

AFYB-CG

102303

B6-5  
all


MEMORANDUM THRU

Commander, 173d Airborne Brigade, 4<sup>th</sup> Infantry Division Mechanized, Tikrit, Iraq  
Commander, 319th AFAR, 173d Airborne Brigade, 4<sup>th</sup> Infantry Division (Mechanized), Tikrit,  
Iraq  
Commander, Delta Battery, 319th AFAR, 173d Airborne Brigade, 4th Infantry Division  
(Mechanized), Tikrit, Iraq

FOR Commander, 502d Personnel Service Battalion, 4th Infantry Division (Mechanized), Tikrit  
Iraq

SUBJECT: Request for Discharge in Lieu of Trial by Court-Martial, SSG [REDACTED]  
[REDACTED] Delta Battery, 319th AFAR, 173d Airborne Brigade, 4th Infantry Division (Mechanized),  
Tikrit, Iraq

1. The Request for Discharge in Lieu of Trial by Court-Martial submitted by SSG [REDACTED]  
[REDACTED], Delta Battery, 319th AFAR, 173d Airborne Brigade, 4th Infantry Division  
(Mechanized), Tikrit, Iraq, UP AR 635-200, Chapter 10, is hereby APPROVED.
2. I direct that SSG [REDACTED] be discharged from Military Service under the provisions of AR 635-  
200, Chapter 10, and that his service be characterized as Under Other Than Honorable  
Conditions.
3. The pending court-martial charges against SSG [REDACTED] will be dismissed after SSG [REDACTED]  
receives his DD Form 214.
4. I direct that SSG [REDACTED] be reduced to the lowest enlisted pay grade, PVT (E-1) IAW 635-  
200, paragraph 1-13.
5. SSG [REDACTED] will not be transferred into the Individual Ready Reserve (IRR) as he clearly has  
no potential for useful service under conditions of full mobilization. Transfer is not required  
IAW AR 635-200, paragraph 1-35.
6. In accordance with AR 635-200, paragraph 1-20, if the soldier is a bonus recipient, unearned  
portions of any enlistment/reenlistment bonuses will be recouped.
7. I further direct that SSG [REDACTED] be separated from the Army within five working days upon  
return to CONUS.



RAYMOND T. ODIERNO  
Major General, USA  
Commanding

006987



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
United States Army Trial Defense Service  
Fort Hood Field Office  
Task Force Ironhorse  
Police station Speicher, Iraq

B6-5  
all

AFZF-JA-TDS

4 October 2003

MEMORANDUM FOR Commander, Taskforce Ironhorse, 4th Infantry Division  
(Mechanized), Tikrit, Iraq.

SUBJECT: Letter in Support of Discharge in Lieu of Trial by Court-Martial -- SSG  
[REDACTED],  
D Battery, 319th AFAR, 173rd Airborne Brigade, Iraq

1. I am writing this letter to help explain the circumstances that led to this entire situation. I am not writing this to excuse my actions but to shed some light on the day that led up to the incident.
2. On 1 August 2003 a soldier in my unit, SPC [REDACTED] was killed by an RPG round. All of us were upset and nervous about the death. The following day was probably the worst day of my life. Early on 2 August 2003, some local Iraqi's brought a dead body to our police station. They told us that they had found the man in the river and that he had been strangled. Until this moment I had never seen a dead man before. The sight of this was very upsetting. This first event of the morning set the mood for the day.
3. About an hour after the body was brought to the police station we had reports of some Iraqi's stealing pipes in town. We went to investigate the incident and actually found the men. We detained fourteen men and began to transport them to our police station. As we left we noticed that another car was following us. The two men in the car were with the pipe stealers earlier. We had a few local Iraqi police in the vehicle with us and they began shooting at the car. We looked back at the car to see why they were shooting. We saw that one of the men in the car was holding a grenade. He was holding the grenade as if he were about to throw it at us. The driver of our vehicle stomped on the brakes and this forced the car behind us to abruptly stop. We detained the two men and their grenade.
4. About thirty minutes after dropping these detainees at the police station we were made aware of shots being fired at the market. We immediately left for the market area. The two men that we found were local Kirkuk police and they were carrying AK-47's. They were not suppose to be carrying weapons outside of their city as that was the law. We searched the men and found fuses and full magazines for the AK-47's. We asked the artillery guys about the fuses and were told that they were either mortar or RPG fuses. We took them to the police station.
5. By the time we arrived to the police station all of our emotions were high and we were all on the edge. We called our commander and asked what to do with the two police that

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all

had the AK's. We found out moments earlier that the local Iraqi judge had ordered that they be released. The commander told us to question them anyway.

6. After questioning the two for awhile the translator told me that one of the men had stated that he would kill me and the others that had questioned him. He also stated that he would blow up the police station with an RPG. We all took them seriously.

7. The day had started with me seeing a dead mans body and it ended with threats on mine. I am not making excuses for my actions but hope to put that day in perspective. I have been in the Army for twelve and a half years. My MOS is not in police work or law enforcement. I am a communications sergeant. I have never been trained in police work and have no training in handling prisoners or detainees. I say this not to make excuses but to try and make sense of the situation.

8. I regret many things in my life and I hope that I can come to terms with the actions I have taken. I realize that you have the power to discharge me from service. My only request is that you discharge me with a General discharge. Very respectfully.

\_\_\_\_\_  
\_\_\_\_\_  
SSG, U.S. Army  
Accused

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DEPARTMENT OF THE ARMY  
COMBAT SUPPORT COMPANY,  
1<sup>ST</sup> BATTALION (AIRBORNE), 508<sup>TH</sup> INFANTRY  
4<sup>TH</sup> INFANTRY DIVISION (MECHANIZED)  
TIKRIT, IRAQ 09323

AESE-B

13 October 2003

MEMORANDUM THRU

Commander, 173d Airborne Brigade, 4<sup>th</sup> Infantry Division (Mechanized), Kirkuk, Iraq 09347  
Commander, 1<sup>st</sup> Battalion (Airborne), 508<sup>th</sup> Infantry, 173d Airborne Brigade, 4<sup>th</sup> Infantry  
Division (Mechanized), Tikrit, Iraq 09323

FOR Commander, 4<sup>th</sup> Infantry Division (Mechanized), Tikrit, Iraq

SUBJECT: Request for Discharge under Chapter 10, Discharge in Lieu of Trial by Court-Martial, pertaining to SSG [REDACTED], 319<sup>th</sup> AFAR, 173d Airborne Brigade, 4<sup>th</sup> Infantry Division (Mechanized), Tikrit, Iraq

b6-5

1. The attached recommendation for elimination under provisions of AR 635-200, Chapter 10, Discharge in Lieu of Trial by Court-Martial, pertaining to SSG [REDACTED], 319<sup>th</sup> AFAR, 173d Airborne Brigade, 4<sup>th</sup> Infantry Division (Mechanized), Tikrit, Iraq, is forwarded for your action. I recommend:

( X ) Approval. or ( ) Disapproval

2. Furthermore, I recommend that his service be characterized as

( ) under other than honorable conditions

( X ) General under honorable conditions

3. This isolated incident does not reflect SSG [REDACTED] otherwise clean record, and should not negate his significant contributions to his unit, the brigade, and the United States Army over the course of more than twelve years.

/Original Signed/

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Encl  
as

[REDACTED]  
CPT, FA  
Commanding

006990

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DEPARTMENT OF THE ARMY  
HEADQUARTERS, 2<sup>ND</sup> BATTALION (AIRBORNE), 503<sup>RD</sup> INFANTRY  
4<sup>TH</sup> INFANTRY DIVISION (MECHANIZED)  
TIKRIT, IRAQ 09323

AESE-B

13 October 2003

MEMORANDUM THRU Commander, 173d Airborne Brigade, 4<sup>th</sup> Infantry Division  
(Mechanized), Kirkuk, Iraq 09347

FOR Commander, 4<sup>th</sup> Infantry Division (Mechanized), Tikrit, Iraq 09323

SUBJECT: Request for Discharge under Chapter 10, Discharge in Lieu of Trial by Court-Martial, pertaining to SSG [REDACTED] 319<sup>th</sup> AFAR, 173d Airborne Brigade, 4<sup>th</sup> Infantry Division (Mechanized), Tikrit, Iraq

b6-5

1. The attached recommendation for elimination under provisions of AR 635-200, Chapter 10, Discharge in Lieu of Trial by Court-Martial, pertaining to SSG [REDACTED] 319<sup>th</sup> AFAR, 173d Airborne Brigade, 4<sup>th</sup> Infantry Division (Mechanized), Tikrit, Iraq, is forwarded for your action. I recommend:

( X ) Approval. or ( ) Disapproval.

2. I recommend that his service be characterized as under other than honorable conditions.

( ) under other than honorable conditions

( X ) General under honorable conditions

3. SSG [REDACTED] <sup>b6-5</sup> service to his country has consistently been above average, and should not be permanently marred by this isolated incident.

/Original Signed/

[REDACTED] b6-2

Encl  
as

LTC, IN  
Commanding

006991



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
United States Army Trial Defense Service  
Fort Hood Field Office  
Task Force Ironhorse  
Camp Speicher, Iraq

B6

AFZF-JA-TDS

4 October 2003

MEMORANDUM FOR Commander, Taskforce Ironhorse, 4th Infantry Division  
(Mechanized), Tikrit, Iraq.

SUBJECT: Request for Discharge in Lieu of Trial by Court-Martial -- SSG [REDACTED]  
[REDACTED], D Battery, 319th AFAR, 173rd Airborne Brigade, Iraq

1. I, SSG [REDACTED] *66-5j*, hereby voluntarily request discharge in lieu of trial by court-martial under AR 635-200, chapter 10. I understand that I may request discharge in lieu of trial by court-martial because of the following charges which have been preferred against me under the Uniform Code of Military Justice, one of which or a combination of which authorizes the imposition of a bad conduct or dishonorable discharge:

Article 128 x 4

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 and am guilty of one or more of the charges against me or of a lesser included offense therein contained which also authorize the imposition of a bad conduct or dishonorable discharge. Moreover, I hereby state that under no circumstances do I desire further rehabilitation, for I have no desire to perform further military service.

3. Prior to completing this form, I have been afforded the opportunity to consult with appointed counsel for consultation. I have consulted with counsel for consultation who has fully advised me of the nature of my rights under the Uniform Code of Military Justice, the elements of the offenses with which I am charged, any relevant lesser included offenses thereto, and the facts which must be established by competent 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 he has furnished me 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. **Although I understand that I may receive an under other than honorable conditions discharge, I respectfully request that I receive a General Discharge.** ~~I have been advised and understand the possible effects of an Under~~ Other Than Honorable Discharge (including but not limited to reduction to the lowest enlisted grade (Private E-1) by operation of law) and that, as a result of the issuance of

006992

such a discharge, I will 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, as indicated on a copy of DA Poster 635-1, which was provided me). I also understand that I may expect to encounter substantial prejudice in civilian life because of an Under Other Than Honorable Discharge. I further understand that there is neither automatic upgrading nor review by any Government agency of a less than honorable discharge and that I must apply to the Army Discharge Review Board or the Army Board of Corrections 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.

5. I understand that, once my request for discharge is submitted, it may be withdrawn only with 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. This request is conditioned upon disapproval of the findings and sentence of any court-martial, if applicable in this case.

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

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

## Enclosures

1. Letter from

SSG, U.S. Army  
Accused

Having been advised by me of:

- a. The basis for his contemplated trial by court-martial and the maximum permissible punishment authorized under the Uniform Code of Military Justice;
- b. The possible effects of an Under Other Than Honorable Discharge if this request is approved (including but not limited to reduction to the lowest enlisted grade (Private E-1) by operation of law and the loss of benefits administered by both the Army and other Federal agencies as indicated on a copy of DA Poster 635-1, which was provided to the soldier); and
- c. The procedures and rights available to him/her;

SSG [REDACTED] <sup>b6-5</sup>, personally made the choices indicated in the foregoing request for discharge in lieu of trial by court-martial.

[REDACTED]  
CPT, JA  
Senior Defense Counsel

b6-2

Data required by the Privacy Act of 1974 (5 USC 552a)

AUTHORITY: Section 301, title 5 USC and section 3013, title 10, USC.

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

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.



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# CHARGE SHEET

|  |                     |           |                                   |                        |                    |              |
|--|---------------------|-----------|-----------------------------------|------------------------|--------------------|--------------|
| 1. NAME OF ACCUSED (Last, First, MI)                                 |                     |           | I. PERSONAL DATA                  |                        | 3. GRADE OR RANK   | 4. PAY GRADE |
| [REDACTED]   |                     |           | 2. SSN                            | [REDACTED] <b>bb-5</b> | SSG                | E6           |
| 5. UNIT OR ORGANIZATION  |                     |           |                                   |                        | 6. CURRENT SERVICE |              |
| D Battery, 319 <sup>th</sup> AFAR, 173d Airborne Brigade, Unit 31401 |                     |           |                                   |                        | a. INITIAL DATE    | b. TERM      |
| APO AE 09347   |                     |           |                                   |                        | 2001106            | 4 yrs        |
| 7. PAY PER MONTH   |                     |           | 8. NATURE OF RESTRAINT OF ACCUSED |                        | 9. DATE(S) IMPOSED |              |
| a. BASIC   | b. SEA/FOREIGN DUTY | c. TOTAL  | None                              |                        | N/A                |              |
| \$2562.30  | \$225.00            | \$2787.30 |                                   |                        |                    |              |

## II. CHARGES AND SPECIFICATIONS

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

SPECIFICATION 1: In that Staff Sergeant [REDACTED] **bb-5**  
2 August 2003, commit an assault upon  
weapon, to wit, a loaded firearm.

U.S. Army, did, at or near Taza, Iraq, on or about  
by pointing at his head with a dangerous **bb-4**

SPECIFICATION 2: In that Staff Sergeant [REDACTED] **bb-5**  
2 Aug 2003, unlawfully strike

U.S. Army, did, at or near Taza, Iraq, on or about  
on the body with his hand. **bb-4**

SPECIFICATION 3: In that Staff Sergeant [REDACTED] **bb-5**  
2 Aug 2003, unlawfully strike

U.S. Army, did, at or near Taza, Iraq, on or about  
by tapping him with his foot. **bb-4**

SPECIFICATION 4: In that Staff Sergeant [REDACTED] **bb-5**  
2 Aug 2003, unlawfully strike

U.S. Army, did, at or near Taza, Iraq, on or about  
in the face and stomach with his hand. **bb-4**

## III. PREFERRED

|  |            |   |
|--|------------|---|
| 11a. NAME OF ACCUSER (Last, First, MI) | b. GRADE   | c. ORGANIZATION OF ACCUSER                          |
| [REDACTED] <b>bb-2</b>                 | LTC        | 2 <sup>nd</sup> Battalion (Airborne), 503d Infantry |
| d. SIGNATURE OF ACCUSER                | e. DATE    |   |
| [REDACTED]                             | 14 Sept 03 |   |

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 14 day of September, 2003, and signed the foregoing charge its 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

HHC, 173D ABN BDE

Organization of Officer

Major

Trial Counsel

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

Signature

DD FORM 458, MAY 2000 (EG)

EDITION OF AUG 84 IS OBSOLETE

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12. On 14 Sept, 2001, the accused was informed of the charge against him, 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

2nd Battalion (Airborne), 503d Infantry  
Organization of Immediate Commander

lieutenant Colonel  
\_\_\_\_\_  
Signature

66-2

13. The sworn charges were received at 2000 hours, 14 SEP 2001, at 2d Battalion 503d Infantry  
Designation of Command or

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

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

66-2

Commanding  
Official Capacity of Officer Signing

\_\_\_\_\_  
Signature

V. REFERRAL; SERVICE OF CHARGES

|  |  |                                |
|--|--|--------------------------------|
| 14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY<br><u>HQ, 4th Infantry Division (Mechanized)</u><br>General | 15. PLACE<br><u>Tikrit, Iraq</u><br>Court-Martial. | 16. DATE<br><u>08 OCT 2003</u> |
|--|--|--------------------------------|

Referred for trial to the court-martial convened by  
Convening Order Number 11,  
dated 29 October 2002, subject to the following instructions:

By Command of MAJOR GENERAL ODIERNO  
\_\_\_\_\_  
Command or Order

Legal Administrator  
\_\_\_\_\_  
Typed Name of Officer

WOL  
Grade

66-2

\_\_\_\_\_  
Signature

15. On 13 OCT, 2003, I caused to be served a copy hereof on (each of) the above named accused.

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

66-2

04  
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.

006996

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

AFYB-JA

DATE: 24 August 2003

1. On 24 August 2003, I conducted a detention review for [REDACTED] <sup>b6-5</sup> at the Task Force Ironhorse Central Detainee Facility. I have determined that continued detention is warranted.

2. After reviewing the relevant facts and the circumstances concerning and the detention and the detainee, I make the following factual determinations:

A. Mr. [REDACTED] was in possession of an AK-47 and a mortar fuse.

B. There is probable cause to find that Mr. [REDACTED] has committed a serious crime or is a threat to himself or the community. b6-5

C. Mr. [REDACTED] is awaiting judicial proceedings for this serious crime.

D. Continued confinement is necessary because less severe forms of restraint are inadequate and it is foreseeable that Mr. [REDACTED] will not appear at trial, pretrial hearing or investigation or that he will commit a serious crime.

3. Based upon the relevant law and the above facts applied to that law, I find that continued detention is warranted in this case.

4. Determined this 24th day of August 2003.

[REDACTED] <sup>b6-2</sup>  
CPT, JA  
Detention Review Officer

006997

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

B6

AFYB-JA

DATE: 24 August 2003

1. On 24 August 2003, I conducted a detention review for [REDACTED] at the Task Force Ironhorse Central Detainee Facility. I have determined that continued detention is warranted.
2. After reviewing the relevant facts and the circumstances concerning and the detention and the detainee, I make the following factual determinations:
  - A. Mr. [REDACTED] was in possession of an AK-47 and a RPG.
  - B. There is probable cause to find that Mr. [REDACTED] has committed a serious crime or is a threat to himself or the community.
  - C. Mr. [REDACTED] is awaiting judicial proceedings for this serious crime.
  - D. Continued confinement is necessary because less severe forms of restraint are inadequate and it is foreseeable that Mr. [REDACTED] will not appear at trial, pretrial hearing or investigation or that he will commit a serious crime.
3. Based upon the relevant law and the above facts applied to that law, I find that continued detention is warranted in this case.
4. Determined this 24th day of August 2003.

b6-5

[REDACTED]  
[REDACTED]

b6-2

CPT, JA  
Detention Review Officer

006998

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## SWORN STATEMENT

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

|  |                                      |                    |             |
|--|--------------------------------------|--------------------|-------------|
| LOCATION<br>Taza Safehouse, D/319 AFAR, ME 393 072 | DATE<br>08 aug 03                    | TIME<br>2200       | FILE NUMBER |
| ST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED]     | SOCIAL SECURITY NUMBER<br>[REDACTED] | GRADE/STATUS<br>E6 |             |
| ORGANIZATION OR ADDRESS<br>/319 AFAR               |                                      |                    |             |

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

CPT, Battery Commander,  
SGT.

- Q: What do you know about the mistreatment of the Taza police prisoners?  
A: I hit one cop that said that he was going to shoot and kill American soldiers with RPGs.  
Q: What was the date?  
A: The day that SPC [REDACTED] got killed. I got rough with him and continued to interrogate him. I tripped him going into the interrogation room in order to get him on the floor. He hit his head on the floor and cut it left above right eye.  
Q: Why did you need the need to put him on the floor?  
A: I wasn't in the right frame of mind. I was very upset with this guy because of his statements. He had RPGs when we caught him and he knew where grenades were at to attack us. I was trying to get him to say where the grenades were at.  
Q: What methods did you use to get him to talk?  
A: Bent his arm and punched him in the stomach once.  
Q: Were there any other prisoners that were interrogated in this manner?  
A: the other cops.  
Q: What treatment did they get?  
A: Verbal questioning only.  
Q: Was this the only prisoner that received physical contact?  
A: Yes from me.  
Q: Was there anyone else that physically abused these prisoners?  
A: No.  
Q: Who else was in this room when you were questioning this individual?  
A: SGT [REDACTED], our interpreter, and one of the cops. SGT [REDACTED] was in and out. I don't know if he saw me trip him (the prisoner) or what.  
Q: Did SGT [REDACTED] participate in your methods of questioning?  
A: No.  
Q: Did SGT [REDACTED] participate in your methods of questioning?  
A: No.  
I was extremely rough with the prisoners when transporting them from cell to interrogating room. I didn't beat them. I was talking to the ISG about getting moved from the police station because I feel that I am getting frustrated with the entire situation. I do not want to work there anymore. I didn't mean for him to fall and hit his head, I was trying to get him on the ground. We then took him to the hospital to get stitches.  
Q: How did the prisoner get a broken nose?  
A: I accidentally kicked him. But his nose isn't broken according to the doctor. It wasn't a kick, I was trying to step over him moving backwards, and I accidentally hit him in the face.  
Q: Are there any other incidents that you accidentally did that you are not telling me about?  
A: No.  
Q: Who came down there that day that you are talking about?  
A: SGT [REDACTED] SGT [REDACTED] SGT [REDACTED] SPC [REDACTED] They said that the commander was sent them down thereto get information out of the prisoners.  
Q: Did they say I authorized them to beat them?  
A: No. What I did was already done before they got here.  
Q: Is there anything else that you want to say?  
A: NO

|  |   |                            |
|--|---|----------------------------|
| EXHIBIT  | INITIALS OF PERSON MAKING STATEMENT<br>[REDACTED] | PAGE 1 OF [REDACTED] PAGES |
| * ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED."<br>THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM. |   |                            |

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

NOT USED  
b6-5

AFFIDAVIT

I,                     b6-5                    , HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

                    b6-5                      
(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 Aug, 192003 at TARA Safehouse IRAQ

ORGANIZATION OR ADDRESS

                    b6-2                      
(Signature of Person Administering Oath)

                    b6-2                      
(Typed Name of Person Administering Oath)  
Commander  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

USAPPC V2.00

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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

PRIVITY: Title 10, United States Code, Section 3012(g)  
PRIVACY PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.  
PRIVACY 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.

|   |  |                 |             |
|---|--|-----------------|-------------|
| LOCATION                                  | 2. DATE<br>8 AUG 03                        | 3. TIME<br>2322 | 4. FILE NO. |
| NAME (Last, First, MI)<br>[REDACTED] b6-5 | 8. ORGANIZATION OR ADDRESS<br>D/319TH AFAR |                 |             |
| SSN<br>[REDACTED]                         | 7. GRADE/STATUS<br>E6                      |                 |             |

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

Investigator whose name appears below told me that he/she is with the United States Army CPT  
[REDACTED] b6-2 and wanted to question me about the following offense(s) of which I am  
suspected/accused: Mistreatment of prisoners in TAZA Police Station  
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.

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)<br>[REDACTED] b6-2           | 3. SIGNATURE OF INTERVIEWEE<br>[REDACTED] b6-5   |
| ORGANIZATION OR ADDRESS AND PHONE<br>D/319TH AFAR | 4. SIGNATURE OF INVESTIGATOR<br>[REDACTED] b6-2  |
| NAME (Type or Print)                              | 5. TYPED NAME OF INVESTIGATOR<br>[REDACTED] b6-2 |
| ORGANIZATION OR ADDRESS AND PHONE                 | 6. ORGANIZATION OF INVESTIGATOR<br>D/319TH AFAR  |

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

007001

EDITION OF NOV 84 IS OBSOLETE

USAPA 2.01

B6

|  |  |      |                                    |
|--|--|------|------------------------------------|
| LOCATION<br><u>Bayonet Base</u>  | DATE<br><u>08 AUG 03 2020</u>  | TIME | FILE NUMBER                        |
| LAST NAME, FIRST NAME, MIDDLE NAME<br><u>██████████</u> <u>b6-5</u>  | SOCIAL SECURITY NUMBER<br><u>██████████</u>                          |      | GRADE/STATUS<br><u>E-4</u>         |
| ORGANIZATION OR ADDRESS<br><u>D/319 AFAP</u>   |  |      |                                    |
| <p><u>OFFER</u> <u>██████████</u> <u>b6-5</u> WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:</p> <p>I was in Taza 6 days ago working with Charlie team which are SGT <u>██████████</u> (LDR) SGT <u>██████████</u>, SGT <u>██████████</u>, SGT <u>██████████</u>, SPC <u>STOL</u> and my self SPC <u>██████████</u> when to the Police Station for an Interrogation when we got there SSG <u>██████████</u> which is in charge of the Police station, told us the situation about a shooting and that the guy had explosives so he takes his by way to much excessive force when we saw the guy he had a broken noise and by the time he got to <u>██████████</u> SSG <u>██████████</u> room you could not see his face it was full of Blood because he slam his to everything in his way. So there we are I did not Even <del>touch</del> touch the guy because he had blood all over. Well the interpreter Turkish <u>██████████</u> translated question that he ask and SSG <u>██████████</u> will hit him every time that the guy said something that he did not like. He hit him like two times and then pull out a gun that was loaded and said <u>██████████</u> I am going to kill you mother fucker and put the gun to his face. And that was IT for that guy the brother came in next. We were asking him question about the shooting and SGT <u>██████████</u> <u>b6-5</u> told the Police to get out</p> |  |      |                                    |
| EXHIBIT  | INITIALS OF PERSON MAKING STATEMENT<br><u>██████████</u> <u>b6-5</u> |      | PAGE 1 OF <u>4</u> PAGES <u>JK</u> |
| <p>ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF <u>██████████</u> TAKEN AT <u>██████████</u> DATED <u>██████████</u> CONTINUED."</p> <p>THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE <u>██████████</u> OF <u>██████████</u> PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.</p>   |  |      |                                    |

DA FORM 2823, JUL 72

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

USAPPC V2.00



b6-5

STATEMENT (Continued) as soon as the walk out He punch him in the stomach while I was holding him then I let him go and the ask more question and he punch him again and slap him like 3 times and like 3 punches and then SSG [redacted] b6-4 cause in with the same gun which IT was still loaded and said the same thing "I am going to kill you mother fucker- and then said one of my soldier died because of pieces of shit like you come on open your mouth". And he put the gun in his mouth. I stop him real quick and told him "what the hell your doing", and he when and put IT in his mouth again and I stop him again, and I stood [redacted] like in front of him I mean SSG [redacted] trying to go around And felt him [redacted] AS the me but I did not let him. IT is a other guy comes in relative

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] b6-5  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at \_\_\_\_\_

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

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

(Typed Name of Person Administering Oath)

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

(Authority To Administer Oaths)

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

PAGE 2 OF 4 PAGES

007003

B65  
all

|                                    |                         |                     |             |
|------------------------------------|-------------------------|---------------------|-------------|
| LOCATION<br><u>Bayonet Base</u>    | DATE<br><u>8 Aug 63</u> | TIME<br><u>2620</u> | FILE NUMBER |
| LAST NAME, FIRST NAME, MIDDLE NAME | SOCIAL SECURITY NUMBER  | GRADE/STATUS        |             |
| ORGANIZATION OR ADDRESS            |                         |                     |             |

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

~~SSG~~ or something I dont even know but the two brother pointed the finger at him so they took him to the room as ~~the~~ ~~the~~ ~~the~~ Guy was right in the door way SSG ~~\_\_\_\_\_~~ punch him in the face and SSG ~~\_\_\_\_\_~~ was like telling me "come here" and I told him that I was not scared but I was not going in there and I did not but I heard out side the yelling of that guy if I was Arabic I will say he was begging for his life and then you can ~~not~~ feel him ~~\_\_\_\_\_~~ getting hit and ~~the~~ all Charlie team heard IT the hole Police station heard IT and all of Charlie team saw something but not he only heard the noises and was told the other day by SSG ~~\_\_\_\_\_~~ that IT was self defense or something. That same day another cases came

|         |                                     |                                 |
|---------|-------------------------------------|---------------------------------|
| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT | PAGE <u>3</u> OF <u>4</u> PAGES |
|---------|-------------------------------------|---------------------------------|

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

007004

B6-5  
all

STATEMENT (Continued)

I mean the next day after the first ~~time~~ time. But I did not go SSG ~~\_\_\_\_\_~~ was there already and requested Charlie team on the phone with SGT ~~\_\_\_\_\_~~ and he invited me and I did not go. He did and when he came back they were both bragging about how they ~~kick~~ the shit out of him and SGT ~~\_\_\_\_\_~~ was telling me "Look at my hand it is swollen this guy was bigger than the other but I still fuck him up" and they kept bragging to each other and I just walk away. My last day there which was 7 August 2003 I heard SSG ~~\_\_\_\_\_~~ talking to SGT ~~\_\_\_\_\_~~ about putting ~~\_\_\_\_\_~~ his gun I saw prisoner face but I did not pay no mind I was leaving TARA and I did.

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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at \_\_\_\_\_

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

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

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

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

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

INITIALS OF PERSON MAKING STATEMENT

ACLO RDI 2076 p.19

007005

B6-5  
all

## SWORN STATEMENT

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

|  |                                      |              |                     |
|--|--------------------------------------|--------------|---------------------|
| LOCATION<br>Dog House CP                         | DATE<br>09 Aug 03                    | TIME<br>1042 | FILE NUMBER         |
| LAST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED] | SOCIAL SECURITY NUMBER<br>[REDACTED] |              | GRADE/STATUS<br>E-4 |
| ORGANIZATION OR ADDRESS                          |                                      |              |                     |

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

On The night of 03 Aug 03 my Team was called to the police Station. While every one went inside, I stayed out Front manning the 240B. After about 15min Sgt. [REDACTED] came out front and told me that a detainey had one of his eyes split open. I asked how bad? He said "some skin was hanging off his eye." He went back inside after that. About 10 mins after that SSG. [REDACTED] came out he looked stressed, he said to me that he broke the detainey's nose and split his eye open. He said that he had lost it. He stood there for a few more minets to clear his head and then went back inside. another 5 to 10 mins went by and Sgt [REDACTED] came out and said I could take down the 240 and come inside. I did, when I got there they were taking a diferent detainey in for some Grand A. I wanted to watch so I went in the room with them. The lights were off they were using flash lights. The detainey was in the corner on his knees with his hands on his head. Four people were standing around him shinge lights down in his eyes. I could see that he was scared. They started to yell at him and had The Translator tell him that he was lying. I only stayed 5 to 10 mins

|         |   |                   |
|---------|---|-------------------|
| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT<br>[REDACTED] | PAGE 1 OF 1 PAGES |
|---------|---|-------------------|

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

007006

B6

b6-5 all

before I left the room. I did not agree with what they were doing. It wasn't till some time later that I got to see the First detainee. He was brought into the police chiefs office to sign a statement. When he was brought in he was cuffed, he also had bandages over his eyes. We stayed for a few more statements and then left to go back to the safe house. The whole time we were there the police chief was not, one of his Lts was taking the statements. After we got back SSG, [redacted] came up to me and said he here that I had a ~~problem~~ problem with what he did. I said "yes, I did." He then told me he did it because the detainee made an aggressive move towards him. I don't know if I believe him, but I do think that the tactics used were wrong.

~~nothing follows~~

AFFIDAVIT

I, SPC [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 of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at \_\_\_\_\_

[redacted]  
(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 2 OF 2 PAGES

USAPPC V2.00

B6-5  
all

# SWORN STATEMENT

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

|  |                                      |                           |             |
|--|--------------------------------------|---------------------------|-------------|
| LOCATION<br>[REDACTED]                           | DATE<br>3 Aug 83                     | TIME<br>2243              | FILE NUMBER |
| LAST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED] | SOCIAL SECURITY NUMBER<br>[REDACTED] | GRADE/STATUS<br>E-5 / SGT |             |
| ORGANIZATION OR ADDRESS<br>D- BTRY 319 AFAR      |                                      |                           |             |

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

- I SGT [REDACTED] Saw SSG [REDACTED] and SGT [REDACTED] physically hitting punching Iraqi prisoner in the police station about six days ago and I know that the [REDACTED] prisoners did not present any type of threat against anyone at least at that moment. [REDACTED]
- One thing that I would like to say is that these two individuals seem to be enjoying what they were doing.
- I also heard them talking about [REDACTED] they doing it a couple more times while we weren't there. [REDACTED] this is the end of my statement.

Nothing  
Follows

|         |   |                   |
|---------|---|-------------------|
| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT<br>[REDACTED] | PAGE 1 OF 2 PAGES |
|---------|---|-------------------|

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

137008

B6

## SWORN STATEMENT

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

|   |                                      |              |                     |
|---|--------------------------------------|--------------|---------------------|
| LOCATION<br>Loghouse CP, Kirkuk Airfield, Iraq        | DATE<br>09 Aug 03                    | TIME<br>1025 | FILE NUMBER         |
| LAST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED] b6-5 | SOCIAL SECURITY NUMBER<br>[REDACTED] |              | GRADE/STATUS<br>E-6 |
| ORGANIZATION OR ADDRESS<br>7319 AFAR                  |                                      |              |                     |

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

Q: [REDACTED] b6-2 [REDACTED] PT, Battery Commander, [REDACTED] b6-5  
 A: SGT, [REDACTED] b6-5  
 Q: What do you know about the mistreatment of the Taza police prisoners?  
 A: I read them last night? A: YES

Q: Do you wish to have an attorney present?  
 A: Not at this time.

Q: Is there anything else that you want to tell me before I start asking questions?  
 A: No.

Q: Do you have a pistol?  
 A: No.

Q: Have you ever used a pistol at the police station?  
 A: YES

Q: What did you use it for?  
 A: I cleared the weapon and I wanted them to answer the questions.

Q: What did you do with weapon?  
 A: I showed it to them like I was going to shoot them, but it was cleared.

Q: When they did not answer the questions.  
 A: Where did you get the pistol?  
 A: From the police station's arms room.

Q: In what manner did you use the weapon?  
 A: I pointed it at their head from approximately 6 feet. I showed SGT [REDACTED] b6-5 that the weapon was clear.

Q: Does anyone else have a pistol such as the one you had?  
 A: That pistol was SGT [REDACTED] b6-5.

Q: SSG [REDACTED] b6-5 requested to stop answering questions and have a lawyer present.

|         |   |                   |
|---------|---|-------------------|
| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT<br>[REDACTED] | PAGE 1 OF 2 PAGES |
|---------|---|-------------------|

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

007009

NOT  
USED

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 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] b6-5  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9<sup>th</sup> day of Aug, 1983 at Daghouse LP Barret Base, IRAQ

ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

b6-2

FL

[REDACTED]  
(Typed Name of Person Administering Oath)

Commander  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES



B6

# 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.  
**ADDITIONAL USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**CLOSURE:** Disclosure of your Social Security Number is voluntary.

|  |                                   |  |                        |             |
|--|-----------------------------------|--|------------------------|-------------|
| 1. LOCATION<br><u>TAA</u>                        |                                   | 2. DATE<br><u>08 AUG 03</u>  | 3. TIME<br><u>0019</u> | 4. FILE NO. |
| NAME (Last, First, MI)<br><u>[REDACTED] b6-5</u> |                                   | 8. ORGANIZATION OR ADDRESS<br><u>D-BATT 319 AFAR</u><br><u>173 ARW BGS</u> |                        |             |
| SSN<br><u>[REDACTED]</u>                         | 7. GRADE/STATUS<br><u>E-5/SGT</u> |  |                        |             |

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

### Section A. Rights

I, the investigator whose name appears below told me that he/she is with the United States Army CPT [REDACTED] b6-2 and wanted to question me about the following offense(s) of which I am suspected/accused: Mistreatment of prisoners in the TAA Police Station

When 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.

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 INTERVIEWED<br><u>[REDACTED] b6-5</u>   |
| a. NAME (Type or Print)           |  | 4. SIGNATURE OF INVESTIGATOR<br><u>[REDACTED] b6-2</u>  |
| ORGANIZATION OR ADDRESS AND PHONE |  | 5. TYPED NAME OF INVESTIGATOR<br><u>[REDACTED] b6-2</u> |
| a. NAME (Type or Print)           |  | 6. ORGANIZATION OF INVESTIGATOR<br><u>D/319 AFAR</u>    |
| 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

SIGNATURE OF INTERVIEWEE

007011

136

|   |                                      |                     |             |
|---|--------------------------------------|---------------------|-------------|
| LOCATION<br>Taza Safehouse, D/319 AFAR, ME 393 072    | DATE<br>08 aug 03                    | TIME<br>2200        | FILE NUMBER |
| LAST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED] b6-5 | SOCIAL SECURITY NUMBER<br>[REDACTED] | GRADE/STATUS<br>E-5 |             |
| ORGANIZATION OR ADDRESS<br>D/319 AFAR                 |                                      |                     |             |

[REDACTED] b6-5, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: [REDACTED] b6-2 CPT, Battery Commander, [REDACTED]  
A: [REDACTED], SGT,  
Q: What do you know about the mistreatment of the Taza police prisoners?  
A: The day that you were talking to the head of the departments, we (QRF) were called to go to the police department. When we arrived, there was an individual that was bleeding. I asked him why he was bleeding. SSG [REDACTED] was interrogating him about the weapons that he had. We went to his cousin's house to look for more weapons. When we got back, SGT [REDACTED] SPC [REDACTED] SSG [REDACTED] the interpreter, and myself went into the SSG [REDACTED] room. We asked him why he was shooting. He told us that he was cleaning his weapon. Not believing him, we continued asking questions. I yelled at one of the prisoners, pushed them, and hit one because he was making a threatening move towards me. I only pushed others on the ground.  
Q: How many prisoners did you question that night?  
A: [REDACTED] The one that shot in the market and his brother. Then his cousin arrived after the police called him. I hit the brother of the individual that was bleeding because he made a threatening move. I only pushed the cousin. SSC  
Q: Were all 5 of you present when you questioned all 3 suspects?  
A: No, SGT [REDACTED] walked out after the questioning of the first suspect.  
Q: Why did he walk out?  
A: I don't know.  
Q: Why were you pushing these guys around?  
A: Because they were accusing each other of hiding the weapons. trying to find out where the grenades where  
Q: Do you feel that this was the right technique?  
A: Yes.  
Q: Did you see anyone else see anyone hit or push the prisoners?  
A: SPC [REDACTED] helped push one to the ground, but it wasn't excessive.  
Q: Is this the only instance of physical methods?  
A: There was a time when the guys were arrested for throwing the grenades. SSG [REDACTED] and I were pushing around the guys to get them from one cell to the interrogation room.  
Q: You work at the police station with SSG [REDACTED]. what is your function?  
A: Train my platoon of new recruits.  
Q: Did SSG [REDACTED] ever brag about his methods of questioning prisoners?  
A: Not really bragging, he was upset that he had to continually deal with the prisoners.  
Q: Did you ever brag about beating up the prisoners?  
A: I talked about what we did to get information from them, but I didn't brag about it.  
Q: To whom did you tell this to?  
A: SGT [REDACTED] SGT [REDACTED] and SPC [REDACTED], whoever was working at the police station.  
Q: Did you ever feel that SSG [REDACTED] was getting worn down from the job at the police station?  
A: Just a few days ago when he looked tired. He said that he was working too hard and needed help.  
Q: Was that before you started helping or after?  
A: Before.  
Q: Is there anything else that you want to tell me about these incidents?  
A: No.

NO COMMENTS

EXHIBIT INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] b6-5 TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

007012

B6

STATEMENT (Continued)

NOT  
USED

b6-5

b6-5

AFFIDAVIT

I, SGT. [REDACTED] b6-5, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

b6-5

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of Aug, 1983 at Tara Satchan, TRAD

ORGANIZATION OR ADDRESS

11 / (Signature of Person Administering Oath)

b6-2

FL

(Typed Name of Person Administering Oath)

Commander

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

C07013

B6

|   |                                      |                     |             |
|---|--------------------------------------|---------------------|-------------|
| LOCATION<br>Doghouse CP, Kirkuk Airfield, Iraq        | DATE<br>09 Aug 03                    | TIME<br>1453        | FILE NUMBER |
| LAST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED] b6-5 | SOCIAL SECURITY NUMBER<br>[REDACTED] | GRADE/STATUS<br>E-5 |             |
| ORGANIZATION OR ADDRESS<br>D/319 AFAR                 |                                      |                     |             |

I, [REDACTED] b6-5, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: [REDACTED] b6-2 CPT, Battery Commander,  
A: [REDACTED] b6-5 SGT,

Q: Do you understand that your rights are still in effect as I read them to you last nights?

A: YES.

Q: I have more information from the witnesses and questioning SSG [REDACTED] again. Do you have anything else to add?

A: SGT [REDACTED] reiterated the story he told from last nights questioning.

Q: Do you have a pistol?

A: Roger, At the police station.

Q: Where did that pistol come from?

A: confiscated [REDACTED]

Q: Do you carry that pistol with you?

A: Negative, it stays @ the police station.

Q: Do you have the pistol now?

A: No, it is at the police station.

Q: Does SSG [REDACTED] have a weapon?

A: Not sure if he does, if it is, it is at the police station.

Q: Have you ever used a pistol in a threatening manner to get questions answered?

A: Negative.

Q: As SSG [REDACTED] done that?

A: Roger.

Q: What did he do with it?

A: He pointed at the prisoners. SAC [REDACTED] and I prevented him from pointing.

b6-5

|         |   |                   |
|---------|---|-------------------|
| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT<br>[REDACTED] | PAGE 1 OF 2 PAGES |
|---------|---|-------------------|

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

C07014

STATEMENT (Continued)

At the prisoners.

Q: Did I authorize you to carry that weapon?

A: Negative.

Q: Did you witness SSG [redacted] put a weapon in a prisoners mouth?

A: No, just point it at a prisoner.

Q: There are statements that say that you hit a prisoner multiple times.

A: ~~That~~ That is not true.

Q: ~~Is~~ Was the 9mm loaded?

A: ~~Don't know~~ he didn't show me it was loaded or clean.

Q: Do you have anything else to add?

A: No.

b6-5

Nothing  
Follows

AFFIDAVIT

SSG [redacted] b6-5, 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:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of Aug, 19 2003 at Daguerre S.I.P. Raymond Rose, JRAQ

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

[redacted] b6-2  
(Typed Name of Person Administering Oath)  
Com. [redacted]  
(Authority To Administer Oaths)

B6

## SWORN STATEMENT

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

|   |                                      |              |                     |
|---|--------------------------------------|--------------|---------------------|
| LOCATION<br>Taza                                      | DATE<br>8 Aug 03                     | TIME<br>2200 | FILE NUMBER         |
| LAST NAME, FIRST NAME, MIDDLE NAME<br>[REDACTED] 66-5 | SOCIAL SECURITY NUMBER<br>[REDACTED] |              | GRADE/STATUS<br>E-5 |
| ORGANIZATION OR ADDRESS<br>D-319TH AFAR               |                                      |              |                     |

I, [REDACTED] 66-5, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I WAS QUESTIONED ON THE MATTER OF PRISONERS OF THE TAZA POLICE DEPT. IF THEY WERE BEING MISTREATED IN ANY KIND OF WAY. I WAS AT THE POLICE STATION ON THE 4 AUG 03, I NOTICED ONE PRISONER BLEEDING FROM THE EYE UPON MY ARRIVAL. I NEVER SEEN NOR HEARD OF ANY ONE HITTING THIS PERSON. SINCE THEN I HAVE NOT RETURNED TO THE POLICE STATION. ONCE WE RETURNED TO THE SAFE HOUSE & SM. TOLD ME HE WANTED NO PART IN WHAT HE THOUGHT WAS TAKING PLACE. I TOLD THE SM THAT HE WAS JUMPING TO CONCLUSIONS IF HE THINKS ONE OF OUR TROOPS HAD ANYTHING TO DO WITH THE PRISONER BLEEDING. MYSELF OR THE SM SAY ANYTHING TAKE PLACE, THE SM FELT IF THERE IS WRONG DOING GOING ON HE WANTED TO BE OUT OF THE GROUP. I TOLD HIM WHAT HE WAS FEELING, WOULD BE THE RIGHT THING TO DO, BUT BEFORE HE WOULD START TO ASK TO GO TO ANOTHER GROUP, HE NEEDS TO FIND OUT THE TRUTH OF WHAT HAPPEN TO THE PRISONER, BEFORE HE WOULD START TO HAVE OTHER PEOPLE THINKING THAT WE WERE RESPONSIBLE FOR HIS INJURY.

|         |  |                   |
|---------|--|-------------------|
| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT<br>[REDACTED] 66-5 | PAGE 1 OF 3 PAGES |
|---------|--|-------------------|

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

NOT USED b6-5

AFFIDAVIT

I, SGT [REDACTED] b6-5, 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] b6-5  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of Aug, 192003 at Taza Safehouse, IRAQ

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

|   |   |                            |             |
|---|---|----------------------------|-------------|
| LOCATION<br><b>TAZA</b>                                 | DATE<br><b>3 AUG 03</b>                     | TIME<br><b>2209</b>        | FILE NUMBER |
| LAST NAME, FIRST NAME, MIDDLE NAME<br><b>[REDACTED]</b> | SOCIAL SECURITY NUMBER<br><b>[REDACTED]</b> | GRADE/STATUS<br><b>E-5</b> |             |
| ORGANIZATION OR ADDRESS<br><b>D-BTRY 319TH AFAR</b>     |   |                            |             |

**SGT [REDACTED] 66-5**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I **[REDACTED]** did NOT witness ANY violent acts TOWARD ANY of the prisoners BUT ONE.

The ONE prisoner I did witness WAS pushed + slammed up AGAINST the WALL. HE WAS getting yelled AT + pushed by SGT **[REDACTED]** + SSG **[REDACTED]**. The reason why he was getting pushed + slammed around was because the police said that the prisoner threatened SSG **[REDACTED]** life + the lives of the police officers in TAZA. They were trying to get information to clarify the story + also information on the whereabouts of other weapons he claimed to know about. I did not stay in the room long. approx. 2 to 3 minutes. At which time the police were asked to leave the room. I also left. When SGT **[REDACTED]** + SSG **[REDACTED]** came out of the room with the prisoner at no time **[REDACTED]** did the prisoner appear to have been physically assaulted.

I also heard about ONE prisoner getting pushed in the stomach, but I WAS TOLD he got hit because he made a lunging movement TOWARDS one of them **[REDACTED]**.

NOTHING Follows.

|         |  |                                   |
|---------|--|-----------------------------------|
| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT<br><b>[REDACTED]</b> | PAGE 1 OF <b>[REDACTED]</b> PAGES |
|---------|--|-----------------------------------|

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF **[REDACTED]** TAKEN AT **[REDACTED]** DATED **[REDACTED]** CONTINUED."  
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B6

STATEMENT (Continued)

NOT used

b6-5

AFFIDAVIT

I, SGT, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [redacted]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE TO 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 8th day of Aug, 1983 at Taza Safehouse IIRAP

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

Commander

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

NAME OF PERSON MAKING STATEMENT

ACLU-RDI 2076 p.33

PAGE 7 OF 7 PAGES

007019

DOD-047834

B6

STATEMENT (Continued)

~~NO~~ DID NOT USE

b6-5all

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 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 8th day of Aug, 1924 at Daghouse CP Bayonet Base

\_\_\_\_\_  
ORGANIZATION OR ADDRESS \_\_\_\_\_ (Signature of Person Administering Oath)

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

\_\_\_\_\_  
ORGANIZATION OR ADDRESS \_\_\_\_\_ (Authority To Administer Oaths)

I, the undersigned, [redacted] <sup>bb-4</sup> detainee No. [redacted] <sup>B6-4</sup> detained in the EPW of Tikrit; do hereby state the following, in accordance to my perception and good faith and with full confidence. On the 2<sup>nd</sup>. Of August, 2003 around approx. 7:30 p.m., we were in the market area of Taza, my brother and I were drinking Pepsi cola, my brother made a mistake by firing the gun unintentionally, while he was wiping off the weapon from the drink that dropped on him, afterwards, we were detained from my aunt's house and transferred to the prison by the Iraqi police. There, the soldier [redacted] began questioning me and then hitting me on the head, stomach, face and nose, and causing cuts over my upper eye, causing me to have approx. three stitches. And there was a medical report from the doctor [redacted] (not legible) at the Hatha clinic, and he has knowledge of the type of pain I was inflicted with. I was frightened by this treatment which is not suitable to me. I am a police officer and my duty is to service people. So, therefore, we must be treated in a better way so that we can treat others by this example.

Signed: [redacted]  
8/24/2003

(signed) <sup>bb-4</sup>

007021

**BATES PAGES 7022-7024 HAVE BEEN WITHHELD  
PENDING TRANSLATION**

B6-4 all

I am [REDACTED] and this is my signature. My Number is [REDACTED] I declare the following information about my detaining. According to good will and my complete confidence.

On the 2<sup>nd</sup> August 2003 and at 7:30pm while I was drinking Pepsi Cola in the Market of Taza. Some of the soda fell on my gun (AK-47). I tried to clean my gun and then on no purpose I pressed the cock of my gun. The shot for one time. Then I decided to go to my aunt's home her name is [REDACTED]. After about ten minutes the police came to my aunt's home and they detained me. They gave me to the American MP. The American MP put me in prison. The officer who began to investigate with me his name is [REDACTED]. He put his gun on my head then he put it on my mouth and on my neck to force me to say the truth then he knocked me down and hit me. There were in the room four or five American MP and Turkmani translator, his name is [REDACTED]. I didn't do anything wrong and I didn't hurt the officer. This is my witness and as God is my witness.

24 August 2003

Signed [REDACTED]

C07025

**BATES PAGES 7026-7028 HAVE BEEN WITHHELD  
PENDING TRANSLATION**

B6-4 all  
[redacted]

B6

I, the undersigned, [redacted], detainee No. [redacted], detained in the EPW of Tikrit; do hereby state the following, in accordance to my perception and good faith and with full confidence. On the 2<sup>nd</sup>. Of August, 2003 around approx. 7:30 p.m., we were in the market area of Taza, my brother and I were drinking Pepsi cola, my brother made a mistake by firing the gun unintentionally, while he was wiping off the weapon from the drink that dropped on him, afterwards, we were detained from my aunt's house and transferred to the prison by the Iraqi police. There, the soldier [redacted] began questioning me and then hitting me on the head, stomach, face and nose, and causing cuts over my upper eye, causing me to have approx. three stitches. And there was a medical report from the doctor [redacted] (not legible) at the Hatha clinic, and he has knowledge of the type of pain I was inflicted with. I was frightened by this treatment which is not suitable to me. I am a police officer and my duty is to service people. So, therefore, we must be treated in a better way so that we can treat others by this example.

Signed: [redacted] (signed)  
8/24/2003

C07029