 23 and detained for 20 minutes, sat against a wall flexed cuffed with a sandbag over his head and then brought to the CDOC. I was not in sight of him for the whole time but I didn't see any mistreatment while I did see him. Regarding the shooting of an armed Iraqi civilian, we stopped because a large amount of wire stored in a truck. An Iraqi in the crowd pushed bb-4 so he was detained. Another Iraqi armed with an AK-47 was shot multiple times. I did see if she fired or not. She was then taken to medics at camp Marlboro and treated. She survived.

10. EXHIBIT: Q
11. INITIALS OF PERSON MAKING STATEMENT: bb-4
PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"
TAKEN AT DATED 001898

CORR-101, dtd 9 Nov 01

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

*[The main body of the statement is crossed out with a large handwritten 'X']*

AFFIDAVIT

I, bb-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.

bb-4  
*(Signature of Person Making Statement)*

WITNESSES:

bb-2  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

[Redacted]  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1 day of August 2003 at Camp Marshall, Baghdad Iraq

bb-2  
*(Signature of Person Administering Oath)*

[Redacted]  
*(Typed Name of Person Administering Oath)*  
15-6  
*(Authority To Administer Oaths)*

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

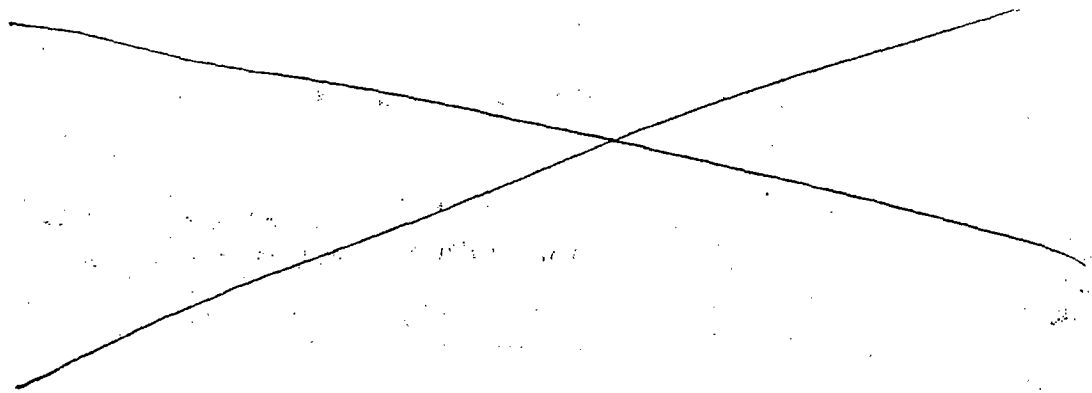
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
ROUTINE USES: Your social security number is used as an additional/alternate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

1. LOCATION <i>Camp Marlboro</i>	2. DATE (YYYYMMDD) <i>2003 08 01</i>	3. TIME <i>1530</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME <i>bb-4</i>	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9. \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The day we arrived to our AO with an Iraqi, I was downloading the trailer of sodas. I saw people take an Iraqi out of 27 and sit him against a wall. I then went to go and eat in the chow hall, when I returned, they were putting the Iraqi back into 27 and the vehicle then left our AO.

One day I was gunning on the .50 cal of EN22. We arrived at a building behind our compound that I had never been to before. I stepped down into the back of 22 for a moment to drink some water and load my M-16. When I stepped back up to the .50 cal, I noticed a naked Iraqi run by the vehicle. I took a double take and then we left the area and returned to Camp Marlboro.



10. EXHIBIT <i>R</i>	11. INITIALS OF PERSON MAKING STATEMENT <i>bb-4</i>	PAGE 1 OF <i>1</i> 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

CORR-101, dtd 9 Nov 01



STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

*[The main body of the statement is crossed out with a large 'X' and contains faint, illegible text.]*

FD-302 (Rev. 11-27-2000) **CORR-101, dtd 9 Nov 01**

**AFFIDAVIT**

I, bb-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.

bb-4  
(Signature of Person Making Statement)

WITNESSES:

bb-2  
[Redacted]

ORGANIZATION OR ADDRESS

[Redacted]

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1<sup>st</sup> day of August, 2003

at Camp Marlboro, Baghelal, India

bb-2  
(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

IS-6  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT

1514 hrs  
1 AUG 03

In the month of June 2003, 21, 22, and 23 went to a designated spot behind Camp Markoso to drop off and download a trailer full of stolen wire that we picked up in a neighborhood. When we arrived at the sight, there were about 10 looters that started running. I dismounted and chased the looters with [redacted], [redacted], and [redacted]. The looters were running away about 200 meters ahead of us. While chasing after them, [redacted] raised his weapon toward the looters and fired a shot in their direction. [redacted] claimed it was a "warning shot". [redacted] Nothing follows.

b6-4

x  
b6-4

[redacted]

x  
b6-4

[redacted]

b6-2

1 August 2003  
[redacted]

Investigator.

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: CAMP MARLBORO, BAGHDAD, IRAQ
2. DATE (YYYYMMDD): 2003/08/01
3. TIME: 1554
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In mid June 2003, my platoon was on a mission to retrieve copper wire and drop it off in the rear fields of Camp Marlboro. The squads that were with me were ENG22, ENG23, & my truck of ENG27. We were heading back from picking up wire when we found some looters in the back field of Camp Marlboro. We ended detaining one looter. We took the looter to the CMOC.
bb-5; (Bulldog 6) said that we should take the looter and drive around a while, scare him, beat him up, or whatever that we wanted to do. So, we took the looter to a empty building in the rear field of Camp Marlboro. Myself, bb-5, took the detainee inside the building yelled and screamed at him then I had to make a decision of what I should do next. I heard that a looter was shot and killed earlier this month and the guys who shot him was not punished. I didn't want to kill him so I decided that I needed to teach him a lesson. So, I told bb-5 to strip the man and make him run home and hopefully he would incur some embarassment but at least he would be alive. We had another incident to where we detained two looters in the rear field of Camp Marlboro and instead of taking to CMOC we took them to the same building and then Myself, bb-5, had the two guys take their clothes off and run home.
On the 3rd of July my platoon was tasked to pick up sodas for the SQDN Fourth of July party. On our way back to Camp Marlboro we were told to help pick up looters in the rear field. We ended up catching one looter. ENG23 actually caught the looter. ENG23 ended up bringing the detainee back to our AO. I spoke with bb-4 and told bb-4 to watch the guy. ENG22 had a flat tire so they were fixing the tire during this time. I told the platoon to go to chow. bb-5 had bounced a soccerball of the head of the detainee. S bb-4 chewed him out then told me and I again chewed him out. We took the detainee to the CMOC. I told the Squad Leaders that we are going to tone this stuff down. Two weeks later we had another incident that we shot an Iraqi woman because she had fired numerous rounds with an AK-47. We returned fire on the woman. She received four to five gunshot wounds to the chest. We applied first aid and took her to the Camps Aid Station. bb-7 and spoke to the Platoon that afternoon about how we had followed the ROE and did a good job.
reson I made looters strip is, I didn't want to shoot them and agreed with orders take them back and beat the fuck out of them out ROE at the time we could shoot the looters, I didn't want to shoot or kill unarmed looters. or just let them go, and they can come back and get killed by Bulldog elements.

CORR-101, did 9 Nov 01

10. EXHIBIT: 1
11. INITIALS OF PERSON MAKING STATEMENT: bb-5
PAGE 1 OF 1 PAGES

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

001903

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[Large area crossed out with a large X]

Personal Intro Redacted IAW Sec of Def Memo 01 -  
CORR-101, dtd 9 Nov 01

AFFIDAVIT

I, \_\_\_\_\_, 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.

\_\_\_\_\_  
(Signature of Person Making Statement)

bb-4

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

bb-2

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3<sup>rd</sup> day of August, 2003 at Camp Marlboro, Buchelund, Iraq

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

156  
(Authority To Administer Oaths)

bb-2

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  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION CAMP MARLBORO, BAGHDAD, IRAQ	2. DATE (YYYYMMDD) 2003/08/01	3. TIME 1700	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME <i>bb-5</i>	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

9. \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During Operation Scorpion we had finished picking up wire in Eagle's sector. We were headed back to Cmp to drop off the wire when we saw looters in the rear field behind Camp Marlboro. We chased them down and picked up a total of 7 detainees. We had them download the wire from the back of the trailers and then took them to the CMOC. We were out on mission again and caught one looter stealing the copper wire. We took him to the CMOC to turn him in when *bb-5* was told by Bulldog 6 to take him out and beat him or do whatever you want to with him. So, we took this guy to a building in field behind the camp. *bb-5* old *bb-5* to strip the detainee of his clothes. *bb-5* followed his orders. Then we released the detainee to go home. So he ran outside and went home. We had another incident a few days later to where we detained two looters. We took them to the building again and stripped them of their clothes and made them run home. In both incidents myself were in the building. On the 3rd of July we had to go get sodas for the 4th of July party for SQDN. On our way back we checked the field for looters. There were looters in the back field so we tried to catch them. While trying to catch these looters my truck got a flat tire. So we went back to Camp Marlboro and I told my guys to get the tire fixed. When we got back ENG23 came into our AO with a detainee in the back of the truck. I wasn't around much after that because I wanted to get the tire on my truck fixed. After the tire got changed ENG27 took the detainee up to CMOC.

10. EXHIBIT <i>u</i>	11. INITIALS IF PERSON MAKING STATEMENT <i>bb-5</i>	PAGE 1 OF <u>1</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

CORR-101, dtd 9 Nov 01

001905

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[Large area crossed out with a large X]

Personal Info Redacted IAW Sec of Def Memo 01-  
CORR-101, dtd 9 Nov 01

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.

[Redacted signature] b65  
(Signature of Person Making Statement)

WITNESSES:

[Redacted witness name] b6-2  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

[Redacted witness name]  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3<sup>rd</sup> day of August, 2003 at Camp Harbors, England, Italy

[Redacted signature]  
(Signature of Person Administering Oath)

[Redacted name] b6-2  
\_\_\_\_\_  
(Typed Name of Person Administering Oath)

IS-6  
(Authority To Administer Oaths)

001906

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

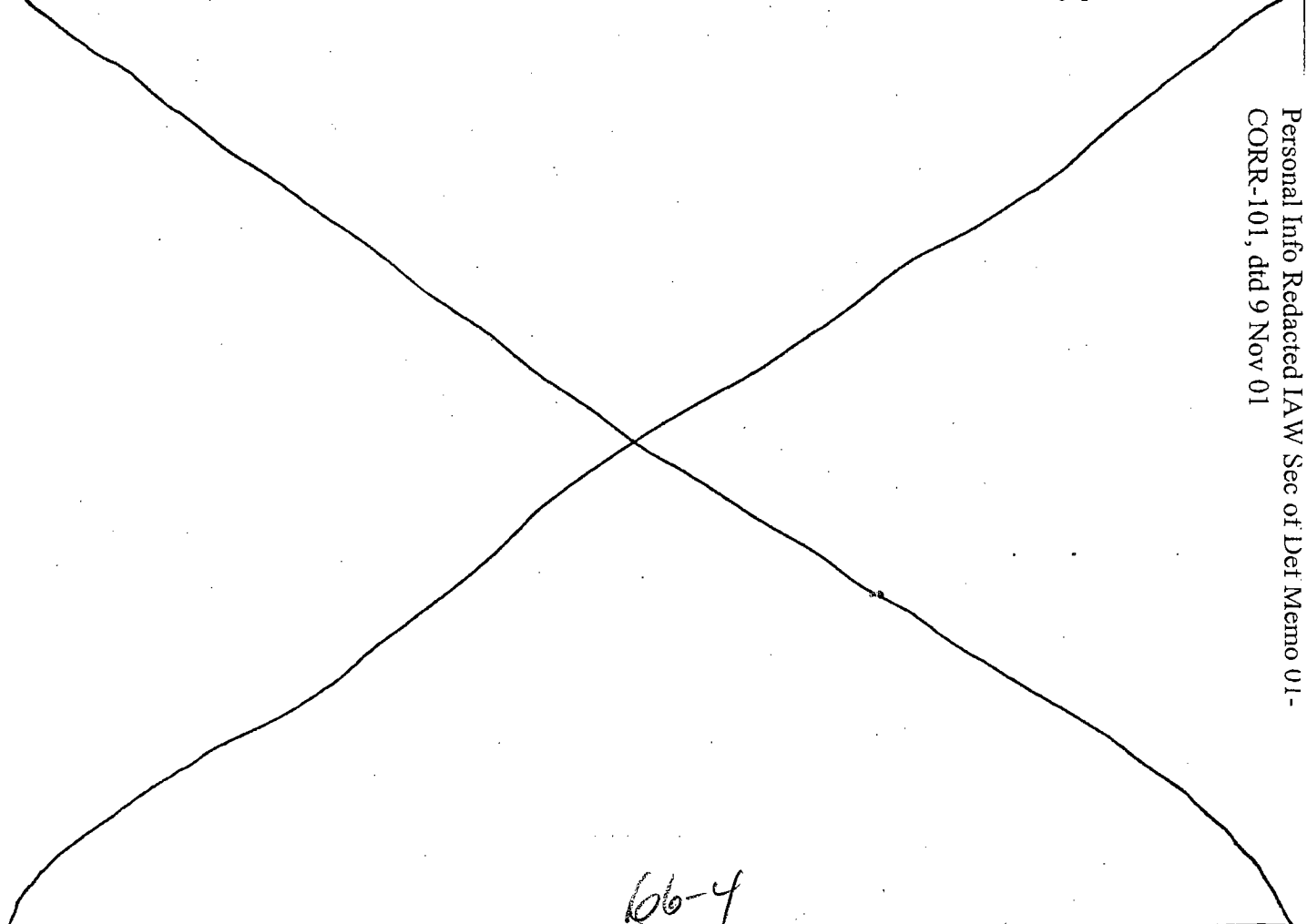
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate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

1. LOCATION: Camp Marlboro, Baghdad
2. DATE (YYYYMMDD): 20030808
3. TIME: 1942
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

9. [Redacted] b6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I have not, or have not witness any Iraqi detainees get shocked, Slapped, punched, kicked or beaten. - NOTHING FOLLOWS



10. EXHIBIT: V
11. INITIALS OF PERSON MAKING STATEMENT: [Redacted]
PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"
TAKEN AT DATED 001907

Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01

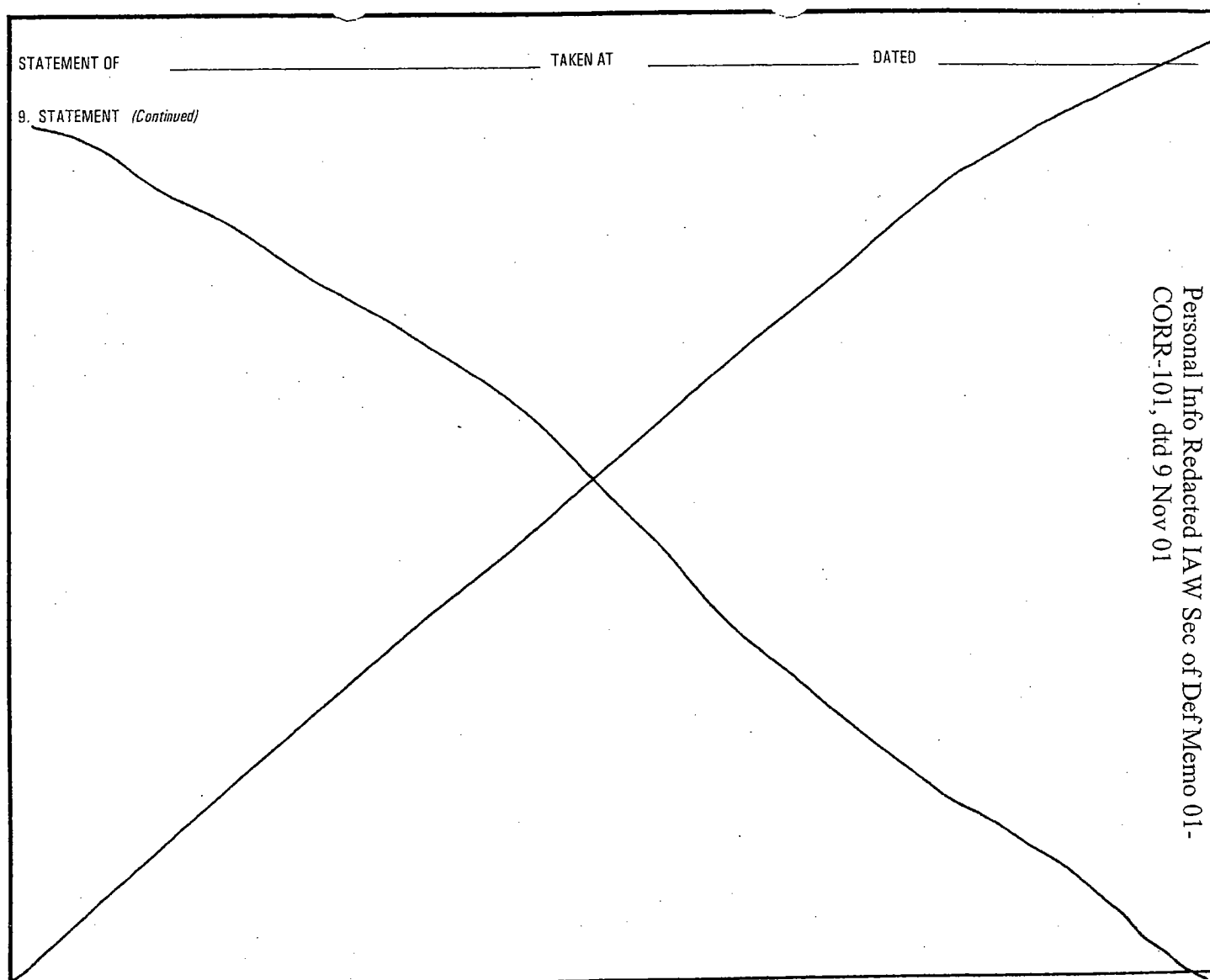
STATEMENT OF \_\_\_\_\_

TAKEN AT \_\_\_\_\_

DATED \_\_\_\_\_

9. STATEMENT (Continued)

Personal Info Redacted IAW Sec of Def Memo 01-  
CORR-101, dtd 9 Nov 01



AFFIDAVIT

*b6-4*  
I, \_\_\_\_\_, 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:

*b6-2*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8<sup>th</sup> day of August, 2003 at Camp Mearlboro, Baghdad, Iraq

*b6-2*  
\_\_\_\_\_  
(Signature of Person Administering Oath)

*b6-2*  
\_\_\_\_\_  
(Typed Name of Person Administering Oath)  
IS-C  
(Authority To Administer Oaths)



SWORN STATEMENT

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

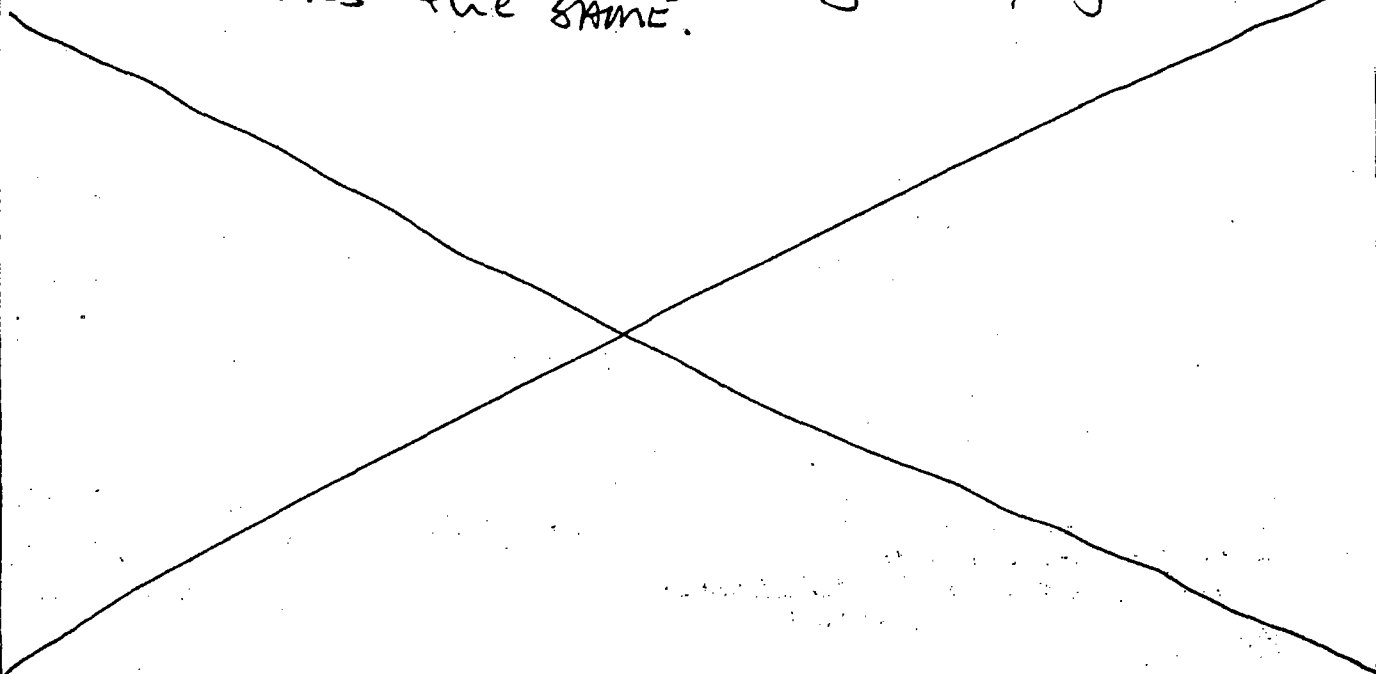
PRIVACY ACT STATEMENT

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 Camp Marlboro	2. DATE (YYYYMMDD) 20030608	3. TIME 1700	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME bb-7	6. SSN	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS			

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

NO I DID NOT USE m34 TO Shock a IRAQI person.  
 NO I DID NOT HIT, kick, or punch a Israeli person.  
 NO ONE CAME TO ME TO MAKE THE STORIES THE SAME.  
 NO I am NOT Aware of anyone Trying to make THERE stories the SAME.



10. EXHIBIT X	INITIALS OF PERSON MAKING STATEMENT [REDACTED] bb-7	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 001909

1. (UNCLASSIFIED) INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 01/20/19 BY 60321 UCBAW/STW/STW

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

AFFIDAVIT

\_\_\_\_\_, 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.

bb-4  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8<sup>th</sup> day of August, 2003 at Camp Harbors, Baghdad, Iraq

bb-2  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

bb-2  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

15-X  
(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  
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 <i>Camp MacDora Baghdad Iraq</i>	2. DATE (YYYYMMDD) <i>20030808</i>	3. TIME <i>1105</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN <i>b6-4</i>	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS [REDACTED]			
9. [REDACTED]			

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

*In my last statement I wrote that I saw [REDACTED] Shokha Iraqi. I am reconfirming this in this statement. b6-5*

*I did not see any person or persons walk to the back of the Warehouse. I heard rumors that the Iraqi was being abused.*

*This morning around 0930 [REDACTED] b6-5 came to me and asked me what I was going to say and said we all need to have the same story.*

10. EXHIBIT

*W*

11. INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

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

Personal Info Redacted LA W DEC 01 10:11 AM '01  
CORR-101, dtd 9 Nov 01

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

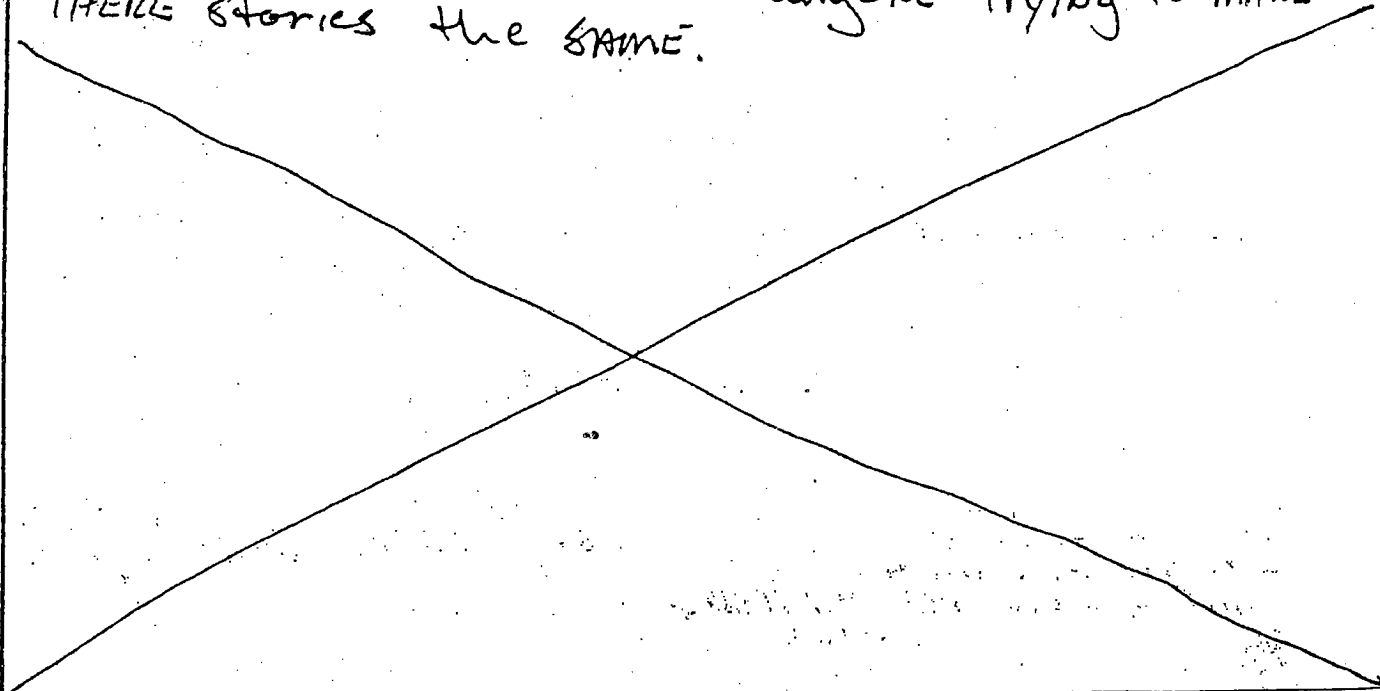
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PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Marlboro	2. DATE (YYYYMMDD) 20030808	3. TIME 1700	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME bb-4	6. SSN	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS

9. I, bb-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

NO I DID NOT USE m34 TO Shock a IRAQI person.  
 NO I DID NOT HIT, kick, or punch a Iraqi person.  
 NO ONE CAME TO ME TO MAKE THE STORIES THE SAME.  
 NO I am NOT Aware of anyone Trying to make THESE stories the SAME.



10. EXHIBIT X	11. INITIALS OF PERSON MAKING STATEMENT bb-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 BE INDICATED.

001912

CORR-101, dtd 9 Nov 01

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[Redacted area with large X]

AFFIDAVIT

I, bb-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.

bb-4  
(Signature of Person Making Statement)

WITNESSES:

bb-2

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8<sup>th</sup> day of August, 2003 at Camp Mather, Baghdad, Iraq

bb-2  
(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

15-10  
(Authority To Administer Oaths)

ORGANIZATION \_\_\_\_\_

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: Camp Marlboro
2. DATE (YYYYMMDD): 20030808
3. TIME: 1135
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: 66-4
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS:
9.

I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I saw [REDACTED] I shock an Iraqi with a blasting machine. I saw [REDACTED] and [REDACTED] put their foot in the chest of an Iraqi. I know that the PSG and [REDACTED]

[REDACTED] go off to the PSGs bunk and talk amongst themselves. The PSG has taken the Emir off to the side and talked to them about [REDACTED] and whats going on now. One of my soldiers brought to my attention that the PSG and [REDACTED] were trying to find out if I had done anything. One the first incident I discussed before in my first sworn statements I fired a warning shot at the ground to try and get the Iraqis to stop.

10. EXHIBIT: Y
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 1 PAGES

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

001914

CORR-101, dtd 9 Nov 01

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 <i>Camp Mubaraq Baghdad Iraq</i>	2. DATE (YYYYMMDD) <i>2003 08 09</i>	3. TIME <i>1240</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN <i>bb-4</i>	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS <i>bb-4</i>			
9. [REDACTED]			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The platoon picked up a few detainees. We then went to the back of the camp where we scared them and then *bb-5* told ~~the~~ [REDACTED] to strip them.

Another incident was at the AO where a detainee was brought. I didn't see anyone beat him, but scared him.

There was no collaboration of stories for this investigation.

10. EXHIBIT <i>Z</i>	11. SIGNATURE OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>1</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

001915

CORR-101, did 9 Nov 01

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Marlboro, Baghdad, Iraq
2. DATE (YYYYMMDD): 20030808
3. TIME: 13:10
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: b6-4
6. SSN:
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS:

9. b6-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In the morning of a day which I can not recollect, but do know that it was prior to the Fourth of July, three trucks (22, 23, 27) from the 2nd Platoon 84th ENG CO went on a mission to pick up sodas for the Squadron Fourth of July festivities. I myself was riding on the back of 27 as rear security. When returning from the mission, one of our trucks spotted looters on the eastern side of RTE AEROS. We then began to chase the looters out into open fields, but after fifteen minutes of chasing, decided to head back to Camp Marlboro. Upon returning to the camp, 23 called 27 on the net and asked him, b6-5 what he should do with his detainee. Until we were inside the gates, 27 had negative knowledge of any detainees. What b6-5 orders to 23 were are unclear. Once we returned to the warehouse, I dismounted from the back of 27 and went to my cot to lay down. A few minutes later, I got up and went back to where the trucks were parked so that I could get some water out of 21. When I got to the back of the warehouse, I heard a commotion.

b6-5 and several other members of my platoon which I can not remember were hitting, kicking, and tearing at the clothes of the Iraqi detainee. My feelings at the time were excitement. I went to my bunk to get a camera, but when I returned, I took the camera. I turned and went to my truck, 21, to get the water which I had initially gone to the back for.

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CORR-101, dtd 9 Nov 01

10. EXHIBIT: AA
11. INITIALS OF PERSON MAKING STATEMENT: b6-4
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"



STATEMENT OF

b6-4

EN AT

Camp Marlboro

DATED

8-8-03

## 9. STATEMENT (Continued)

I then decided to go back to where the detainee was. b6-5 was alone with the detainee. ~~He~~ He coaxed me into coming over and hitting the detainee. I went over and thumped the detainee on the head very lightly, which made b6-5 laugh and call me a pussy. I can't begin to express how bad I felt for only that. That is when I went back to my cot for good. Roughly fifteen minutes later, 27 called for 21 and 23 to come and escort him to the open area behind Camp Marlboro. We escorted 27 and the detainee out to an abandoned building where the detainee would be stripped and later released. I myself was driving 21 at the time, and when we arrived at the building, I exited the truck and pulled security. I do not know who made the call to strip the detainee, but I do know that b6-5 and b6-5 were in the building with the detainee. If there was someone else in the building, it is not to my knowledge. Once the detainee was released, we all went back to the warehouse.

On another occasion, which occurred several weeks after the first incident, three trucks (21, 22, 27) left camp Marlboro to explode several UXOs at the Dragon ASP. When returning from the ASP, one of our trucks again sighted a couple of looters. We then began to chase them. The looters managed to escape safely, but b6-5 decided to stop and investigate further. At the time, I was driving 21, and upon stopping I got out and pulled security. Several minutes later, I walked to the back of my truck and witnessed, b6-5 destroying a truck. They were breaking the windshield and mirrors, slashing the tires, and ripping wires out from under the hood. At the time, I had no idea why

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

b6-4

STATEMENT OF [REDACTED] TAKEN AT Camp Marlboro DATED 8-8-03

9. STATEMENT (Continued)

they were doing this. My thoughts were that they had lost their minds. Several minutes later, we mounted back on to our trucks and drove across the street. Again [REDACTED] and [REDACTED] b6-5 dismantled to further investigate the stolen wire. I again pulled security for 21. [REDACTED] and b6-5 went to a nearby home and took from the owner a cooler and a burlap tarp of some sort. They then came to my truck and took my 5 gal. can of fuel, which they used to burn the cooler and the bag. It wasn't until we had returned to the warehouse at Camp Marlboro that I ~~was~~ was informed as to why they had done these seemingly uncivil acts. Apparently, the truck which they had destroyed was carrying wire in the back, The cooler contained fuel which the thieves used to burn the wire, and the tarp is what the thieves used to hide the wire. After this incident, no other incidents took place to my knowledge.

CORR-101, did 9 Nov 01

AFFIDAVIT

I, [REDACTED] b6-4, 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.

[REDACTED] b6-4  
 (Signature of Person Making Statement)

WITNESSES: [REDACTED]  
 b6-2

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8<sup>th</sup> day of August, 2003 at (Camp Marlboro) 663rd Signal Group

[REDACTED]  
 (Signature of Person Administering Oath) b6-2  
 [REDACTED]  
 (Typed Name of Person Administering Oath)  
15-6  
 (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

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

(b)(3)  
(b)(6)

See Notes on Reverse Before Completing Form

NAME [REDACTED]	GRADE [REDACTED]	SSN [REDACTED]	UNIT [REDACTED]	PAY (Basic & Sea/Foreign) \$1,356.90
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct: <sup>1/</sup>  
 In that you, did, at or near Baghdad, Iraq, on or about 21 June 2003, unlawfully strike [REDACTED] in the face with your hand. This is in violation of Article 128, UCMJ.

2. You are not required to make any statements, but if you do, they may be used against you in this proceeding or at a trial by court-martial. You have several rights under this Article 15 proceeding. First I want you to understand that I have not yet made a decision whether or not you will be punished. I will not impose any punishment unless I am convinced beyond a reasonable doubt that you committed the offense(s). You may ordinarily have an open hearing before me. You may request a person to speak on your behalf. You may present witnesses or other evidence to show why you shouldn't be punished at all (matters of defense) or why punishment should be very light (matters of extenuation and mitigation). I will consider everything you present before deciding whether I will impose punishment or the type and amount of punishment I will impose. <sup>2/</sup> If you do not want me to dispose of this report of misconduct under Article 15, you have the right to demand trial by court-martial instead. <sup>3/</sup> In deciding what you want to do you have the right to consult with legal counsel located at M, W, F 0900-1230 & 1400-1730 hours, TDS, Baghdad International Airport. You now have 48 hours to decide what you want to do. <sup>4/</sup>

DATE 21 OCT 03	NAME, GRADE, AND ORGANIZATION OF COMMANDER [REDACTED] ATUR
-------------------	---------------------------------------------------------------

3. Having been afforded the opportunity to consult with counsel, my decision are as follows: (Initial appropriate blocks, date, and sign)  
 a.  I demand trial by court-martial.  
 b.  I do not demand trial by court-martial and in the Article 15 proceedings:  
 (1) I request the hearing be  Open  Closed. (2) A person to speak in my behalf  Is  Is not requested.  
 (3) Matters in defense, mitigation, and/or extenuation:  Are not presented  Will be presented in person.  Are attached.

DATE 21 OCT 03	NAME AND GRADE OF SERVICE MEMBER [REDACTED]	SIGNATURE [REDACTED]
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4. In a(n)  Open  Closed hearing <sup>5/</sup> all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: <sup>6/</sup> Reduction to Private (E1); forfeiture of \$575.00 pay per month for two months, suspended, to be automatically remitted if not vacated before 29 April 2004,

5. I direct the original DA Form 2627 be filed in the  Performance fiche  Restricted fiche of the OMPF. <sup>7/</sup>  
 6. You are advised of your right to appeal to the Cdr, 1<sup>st</sup> AD within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER [REDACTED]
------	----------------------------------------------------------

7. (Initial appropriate block, date, and sign)  
 a.  I do not appeal b.  I appeal and do not submit additional matters <sup>8/9/</sup> c.  I appeal and submit additional matters <sup>8/9/</sup>

DATE 28 OCT 2003	NAME AND GRADE OF SERVICE MEMBER [REDACTED]	SIGNATURE [REDACTED]
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8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGE ADVOCATE	SIGNATURE
------	----------------------------------	-----------

9. After consideration of all matters presented in appeal, the appeal is:  
 Denied  Granted as follows: <sup>10/</sup>

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
------	--------------------------------------------	-----------

10. I have seen the action taken on my appeal.	DATE	SIGNATURE OF SERVICE MEMBER
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11. ALLIED DOCUMENTS AND/OR COMMENTS <sup>11/ 12/ 13/</sup> AS/M  
 CID Report with sworn statements and rights advisements(81), DA Form 268, and ERB.

DEPARTMENT OF THE ARMY  
HEADQUARTERS  
3<sup>RD</sup> BRIGADE, 1<sup>ST</sup> ARMORED DIVISION  
BAGHDAD, IRAQ APO AE 09324

AFZN-BB-CO

DATE: 21 Oct 03

MEMORANDUM OF AGREEMENT

THRU Commander, [REDACTED] APO AE 09324  
Commander, [REDACTED] APO AE 09324

FOR PFC [REDACTED]  
APO AE 09324

SUBJECT: Dismissal of the Court-Martial Charges Preferred on 18 September 2003.

In the case of [REDACTED] the Charges and their Specifications are hereby dismissed with  
prejudice to the Government conditioned on [REDACTED] pleading guilty under the provisions of Article 15 to the  
Charge: Violation of the UCMJ Article 128 and Specification: "In that you did, at or near Baghdad, Iraq, on or about  
21 June 2003, unlawfully strike [REDACTED] in the face with your hand" and further conditioned on [REDACTED]  
[REDACTED] testifying truthfully at all subsequent pretrial investigations and court-martials in the case of [REDACTED]

[REDACTED]  
[REDACTED]  
Commanding

[REDACTED]  
[REDACTED]  
Trial Defense Counsel

[REDACTED]  
[REDACTED]  
USA

001921

## CHARGE SHEET

### I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, Middle Initial) [REDACTED] <span style="float: right;">b6-5</span>		2. SSN [REDACTED]	3. GRADE OR RANK PFC	4. PAY GRADE E3
5. UNIT OR ORGANIZATION [REDACTED] APO AE 09324			6. CURRENT SERVICE	
			a. INITIAL DATE 20020128	b. TERM 3 years
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL		
\$1,356.90	None	\$1,356.90	None	

### II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 93.

THE SPECIFICATION: In that [REDACTED] b6-5 at or near Baghdad, Iraq, on or about 21 June 2003, was cruel toward [REDACTED] a person subject to his orders, by pointing a pistol at [REDACTED] and saying: "Bang!", or words to that effect. b6-4

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 128.

THE SPECIFICATION: In that [REDACTED] b6-5, did, at or near Baghdad, Iraq, on or about 21 June 2003, unlawfully strike [REDACTED] in the face with his hand. b6-4

### III. PREFERRAL

1a. NAME OF ACCUSER (Last, First, Middle Initial) [REDACTED] <span style="float: right;">b6-2</span>	b. GRADE [REDACTED]	c. ORGANIZATION OF ACCUSER [REDACTED]
SIGNATURE OF ACCUSER [REDACTED]		e. DATE (YYYYMMDD) 20030918

**AFFIDAVIT:** Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 18 day of September, 2003, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

[REDACTED]  
Typed Name of Officer

[REDACTED]  
Organization of Officer

[REDACTED]  
Grade

[REDACTED]  
Official Capacity to Administer Oath  
(See R.C.M. 307(b) - must be a commissioned officer)

[REDACTED]  
Signature

66-2 all

12.

On 20 September, 2003, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

\_\_\_\_\_  
Typed Name of Immediate Commander

\_\_\_\_\_  
Organization of Immediate Commander

\_\_\_\_\_  
Signature

**IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY**

13.

The sworn charges were received at 1500 hours, 20 SEPT 2003, at \_\_\_\_\_

\_\_\_\_\_  
Designation of Command or

\_\_\_\_\_  
Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE <sup>1</sup> \_\_\_\_\_

\_\_\_\_\_  
Typed Name of Officer

\_\_\_\_\_  
Official Capacity of Officer Signing

\_\_\_\_\_  
Grade

\_\_\_\_\_  
Signature

**V. REFERRAL; SERVICE OF CHARGES**

4a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE (YYYYMMDD)

Referred for trial to the \_\_\_\_\_ court-martial convened by \_\_\_\_\_

\_\_\_\_\_, subject to the following instructions:<sup>2</sup> \_\_\_\_\_

By \_\_\_\_\_ of \_\_\_\_\_  
Command or Order

\_\_\_\_\_  
Typed Name of Officer

\_\_\_\_\_  
Official Capacity of Officer Signing

\_\_\_\_\_  
Grade

\_\_\_\_\_  
Signature

On \_\_\_\_\_, I (caused to be) served a copy hereof on (each of) the above named accused.

\_\_\_\_\_  
Typed Name of Trial Counsel

\_\_\_\_\_  
Grade or Rank of Trial Counsel

\_\_\_\_\_  
Signature

FOOTNOTES: 1 - When an appropriate commander signs personally, inapplicable words are stricken.

2 - See R.C.M. 601(e) concerning instructions. If none, so state.

001923

# COURT-MARTIAL CHARGES TRANSMITTAL FORM

## PART I

TO: [REDACTED] *b6-2* FROM: [REDACTED] DATE: 20 SEP 03

Court-Martial charges against the following named individual are forwarded as Enclosure 1. Witness statements, any evidence of previous misconduct (to include properly certified DA Forms 2627 and the accused's DA Form 2A and 2-1) are attached as Enclosure 2. Soldier is not pending chapter action UP AR 635-200.

NAME: [REDACTED] RANK: [REDACTED] SSN: [REDACTED] ) *b6-5*

UNIT: [REDACTED]

Recommend:  
 Summary Court-Martial  Special Court-Martial  
 BCD Special Court-Martial  General Court-Martial  
 Other *Field Grade Article 15*

NAME OF COMMANDER [REDACTED] SIGNATURE OF COMMANDER [REDACTED] *b6-2*

## PART II

TO: [REDACTED] FROM: [REDACTED] DATE: 20 SEP 03

I have reviewed the attached charges, documents, and Article 32 (if applicable) and (recommend)(direct):  
 Summary Court-Martial  Special Court-Martial  
 BCD Special Court-Martial  General Court-Martial  
 Other

NAME OF COMMANDER [REDACTED] SIGNATURE OF COMMANDER [REDACTED]

## PART III

TO: [REDACTED] FROM: [REDACTED] DATE:

I have reviewed the attached charges, documents, and Article 32 (if applicable) and (recommend)(direct):  
 Summary Court-Martial  Special Court-Martial  
*with GP and statement*  
 BCD Special Court-Martial  General Court-Martial  
 Other

NAME OF COMMANDER [REDACTED] SIGNATURE OF COMMANDER [REDACTED]

001924

UNITED STATES

vs.

[REDACTED]

b6-5

SERVICE OF DOCUMENTS

O N T D S

Baghdad, Iraq APO AE 09324

1. The following document was served on trial defense service at Fort Riley, KS

Chain of Command transmittals  
Enlisted Records Brief

2. Service was accomplished at 1 Oct 03, 2002.

[REDACTED]

b6-2

Receipt acknowledged

[REDACTED]

b6-5

Signature

001925



UNITED STATES

vs.

SERVICE OF DOCUMENTS

[Redacted] b6-5

ON T D S / ACCUSED

Baghdad, Iraq APO AE 09324

1. The following document was served on trial defense service at Fort Riley, KS

- Preferred Charge sheet
- Chain of Command transmittals
- Enlisted Records Brief
- Adverse Action Flag
- Allied documents

2. Service was accomplished at 23 Sep, 2003.

[Redacted signature area]

Military Paralegal

b6-2

Receipt acknowledged.

[Redacted signature]

Signature

b6-5

*Once this document has been signed by soldier  
return to Brigade Military Justice Cell in Brigade  
TOC.*

001926

UNITED STATES

vs.

SERVICE OF DOCUMENTS

[Redacted]

b6-5

O N T D S

Baghdad, Iraq APO AE 09324

1. The following documents were served on the accused in Baghdad, Iraq

- Preferred Charge sheet
- Chain of Command transmittals
- ~~Enlisted Records Brief~~
- ~~Adverse Action Flag~~
- Allied documents

2. Service was accomplished at \_\_\_\_\_, 2002.

[Redacted signature area]

Military Paralegal

b6-2

Receipt acknowledged.

26 Sep 03

b6-5

[Redacted signature]

Signature

NCOIC Trial Defense Services

I did not receive an ELO or Adverse Action Flag *dfg*

001927

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

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

See Notes on Reverse Before Completing Form

(b)(3)  
(b)(6)  
(b)(7)(c)

NAME ██████████	GRADE ██████████	SSN ██████████	UNIT Baghdad, Iraq APO AE	PAY (Basic & Sea/Foreign) \$1,903.50
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct: <sup>1/</sup>  
 In that you, did, at or near Baghdad, Iraq, on or about 25 October 2003, violate a lawful general order, to wit: paragraph 3.E.(5), FRAGO 383A to OPOD 03-215 (Iron Stability), dated 21 July 2003, by wrongfully slapping, punching, and stomping on detainee's bare feet in your custody. This is in violation of Article 92, UCMJ.

2. You are not required to make any statements, but if you do, they may be used against you in this proceeding or at a trial by court-martial. You have several rights under this Article 15 proceeding. First I want you to understand that I have not yet made a decision whether or not you will be punished. I will not impose any punishment unless I am convinced beyond a reasonable doubt that you committed the offense(s). You may ordinarily have an open hearing before me. You may request a person to speak on your behalf. You may present witnesses or other evidence to show why you shouldn't be punished at all (matters of defense) or why punishment should be very light (matters of extenuation and mitigation). I will consider everything you present before deciding whether I will impose punishment or the type and amount of punishment I will impose. <sup>2/</sup> If you do not want me to dispose of this report of misconduct under Article 15, you have the right to demand trial by court-martial instead. <sup>3/</sup> In deciding what you want to do you have the right to consult with legal counsel located at Baghdad International Airport. You now have 48 hours to decide what you want to do. <sup>4/</sup>

DATE 4 Dec 03	NAME, GRADE, AND ORGANIZATION OF COMMANDER ██████████	SIGNATURE ██████████
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3. Having been afforded the opportunity to consult with counsel, my decision are as follows: (Initial appropriate blocks, date, and sign)

a.  I demand trial by court-martial.

b.  I do not demand trial by court-martial and in the Article 15 proceedings:

(1) I request the hearing be  Open  Closed. (2) A person to speak in my behalf  Is  Is not requested.

(3) Matters in defense, mitigation, and/or extenuation:  Are not presented  Will be presented in person  Are attached.

DATE 29 Dec 03	NAME AND GRADE OF SERVICE MEMBER ██████████	SIGNATURE ██████████
-------------------	------------------------------------------------	-------------------------

4. In a(n)  Open  Closed hearing <sup>5/</sup> all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: <sup>6/</sup>

Found not guilty by battalion commander ██████████

5. I direct the original DA Form 2627 be filed in the  Performance fiche  Restricted fiche of the OMPF. <sup>7/</sup>

6. You are advised of your right to appeal to the Cdr, ██████████ within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE 08 Jan 04	NAME, GRADE, AND ORGANIZATION OF COMMANDER ██████████	SIGNATURE ██████████
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7. (Initial appropriate block, date, and sign)

a.  do not appeal b.  I appeal and do not submit additional matters <sup>8/9/</sup> c.  I appeal and submit additional matters <sup>8/9/</sup>

DATE 08 Jan 04	NAME AND GRADE OF SERVICE MEMBER ██████████	SIGNATURE ██████████
-------------------	------------------------------------------------	-------------------------

8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGE ADVOCATE	SIGNATURE
------	----------------------------------	-----------

9. After consideration of all matters presented in appeal, the appeal is:

Denied  Granted as follows: <sup>10/</sup>

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
------	--------------------------------------------	-----------

10. I have seen the action taken on my appeal.

DATE	SIGNATURE OF SERVICE MEMBER
------	-----------------------------

11. ALLIED DOCUMENTS AND/OR COMMENTS <sup>11/ 12/ 13/</sup>

acts and exhibits from 15-6 Investigation, DA Form 268, ERB

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NOTES

- 1/ Insert a concise statement of each offense in terms stating a specific violation and the Article of the UCMJ (Part IV, MCM). If additional space is needed, use item 11 or continuation sheets as described in note 11 below.
- 2/ Inform the member of the maximum punishment which may be imposed under Article 15.
- 3/ Inform the member that if he or she demands trial, trial could be by SCM, SPCM, or GCM. Additionally, inform the member that he or she may object to trial by SCM and that at SPCM or GCM he or she would be entitled to be represented by qualified military counsel, or by civilian counsel at no expense to the government. If the member is attached to or embarked in a vessel, he or she is not permitted to refuse Article 15 punishment. In such cases, all reference to a demand for trial will be lined out and an appropriate remark will be made in item 11 indicating the official name of the vessel and that the member was attached to or embarked in the vessel at the time punishment was imposed.
- 4/ Give the member copy 5 of this form.
- 5/ Offenses determined not to have been committed will be lined out. If the imposing commander decides not to impose any punishment, the member will be notified and all copies of this form destroyed.
- 6/ Amounts of forfeitures of pay will be rounded off to the next lower whole dollar. If a punishment is suspended, the following statement should be added after to: To be automatically remitted if not vacated before (date). If punishment includes a written admonition or reprimand, it will be attached to this form and listed in item 11.
- 7/ The imposing commander will initial the appropriate block. The OMPF performance fiche is routinely used by MOS/specialty career managers and DA selection boards. The OMPF restricted fiche is not given to MOS/specialty career managers or DA selection boards without approval of the Cdr, MILPERCEN or selection board proponent.
- 8/ If the member appeals, this form and all written evidence considered by the imposing commander will be forwarded to the superior authority.
- 9/ Before acting on an appeal, it must be referred to a judge advocate for advice when the punishment, whether or not suspended, includes reduction or one or more pay grades from the fourth or a higher pay grade, or is in excess of one of the following: 7 days arrest in quarters, 7 days correctional custody, 7 days forfeiture of pay, or 14 days of either extra duties or restriction. (See Article 15e(1) to (7), UCMJ.)
- 10/ The superior authority will initial the appropriate block. If the appeal is granted, the specific relief granted will be stated according to note 12.
- 11/ In this space indicate the number of pages attached as follows: Allied documents on appeal consist of \_\_\_\_\_ pages. Allied documents include all written matters considered by the imposing commander submitted by the member on appeal and the commander's rebuttal, if applicable. If additional space is needed for completion of any item(s), use plain bond headed "Continuation Sheet 1", etc.

Applicable portions of the following format may be used to record action taken on appeal. Appropriate language should be entered in item 11 or, if necessary, on a continuation sheet. Supplementary actions (para 3-38, AR 27-10) will be recorded on DA Form 2627-2.

Suspension, Mitigation, Remission, or Setting Aside

(DATE)

On (date), the punishment(s) of \_\_\_\_\_ imposed on (date of punishment) (was) (were) (suspended and will be automatically remitted if not vacated before (date)) (mitigated to) (set aside, and all rights, privileges, and property affected restored) (by my order) (by order of) (the officer who imposed the punishment) (the successor in command to the imposing commander) (as superior authority).

(Typed name, grade, and organization of commander)

Is/ \_\_\_\_\_

Racial/ethnic identifiers will be placed in Item 11 (Chapter 15, AR 27-10).

verse of DA Form 2627, Aug 84

001929

all away from me, then tried to use his superior body weight to make it difficult for me to guide him into the jail. While doing all this he kept talking in arabic. I couldn't understand what he was saying. I had to push him in order to get him to the jail. I told him to stop talking because he kept talking with the other prisoners. He also kept turning around after I had him face the wall. On the 2nd time I made him face the wall he jerked his shoulder and was turning around to face me. Instinctively I ~~knocked~~ <sup>punched</sup> him ~~the way~~ ~~in the~~ ~~back~~ ~~of~~ ~~his~~ ~~head~~. He was a big guy and I knew I wouldn't hurt him, but I wanted him to stop resisting me. Once he faced me, he cocked his right leg back like he was gonna kick me. The reason I thought that, was because I've had many soldiers kicked by prisoners even after they were flex cuffed so my reaction was to stomp his rear foot and push him into the wall face first. I'm not sure at what point the guard left or came back from getting the zip strips but perhaps we didn't get a chance to see what the prisoners had done to trigger our reaction. The guard said in his statement that I tighten up the prisoners' cuffs, which in fact was the opposite. When

001930

the prisoners complained about the flex cuffs being too tight, I personally loosen them up. I think the guard ~~was~~ misunderstood the situation and made his own assumptions which later on he wrote on a sworn statement. I read the medical report in ~~which~~ which it says that no bruises were found, so how can this be evidence of a beating that supposedly took place for ~~about~~ an hour when in fact we were only there for about 8-10 minutes max.

001931



DEPARTMENT OF THE ARMY

HEADQUARTERS, [REDACTED]

BAGHDAD, IRAQ APO-AE 09324

REPLY TO:  
ATTENTION OF

[REDACTED]

8 January 2004

MEMORANDUM FOR Record

SUBJECT: Field Grade Article 15 for [REDACTED]

b6-5

1. The following factors were considered during the Article 15 proceedings. These factors were not part of the original investigation that initiated the proceedings:

a. Statement submitted by [REDACTED] The statement indicated the following:

(1) Admission of punching the detainee and stomping his feet.

(2) Explanation of the use of force - [REDACTED] was threatened by the actions of the detainee he was attempting to escort. Specifically, the detainee was physically resisting his movement to the holding facility. The detainee was much larger than [REDACTED]. The detainee violently jerked his shoulder to resist direction and was turning to face, resist, and possibly attack [REDACTED]. Additionally, [REDACTED] felt threatened when the detainee cocked his leg back indicating he was going to kick him.

b6-5

b6-4

b6-5

b6-5

b. [REDACTED] the first-line leader of the primary witness claiming detainee abuse [REDACTED] presented as a witness to question the reliability of [REDACTED] his accuracy, and his ability to assess the events that occurred at the holding facility.

b6-4

c. The entire chain of command depicted [REDACTED] as a reserved, controlled, individual. [REDACTED] had never displayed abusive behavior in the past, in fact he always set the example in dealing with local nationals with dignity and respect, particularly during military operations.

b6-5

2. Based on the above information I find no guilt regarding the charge of detainee abuse. [REDACTED] felt threatened by the behavior of the detainee he was attempting to control, and applied the appropriate amount of force to control the situation.

b6-5

3. [REDACTED] b6-2

[REDACTED]

Commanding

001932

# PERSONAL FINANCIAL STATEMENT WORKSHEET

NAME: [REDACTED] 66-5 DATE: 7 Jan 04

## MONTHLY INCOME:

Take Home Pay (Plus Allowances) \$ 1,869.00  
Spouse's Take Home Pay (Plus allowances) \$ N/A  
Other Regular Income + \$ N/A

LINE 1: Total Monthly Income = \$ 1,869.00

## MONTHLY EXPENDITURES:

\$ 122.00 - Kid's Beds  
\$ 300.00 - Master Bedroom  
\$ 36.67 - Backyard Fence  
Payment on Current Debts (Loans/DPP/Chg Accts) \$ 50.00 - Credit card  
Rent \$ N/A (post housing)  
Food \$ 300.00  
Utilities (telephone, etc.) \$ 75.00 - Phone  
55.00 - Cell phone  
100.00 - Cable + Computer access  
Insurance \$ 120.00 - POV insurance  
Transportation & Auto Exp. \$ 125.00 - Gas + maintenance  
Car Payment \$ 378.16  
Child Care \$ 78.00 - preschool (son)  
Other: Casual pay + \$ not included

LINE 2: Total Monthly Expenditures = \$ 1,759.83

## ANNUAL EXPENDITURES:

Major Purchases and Repairs \$ N/A  
Clothing \$ not included  
School Costs \$ 360.00  
Other: haircuts (my son and I) + \$ 600.00

LINE 3: Total Annual Expenditures (Divided by 12) = \$ 80.00

## SUMMARY

Total Monthly Income (Amount on Line 1) \$ 1,869.00

Total Monthly Expenses (Amount on Lines 2 & 3) - \$ 1,839.83

Current Available Income \$ 28.17

Not included - Casual pay \$ 100.00  
Clothing for children N/A  
phone cards \$ 35.00  
Cleaners N/A





DEPARTMENT OF THE ARMY

BAGHDAD FIELD OFFICE  
APO, AE 09324

REPLY TO  
ATTENTION OF

29 December 2003

MEMORANDUM FOR Commande [REDACTED]

SUBJECT: Request For Nonpunitive Measures [REDACTED]

[REDACTED] APO, AE 09324

bb-2

bb-5

bb-5

bb-4

bb-5

1. Sir, as a defense counsel, I rarely write on the proper disposition of a case, but I feel compelled to do so in this case. I believe that this situation can be handled through administrative corrective measures and does not require the use of a Company Grade article 15, let alone a Field Grade Article 15.

2. The Manual for Courts-Martial clearly states, "Commanders are responsible for good order and discipline in their commands. Generally, discipline can be maintained through effective leadership including, when necessary, administrative corrective measures. Nonjudicial punishment is ordinarily appropriate when administrative corrective measures are inadequate due to the nature of the offense or the record of the servicemember." [REDACTED] has been in the Army for almost 6 years and does not have any past Article 15's and not even a negative counseling statement. Furthermore, "Commanders should use nonpunitive measures to the fullest extent to further the efficiency the command before resorting to nonjudicial punishment." AR 27-10, paragraph 3-2. Paragraph 3-2 further states that "[n]onjudicial punishment may be imposed to - ..Correct, educate, and reform offenders who the imposing commander determines cannot benefit from less stringent measures." Included among nonpunitive measures are: denial of pass or other privileges, counseling, administrative reprimands and admonitions and extra training.

3. Non-punitive measures are appropriate for soldiers who have a good record in the company. However, the use of nonjudicial punishment would be more understandable if this action had (1) actually endangered a soldier or an innocent bystander; and/or (2) been the "last straw" in a series of poor judgment calls made by [REDACTED]. Further, [REDACTED] tells me he is an exceptional soldier and you can confirm this with his squad and platoon leaders. He also informed me that his section was not clearly briefed as to the General Order that he allegedly violated nor the Rules of Engagement pertaining to detainees. I understand that ignorance is no defense however under the circumstances [REDACTED] actions were much more of being emotional about the situation and not harboring any malicious intent towards the detainees coupled with the fact that these detainees were apprehended with a large weapons cache and throwing grenades at U.S. soldiers.

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bb-2  
[REDACTED]  
SUBJECT: Standard of Proof and Request For Nonpunitive Measures [REDACTED]  
[REDACTED] APO, AE 09324

bb-5  
4. Sir, in addition, unlike an E-4, an Article 15 imposed on [REDACTED] will be a permanent part of his file because you must determine whether to file it in his restricted or performance fiche. He also informed me that he is due to go to the promotion board sometime next month however due to the impending Article 15, he will more than likely lose the chance to do so. That in and by itself is punishment enough. Therefore, if you believe that [REDACTED] as a good soldier who has potential to continue in the Army, please weigh carefully the interests of the soldier's career against those of the Army to produce and advance only the most qualified personnel for positions of leadership, trust and responsibility. Please take into account his age, grade, and total service.

5. I am usually a defense counsel in Germany and have heard from virtually every soldier in your battalion who has come to my office that you administer UCMJ issues in a fair and impartial manner. I would also like to state that I only write these types of memos personally if there is an issue that I believe needs to be brought to your attention. On behalf of [REDACTED], I request that this article 15 be returned to the company for administrative corrective measures.

6. For the above reasons, I request this matter should be disposed of by nonpunitive measures.

7. Respectfully submitted,

[REDACTED] bb-2  
[REDACTED]  
Defense Counsel

001935

FACTS:

On 4 November 2003, the Brigade Legal Advisor provided me a directive from [REDACTED] to perform an AR15-6 investigation concerning possible detainee maltreatment at the [REDACTED] Battalion Forward Operating Base. Within the packet was [REDACTED] Inquiry (Exhibit A). I reviewed the Commander's Inquiry and found that [REDACTED] gathered a sufficient amount of information to begin an investigation. b6-2

According to the Commander's Inquiry (Exhibit A), the following is collaborated by several statements: On 25 October 2003, [REDACTED] was responsible for escorting prisoners to the Detainee Facility located at the [REDACTED] FOB. At approximately 1400 on the 25 October, a 5-ton cargo with six Iraqi Detainees, escorted by two BFVs with crews, delivered the detainees to the 2-70 Armor Detainee Facility. Soldiers from the [REDACTED] escorted the Detainees to the facility from the vehicle down load site. b6-5

In the statement (Exhibit B) made by the facility guard, [REDACTED] he observed five soldiers mistreat the Detainees. To clarify mistreat, [REDACTED] stated the soldiers "started to slap the prisoners in the face and sock them in the gut" and "stomped on grey shirted prisoners bare feet" (misspelled word were corrected from the statements to this document). b6-4

1<sup>st</sup> Armored Division's FRAGO 383A (Exhibit C) issues a General Order making it a military crime for Coalitions Forces and civilians accompanying the Force, to Maltreat persons in Iraq. In the Commander's Intent, he states that Maltreatment of Detainees in Iraq by IAD Forces during this mission is conduct prejudicial to good order and discipline. In paragraph 3.E.(5) maltreatment is defined by hitting, slapping, kicking, etc.

Considering [REDACTED] statement (Exhibit B) and the Division's FRAGO 383A (Exhibit C), further investigation is required to verify the names of the soldiers that were involved with the maltreatment and to find collaborating information that would confirm the maltreatment occurred. b6-4

In [REDACTED] statement, his spelling of the names matched no members of the [REDACTED]. He provided in Exhibit D the following spellings: [REDACTED] two more SPC that he could not remember their names. [REDACTED] also stated that he could identify the soldiers in a photo line-up. Prior to my interview with [REDACTED] explained to [REDACTED] that I needed photos of soldiers in the [REDACTED] Platoon. Specifically I needed, photos of [REDACTED] names of soldiers involved with the detainee transfer mission. He had one of his officers, [REDACTED] provide me photos the following day. b6-4

Taking the Brigade Legal Advisor advice, I inserted these four photos into four separate groups of six soldiers. The four soldiers from [REDACTED] Platoon were from Hispanic heritage; consequently, the majority of the soldiers that I included in the photo line-up were

001936

Hispanic heritage. Exhibits E, F, G and H are the photo line-ups presented to [REDACTED]

bb-4 all  
on  
bb-5

In Exhibit E, [REDACTED] selected the top center photo; the photo he selected is [REDACTED] from [REDACTED] Platoon, [REDACTED]. He stated, the soldier in the photo that he selected did the following to the Iraqi Detainees: "slap, punch, forearm shot to the gut, stomped on their bare feet with his boot."

In Exhibit F, [REDACTED] selected the bottom center photo; the photo he selected is [REDACTED] from [REDACTED] Platoon, [REDACTED]. He stated, the soldier in the photo that he selected "punch them, slap them, and forearm shots to the gut."

[REDACTED] did not recognize anyone in Exhibits G and H; photo line-ups that had photos of [REDACTED] and [REDACTED]. Consequently, I eliminated these two soldiers from my investigation as possible suspects.

After [REDACTED] review of the photo line-up, I asked him two more questions (Exhibit I). He stated one of three unidentified soldiers present for the prisoner maltreatment had name like [REDACTED] or [REDACTED] or something like that—he said this person was a big burly guy that looked like a wrestler named [REDACTED]. He also said this big burly guy was a member of the mortars. I called [REDACTED] once again and asked if there was someone that fit the description according to [REDACTED] statement—he stated that the mortar men were not involved in the detainee mission and none had a name similar [REDACTED] or [REDACTED] and was big and burly.

I met with [REDACTED] on 12 November 03, he showed me the detainee facility (Exhibit J). The main gate is located near the detainee facility, which may have had a guard observe the maltreatment or knew the soldiers involved. He introduced me to a [REDACTED] [REDACTED] had a similar name to that provided by [REDACTED] however he was tall and normal build. I asked him if had any information concerning the event in which I was investigating. He said he had gate duty that day and knew the big burly soldier—his name is [REDACTED].

On 12 November, I visited [REDACTED] and explained the purpose of my investigation. [REDACTED] knew very little about what had happened since his platoon was detached from his command at the time of the prisoner maltreatment. I requested a visit with his soldier named [REDACTED] and his chain of command. [REDACTED] and his Platoon Leader [REDACTED] arrived at the Atlas FOB Headquarters on the evening of 12 November—they both requested a lawyer and completed the forms DA 3881 (Exhibits K and L).

I called the Brigade Legal Advisor to see if I could direct the chain of command to provide photos of all the soldiers in [REDACTED] Platoon, [REDACTED] said I had the authority.

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Consequently, I directed [REDACTED] to return to his Company Headquarters and inform his Commander that I would like photos of every member in [REDACTED] Platoon, [REDACTED] and to call me if he had questions. That night, [REDACTED] returned with photos of the [REDACTED] Platoon members.

b6-4 all  
on b6-5

I printed the photos on 15 pages (Exhibit M) and schedule a visit with [REDACTED] on 14 November. He reviewed the photos and circled [REDACTED]—he wrote above the photo of [REDACTED] that “he was just talking to the prisoners and just watching the prisoners and saw what was going on.” [REDACTED] also circled a photo of soldier named [REDACTED]—he wrote above the picture “he was hitting, smacking, slapping and punching the prisoners.” [REDACTED] could not positively identify the fifth soldier that was present during the detainee maltreatment (Exhibit N).

Exhibit O, is Doctor [REDACTED] statement, which said five detainees had red marking on there wrist presumably left by the flex cuffs—two of the five detainees had numbness in the 4<sup>th</sup> and 5<sup>th</sup> fingers. One detainee, [REDACTED] had tenderness to the abdominal area. Another detainee, [REDACTED] had tenderness to the jaw, collarbone, and central abdomen.

Exhibits P and Q are statements of two of the detainees. The statements are consistent with [REDACTED] statements in that four soldiers were hitting the detainees and one soldier named [REDACTED] stood to the side. The soldier standing to the side is likely to have been [REDACTED] which is consistent to [REDACTED] statement.

I had an interview with [REDACTED] on 12 November and requested a statement of [REDACTED] character (Exhibit R). In brief, [REDACTED] states that [REDACTED] is an asset to the company, honest, and has the desire to do what is right.

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**INDEX OF EXHIBITS**

*bb-4 or bb-5 all*

- EXHIBIT A- [REDACTED] Inquiry
- EXHIBIT B-Statement by [REDACTED]
- EXHIBIT C-1<sup>st</sup> AD FRAGO 383A
- EXHIBIT D- Statement by [REDACTED]
- EXHIBIT E-Photo line-up
- EXHIBIT F- Photo line-up
- EXHIBIT G- Photo line-up
- EXHIBIT H- Photo line-up
- EXHIBIT I-Statement by [REDACTED]
- EXHIBIT J-Photo of Detainee Facility at the [REDACTED] FOB
- EXHIBIT K- [REDACTED] non-waiver of rights
- EXHIBIT L [REDACTED] non-waiver of rights
- EXHIBIT M-Photos of [REDACTED] Platoon, [REDACTED]
- EXHIBIT N-Statement by [REDACTED]
- EXHIBIT O- [REDACTED] medical examination of detainees
- EXHIBIT P-Detainee statement- [REDACTED]
- EXHIBIT Q-Detainee statement- [REDACTED]
- EXHIBIT R- [REDACTED] Statement of Character for [REDACTED]

001939

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 (SSNI).
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] FOB
2. DATE (YYYYMMDD): 2003 10 25
3. TIME: 1730
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted]
6. SSN: [redacted]
7. GRADE/STATUS: [redacted]

8. OFFICE OR ASSIGNMENT LOCATION: [redacted]

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

At 1730 on 25 Oct 03 I was assigned to guard the jail and prisoners. I escorted the prisoners to the jail and told [redacted] that I was leaving to get some zip ties for a prisoner who wasn't zip tied. When I came back I realized the the ties were lighter than they used to be and when I put the zip ties on the other prisoner [redacted] tighten it more. Then [redacted] started to slap the prisoners in the face and sock them in the gut. I could not really tell if it was with a closed fist or forearm shot. At the same time [redacted] was messing with the other mens head piece. Then the two other specialists, I don't remember their names went to the other side of the night wall and started to smack the wall where the prisoners heads were. Then [redacted] stomped on Grey shirted prisoners bear feet. Just before [redacted] started the abused he pushed the old man into the left side of the wall. Before I put them in the jail I frised them and removed 4 packs of cigarettes and a lighter. Then after the talked badly to them for a little while they rested.

nothing follows

EXHIBIT: A
11 INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 1 PAGES

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

001940

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 identified.  
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: IRAQ  
2. DATE (YYYYMMDD): 2003/10/25  
3. TIME: 1915  
4. FILE NUMBER:  
5. LAST NAME, FIRST NAME, MIDDLE NAME:  
6. SSN:  
7. GRADE/STATUS:  
8. HOME/ZIP/REGION/CITY ADDRESS: APO-AE 09324

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
On the evening of 25 Oct 2003 at approximately 1845, [redacted] who is the [redacted] asked for the medics to perform physical exams on some Iraqi Detainees which were brought recently to our FOB. [redacted] the [redacted] and I went immediately down to the EPW Holding Area to examine them. They were brought out of the holding area individually and examined by me or the PA. The following is a summary of the significant physical findings per our examination.  
5 of them had linear erythematous (red) markings on their wrists that were presumably left from the Flex-cuffs.  
[redacted] had subjective numbness of his left 4th and 5th fingers as well as epigastric (upper central) abdominal tenderness to palpation (touch) without evidence of ecchymosis (bruising).  
[redacted] had tenderness to palpation but no ecchymosis of his left clavicle (collar bone), the right side of his mandible by his temporomandibular joint (jaw), and his periumbilical region (central abdomen). He also had subjective numbness of his 4th and 5th fingers on his left hand. Before leaving, I had [redacted] give him 800mg of Ibuprofen to help treat his pain.  
The above findings were verbally reported to [redacted] who then asked me to document the findings on this form.

NOTHING FOLLOWS

10. EXHIBIT: B  
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]  
PAGE 1 OF 12 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]

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

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[Redacted] b6-4

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.

[Redacted Signature] (Signature of Person Making Statement)

WITNESSES:  
[Redacted]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of OCTOBER, 2003 at [Redacted]

ORGANIZATION OR ADDRESS  
[Redacted] b6-2

[Redacted Signature] (Signature of Person Administering Oath) b6-2

[Redacted Name] (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS  
[Redacted]

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
[Redacted]

001942

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: Baghdad, Iraq; 2. DATE (YYYYMMDD): 2003 10 25; 3. TIME: 2200; 4. FILE NUMBER; 5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted] bb-4; 6. SSN: [redacted]; 7. GRADE/STATUS: Iraqi, National; 8. ORGANIZATION OR ADDRESS: Baghdad, Iraq

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I was brought to the prisoner cage this afternoon with 5 other men, all my relatives. When we were brought from the truck into the cage, some soldiers followed us into the cage. It was 5 soldiers. One soldier stood off to the side with my nephew Hassan and didn't let the others touch him. The other 4 soldiers were hitting us, kicking us, and stepping us. One soldier put my face against the wall and hit the back of my head 2 or 3 times. While they were doing this, they were saying bad things about Allah and about our families. They beat on us for about an hour, and then they stopped and left.
Nothing follows

10. EXHIBIT: C; 11. INITIALS OF PERSON MAKING STATEMENT: [redacted]; 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.

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TAKEN AT \_\_\_\_\_

DATED \_\_\_\_\_

9. STATEMENT (Continued)

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.

\_\_\_\_\_  
(Signature of Person Making Statement) *bb-4*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of OCT, 03 at \_\_\_\_\_

\_\_\_\_\_  
(Signature of Person Administering Oath) *bb-2*

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES

USAPA V 1.00

001944

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB, Baghdad, Iraq; 2. DATE (YYYYMMDD): 20051025; 3. TIME: 2230; 4. FILE NUMBER; 5. NAME, FIRST NAME, MIDDLE NAME; 6. SSN: Iraq National; 7. GRADE/STATUS; 8. ORGANIZATION OR ADDRESS: Baghdad, Iraq

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(Taken help with of interpreter [redacted]) bb-2

I was brought to the prisoner cage this afternoon with 5 other men, all related to me. When we were brought from the truck into the cage, some soldiers followed us in. It was about 5-7 soldiers. The soldiers started hitting the other prisoners, slapping them in the face, punching them in the body, kicking them and stepping on their feet. A soldier named [redacted] stood near me and wouldn't let the others hit me, because I spoke a little English. The other soldiers continued to beat the other prisoners until one of the soldiers from the Bradleys, acting as a lookout, said someone was coming. Then, all of the soldiers in the jail left. While this all was going on, the soldiers (except [redacted]) were saying bad things to us, like "I want to fuck your sister" and other things.

Interviewer's Note: When I asked the individual to write down a piece of his own paper, the name he gave on the soldier he called [redacted] he wrote [redacted]

10. EXHIBIT: D; 11. INITIALS OF PERSON MAKING STATEMENT: H; 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.

001945

TAKEN AT

DATED

9. STATEMENT (Continued)

**AFFIDAVIT**  
 I, [REDACTED] **b6-4**, 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.

[REDACTED] **b6-4**  
 (Signature of Person Making Statement)

WITNESSES:

[REDACTED] **b6-2**  
 [REDACTED]  
 [REDACTED] **Enterprise**

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of OCT, 2003 at FBI

[REDACTED] **b6-2**  
 (Signature of Person Administering Oath)

[REDACTED]  
 (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

TITLES OF PERSON MAKING STATEMENT

[REDACTED] **b6-4**

PAGE OF PAGES

001946

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION [Redacted] <u>FOB, Baghdad, Iraq</u>	2. DATE <u>250903</u>	3. TIME <u>2100</u>	4. FILE NO.
5. NAME (Last, First, MI) [Redacted] <u>66-5</u>	8. ORGANIZATION OR ADDRESS [Redacted]		
6. SSN [Redacted]	7. GRADE/STATUS [Redacted]	<u>3d Lt, Iraq</u>	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [Redacted] 66-5 Baghdad, Iraq and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

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

- or -

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

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

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

**WITNESSES (If available)**

- NAME (Type or Print)
- ORGANIZATION OR ADDRESS AND PHONE
- NAME (Type or Print)
- ORGANIZATION OR ADDRESS AND PHONE

3. SIGNATURE OF INTERVIEWEE

4. SIGNATURE OF INVESTIGATOR

5. TYPED NAME OF INVESTIGATOR

6. ORGANIZATION OF INVESTIGATOR

Baghdad, Iraq

**Section C. Non-waiver**

I do not want to give up my rights

I want a lawyer

I do not want to be questioned or say anything

SIGNATURE OF INTERVIEWEE

66-5

THIS WAIVER CERTIFICATE IS NOT A SWORN STATEMENT (DA FORM 2023) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

A FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

USAPA 2 91

Exhibit E

001947

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION [Redacted] FOB, Baghdad, Iraq	2. DATE 25 OCT 03	3. TIME 2105	4. FILE NO.
5. [Redacted] bb-5	8. ORGANIZATION OR ADDRESS [Redacted]		
6. SSN [Redacted]	7. GRADE/STATUS [Redacted]	Baghdad, Iraq	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [Redacted] Baghdad, Iraq and wanted to question me about the following offense(s) of which I am

suspected/accused: mistreated of Iraqi Detainees

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

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.  
- or -  
(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
a. NAME (Type or Print)		[Redacted] bb-2
b. ORGANIZATION OR ADDRESS AND PHONE		
a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR
		Baghdad, Iraq

**Section C. Non-waiver**

I do not want to give up my rights

I want a lawyer

I do not want to be questioned or say anything

SIGNATURE OF INTERVIEWEE  
[Redacted] bb-5

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

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

USAPA 2.01

Exhibit F

001948

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

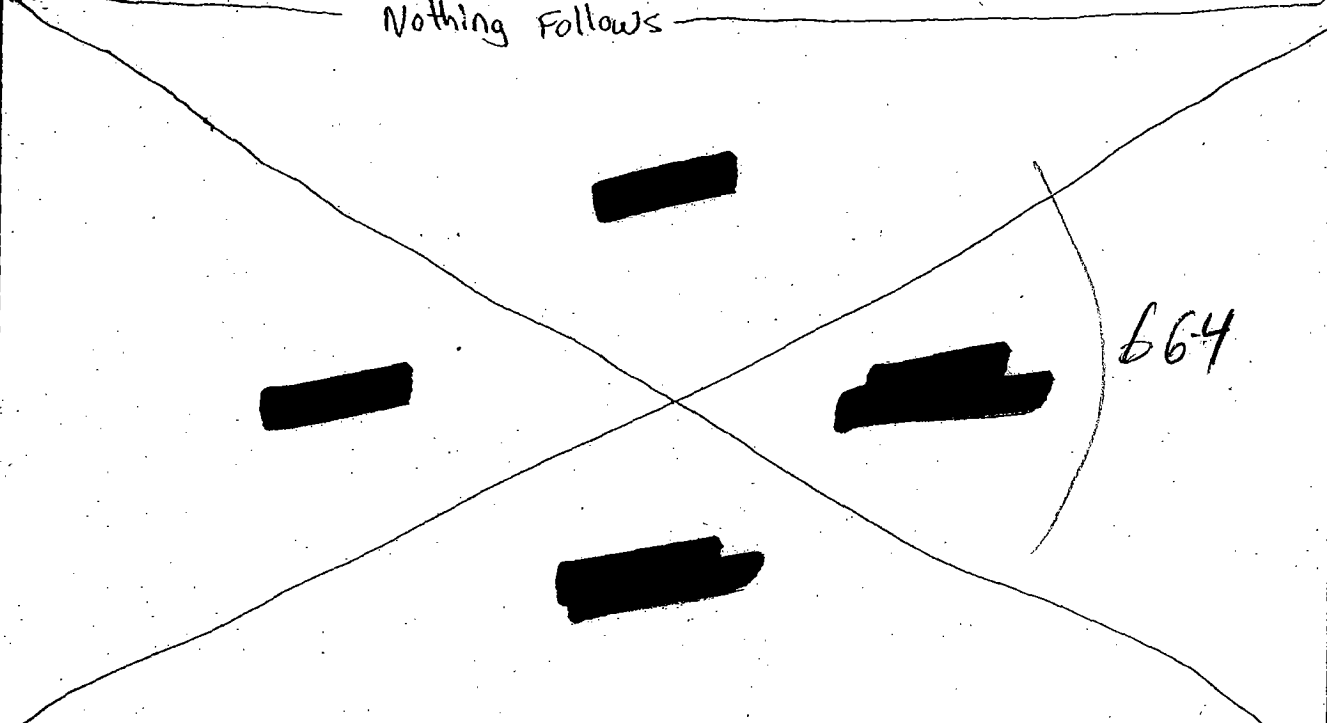
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate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

1. LOCATION: Baghdad, Iraq
2. DATE (YYYYMMDD): 2003 10 26
3. TIME: 13:00
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION/UNIT/AFSC/AFSC SYMBOL
9. [Redacted]

I, [Redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

That during the EPW Pickup I was driving the lead Bradley. When we returned to compound we parked our Bradley and cleared our weapon. After this I climbed into the drivers hatch of another Bradley and moved it to the motor pool. during this time I didn't see the EPW or the accused. Nor did I hear anyone talking about it when I returned to my room.

Nothing Follows



b64

10. EXHIBIT: G
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.

001949



9. STATEMENT (Continued)

AFFIDAVIT

I, [REDACTED] <sup>bb-4</sup>, 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.

[REDACTED] <sup>bb-4</sup>  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of October, 2003 at [REDACTED] FOB, Baghdad, Iraq

[REDACTED] <sup>bb-2</sup>  
(Typed Name of Person Administering Oath)

[REDACTED]  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS Baghdad, Iraq

ORGANIZATION OR ADDRESS BAGHDAD, IRAQ

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

PAGE 2 OF 2 PAGES

USAPA V1.00

001950

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION [REDACTED] FOB, Baghdad, Iraq	2. DATE 26 OCT 03	3. TIME 1300	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] b6-5	8. ORGANIZATION OR ADDRESS [REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	Baghdad, Iraq	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army HHC 2-70 AR BN, 3 BCT, 1 AD and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

- I do not have to answer any question or say anything. [REDACTED]
- Anything I say or do can be used as evidence against me in a criminal trial. [REDACTED]
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both. [REDACTED] b6-5  
or -  
(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. [REDACTED]

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print) [REDACTED]	[REDACTED]	[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED] b6-2	[REDACTED]	4. SIGNATURE OF INVESTIGATOR [REDACTED] b6-2	
2a. NAME (Type or Print) [REDACTED]	[REDACTED]	[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED] BAGHDAD, IRAQ	[REDACTED]	Baghdad, Iraq	

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

001951

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB, Baghdad, Iraq
2. DATE (YYYYMMDD): 13 10 26
3. TIME: 1320
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted] bb-5
6. SSN: [redacted]
7. GRADE/STATUS: [redacted]

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

myself, [redacted] bb-4 and [redacted] bb-4 unloaded the prisoners from the 5 ton at the gate. We walked them to the holding area and made sure they were all zip tied. After securing them I and [redacted] walked back to our rooms and [redacted] stayed with the prisoners. At that time the prisoners had suffered no physical damage. It was approximately 10 minutes after unloading the prisoners before [redacted] and I walked away. Nothing follows.

bb-4

10. EXHIBIT: H
INITIALS OF PERSON MAKING STATEMENT: [redacted]
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.

001952

9. STATEMENT (Continued)

[Redacted] [Redacted] b6-5

AFFIDAVIT

I, [Redacted] b6-5, 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 INTENT.

[Redacted] b6-5  
(Signature of Person Making Statement)

WITNESSES:

[Redacted] b6-2  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of October, 2003 at FOB, Baghdad, Iraq

[Redacted] b6-2  
(Signature of Person Administering Oath)

[Redacted]  
(Typed Name of Person Administering Oath)

[Redacted]  
ORGANIZATION OR ADDRESS

[Redacted]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [Redacted] b6-5

PAGE 2 OF 2 PAGES

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION [REDACTED] FOB, Baghdad, Iraq	2. DATE 26 OCT 03	3. TIME 1315	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] <b>bb-5</b>	8. ORGANIZATION OR ADDRESS [REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED] <b>Baghdad, Iraq</b>		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] **bb-5** and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal case.
- (For personnel subject to the UCMJ)* I have the right to talk privately to [REDACTED] before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both [REDACTED].  
- or -  
*(For civilians not subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver before [REDACTED].

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

**WITNESSES (If available)**

1a. NAME (Type or Print) [REDACTED]	3. SIGNATURE OF INTERVIEWEE [REDACTED] <b>bb-2</b>
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED] <b>bb-2</b>	4. SIGNATURE OF INVESTIGATOR [REDACTED]
2a. NAME (Type or Print) [REDACTED]	5. TYPED NAME OF INVESTIGATOR [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	6. ORGANIZATION OF INVESTIGATOR Baghdad, Iraq

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

001954

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. ORGANIZATION: FOB, Baghdad, Iraq
2. DATE (YYYYMMDD): 2003/02/06
3. TIME: 1335
4. FILE NUMBER:
5. NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:
8. ADDRESS:
9. b6-5

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
AS MY VEHICLE ROLLED BACK IN APPROXAMITLY 1430<sup>0</sup> WE PULLED UP BY THE Q.R.F. STAGING POINT FOR Q.R.F. I DISMOUNTED MY VEHICLE AND BEGAN DISCUSSING HOW WE WERE GONNA MOVE THE ADDITIONAL BRAD BACK TO THE LINE. AFTER WE FINISHED TALKING, I WALKED OVER TO THE BACK OF THE STON AND AT THAT TIME THE E.P.W'S WERE ALREADY DOWN LOADED. I THEN ASKED THE DRIVER OF THE STON TO PULL FORWARD SO WE COULD MOVE THE BRAD AT THAT TIME THE DRIVER PULLED THE STON FORWARD AND AS I WAS WALKING BACK TOWARDS THE CLEARING PIT, THE EP.W'S WERE BEING ESCORTED ACCROSS THE GRAVEL. FROM THE TIME I DISMOUNTED MY VEHICLE TILL I BEGAN WALKING BACK TO THE BARRACKS IT TOOK ABOUT 5 MINUTES. THE LAST TIME I SAW THE E.P.W'S WAS AS THEY WERE BEING ESCORTED ACCROSS THE GRAVEL.

NOTHING FOLLOWS D.E.V.

NOTHING FOLLOWS [REDACTED] b6-5

10. EXHIBIT: I
INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
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.

001955

STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued).

[REDACTED]

b6-5

b6-5

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.

[REDACTED] b6-5  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of October, 2003 at FOB, Baghdad, Iraq.

[REDACTED] b6-2

[REDACTED] b6-2  
(Signature of Person Administering Oath)

[REDACTED]

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] b6-5

PAGE 2 OF 2 PAGES

001956

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION FOB, Baghdad, Iraq	2. DATE 26 OCT 03	3. TIME 1330	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED] b6-5	8. ORGANIZATION OR ADDRESS [REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS Baghdad, Iraq		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] b6-5 and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

- I do not have to answer any question or say anything [REDACTED]
- Anything I say or do can be used as evidence against me in a criminal trial [REDACTED]
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both [REDACTED]
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below [REDACTED]

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED]
1a. NAME (Type or Print) [REDACTED]		4. SIGNATURE OF SUSPECT/ACCUSED [REDACTED] b6-2
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]		5. TYPED NAME OF INVESTIGATOR [REDACTED]
2a. NAME (Type or Print) [REDACTED]		6. ORGANIZATION OF INVESTIGATOR Baghdad, Iraq
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]		

**Section C. Non-waiver**

- I do not want to give up my rights  
 I want a lawyer  I do not want to be questioned or say anything
- SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2873) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED



SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB, Baghdad, Iraq
2. DATE (YYYYMMDD): 20031026
3. TIME: 1350
4. FILE NUMBER
5. NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS

8. OF
9. b6-5

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Yesterday afternoon, we had pulled back into the FAB and I was instructed to reposition vehicles and ensure that one track was taken to the parking line. I was in the rear Bradley, as a gunner, I went to the ground and began to move the Bradleys around. I moved one Brad to the clearing pit while I was waiting on the rest of the crews to get ready. Apparently there was no prisoner guard, and [redacted] had not returned immediately. I was standing next to the vehicle parked by the clearing pit and was talking to the driver, [redacted] for about 5-10 minutes. Then [redacted] came up and said the guard was there now and we moved the vehicles. The last time I saw the prisoners was when they got off the truck, they were in front of my Bradley, they were in the way, so then [redacted], [redacted], and [redacted] escorted the prisoners to the cage. I didn't see or hear anything out of the ordinary.

b6-4

b6-4

Nothing follows

10. EXHIBIT: J
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
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.

001958

9. STATEMENT (Continued)

[REDACTED] b6-5

b6-5

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.

[REDACTED] b6-5  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of October, 2003 at [REDACTED] OB, Baghdad, Iraq

[REDACTED]

[REDACTED] b6-2  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] b6-2

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

001959

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION [redacted] FOB, Baghdad, Iraq	2. DATE 26 OCT 03	3. TIME 1350	4. FILE NO.
5. NAME (Last, First, MI) [redacted]	8. ORGANIZATION OR ADDRESS [redacted]		
6. SSN [redacted]	7. GRADE/STATUS Baghdad, Iraq		

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [redacted] and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

- I do not have to answer any question or say anything [redacted]
- Anything I say or do can be used as evidence against me in a criminal trial [redacted]
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both [redacted].  
- or -  
(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. [redacted]

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [redacted]
1a. NAME (Type or Print) [redacted]		4. SIGNATURE OF INVESTIGATOR [redacted]
b. ORGANIZATION OR ADDRESS AND PHONE [redacted]		5. TYPED NAME OF INVESTIGATOR [redacted]
2a. NAME (Type or Print) [redacted]		6. ORGANIZATION OF INVESTIGATOR Baghdad, Iraq
b. ORGANIZATION OR ADDRESS AND PHONE [redacted]		

**Section C. Non-waiver**

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

SIGNATURE OF INTERVIEWEE

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

001960

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB, Baghdad, Iraq
2. DATE (YYYYMMDD)
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. OFFICE/REGIMENT OR ADDRESS
9.

I, [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Yesterday afternoon I was [redacted] a dismount for the ERW mission when we got back to the FOB we took the prisoners of the truck. It was 6 prisoners and three soldiers, [redacted] and me. Then the guard [redacted] and [redacted] escorted the prisoners down to the prison. The prison guard is about 5'9" white, bald and I think is rank is a private (I couldn't identify this rank). Then I walk over to the clearing pit, and cleared my weapon after that walk to my room. And the last time I saw the prisoners is when [redacted] and the [redacted] guards were walking them [redacted] to the jail. nothing follows.

b6-4

[redacted] b6-5

[redacted] b6-5

10. EXHIBIT: K
11. INITIALS OF PERSON MAKING STATEMENT: [redacted] b6-5
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.

001961

9. STATEMENT (Continued)

[Redacted]

b6-5

[Redacted]

b6-5

AFFIDAVIT

I, [Redacted] b6-5, 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.

[Redacted]

b6-5

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of October, 2003 at [Redacted] FOB, Baghdad, Iraq

[Redacted]

ORGANIZATION OR ADDRESS

b6-2

[Redacted]

b6-2

(Signature of Person Administering Oath)

[Redacted]

ORGANIZATION OR ADDRESS

AC62-70AK

[Redacted]

CPT, AR

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

CMT

PAGE 2 OF 2 PAGES

001962

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION [REDACTED] FOB, Baghdad, Iraq	2. DATE 26 OCT 03	3. TIME 1410	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	[REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	Baghdad, Iraq	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

- I do not have to answer any question or say anything.
  - Anything I say or do can be used as evidence against me in a criminal trial.
  - (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.
- or -
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

b6-5

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)	[REDACTED]	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	4. SIGNATURE OF INVESTIGATOR
		[REDACTED] b6-2
2a. NAME (Type or Print)	[REDACTED]	5. TYPED NAME OF INVESTIGATOR
		[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED] b6-2	6. ORGANIZATION OF INVESTIGATOR
		Baghdad, Iraq

**Section C. Non-waiver**

- I do not want to give up my rights  
 I want a lawyer  
 I do not want to be questioned or say anything
- SIGNATURE OF INTERVIEWEE

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

001963

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

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

b6-5

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 25th Oct 2003 [redacted] and myself [redacted] escorted a five ton truck to a field site. On arrival we were ask by [redacted] to bring back 6 EPWs to the FOB. On entering the FOB they (EPWs) were down loaded off the truck. I then ask who was in charge of the holding area a soldier who may be Hispanic or white about 5'6" or 5'5" tall. He was I take from I had 6 EPWs a turn over to him this was somewhere between 1400 and 1430hrs. The EPWs were march over to the holding area, I saw him move away the wire, then I left to the battalion area to notify [redacted] of the EPWs presence. I do believe the [redacted] helped to escort the EPWs to the holding this is not a 100% certainty. This was the last time I saw the EPWs. Nothing follows.

b6-4

b6-4

b6-5

10. EXHIBIT: L
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
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.

001964

9. STATEMENT (Continued)

[Redacted]

[Redacted]

[Redacted] b6-5

[Redacted]

[Redacted]

AFFIDAVIT

I, [Redacted] b6-5, 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.

[Redacted] b6-5  
 (Signature of Person Making Statement)

WITNESSES:

b6-2

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of October, 2003 at [Redacted] FOB, Baghdad, Iraq.

ORGANIZATION OR ADDRESS

[Redacted] b6-2  
 (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[Redacted]  
 (Typed Name of Person Administering Oath)

[Redacted]  
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[Redacted] b6-5

PAGE 2 OF 2 PAGES

001965



**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION [REDACTED] FOB, Baghdad, Iraq	2. DATE 26 OCT 03	3. TIME 1430	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	6. ORGANIZATION OR ADDRESS [REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	[REDACTED] Iraq	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army HHC 2-70 AR BN, 3 BCT, 1 AD and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

- I do not have to answer any question or say anything.
  - Anything I say or do can be used as evidence against me in a criminal trial.
  - (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.
- or -
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

bb-5

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE	
a. NAME (Type or Print)	[REDACTED]	[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	4. SIGNATURE OF INVESTIGATOR	
	bb-2	[REDACTED]	
2a. NAME (Type or Print)	[REDACTED]	TYPED NAME OF INVESTIGATOR	
	[REDACTED]	[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	ORGANIZATION OF INVESTIGATOR	
	[REDACTED]	Baghdad, Iraq	

bb-2

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

001966

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB, Baghdad, Iraq
2. DATE (YYYYMMDD): 20031027
3. TIME: 0845
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS
9.

b6-5

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

ON THE 25th OF OCTOBER, UPON RETURNING TO THE BATTALION FOB, [REDACTED] GROUNDS GUIDED ME INTO THE COMPOUND. MY BRADLEY WAS THE LEAD 3FU IN THE CONDUY. WHEN WE ENTERED THE COMPOUND THE 5-TON VEHICLE HOLDING THE PRISONERS WAS IN BETWEEN MY BFU AND PFC FIKE'S BFU. WHEN WE WERE INFORMED BY THE SOG THAT WE COULDN'T HAVE 3 BFU'S PARKED AT THE GATE. [REDACTED] BEGAN TO MOVE THE VEHICLE SO I COULD PARK WHILE HE MOVED THE OTHER BFU, I SAT ON MY HATCH AND CONVERSED WITH A CAPTAIN ABOUT THE POUNDS IN HIS WEAPON. AFTER [REDACTED] MOVED THE BFU, [REDACTED] GROUNDS GUIDED ME INTO PARKING. I DID NOT SEE THE PRISONERS WHEN I ENTERED THE FOB.

b6-4

NOTHING FOLLOWS

[REDACTED]

[REDACTED]

b6-5

10. EXHIBIT: M
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] b6-5
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.

001967

9. STATEMENT (Continued)

[Redacted]

b6-5

[Redacted]

b6-5

AFFIDAVIT

I, [Redacted] b6-5, 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.

[Redacted Signature] b6-5  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of October, 2003 at [Redacted] FOB, Baghdad, Iraq

[Redacted Witness Name]

ORGANIZATION OR ADDRESS

[Redacted Witness Name] b6-2  
(Signature of Person Administering Oath)

[Redacted Witness Name]

ORGANIZATION OR ADDRESS

[Redacted Witness Name] b6-2  
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[Redacted Initials] b6-5

PAGE 2 OF 2 PAGES

001968

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION [REDACTED] FOB, Baghdad, Iraq	2. DATE 27 09 03	3. TIME 0845	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	66-5		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	8. ORGANIZATION OR ADDRESS [REDACTED] Iraq	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] 66-5 and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

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

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

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

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print)	[REDACTED]	[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED] 66-2	4. SIGNATURE OF INVESTIGATOR	[REDACTED] 66-2
2a. NAME (Type or Print)	[REDACTED]	[REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE	[REDACTED]	6. ORGANIZATION OF INVESTIGATOR	[REDACTED] Baghdad, Iraq

**Section C. Non-waiver**

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

2. SIGNATURE OF INTERVIEWEE

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

001969

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] FOB, Baghdad, Iraq
2. DATE (YYYYMMDD): 03/10/07
3. TIME: 0915
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted]
6. SSN: [redacted]
7. GRADE/STATUS: [redacted]
8. ORGANIZATION NUMBER AND ADDRESS: [redacted]

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On the afternoon of [redacted] Oct. 25 I [redacted] was driving the 5-ton vehicle to pick up prisoners from a location in Abu Ghraib. When we returned to the compound we approached and [redacted] entered the gate. At this point I didn't hear or see any mistreatment. [redacted] got out of the truck at the clearing barrel to let down the back end so the prisoners could get out, he then told me to pull onto the road facing the motor pool. Note this is <sup>when</sup> the prisoners and infantry men got out. There was 2 to 3 infantry guys back there. Now I'm facing the motor pool and I then exit the vehicle and go to clear my weapon never focusing my attention on to the prisoners again.

nothing follows

10. EXHIBIT: N
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
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.

001970

TAKEN AT

DATED

9. STATEMENT (Continued)

[Redacted] b6-5

[Redacted] b6-5

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.

[Redacted] b6-5  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of October, 2003 at [Redacted] OB, Baghdad, Iraq

[Redacted] b6-2  
ORGANIZATION OR ADDRESS

[Redacted] b6-2  
(Signature of Person Administering Oath)

[Redacted] ORGANIZATION OR ADDRESS

[Redacted]  
(Typed Name of Person Administering Oath)

[Redacted]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [Redacted] b6-5

PAGE 2 OF 2 PAGES

001971

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION FOB, Baghdad, Iraq	2. DATE 27 OCT 03	3. TIME 0916	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	6. ORGANIZATION OR ADDRESS [REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	8. [REDACTED]	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

- I do not have to answer any question or say anything [REDACTED]
  - Anything I say or do can be used as evidence against me in a criminal trial [REDACTED]
  - (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both [REDACTED]
- or -
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below [REDACTED]

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED]
1a. NAME (Type or Print) [REDACTED]	b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]	4. SIGNATURE OF INVESTIGATOR [REDACTED]
2a. NAME (Type or Print) [REDACTED]		5. TYPED NAME OF INVESTIGATOR [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]		6. ORGANIZATION OF INVESTIGATOR Baghdad, Iraq

**Section C. Non-waiver**

- I do not want to give up my rights  
 I want a lawyer  
 I do not want to be questioned or say anything
- SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 282) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

001972

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB, Baghdad, Iraq
2. DATE (YYYYMMDD): 2003 27 10
3. TIME: 1000
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. I, [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On 25 Oct 2003 1400 hrs myself and [redacted] were on EPW Escort
Driving the 5-ton we had three infantry men in the back with
6 EPW. one of the Infantry men was [redacted] The other
2 I am NOT sure of their names. we pulled into the gate and
Pfc Wilson opened the back of the truck, the three guards jumped
out and then the six EPW's jumped out as they were getting
out I had the crouch down on the side walk. After they all
got off the truck, [redacted] went to find [redacted] at the
front gate to see where they wanted the EPW's. He sent out
one of his guards, I was talking with [redacted] one of the
Interceptors at the gate. I had him tell all of them to stand
up and follow the guard, and do not talk to each other. Once
they all stand up and walked away following the guard I recall seeing
2 or 3 infantry men follow them off, then myself and [redacted]
Returned to the cab of the 5-ton and moved it
to the motor pool. I do not recall the name of the guard
that escorted them to the cage, and he did not look familiar to
me.
Nothing follows

10. EXHIBIT: 0
11. INITIALS OF PERSON MAKING STATEMENT: [redacted] b6-5
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.

001973



9. STATEMENT (Continued)

[Redacted] b6-5

[Redacted] b6-5

b6-5

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.

[Redacted] b6-5

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of October, 2003 at Baghdad, Iraq

[Redacted]

[Redacted]

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

[Redacted]

[Redacted]

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[Redacted]

PAGE 2 OF 2 PAGES

001974

**RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE**

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

**DATA REQUIRED BY THE PRIVACY ACT**

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

1. LOCATION [REDACTED] OB, Baghdad, Iraq	2. DATE 270903	3. TIME 0940	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS [REDACTED]		
6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	Baghdad, Iraq	

**PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE**

**Section A. Rights**

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] and wanted to question me about the following offense(s) of which I am suspected/accused: mistreatment of Iraqi detainees

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

- I do not have to answer any question or say anything [REDACTED]
  - Anything I say or do can be used as evidence against me in a criminal trial [REDACTED]
  - (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both [REDACTED]
- or -
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. [REDACTED]

bb-5

5. COMMENTS (Continue on reverse side)

**Section B. Waiver**

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print) [REDACTED]	bb-2	[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]		4. SIGNATURE OF INTERVIEWEE [REDACTED]
2a. NAME (Type or Print) [REDACTED]	bb-2	5. SIGNED NAME OF INVESTIGATOR [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]		6. ORGANIZATION OF INVESTIGATOR Baghdad, Iraq

**Section C. Non-waiver**

- I do not want to give up my rights  
 I want a lawyer  
 I do not want to be questioned or say anything
- SIGNATURE OF INTERVIEWEE

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

001975

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 23, 1983 (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] FOB	2. DATE (YYYYMMDD) 2003 10 25	3. TIME 1730	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. GRADE/STATUS [REDACTED]		
7. ORGANIZATION OR ADDRESS [REDACTED] b6-5			

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

At 1730 on 25 Oct 03 I was assigned to guard the jail and prisoners. I escorted the prisoners to the jail and told [REDACTED] that I was leaving to get some zip ties for a prisoner who wasn't zip tied. When I came back I realized the the ties were lighter than they used to be and when I put the zip ties on the other prisoner I tighten it more. Then [REDACTED] started to slap the prisoners in the face and sock them in the gut. I could not really tell if it was with a closed fist or forearm shot. At the same time [REDACTED] was messing with the other mens head piece. Then the two other specialists, I don't remember their names, went to the other side of the right wall and started to smack the wall where the prisoners heads were. Then Sgt. [REDACTED] stomped on Grey shirted prisoners bear feet. Just before [REDACTED] started the abused he pushed the old man into the left side of the wall. Before I put them in the jail I frised them and removed 4 packs of cigarettes and a lighter. Then after the talked badly to them for a little while they rested.

nothing follows

b6-4

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1

PAGES

EXHIBIT B

INITIALS TAKEN AT DATED

001976

[REDACTED]  
BIAP, IRAQ  
210044DJULY03

(U) FRAGO 383A [GENERAL ORDER - CIVILIAN OR DETAINEE MALTREATMENT] TO OPORD 03-215 (IRON STABILITY)

(U) THIS FRAGO WAS REVIEWED AND APPROVED FOR RELEASE BY [REDACTED]

86-2

SUBJ: GENERAL ORDER - CIVILIAN OR DETAINEE MALTREATMENT

(U) REFERENCES:

- A. UNIFORM CODE OF MILITARY JUSTICE
- B. 1AD REGULATION 27-10 IMPLEMENTING UR 27-10, AND AR 27-10
- C. 1AD REGULATION / SUPPLEMENT 27-10-1-A

(S) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: LOCAL

(S) TASK ORGANIZATION: [NO CHANGE]

1. (U) SITUATION. COMMANDER 1AD ISSUES A GENERAL ORDER MAKING IT A MILITARY CRIME FOR COALITION FORCES AND CIVILIANS ACCOMPANYING THE FORCE, TO MALTREAT PERSONS IN IRAQ.

2. (U) MISSION. [NO CHANGE]

3. (U) EXECUTION. [NO CHANGE]

3.A. (U) COMMANDER'S INTENT. MALTREATMENT OF CIVILIANS OR DETAINEES IN IRAQ BY 1AD FORCES DURING THIS MISSION IS CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE. THE DIVISION CANNOT ACCOMPLISH ITS MISSION, UNLESS [REDACTED] SOLDIERS INTERACT WITH THE CIVILIAN POPULATION IN A PROFESSIONAL MANNER THAT IS CONSISTENT WITH IRON STANDARDS AND THE RULE OF LAW.

3.B. (U) CONCEPT OF THE OPERATION. LEADERS AT ALL LEVELS PROVIDE FOR MAXIMUM DISSEMINATION OF THE REFERENCED DISCIPLINARY INFORMATION TO SOLDIERS AND CIVILIANS.

3.C. (U) TASKS TO SUBORDINATE UNITS. ALL UNITS ATTACHED, TACON, OPCON, OR OTHERWISE TASK ORGANIZED TO [REDACTED] - PROMULGATE AND ENFORCE THE TERMS OF THIS ORDER. REFER LEGAL QUESTIONS TO SERVICING BRIGADE JUDGE ADVOCATES.

3.D. (U) TASKS TO STAFF. SJA: NLT 211200DJUL03, PROVIDE A COPY OF THIS GENERAL ORDER TO THE TRIAL DEFENSE SERVICE BAGHDAD FIELD OFFICE.

3.E. (U) COORDINATING INSTRUCTIONS.

3.E. (1) (U) THIS GENERAL ORDER APPLIES TO ALL PERSONS SUBJECT TO ARTICLE 2, UCMJ.

3.E. (2) (U) 1AD COURT-MARTIAL JURISDICTION REMAINS LAW ARTICLES 3, 16, 17, 18, 19, 20, 21, UCMJ, AS PROMULGATED IN THE USCENTCOM AOR BY 1AD REGULATION 27-10-1-A.

EXHIBIT C

001977

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB Baghdad Iraq ATLAS FOR
2. DATE (YYYYMMDD): 2003/11/07
3. TIME: 0915
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted]
6. SSN: [redacted]
7. GRADE/STATUS: [redacted]
8. ORGANIZATION OR ADDRESS: [redacted]

9. I, [redacted] b6-7, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. Concerning the incident on the afternoon of 25 October, where 6 prisoners were delivered to the [redacted] Detainee Holding Area, could you identify the soldiers that mistreated the prisoners in a photo line up?

(Yes) No

2. Please list the names of the soldiers that were involved in the mistreatment of the detainees.
[redacted] b6-5
[redacted] just talking to him not harming the us
2 more Spc. I can't remember their names b6-4

3. Is there anything that you would like to add concerning the events of the afternoon of 25 October?
Nothing further to add.

Nothing follows

EXHIBIT D

11. INITIALS OF PERSON MAKING STATEMENT: [redacted] b6-4
PAGE 1 OF 2 PAGES
STATEMENT # TAKEN AT DATED
THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER

001980

9. STATEMENT (Continued)

*Nothing follows*

**AFFIDAVIT**

*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 10 day of Nov .03 at \_\_\_\_\_

*b6-2*  
\_\_\_\_\_  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Authority To Administer Oaths)

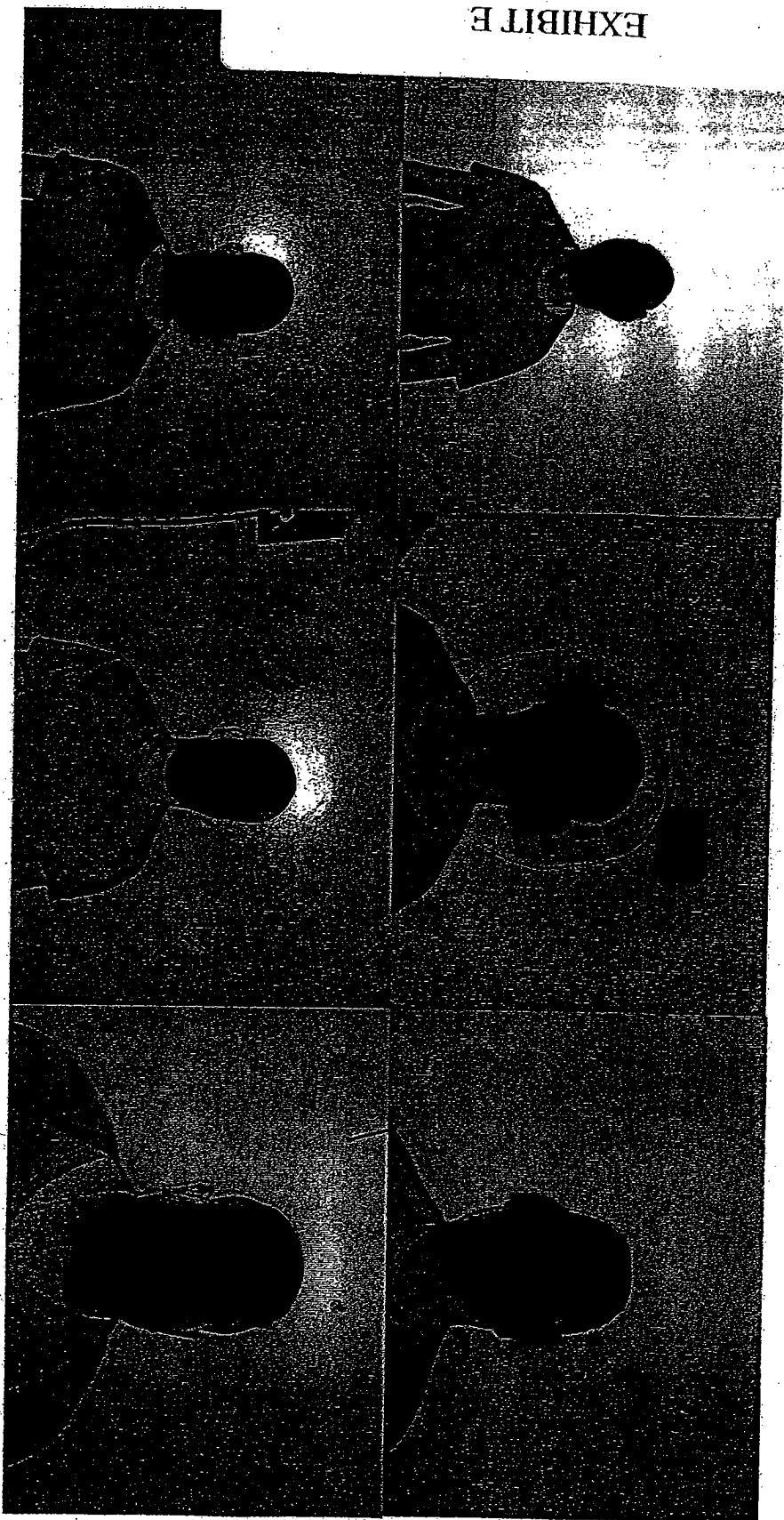
INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

001981

Can you recognize any of the below soldiers as the individuals that mistreated the prisoners? If so Circle the photo.

EXHIBIT E



What is the name of the soldier that you identified in the photo?

[Redacted] b6-4

[Redacted]

b6-5

What did this soldier do the Iraqi Detainees? Sleep, Prank, Face cream shot to guts, stamp their face set with his hands

Can you recognize any of the below soldiers as the individuals that mistreated the prisoners? If so Circle the photo.

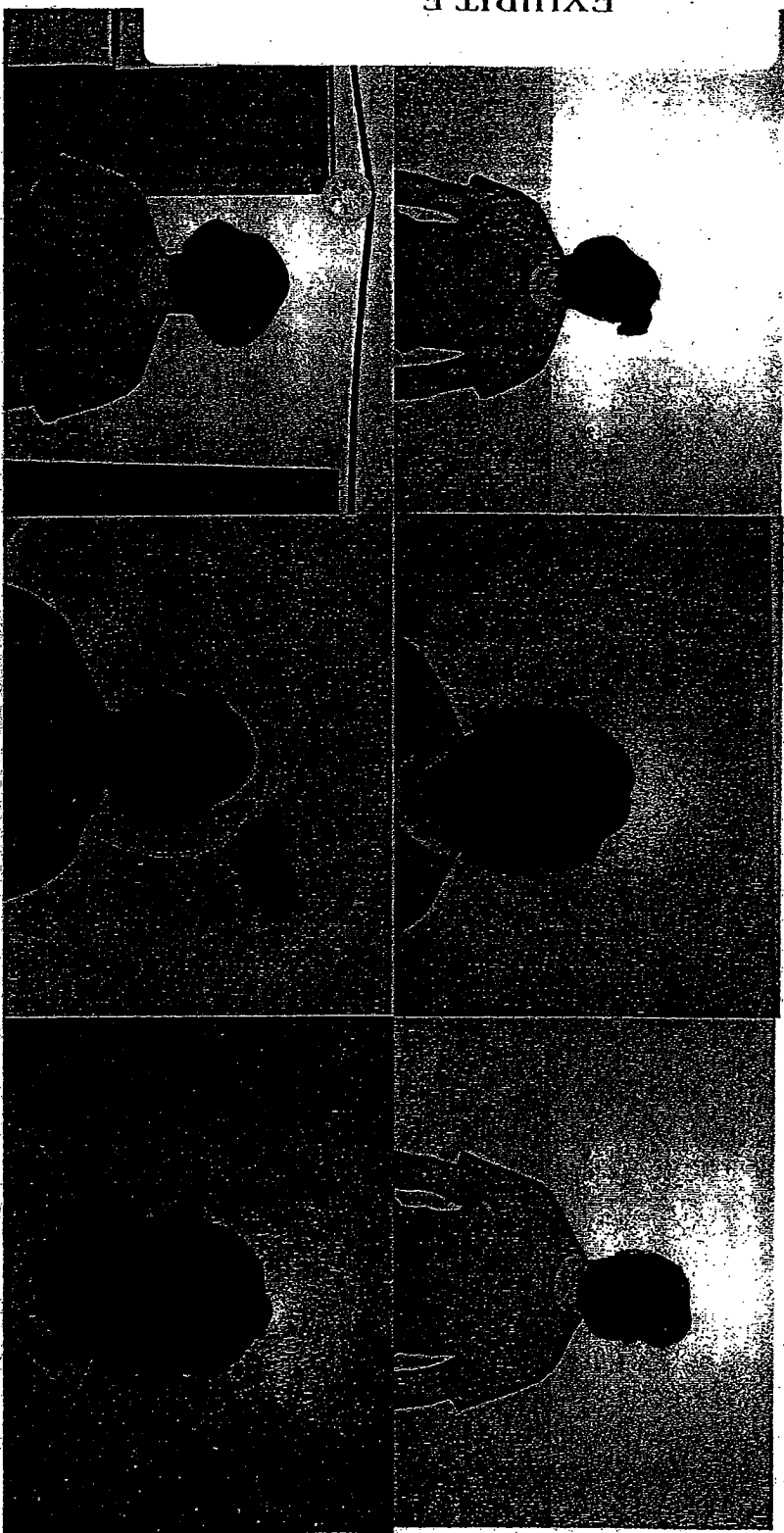


EXHIBIT F

What is the name of the soldier that you identified in the photo? [redacted] b6-5

What did this soldier do to the Iraqi Detainees? <sup>Xo</sup> b6-4  
Punch, kick, slap, hit, & M, and Force comes hands to the guards IFFL

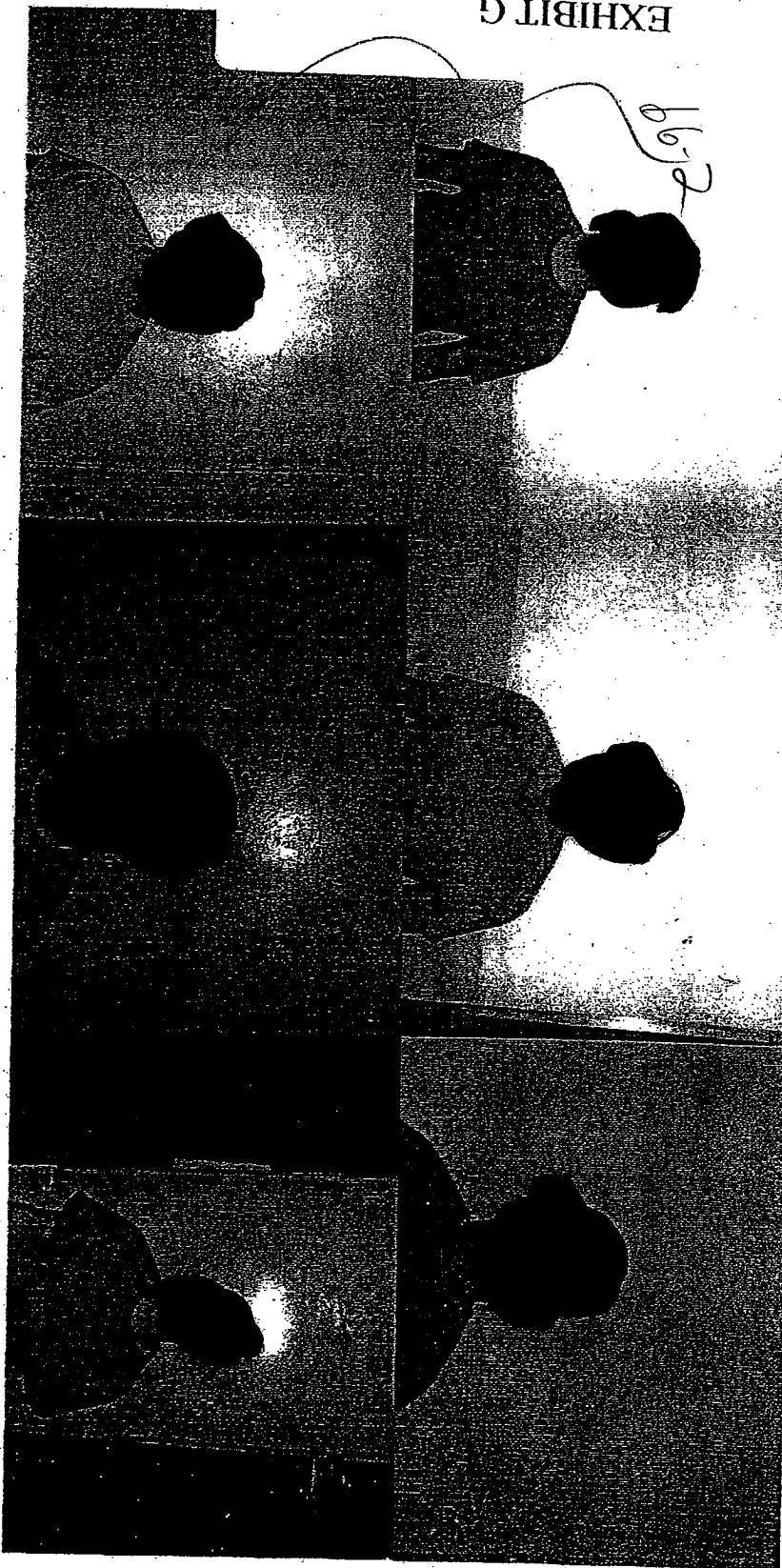
3861 no



Can you recognize any of the below soldiers as the individuals that mistreated the prisoners? If so  
Circle the photo.

[Redacted] Selected No one on this page,

EXHIBIT G



What is the name of the soldier that you identified in the photo? \_\_\_\_\_

What did this soldier do the Iraqi Detainees? \_\_\_\_\_

001984

Can you recognize any of the below soldiers as the individuals that mistreated the prisoners? If so Circle the photo.

[Redacted]

*66-7*  
*Selected No one on this Page*

EXHIBIT H



What is the name of the soldier that you identified in the photo? \_\_\_\_\_

What did this soldier do the Iraqi Detainees? \_\_\_\_\_

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) 20031110	3. TIME 0930	4. FILE NUMBER
5. [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED] 66-4			

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

1. How soldiers observed/were present during the mistreatment of detainees? 6, myself [REDACTED] [REDACTED] a name something like that, he's from the mortars, 2 Spc. I don't remember their names, they are from the infantry. [REDACTED] is burly big guy muscular, looks a little like Brock Larson. [REDACTED]

2. Do you believe [REDACTED] could identify the other two SPC's from the Infantry? Yes I do [REDACTED]

Nothing follows

11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 66-4	PAGE 1 OF 2 PAGES
STATEMENT _____ TAKEN AT _____ DATED _____	
IN THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER	

EXHIBIT I

9. STATEMENT (Continued)

*Nothing follows*

**AFFIDAVIT**

I, [REDACTED] *bb-7*, 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.

[REDACTED] *bb-4*  
(Signature of Person making Statement)

**WITNESSES:**

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of NOV, 03 at [REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED] *bb-2*  
(Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] *bb-7*

PAGE 2 OF 2 PAGES

001987

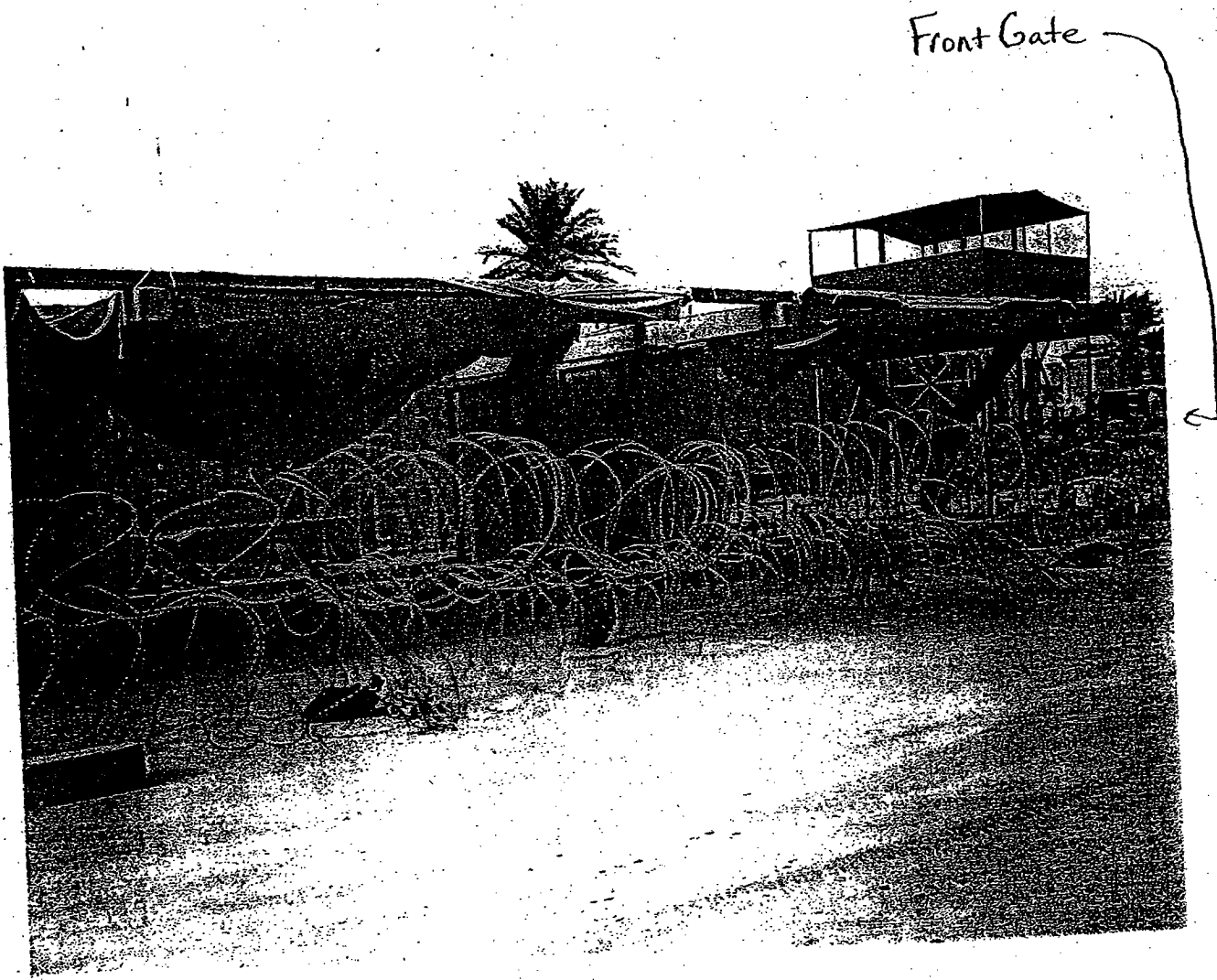


EXHIBIT J

001988

DECLASSIFICATION PROCEEDURE/WAIVER CERTIFICATE  
For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION [REDACTED]	2. DATE 20031112	3. TIME 2005	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS [REDACTED]		
6. [REDACTED]	7. GRADE/STATUS [REDACTED]		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

b6-5

The investigator whose name appears below told me that he/she is with the United States Army [REDACTED] and wanted to question me about the following offense(s) of which I am suspected/accused: Observing Detainee Mistreatment

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

- I do not have to answer any question or say anything [REDACTED]
- Anything I say or do can be used as evidence against me in a criminal trial [REDACTED]
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. [REDACTED]
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins. [REDACTED]
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below [REDACTED]

b6-5

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)

1a. NAME (Type or Print) [REDACTED] b6-2

b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED] b6-2

7. SIGNATURE OF INTERVIEWEE [REDACTED] b6-2

4. SIGNATURE OF INVESTIGATOR [REDACTED]

2a. NAME (Type or Print) [REDACTED]

5. TYPED NAME OF INVESTIGATOR [REDACTED]

b. ORGANIZATION OR ADDRESS AND PHONE [REDACTED]

6. ORGANIZATION OF INVESTIGATOR [REDACTED]

Section C. Non-waiver

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

2. SIGNATURE OF [REDACTED] b6-5

ATTACH [REDACTED] SWORN STATEMENT (DA FORM 2823) SUBSE

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSO

EXHIBIT K

001989

RIGHTS WAIVER PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

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

1. LOCATION [redacted] 2. DATE 20031112 3. TIME 2021 4. FILE NO.
5. NAME [redacted] 6. SSN [redacted] 7. GRADE/STATUS [redacted] 8. ORGANIZATION OR ADDRESS [redacted]

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A: Rights

The investigator whose name appears below told me that he/she is with the United States Army [redacted] and wanted to question me about the following offense(s) of which I am suspected/accused: Information Concerning Detainee Misreatment

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

- 1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning.
4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B: Waiver

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

WITNESSES (If available)
1a. NAME (Type or Print)
1b. ORGANIZATION OR ADDRESS AND PHONE
2a. NAME (Type or Print)
2b. ORGANIZATION OR ADDRESS AND PHONE
3. SIGNATURE OF INTERVIEWEE
4. SIGNATURE OF INVESTIGATOR
5. SIGNATURE OF INVESTIGATOR
6. ORGANIZATION OF INVESTIGATOR

Section C: Non-waiver

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

2. SIGNATURE OF INTERVIEWEE

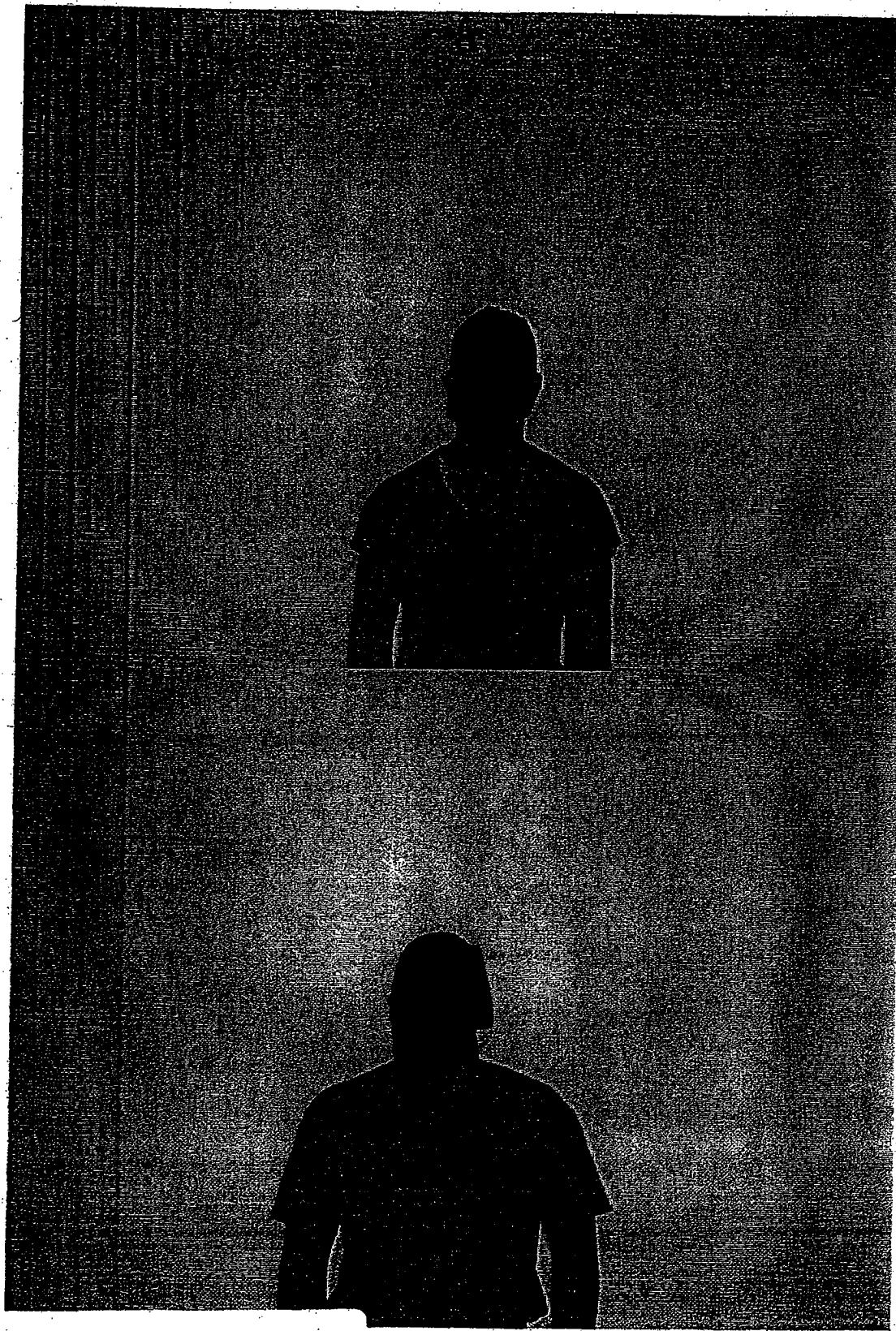
ATTACH THIS CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSE

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSO

EXHIBIT L

001990

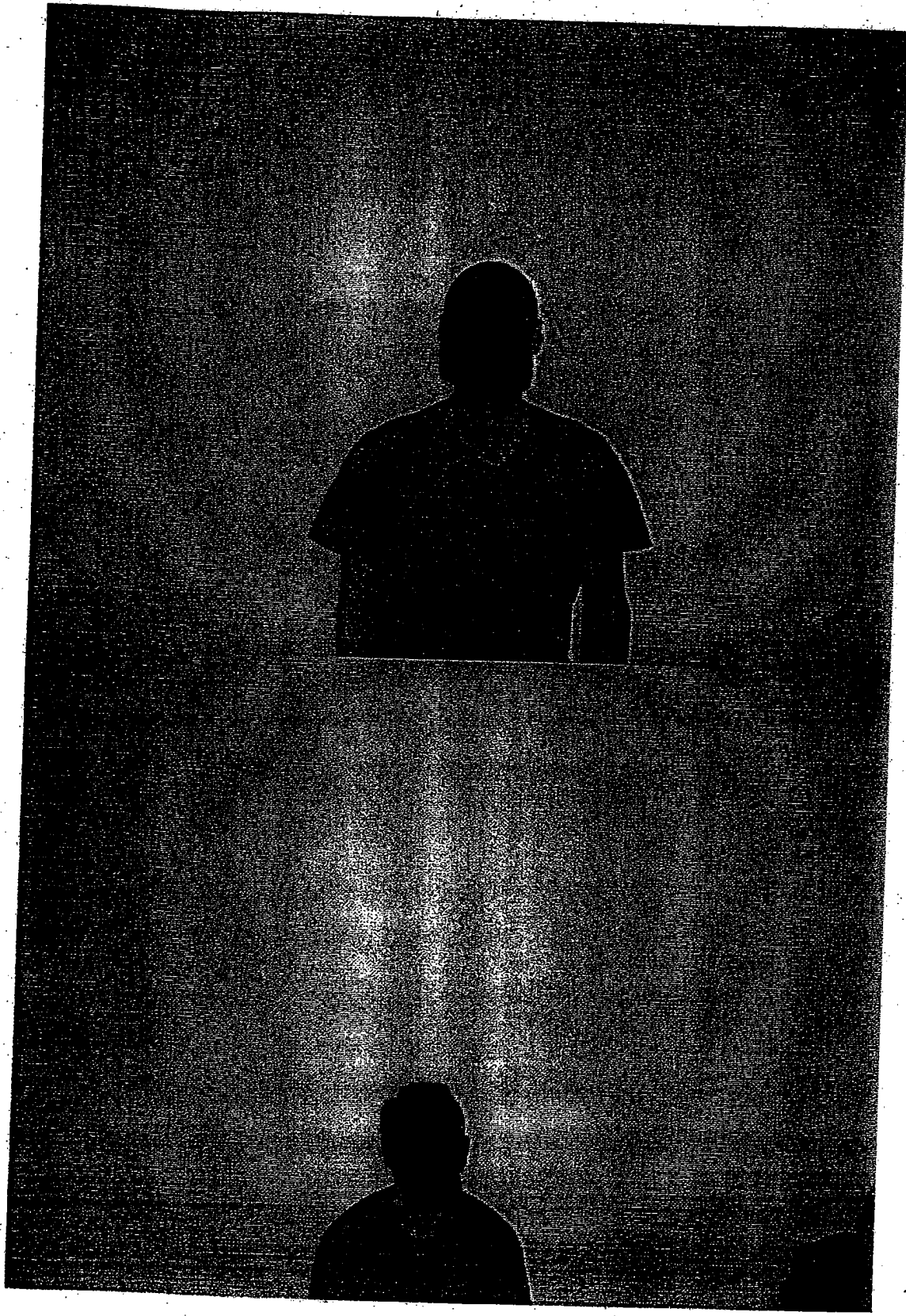


bb-2

EXHIBIT M

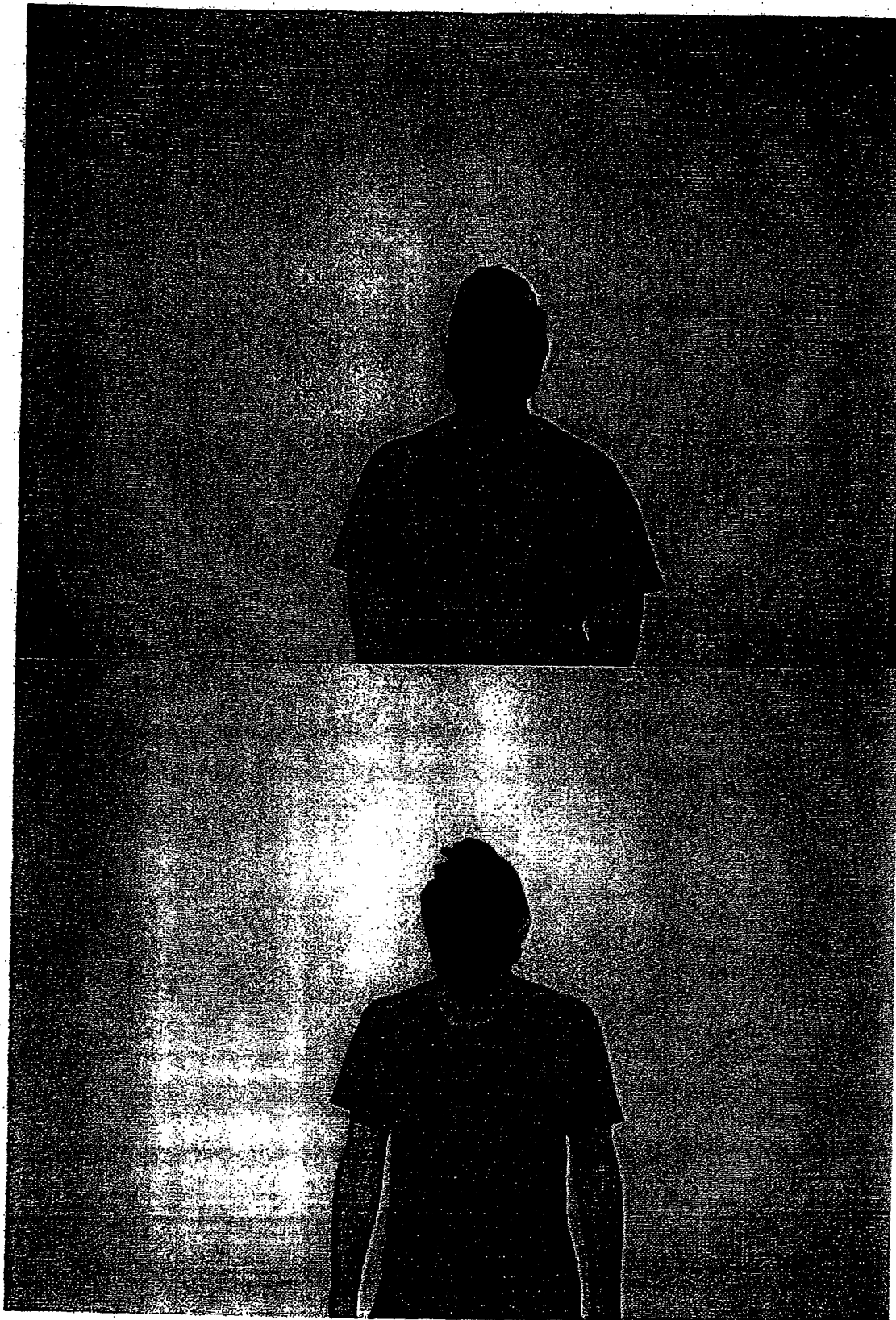
001991





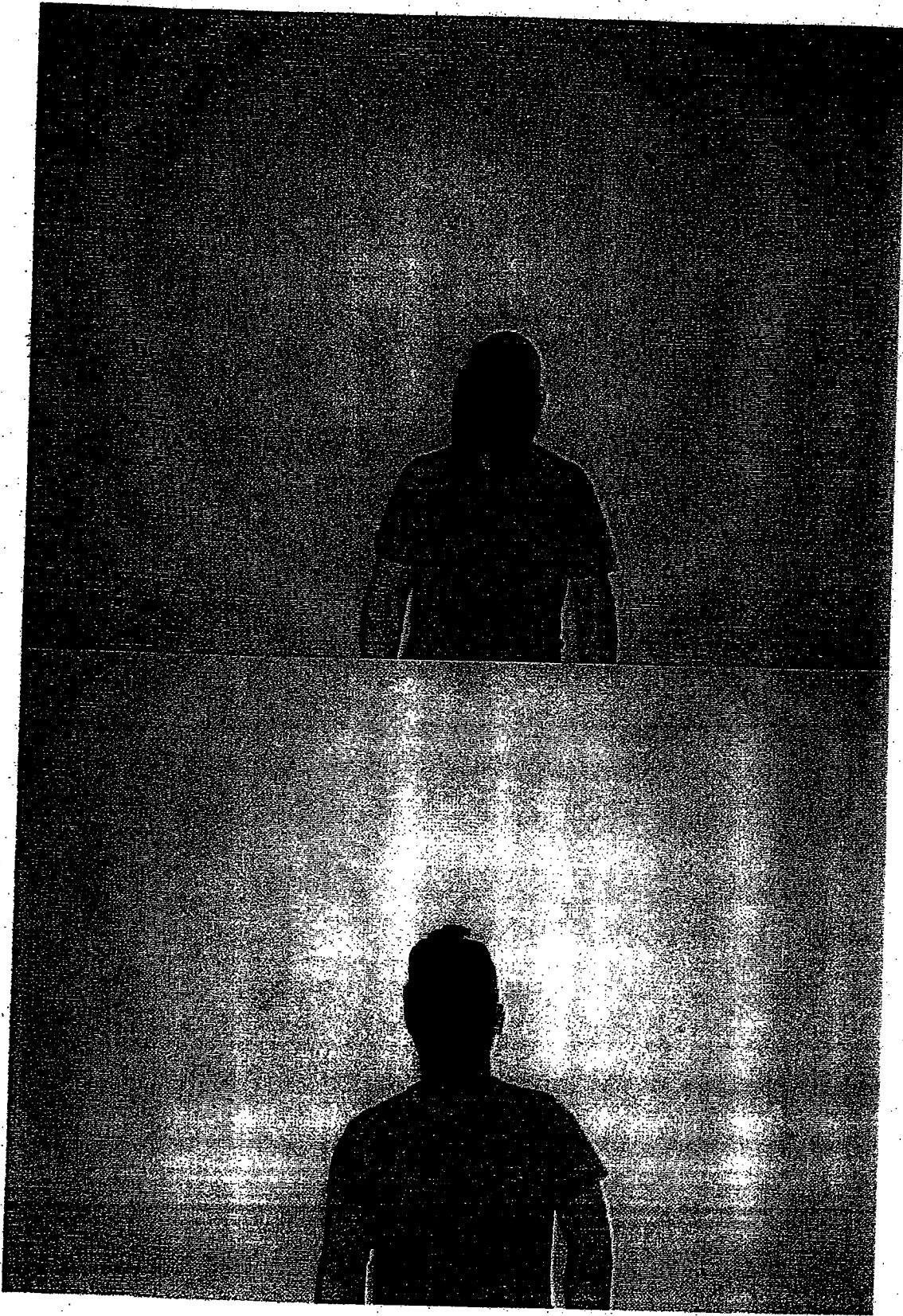
b6-2

001992



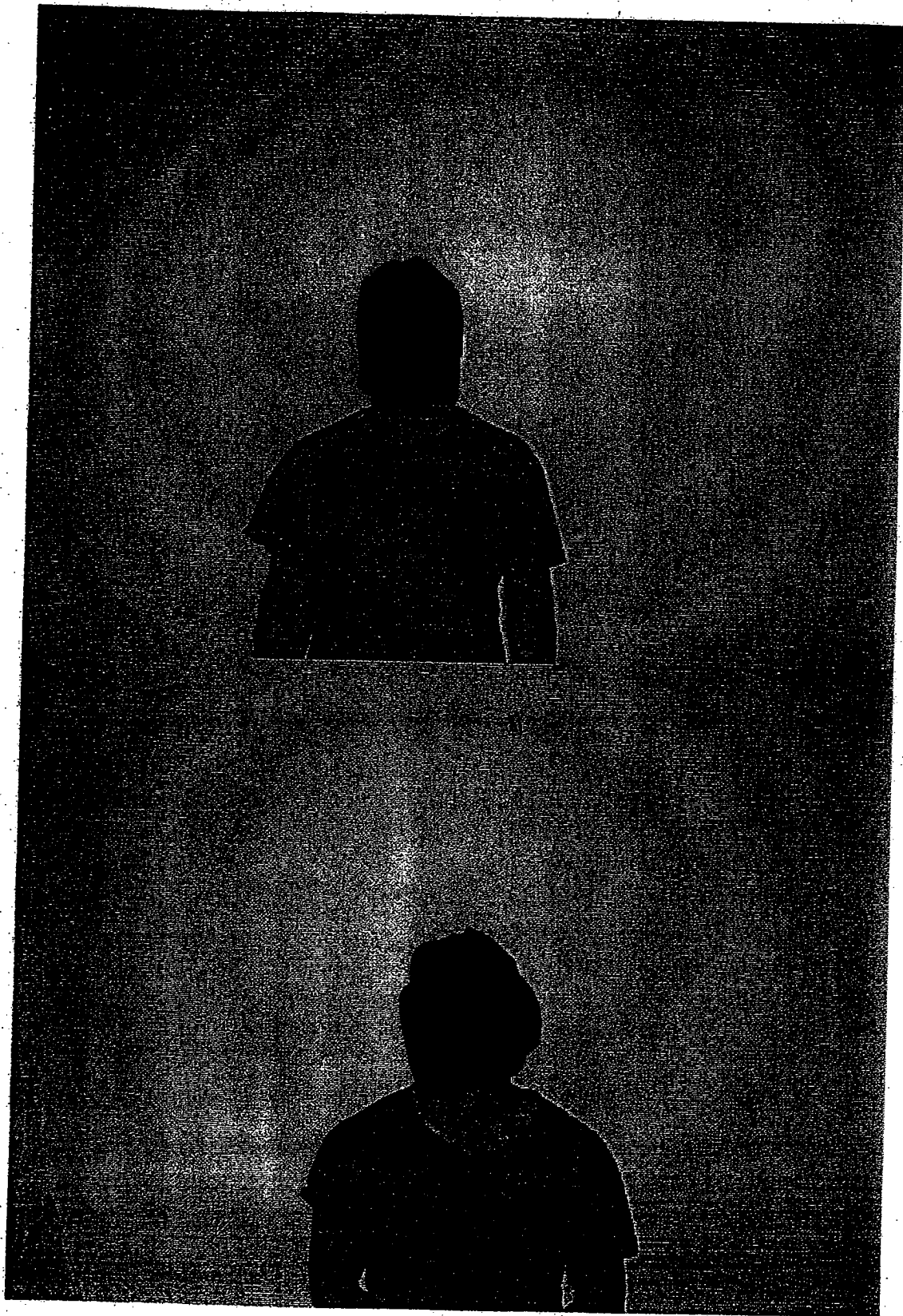
b6-2

001993



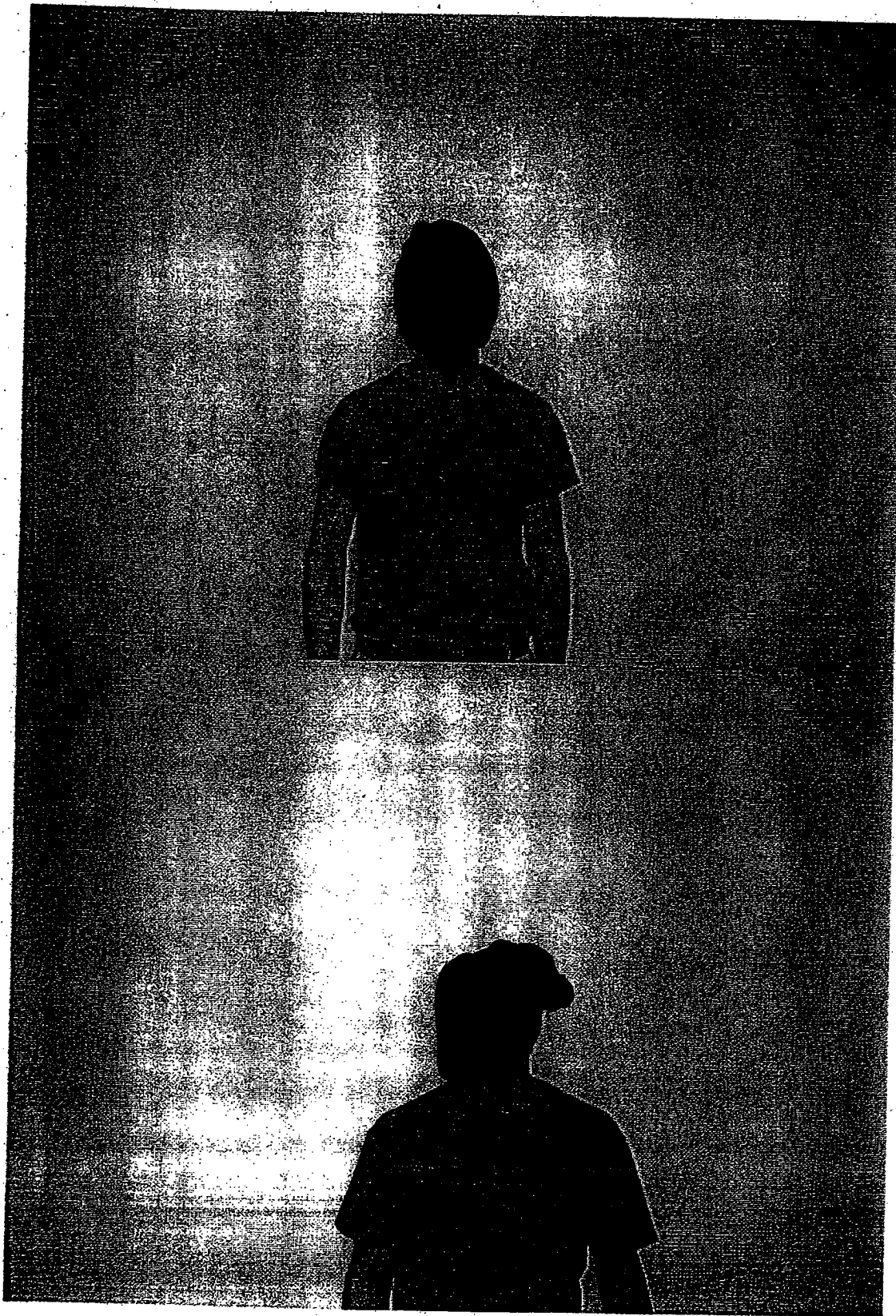
66-2

001994



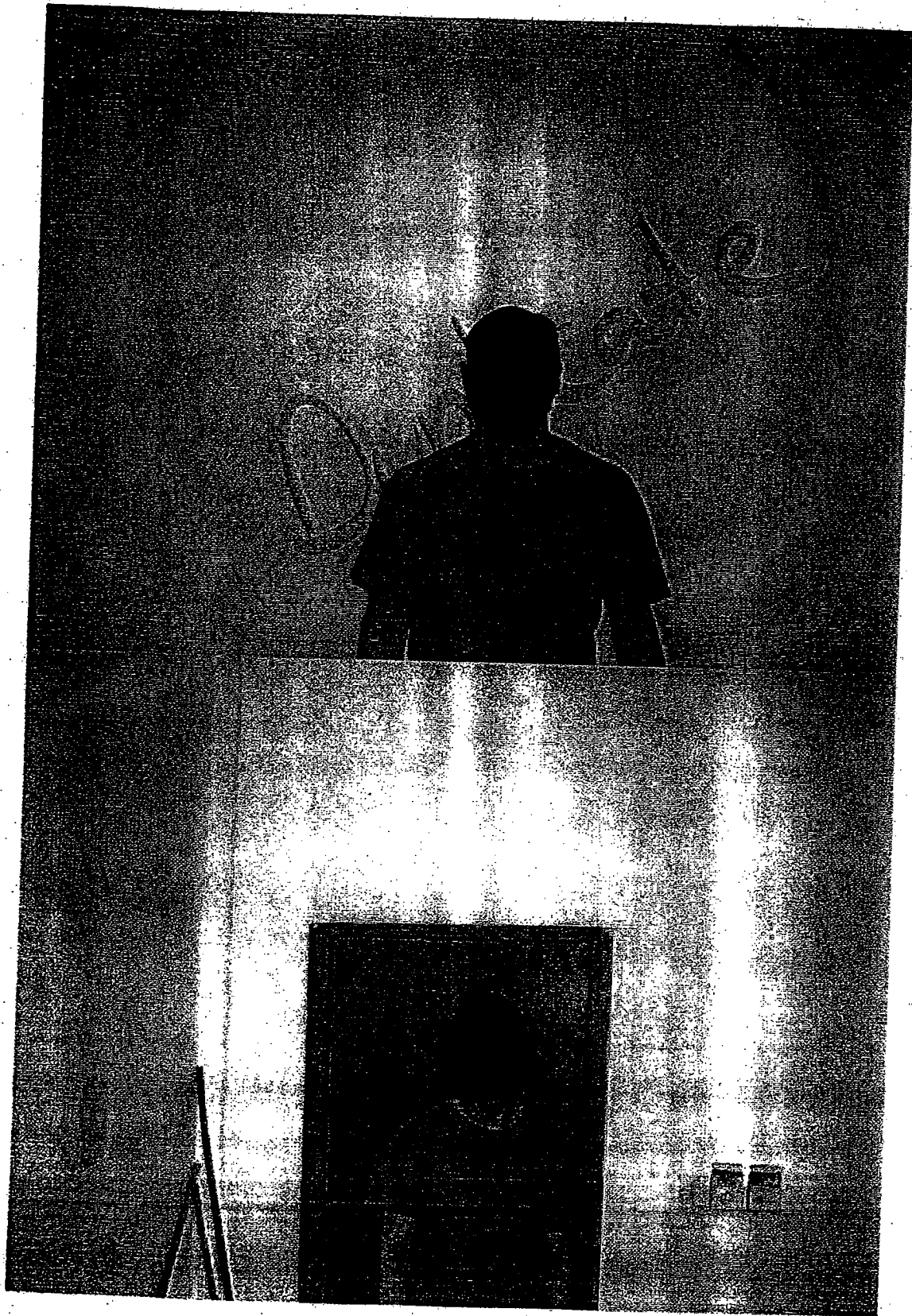
66-2

001995



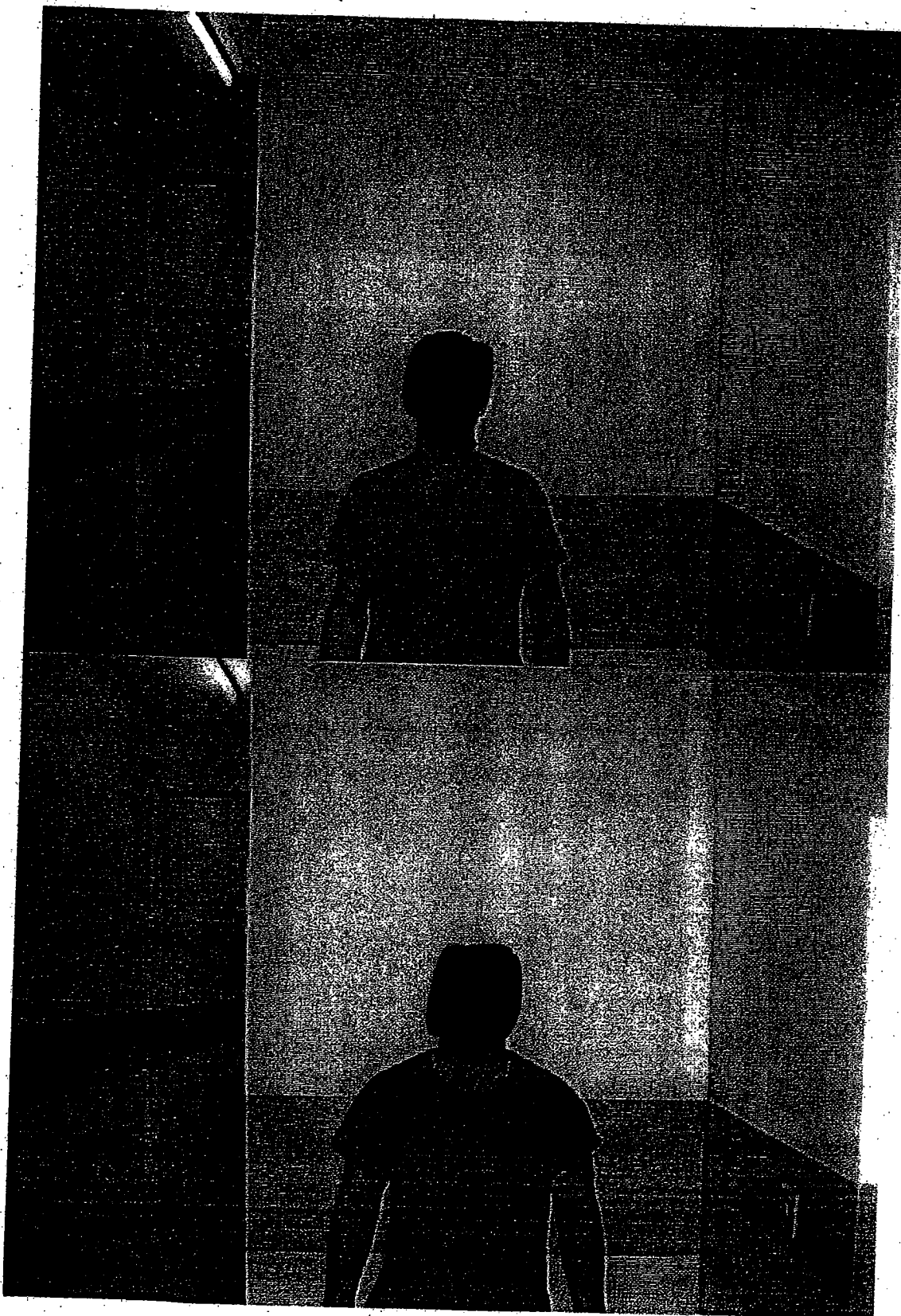
b6-2

001996



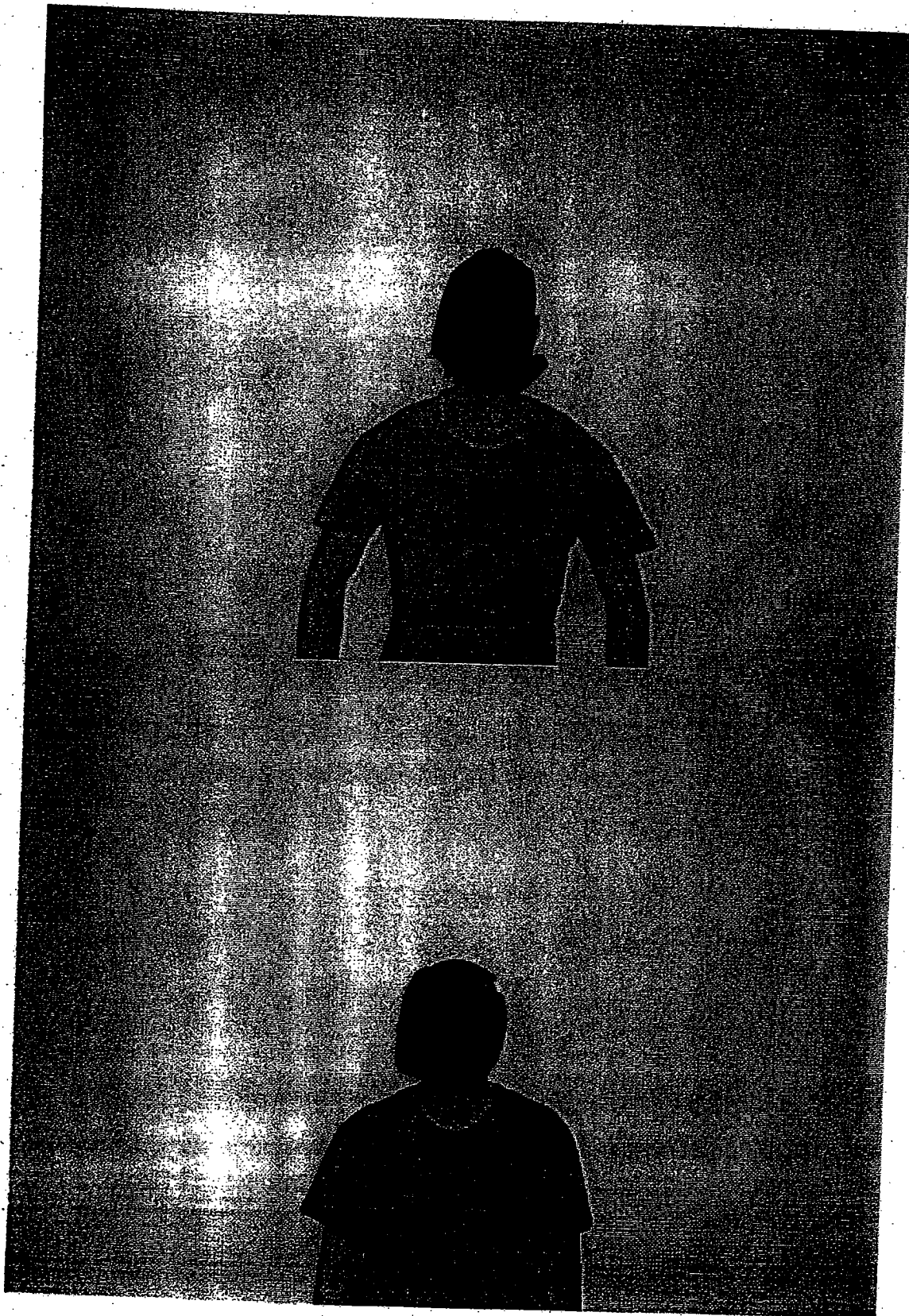
66-2

001997



bb-2

001998



bb-2

001999

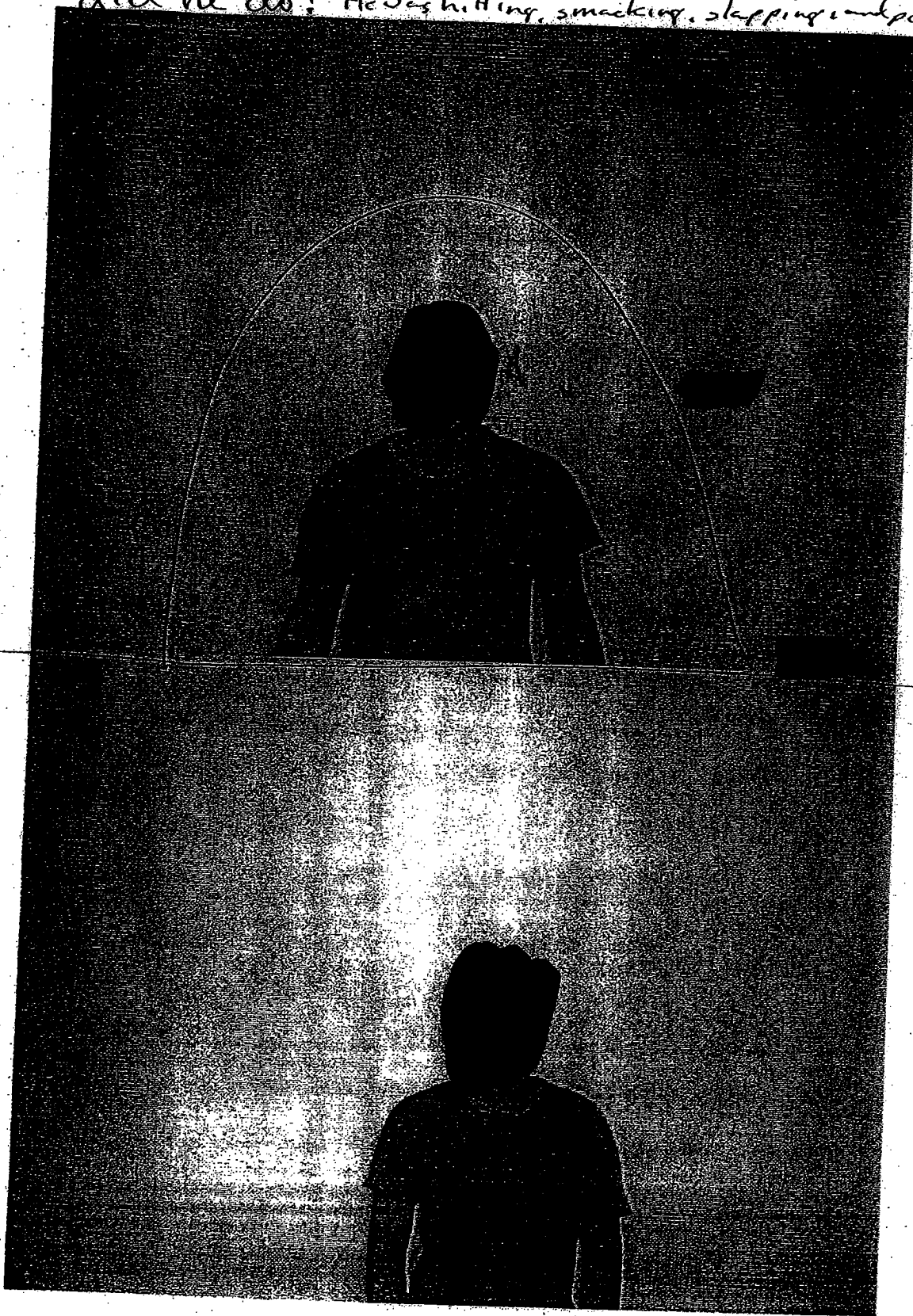




bb-2

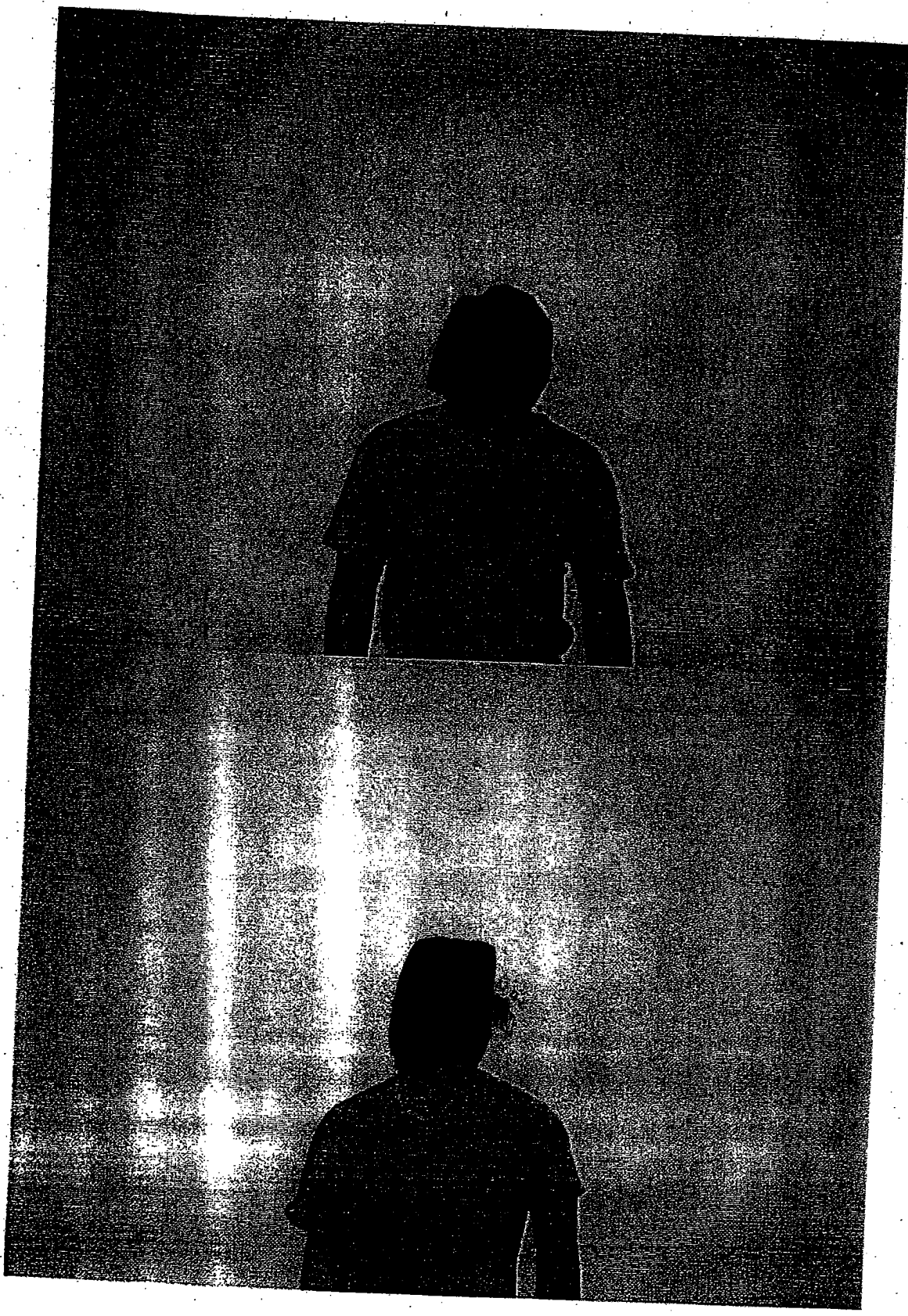
002000

This soldier that you selected, what  
did he do? He was hitting, smacking, slapping and punching to  
prisoner



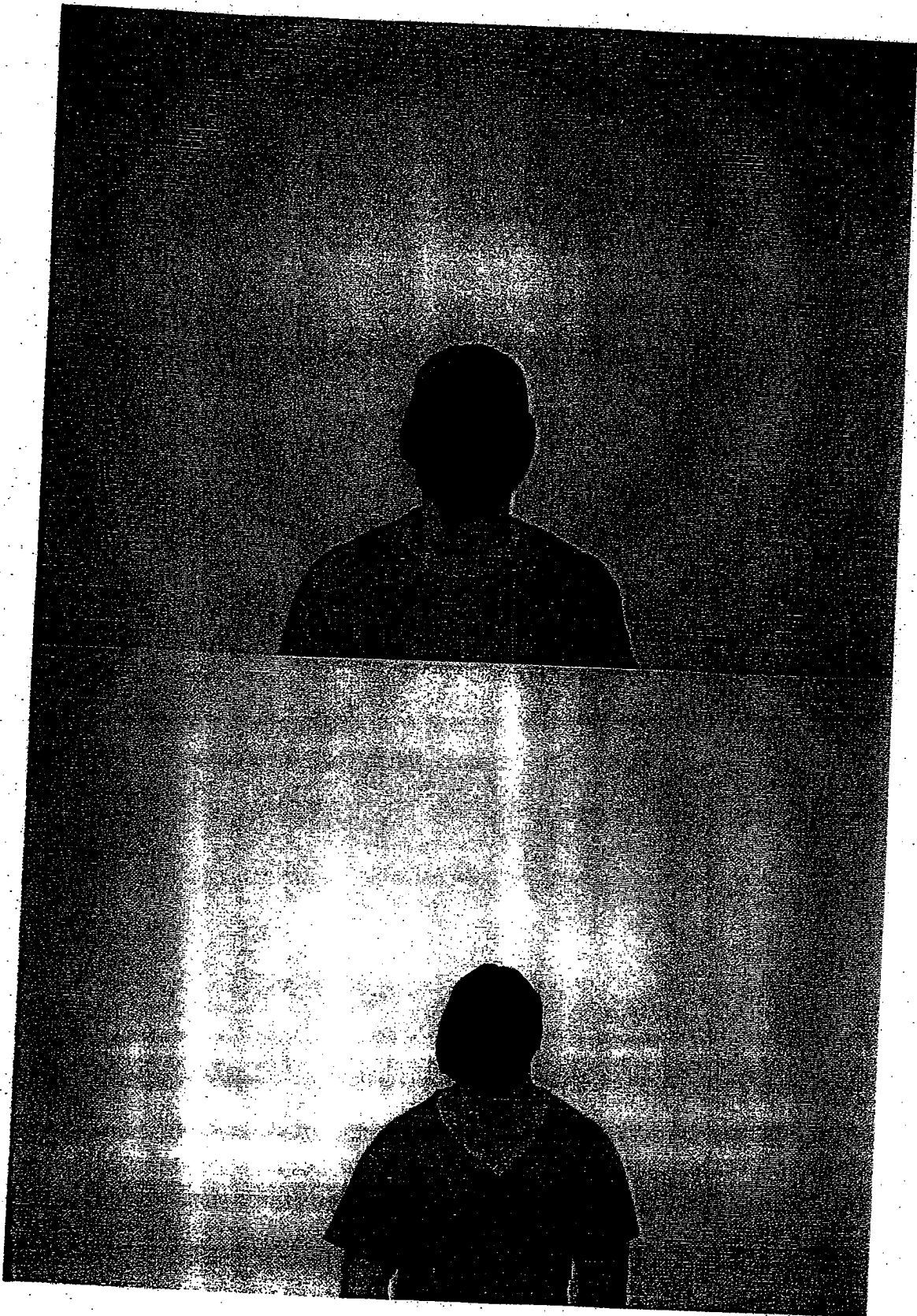
b62

002001



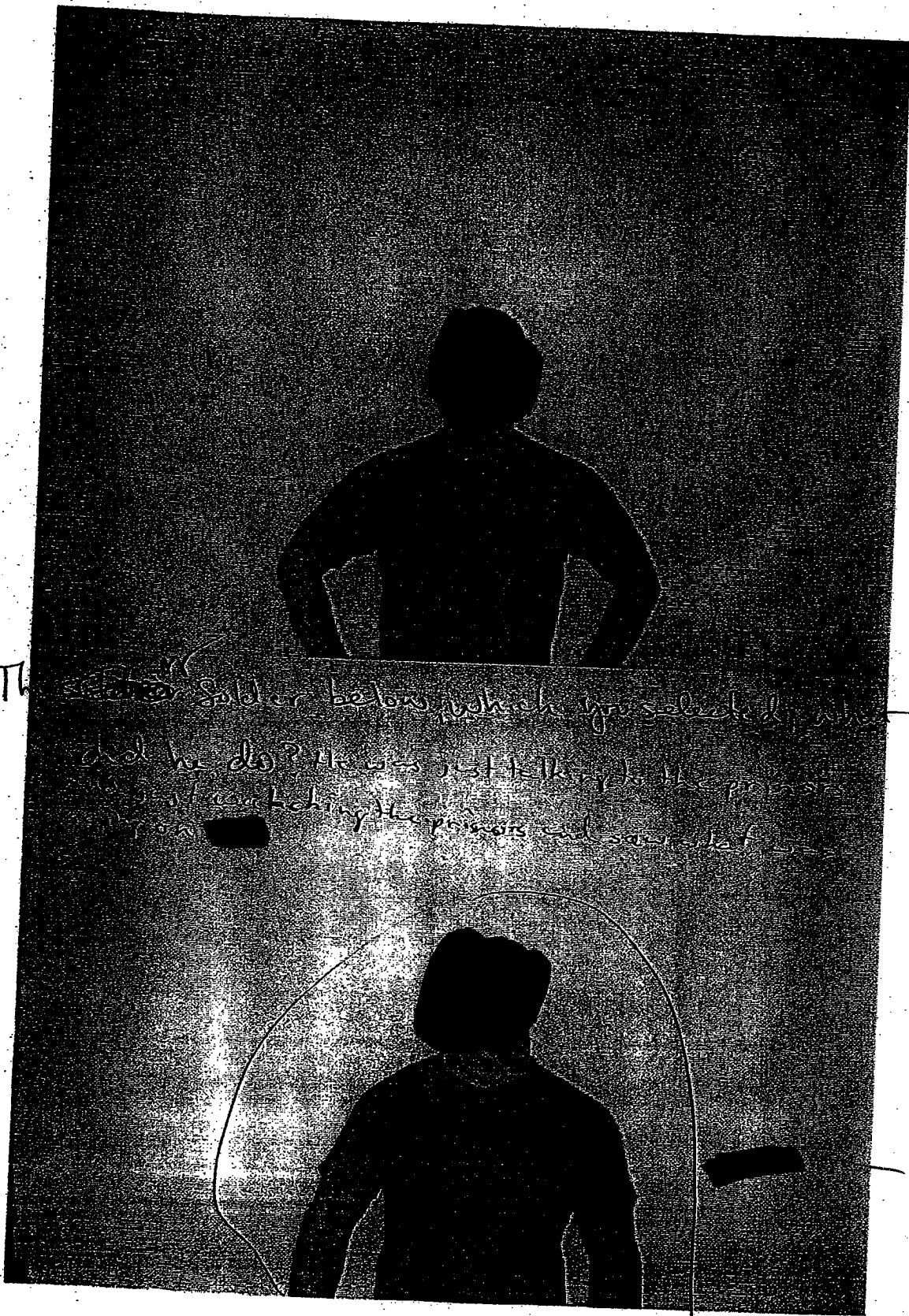
b6-2

002002



b6-2

002003



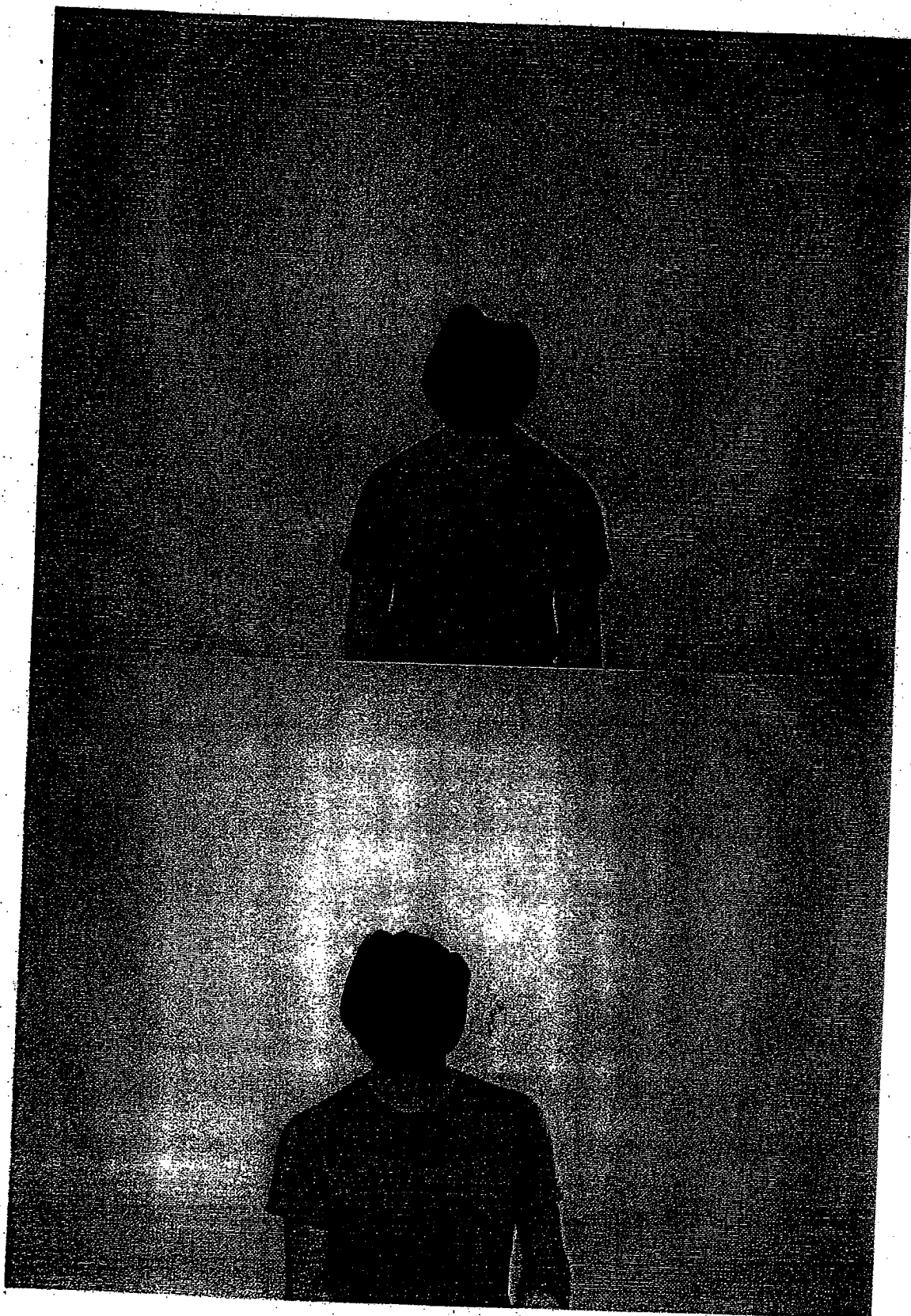
The

Soldier below which you selected  
did he do? He was just talking to the prisoners  
and searching the prisoners and searching

bb-2

bb-7

002004



b6-2

002005

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] FoB	2. DATE (YYYYMMDD) 20031114	3. TIME 0915	4. FILE NUMBER
5. [REDACTED] NAME	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION ADDRESS [REDACTED] 66-4			

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

I was provided a photo line-up of the 2nd Platoon, [REDACTED] 66-5; with in this line-up I observed: The [REDACTED] 66-5 was in the line up so I circled him and I recognized one of the other Spec. that was there in the line up. [REDACTED] 66-4

Is there any additional information that can be provided concerning the Detainee mis treatment? I could not confirm the identity of the other Spec. [REDACTED] 66-4

Nothing follows EFR

66-4

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

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

EXHIBIT N

THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER

FORM 2823, JUL 72, IS OBSOLETE

USAPA V.1 00

002006

9. STATEMENT (Continued)

*Nothing follows*

*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.

\_\_\_\_\_  
(Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of Nov, 03 at \_\_\_\_\_

\_\_\_\_\_  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Person Administering Oath)

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
EPR

002007



SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 391; 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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB, BAGHDAD, IRAQ
2. DATE (YYYYMMDD): 2003/10/25
3. TIME: 1915
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: [REDACTED]

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

On the evening of 25 Oct 2002 at approximately 1845, [REDACTED] who is the XO of the Battalion, asked for the medics to perform physical exams on some Iraqi Detainees which were brought recently to our FOB. [REDACTED] the Battalion PA, and went immediately down to the EPW Holding Area to examine them. They were brought out of the holding area individually and examined by me or the PA. The following is a summary of the significant physical findings per our examination.

5 of them had linear erythematous (red) markings on their wrists that were presumably left from the Flex-cuffs. [REDACTED] had subjective numbness of his left 4th and 5th fingers as well as epigastric (upper central) abdominal tenderness to palpation (touch) without evidence of ecchymosis (bruising). [REDACTED] had tenderness to palpation but no ecchymosis of his left clavicle (collar bone), the right side of his mandible by his temporomandibular joint (jaw), and his periumbilical region (central abdomen). He also had subjective numbness of his 4th and 5th fingers on his left hand. Before leaving, I had [REDACTED] give him 800mg of Ibuprofen to help treat his pain.

The above findings were verbally reported to MAJ [REDACTED] who then asked me to document the findings on this form.

NOTHING FOLLOWS

10. EXHIBIT: B
11. INITIALS: [REDACTED]
PAGE 1 OF 12 PAGES

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

EXHIBIT O

DA FORM 2823, JUL 72, IS OBSOLETE

USARF 11

002008

9. STATEMENT (Continued)

bb-4

25 OCT 2003

[Redacted]

bb-4

bb-4

AFFIDAVIT

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

[Redacted Signature] (Signature of Person Making Statement)

bb-4

WITNESSES:

[Redacted] ORGANIZATION OR ADDRESS

bb-2

[Redacted] ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of OCTOBER, 2003

[Redacted Signature] (Signature of Person Administering Oath)

bb-2

[Redacted Name] (Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

bb-4

002009

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 18 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB, Baghdad Iraq
2. DATE (YYYYMMDD): 2003 10 25
3. TIME: 2200
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted]
6. SSN: [redacted]
7. GRADE/STATUS: [redacted]
8. ORGANIZATION OR ADDRESS: Baghdad, Iraq

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

(taken with help of interpreter [redacted])
I was brought to the prisoner cage this afternoon with 5 other men, all my relatives, when we were brought from the truck into the cage, some soldiers followed us into the cage. It was 5 soldiers. One soldier stood off to the side with my nephew [redacted] and didn't let the others touch him. The other 4 soldiers were hitting us, kicking us, and slapping us. One soldier put my face against the wall and hit the back of my head 2 or 3 times. While they were doing this, they were saying bad things about Allah and about our families. They beat on us for about an hour, and then they stopped and left.
Nothing follows

EXHIBIT P

INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 1 PAGES
STATEMENT TAKEN AT DATED
THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER: 002010

MUST BE INDICATED.

9. STATEMENT (Continued)

[Redacted statement content]

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE \_\_\_\_ 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.

NAME AND ADDRESS  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted Signature] **bb-4**  
(Signature of Person Making Statement)

Subscribed and sworn to before me by a person authorized by law to administer oaths, this 25 day of OCT, 03 at 2-23 FPO

ORGANIZATION OR ADDRESS  
[Redacted]

[Redacted Signature] **bb-2**  
(Signature of Person Administering Oath)

[Redacted Name]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS  
[Redacted]

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
[Redacted]

**bb-4**

PAGE \_\_\_\_ OF \_\_\_\_ PAGES

002011

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION: FOB, Baghdad, Iraq
2. DATE (YYYYMMDD): 20051025
3. TIME: 2230
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: [redacted] bb-4
6. SSN: [redacted]
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: Baghdad, Iraq

9. I, [redacted] bb-4 WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
(Taken help with of interpreter [redacted] bb-2)
I was brought to the prison cage this afternoon with 5 other men, all related to me. When we were brought from the truck into the cage, some soldiers followed us in. It was about 5-7 soldiers. The soldiers started hitting the other prisoners, slapping them in the face, punching them in the body, kicking them and stepping on their feet. A soldier named [redacted] bb-4 stood near me and wouldn't let the others hit me, because I spoke a little English. The other soldiers continued to beat the other prisoners until one of the soldiers from the Bradleys, acting as a lookout, said someone was coming. Then all of the soldiers in the jail left. While this all was going on, the soldiers (except [redacted] bb-4) were saying bad things to us, like "I want to fuck your sister" and other things.

Interviewer's Note: When I asked the individual to write down one piece of specific paper the name he saw on the subject [redacted], he wrote [redacted] bb-4

11. INITIALS OF PERSON MAKING STATEMENT: H [redacted]
PAGE 1 OF 2 PAGES
STATEMENT TAKEN AT DATED bb-4
AR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER

EXHIBIT Q

9. STATEMENT (Continued)

**AFFIDAVIT**

b6-4

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.

[REDACTED] b6-4

(Signature of Person Making Statement)

WITNESSES: [REDACTED] b6-2

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of OCT 03

at [REDACTED] b6-2

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE	OF	PAGES
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002013

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: Feb, Baghdad 2. DATE (YYYYMMDD): 20031112 3. TIME: 1400 hrs 4. FILE NUMBER:
5. LAST NAME: [redacted] 6. SSN: [redacted] 7. GRADE/STATUS: 66-4
8. ORGANIZATION: Baghdad, Iraq 09324

I, [redacted] 66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In my opinion as a company commander, [redacted] has been a quality soldier and a great asset to [redacted]. I have every confidence in his desire to do what is right and tell the truth to the best of his knowledge. He has always been both straightforward and honest with his squad and platoon leadership as well as with me. He has exhibited no reasons for me to doubt his words or his actions.

Nothing follows

EXHIBIT R

11. [redacted] 66-4 PERSON MAKING STATEMENT PAGE 1 OF 2 PAGES
STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

RE THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER

002014

STATEMENT (Continued)

*Nothing follows*

*b6-4*

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 BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF \_\_\_\_\_ CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR \_\_\_\_\_

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of Nov. .03 at FORS

\_\_\_\_\_  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

NAME OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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002015