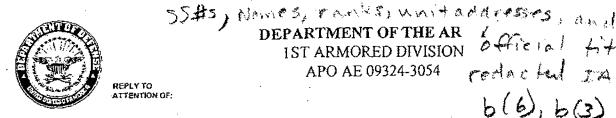
AR 15-6 Investigation Report
Kristopher Macrovay



DEPARTMENT OF THE AR IST ARMORED DIVISION

APO AE 09324-3054

AETV-THZ

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

SUBJECT: Relief for Cause,

The Regimental Commander's recommendation that ' for cause is denied.

be relieved



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



AFZX-C-CO

b(4), b(2)

23 August 2003

MEMORANDUM FOR '

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 serve of duties pending resolution of this matter.

Encl.

Ref memo 01-cokk-101, detal 9 Thesol



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



REPLY TO ATTENTION OF:

2 8 AUG 2083 -

AFZX-C-JA

5(6),b(3)

MEMORANDUM FOR RECORD

SUBJECT: Chain of command recommendations of relief for cause of:

2

1. On 28 AUG 2003, the soldier's company commander, that: be relieved for cause.

, recommended

2. On ______, the soldier's squadron commander, recommended that be relieved for cause.

3. On 28 AUG 2003, the soldier's regimental commander, that be relieved for cause.

, recommended

4. POC is the undersigned at



Second Info Reducted + THE dia of Oct Meno 01-cokk-101, dia of del 971 au 08

DEPARTMENT OF THE ARMY

2d Armored Cavalry Regiment APO AE 09322

AFZX-CB-EN

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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.

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

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

DATE: 25 Aug 2003 9900 hrs



DEPARTMENT OF THE ARMY

84th Combat Engineer Company, 2d Armored Cavalry Regiment Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

27 August 2003

6/11 b/32

MEMORANDUM FOR COMMANDER, 2ND 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 tooter, 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 (, and told him I have detained the told me, "just take them back and beat the fuck out of them". I looters for them. At that time (was standing next to me and heard what was was shocked at what he just told me to do. 5 had just told me. I was going to just take. said. I walked out and told the squad leaders what said, if you want to teach them a them out of Camp Marlboro and release them. At that time § lesson, why don't you strip them and send them away. When told me I really wasn't thinking about striping 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! 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 striping.

On 3 July 2003 we had a mission to pick up sodas for the squadron 4th July party. When we were coming back from picking up the sodas we saw looters at the back of Camp Mariboro. 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 told me he had detained a looter after all. I told him we would just take him back later our AO, S since dinner chow was almost ending. I told them to go to the chow, then we will take the looter back to the didn't want to eat so he stayed back and watched the detainee. After I returned from CMOC. "' · ' told me . was bouncing a soccer ball on the detainees' chow, I was sitting on my cot, what the hell he was doing and told him not to head. I went to the back of the AO and asked: dot 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.

Around mid July 2003, white we were returning from the RTOC, I saw a part on 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 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. I took the AK-47 and took her to Camp Marlboro. 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. Ram ready to take responsibility for my action.



01- cock- 201, dtd 9 mas 01



DEPARTMENT OF THE ARMY

84th Combat Engineer Company, 2d Armored Cavalry Regiment Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

28 August 2003

MEMORANDUM FOR COMMANDER, 2ND ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

was assigned to . 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. 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, 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: · 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. y 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.

1

b(b), b(3)

VIOLATION OF THE UCMJ, ARTICLE 92:

SPECIFICATION 1: In that .

/, U.S

Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully directed his soldiers to strip all clothing from a detainee, a person whose name is unknown, and release said detainee naked in public, when it was his duty not to do so.

SPECIFICATION 2: In that

US

Army, at or near Baghdad, Iraq, between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to process through the Civilian Military Operations Center (CMOC), a detainee in his custody, a person whose name is unknown, when it was his duty to do so.

Memo 01-coep-101, dtel 9 Mw 01

•	b(6), b(3)
UNITED STATES)
v.	PRETRIAL AGREEMENT OFFER TO PLEAD GUILTY
and the second of the second o)) 8 January 2004)
*********)) *******************************

I. I, the accused in a court-martial now pending, have examined the charges preferred against me, and all of the supporting evidence thus far provided by the government. After consulting with my defense counsel,

, and being fully advised that I have a legal and moral right to plead not guilty and to place the burden of proving my guilt beyond a reasonable doubt upon the prosecution, I offer to plead guilty to the following offenses:

CHARGE	ARTICLE	SPEC	PLEA
I	92	1	Guilty
		2	Guilty

- 2. I offer to plead guilty, provided that the convening authority will approve the terms attached hereto as Appendix I. I understand that the terms of the Appendix are binding upon the convening authority only if my plea is accepted and if findings and sentence are entered pursuant to that plea. In offering to plead guilty, I state the following:
- a. I agree upon acceptance of this offer, to enter into a written stipulation of fact with the trial counsel as to the circumstances of the offenses. This stipulation may be used pursuant to this agreement to determine the providence of my plea and to inform the summary court martial officer of matters pertinent to an appropriate sentence. If my plea is not accepted, this offer to stipulate and the stipulation is null and void.
- b. This offer to plead guilty originated with me, and no person or persons have made any attempt to force or coerce me into making this offer to plead guilty.
- c. My defense counsel has advised me of the meaning and effect of my guilty plea, and I understand the meaning and effect thereof.
- d. I understand that I may request to withdraw this plea at any time before sentence is announced, and the summary court martial officer determines whether the request should be granted.
- e. I further understand that this agreement may become null and void upon the occurrence of any of the following events:

	6(6), 6(3)
UNITED STATES	}
v.	APPENDIX I TO OFFER TO PLEAD GUILTY
N	·)
S) 8 January 2004
رين المستحدد الفريدية المراكزين. المراكزية المستحدد الفريدية المراكزين المراكزين المراكزين المراكزين المراكزين المراكزين المراكزين المراكزين ا)
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و <u>نا</u> د بنا)
)
*********	**********

I, , offer to plead guilty as stated in the Offer to Plead, provided the convening authority agrees to refer my case to a summary court martial. As part this offer to plea any other lawful punishment adjudged at the summary court martial may also be approved.



6(6),6(3)

- i) failing to agree upon the contents of a stipulation of fact with the trial counsel;
 - ii) my withdrawal from the agreement prior to trial;
- iii) the refusal of the summary court martial officer to accept my plea of guilty.
- 3. This agreement shall not be affected by dismissal of any specifications or charges by the summary court martial officer or upon motion by defense counsel.
- I agree to be tried by a summary court martial officer. By doing so, I freely choose not to exercise my forum right to have a panel of officers, commissioned or warrant, or a panel consisting of at least one-third enlisted members, to decide my guilt or innocence and determine an appropriate sentence.



Mino, 01-CORR-101, cltd 4 macol



DEPARTMENT OF THE ARMY HEADQUARTERS, FIRST ARMORED DIVISION BAGHDAD INTERNATIONAL AIRPORT COMPLEX UNIT 93054 APO AE 09324-3054

b(b), b(3)

AETV-THZ

_ 8 JAN 2084

Memo, 01-cock-101, cited & man of

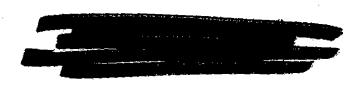
MEMORANDUM FOR Commander, 2^d Armored Cavalry Regiment, 1st Armored Division

SUBJECT: United States v.



- 1. I have reviewed the redacted charge. The accused now faces two specifications of willful dereliction under Article 92 of the Uniform Code of Military Justice.
- 2. I have also reviewed the offer communicated by defense counsel dated 8 January 2004. The accused has agreed to plead guilty as charged at a summary court-martial.

3. I accept do not accept the accused's offer to plead guilty.





15-6 Report Maltreatment of Detainees July — August 2003

REPORT OF PROC DINGS BY INVEST For use of this form, see AR 15-	IGATING OFFICER/BU	"RD OF OFFICER	15 h/4) h	/2)
IF MORE SPACE IS REQUIRED IN FILLING OUT ANY I		TACH ADDITIONAL SH	IEETS	A STATE OF THE PARTY OF THE PAR
	APPOINTMENT			
Appointed by				
	Appointing authority)			
·		<u> </u>		
on 28 JULY 2003 (Attach inclosure 1: Letter of appointment or (Date)	summary of oral appointment d	ata.) (See para 3-15, Al	₹ 15-6.)	
SECTION II	- SESSIONS			
The (investigation) (board) commenced at Camp Marlboro, Baghdad, Ira	aq	ar		
And processing towns, commenced as	(Piace)		(Time)	
on 29 July - 8 Aug 03 (If a formal board met for more than one sessended, the place, persons present and absent, and explanation of absences, if any.) present: (After each name, indicate capacity, e.g., President, Recorder, Member,	The following persons (memb			nd
	•			
			•	
				•
· ·				•
				,
orne de la la companya de la company	1800hrs		8 August 2003	
The (investigating officer) (board) finished gathering/hearing evidence at	(Time)	on	(Date)	
and completed findings and recommendations at1600h	rs	. 10 Aus	gust 2003	
(Time,			Pase)	
SECTION III - CHECKLIS	ST FOR PROCEEDINGS			
A. COMPLETE IN ALL CASES			YES NO	² AN [™] C
Inclosures (para 3-15, AR 15-6)				
Are the following inclosed and numbered consecutively with Roman numerals: (A	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)		<u> </u>		ŢX
c. Other correspondence with respondent or counsel, if any?				
d. All other written communications to or from the appointing authority?			X	
e. Privacy Act Statements (Certificate, if statement provided orally)?	Table 1 at 1 a		X	-
f. Explanation by the investigating officer or board of any unusual delays, difficu	ities, irregularities, or other pro	obiems	$ \times $	
encountered (e.g., absence of material witnesses)? g. Information as to sessions of a formal board not included on page I of this report) ₇₁ 9			1
h. Any other significant papers (other than evidence) relating to administrative a		nard?		+\$1
OOTNOTES: \(\) Explain all negative answers on an attached sheet.	There of the integration of or			1
2) Use of the N/A column constitutes a positive representation that the circumstate or board.	rces described in the question did no	t occur in this investigation		

OA FORM 1574, MAR 83

EDITION OF NOV 77 IS OBSOLETE.

Page 1 of 4 pages

2 E2	xhibits (para 3-16, AR 15-6)	YES	NO	У NA
4)	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered.		1119	
	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	1	
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
	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?			X
1	Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an	1.	1-	1-
	exhibit or recorded in a verbatim record?	X	<u> </u>	
	If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter			X
1	of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?		1	1^
3 Wa	is a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?	Ţ		X
B. CO	MPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)			
4 At	the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?		1	
5 Wa	s a quotum present at every session of the board (para 5-2b, AR 15-6)?	1	1 -	
	s each absence of any member properly excused (para 5-2a, AR 15-6)?	 -	 	
	re members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?	† –		1-
	ny members who voted on findings or recommendations were not present when the board received some evidence,		┼-	
1 1	s the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?	}	1	
<u>'C 'COI</u>	MPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)	1	<u> </u>	<u>.</u>
	ice to respondents (para 5-5, AR 15-6):			
<u> </u>	is the method and date of delivery to the respondent indicated on each letter of notification?			
<u> </u>	Was the date of delivery at least five working days prior to the first session of the board?	┼──		
	Does each letter of notification indicate —	 -	 - -	
<u> </u>	1) the date, hour, and place of the first session of the board concerning that respondent?	}		
<u> </u>	2) the matter to be investigated, including specific allegations against the respondent, if any?	├		
نند با	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?	 		
	Was the respondent provided a copy of all unclassified documents in the case file?			
	f there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?	<u> </u>		
<u> </u>	ny respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
	Was he properly notified (para 5-5, AR 15-6)?			
	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)?			
<u> </u>	nsel (para 5-6, AR 15-6):			
a. V	Vas each respondent represented by counsel?	L		
N	lame and business address of counsel:			
	f counsel is a lawyer, check here 🔲)			
b. W	vas respondent's counsel present at all open sessions of the board relating to that respondent?			
	military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the			
ac	ction taken on it included in the report (para 5-6b, AR 15-6)?			
12 If the	e respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a. W	as the challenge properly denied and by the appropriate officer?			
b. D	id each member successfully challenged cease to participate in the proceedings?			
13 Was	the respondent given an opportunity to (para 5-8a, AR 15-6):	1		
	e present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?	1		
	xamine and object to the introduction of real and documentary evidence, including written statements?			
	bject to the testimony of witnesses and cross-examine witnesses other than his own?			
	all witnesses and otherwise introduce evidence?			
<u> </u>	estify as a witness?			
	ake or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
1 -	puested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in			
	ging for the presence of witnesses (para 5.8b, AR 15-6)?		}	1
inclos	Il of the respondent's requests and objections which were denied indicated in the report of proceedings or in an sure or exhibit to it (para 5-11, AR 15-6)?		-	
OOTNO	TES: 11 Explain all negative answers on an attached sheet.			
	2! Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation			- 1

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

CTION IV - FINDINGS (para 3-10, AR 15-6)
The (investigating officer) (board), having carefully considered the evidence, finds: find that soldiers of 2nd Platoon, 84th Engineers Company have committed detainee abuse.
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, told the Platoon bergeant that he did not want any detainees at the CMOC. It was better for him to take the detainee away and to release time. It recommended that the detainee be scared, beaten, or whatever the Platoon wanted to do to him. Then lecided to take the detainee to an abandoned building behind Camp Marlboro. When they arrived took the detainee inside the building. They yelled and screamed at him. I gave an order to the common of his clothing was emoved. 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 etainees to the same building behind Camp Marlboro.: .a took the two detainees into the uilding, ' / told to remove all of the clothing of the detainees. The detainees were released once all of their lothing 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 ack to Camp Marlboro with the sodas, they were tasked to chase looters away from the back fields. ENG23 captured a looter. ENG23 as then told to take the detainee back to the Engineers barracks on Camp Marlboro. ENG23 arrived at the barracks and the detainee was moved from the back of the truck and placed up against the wall. The primarded by both and 'y'. In addition, admitted to hitting the detainee and stated in his sworn atement that others also hit the detainee. Exhibits B, D, E, G, H, I, K, L, M, O, Q, R, T, U, Z, & AA support these facts.
hree soldiers wrote sworn statements of the use of an M34 blasting device to shock Iraqi detainees. Exhibits B, D, I, W, & Y support ese statements. However, during further investigation, the accused denied any use of the M34 blasting device to shock any Iraqi etainee. Exhibits M, U, V, X, &, Z support these statements.
addition, during the course of this investigation,, was implicated in numerous alleged questionable actions. These leged actions are serious and are detrimental to the overall mission. Exhibit T supports this statement.
SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)
SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6) view of the above findings, the (investigating officer) (board) recommends: a minimum the unit:
Enforce patrol and mission debriefs at the Troop level at a minimum. For more significant events a debrief should be conducted by the 2.
Reprimand for his poor judgement, lack of battlefield composure, and loss of military discipline and professionalism as a nior noncommissioned officer. Continued performance like this could result in an uprising of the citizens of Iraq against US Forces
Refine and clarify the ROE and treatment of detainees. Conduct a stand down day to refocus the Troops and establish clear procedures processing detainees.
Appoint an Investigating officer in commensurate grade or higher to conduct an inquiry of alleged actions.

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

S' ON VI - AUTHEN	ITICATION (para 3-17, AR 15-6)
THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURAT below, indicate the reason in the space where his signature should appear	E. (If any voting member or the reder fails to sign here or in Section VII
•	
•	/ -
(Recorder)	(Investigating Officer) (President)
(Member)	(Member)
(Member)	(Member)
SECTION VII - MINORIT	Y REPORT (para 3-13, AR 15-6)
o the extent indicated in Inclosure, the undersigned do(e. In the inclosure, identify by number each finding and/or recommendation easons for disagreement. Additional/substitute findings and/or recommendation	s) not concur in the findings and recommendations of the board. In which the dissenting member(s) do(es) not concur. State the idations may be included in the inclosure.)
	•
(Member)	(Member)
SECTION VIII - ACTION BY APPO	DINTING AUTHORITY (para 2-3, AR 15-6)
the findings and recommendations of the (investigating officer) (beart): butturious), (If the appointing authority returns the proceedings to the in irrective action, attach that correspondence (or a summary, if oral) as a	nvestigating officer or board for further proceedings or
	A line
• ·	



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. , 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 84th 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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		ON I A DELLE	HILL 40 MIC LUISNOT NOT
AUTHORITY:	Title 10, United State	es Gode, Section 3012(g)	
PRINCIPAL PURPOSE:	To provide commande	ers and law enforcement officials	with means by which information may be accurately identified.
ROUTINE USES:	Your Social Security 1	Yumber is used as an additional/al	ternate means of identification to facilitate filing and retrieval.
DISCLOSURE:	Disclosure of your So	cial Security Number is voluntary.	
1 100431081			2. DATE 3. TIME 4. FILEND.
1. Camp Hart	ono, Bud	dad Iraq	3. TIME 40hrs 4. FILENO.
5. NAME (Last, Hist, MI)	~ ~		8. ORGANIZATION OR ADDRESS
5. SSN ,	19 g	7. GRADEISTATUS	
	. , 	PART I - RIGHTS W	AIVER/NON-WAIVER CERTIFICATE
ection A. Rights			
tig igvestigator whose game annears	helow told me that helshe is	with the United States Army	and wanted to question see about the following offense(s) of which I am
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EDITION OF NOV 84 IZ OBSOLETE

USAPA 201

	ARNING PROCEDUREWAIVER CERTIFIC. 1 this form, see AR 190-30; the proponent agency is COCSOPS (6) (6)
	DATA REQUIRED BY THE PRIVACY ACT
	nent officials with means by which information may be accurately identified. n additional/alternate means of identification to facilitate filing and retrieval.
1. Camp Marsboro 42 ACR Bookdad Ira	2. DATE 3. TIME 4. FILEND.
5. NAME ILASI, FIRSI, MII	B. ORGANIZATION OR ADDRESS
6. SSN 7. GRATIEIS	TATUS
PARTI	- RIGHTS WAIVERINGN-WAIVER CERTIFICATE
Section A. Hights	
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	and wanted to question me about the following offensels) of which I am
uspected lacoused: Stripping Descriptions about the differences, however figishe made it clear t	to me that i have the following rights:
leford by she asked me any questions about the offensels), however (Paisite made it clear to t do not have to answer any question or say anything.	to one that Eliave the following cours:
Anything I say or do can be used as evidence against me in a criminal trial.	
. IFor personnel subject othe UCMJ Thave the right to talk privately to a lawyer before	\cdot
during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to	to the Government or a mibitary lawyer detailed for me at no expense to me,
· or both.	
If or civilizate not subject to the UCMJ/ I have the right to talk privately to a lawyer be me during questioning. I understand that this lawyer can be one that I arrange for at a will be appointed for me before any questioning begins. If I am now willing to discuss the offensels) under investigation, with or without a law appeak privately with a lawyer before answering further, even if I sign the waiver before	t my own expense, or if t cannot afford a lawyer and want one, a lawyer awyer present. I have a right to stop answering questions at any time, or
SOMMENTS (Continue on reverse side)	
action B. Waiver	
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	SATAL, HHI 1056000. Zd 4CR
ction C. Non-waiver	
I do not want to give up my rights	
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SIGNATURE OF INTERVIEWEE	

EDITION OF NOV 84 IS OBSOLETE

USAPA 2.0{

		DATA DEGUEDE	D BY THE PRIVACY ACT			1 6-
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EDITION OF NOV B4 IS OBSOLETE

USAPA 2.01

			90-36; the proponent agency is ODCSOP		- Mary Carlotte Brown St. Carlotte
		DATA REQUIRE	D BY THE PRIVACY ACT		
UTHORITY: RINCIPAL PURPOSE: OUTINE USES: ISCLOSURE:	Your Social Security Nur	and law enforcement officials wit	h means by which information may bate means of identification to facili		
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	<u> </u>	PART 1 - RIGHTS WAI	ER/NON-WAIVER CERTIFICATE		
ction A. Rights					
e investigator, whose name according	nahuu sald ma tha Ribicha ie igij	th the United States Army	and wanted to question me a	bout the following offense(s) of	which t am
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		halshe made it clear to me that I have	he following rights:	 	
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Anything I say or do can be used			•		
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EDITION OF NOV 84 IS OBSOLETE

usapa 201

of this form, see AR 198-30; the proponent agency is DDCSOPS

DATA REQUIRED BY THE PRIVACY ACT

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Title 19, United States Code, Section 3012(g)

PRINCIPAL PURPOSE:

ROUTINE USES: DISCLOSURE:

To provide commanders and law enforcement officials with means by which information may be accurately identified. Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.

Disclosure of your Social Security Number is voluntary.

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I do not have to answer any question or s				
Anything I say or do can be used as evide	nce against me in a criminal trial.			
(For personnel subject athe UCMJ Thave	e the right to talk privately to a lawyer bel	ore, during, and after questioning and to ha	ve a lawyer present with me	·
during questioning. This lawyer can be a c				
or both.				
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(For civilians not subject to the UCMU) 1 h	ave the right to talk privately to a lawyer	before, during, and after questioning and to	have a lawyer present with	
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DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

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EDITION OF NOV 84 IS OBSOLETE

USAPA 201

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UTHORITY: Title 10, United States Code, Section C RINCIPAL PURPOSE: To provide commanders and law enforce	3D+2ig! corrent officials with means by which information may be accurately identified.
•	s an additional/alternate means of identification to facilitate filing and retrieval.
SCLOSURE: Disclosure of your Social Security Num	
togation —	2. DATE 3. TIME 4. FILE NO.
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NAME (Last, First, MI)	8. ORGANIZATION ON AUDRESS
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	IT I - RIGHTS WAIVERINON-WAIVER CERTIFICATE
action A. Rights	
e investigator whose name accers helow told mo the state is with the United Ste	ntae Amru
<u> </u>	and wanted to question me about the following offense(s) of which it am
spected acclused: Defainer House	turn and attended to the same than
foreneathe asked me any questions about the offense(s), however the she made it of I do not have to answer any question or say anything.	near to me that t have the following rights:
Anything I say or do can be used as evidence against me in a criminal trial.	,
If or personnel subject othe 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 exper	nse to the Government or a military lawyer detailed for me at no expense to me,
or both.	
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PAGE 3, DA FORM 2823, DEC 1998

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SWORN ST For use of this form, see AR 190-49	ATEMENT i; the proponent agency is BDCSO. b (6) b (3)
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 939 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with me	
BISCLOSURE: Disclosure of your social security number is voluntary.	YYYMMOD) 3. TIME 4. FILE NUMBER
1. LOCATION CAMP MARLBORD BACHDAD, IRAQ OI AL 5. LAST NAME, FIRST NAME MINDLE NAME	12.22 7. GRADEISTATUS
8. DRGANIZATION OR ADDRESS	

WANT TO MAKE THE FOLLOWING STATEMENT UNDER GATH:

ON THE THERD OF JULY, THE SUPPOSIVE TEME A BERTAIN INSIDENT MAN HAVE HAPPENED, I WAS ON MAN WAN TO THE BAY, TO CHECK A BUSTED HUB SEAL AND A CLASS TWO TRANSFER LEAR, AFTER WATTENS, AN HOUR-HOUR; 1/2 I WAS BROWNING FROM THE BAY I HAVE AN OBSTACLE OF 100 CASESOF SOLAS FOR MAY, AFTER FOUR MAY SO THAT I CAN PARK MY VICTOR IN THE BESTGNATED MY PLATOON CAME IN CONTACT AND 27D CAME OATER, EDUCAR NET AND SAID THE WERE SHOT AT AND RETURNED FIRE. ZZ CAME ON GAVE AN EXPLANATION OF THE SHOOTING AND A GRITD POINT, LATER THAT DAY SAPPER 6 TALKED TO THE MEN INJUCYED, ONE-ON-ONE, THEN THE WHOLE PLATOON ABOUT NOT BEATING IRAGE AND TO JUST TAKE THEM TO THE C-MOCK; BUT ABOUT THE SHOOTING HE WAS PLEASED NOONE WAS HURT AND WE DETAINED THE SHOOTING HE WAS

EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF PAGES
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T DO TTOM DE EACH ADDITIONAL PAGE MUST BEAR THE INITIA	ALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUS	ST BE BE INDICATED.
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DA FORM 2823, DEC 1998

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PAGE 3, DA FORM 2823, DEC 1998

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	SWORN STATEMENT see AR 190-45; the proponent agency	/ is OBCSOPS . by	6), b(3)
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 29 PRINCIPAL PURPOSE: To provide commanders and law enforcement office ROUTINE USES: Your social security number is used as an additional purpose. DISCLOSURE: Disclosure of your social security number is volunt.	icials with means by which information ralfalternate means of identification to	on may be accurately identified.	
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detained. another Iragica Multiple times Thinks	while with	an WK-41	Was shot
then taken to need ics	at camp 1	ined or h	nd treated.
18. EXHIBIT	11. Initia <u>ls</u> of Person Makin	1	PAGE 1 OF PAGES
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		, and	(Signature of Person	Making Statement)	·
Witnesses:		Subscribed	(Signature of Person and sworn to before me, a person		
		administer-oa	and sworn to before me, a person ths, this day o	authorized by law to	<u>53</u>
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PAGE 3, DA FORM 2823, DEC 1998

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ME 30	4. FILE NUMBER

SWORN STATEMENT

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

AUTHORITY:

PRIVACY ACT STATEMENT

PRINÇIPAL PURPOSE:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated

To provide commanders and law enforcement officials with means by Your social security number is used as an additional/alternate means o

DISCLOSURE: Disclosure of your social security number is voluntary

1. LOCATION Marl horo

3. T 2. DATE (YYYYMMDD)

LAST NAME, FIRST NAME, MIDDLE NAME

2003 0801 6. SSN

7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

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

One day I was quanting on the 50 cal of EN22. We arrived at a building belief our compand that I had never been do before. I stepped down into the back of 22 for a moment to drink some water and load my 17-16. When I stepped back up to the 50 cal. I noticed a Maked Iraqi ran by the vehicle. I took a bouble take and then we left the and returned to Camp Marlboro.

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10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	
		PAGE 1 OF PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING *	STATEMENT TAKEN AT DATED	
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THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE	AR THE INITIALS OF THE PERSON MAKING THE STA	ATEMENT, AND PAGE NUMBER
MUST BE BE INDICATED.		

DA FORM 2823, DEC 1998

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STATEMENT OF TAKEN AT 9 STATEMENT (Continued) COOR-101, dtd 9 Nov 01 AFFIDAVIT , HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT . THULLY 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) Subscribed and sworn to before me, a person authorized by law to WITNESSES: ORGANIZATION OR ADDRESS (Signature of Person Administering Dath) (Typed Name of Person Administering Oath) ORGANIZATION OR ADDRESS (Authority To Administer Oaths)

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INITIALS OF PERSON MAKING STATEMENT

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6(6), 6(3) 1514 Acs SWORN STATEMENT In the month of June 2003, 27,22, and 23 went to a designated spot behind Comp Markoro to drop of and download a trailor full of Stollen wire that we picked up in a neighborhood. When we arrived at the sight, there were about to bothers that started running-I dismounted and chased the looters with 5 running away about ZeOmeters ahead of us, While chasis after Hem, k raised his weapon trund the looters and fired a ghot in their direction claimed it was a "varning that. - Nothing belows-Exhibit "S 001447

ACLU-RDI 497 p.35

		SWORN	STATEMENT	agency is ODCSOPS	2/1) 1/2)
·	For use of this form,	see AK 190	J-45; the proponent	agency is UpCoUPS	0(6), 0(3)
		PRIVACY A	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 securi	ty number i	s voluntary.		
1. LOCATION CAMP MARLBORO,	BAGHDAD, IRAQ	2. DA	TE (YYYYMMDD) 2003/08/01	3. TIME 1554	4. FILE NUMBER
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to do. So, we took the the detainee inside the looter was shot and kil I needed to teach him embarassment but at le Marlboro and instead the two guys take their On the 3rd of July my we were told to help p ended up bringing the tire so they were fixing of the detainee. the Squad Leaders that because she had fired to the chest. We applie about how we had followed the control of the chest.	looter to a empty building in building yelled and screamed lied earlier this month and the a lesson. So, I told east he would be alive. We have taking to CMOC we took to clothes off and run home, platoon was tasked to pick up looters in the rear field detainee back to our AO. I say the tire during this time. I to chewed him out then told twe are going to tone this stunumerous rounds with an AK and first aid and took her to the owed the ROE and did a good the standard with the could be seen as a could b	the rear fill at him the guys who to strip to another them to the posodas for difficulty with the plate of th	eld of Camp Marli en I had to make a shot him was not he man and make incident to where same building and the SQDN Fourth d up catching one nd tolc oon to go to chow again chewed him wo weeks later we turned fire on the id Station.	boro. Myself, decision of what I spunished. I didn't whim run home and I we detained two look then Myself, of July party. On clooter. ENG23 action to wat had be cont. We took the ce had another incide woman. She received came and spondard to work the contract of the co	un, or whatever that we wanted took should do next. I heard that a want to kill him so I decided that hopefully he would encur some oters in the rear field of Camp had our way back to Camp Marlboro ually caught the looter. ENG23 to the guy. ENG22 had a flat ounced a soccerball of the head detainee to the CMOC. I told ent that we shot an Iraqi woman red four to five gunshot wounds ke to the Platoon that afternoon is the for kill want to short or kill
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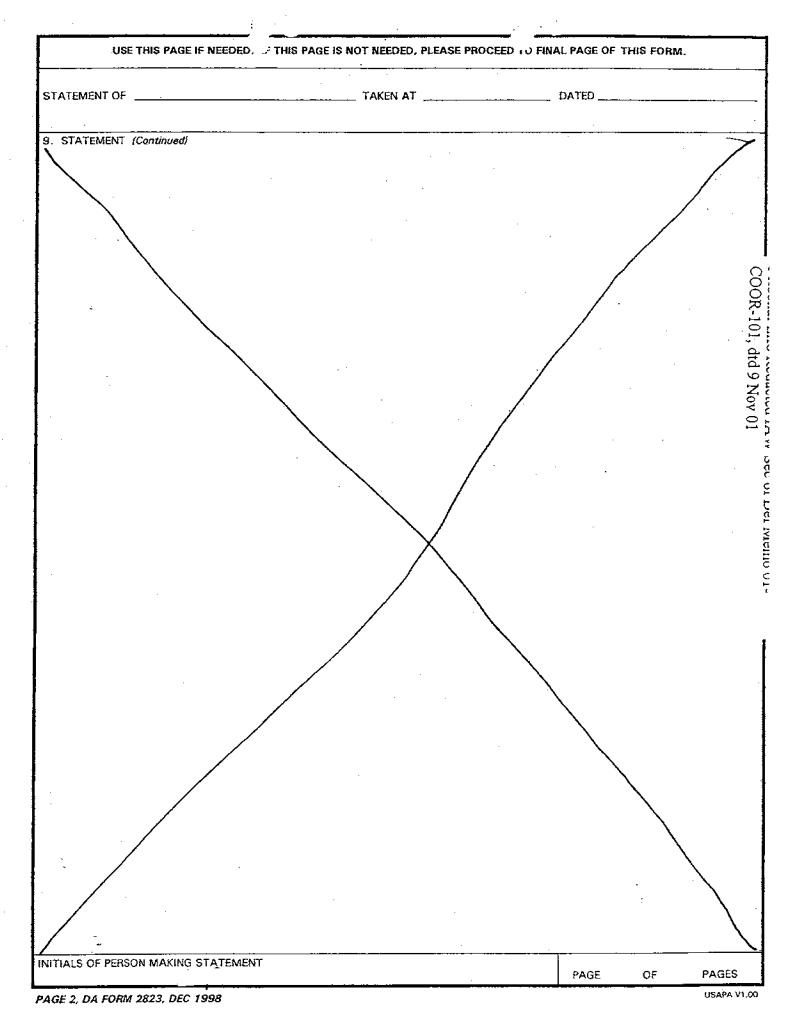
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AUTHORITY:	Title 10 USC Section 301; Title	5 USC Sec	tion 2951; E.O. 939	97 dated November 2	2, 1943 (SSN)	y.
PRINCIPAL PURPOSE:	To provide commanders and law	v enforceme	ent officials with me	ans by which inform	ation may be ac	ccurately
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t,			WANT TO MAKE TH	HE FOLLOWING STA	TEMENT UNDE	R OATH:
when we saw looters in them download the wi one looter stealing the him out and beat him old home. So he ran outsit to the building again a myself were in the building truck got a flat tire. So into our AO with a de	rpion we had finished picking in the rear field behind Camp I are from the back of the trailers copper wire. We took him to or do whatever you want to wing to strip the detainee of his de and went home. We had an and stripped them of their cloth ilding. On the 3rd of July we hooters. There were looters in to we went back to Camp Marlitainee in the back of the truck. It changed ENG27 took the de	Marlboro, s and then the CMOO th him. So clothes, other incides and maid to go g he back fix boro and I I wasn't a	We chased them detook them to the Cook them to the Cook this guy followed them run home. The today of the 4th today guys to go tround much after	own and picked up and common were or to a building in field his orders. Then or to where we deta. In both incidents to of July party for statch them. While the tire fixed. Wi	a total of 7 de at on mission a was told by ld behind the o we released the ined two loote SQDN. On our rying to catch nen we got bace	etainees. We had again and caught totake camp. he detainee to go ers. We took them to any back we these looters myck ENG23 came
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<u></u>		ped Name of Person Adminis	tering Oath)
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	For use of this force	SWORN STATEMENT in, see AR 190-45; the proponent a	toency is ODCSOPS	,
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE:	Title 10 USC Section 301; Ti	PRIVACY ACT STATEMENT itle 5 USC Section 2951; E.O. 939 law enforcement officials with mea is used as an additional/alternate m	7 dated November a	22, 1943 <i>ISSM</i> . nation may be accurately
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DA FORM 2823, DEC 1998

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USAPA VI.00

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SWORN STATEMENT

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

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		PRIVACY ACT STATEMENT		· · · · · · · · · · · · · · · · · · ·
AUTHORITY:	Title 10 USC Section 301; Ti	itle 5 USC Section 2951; E.O. 939	7 dated November 2	2, 1943 <i>(SSN)</i>
PRINCIPAL PURPOSE:	To provide commanders and	law enforcement officials with mea	ans by which informa	ition may be accurately
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I then decided to go back to where the detaince was alone with the detainer. was He coaxed me into coming over and hitting the detainer. I went over and thumped the detainee on the head. very lightly, which made apress how bad I felt for laugh and call me only that. That is when I went back to my cet for good. Roughly fifteen minutes later, 27 called for 21 and 23 to some and except him to the open area behind . Camp Marlboro. We escorted 27 and the defainer out to an abandoned building where the detainer 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 the made the call to strip the detainee, but I do know that were in the building with the detainer. If there was someone else in the building, it is not to my knowledge. Once the detainer was released, we all went back to the warehouse.

On another occasion, which secured several weeks after state first incident, three tranks (21,22,27) left camps Marlbaro to explode several Uxos at the Pragoon ASP. When returning from the ASP, ene of our trucks again sighted a couple of looters. We then began to chase them. The looters managed to escape safely, but decided to stop and investigate further. At the time, I was driving 21, and upon stopping I got out and palled security. Several minutes later, I walked to the back of my truck and witnessed, destroying a truck. They were breaking the windshield and mirrors, slashing the tires, and ripping wires

from under the hood. At the time, I had no iden why

initials of Person making statement

PAGE 2 OF 3 PAGES

PAGE 2, DA FORM 2823, DEC 1998

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STATEMENT OF TAKEN	10(6), 6(3) NAT Comp Maribo. DATED 88.03
9. STATEMENT (Continued)	
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	(Signature of Person Making Statement)
WITNESSES:	Subscribed and swom to before me, a person authorized by law to administer paths, this at the same of
DRGANIZATION DR ADDRESS	(Signature of Parson Administration (19th)

PAGE 3, DA FORM 2823, DEC 1898

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INITIALS OF PERSON MAKING STATEMENT

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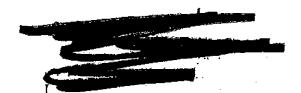
MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Transmittal of Court-Martial Charges in the case of



2. I recommend:

- a. Trial by Summary Court-Martial, () Special Court-Martial, () Special Court-Martial empowered 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

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

SUBJECT: Transmittal of Court-Martial Charges in the case of

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1. The attached court-martial charges against _______ y 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



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



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

SUBJECT: Transmittal of Court-Martial Charges in the case of Section First City

- 1. The attached court-martial charges against 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: Two.
 - 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. __ronpunitive administrative action. () Relief of duties for cause, X 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

From: Sent: Monday, January 05, 2004 5:26 PM To: Cc: guye wee GTARY # North Herold F). Subject: ATTORNEY WORK PRODUCT here's my charging suggestion based on my review of the 15-6 investigation: **VIOLATION OF THE UCMJ, ARTICLE 92:** a. L. v. r, U.S. Army, at or near Baghdad, Iraq, SPECIFICATION 1: In that between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully directed his soldiers to strip all clothing from a detainee, a person whose name is unknown, and release said detainee naked in public, when it was his duty not to do so. y, U.S. Army, at or near Baghdad, Iraq, SPECIFICATION 2: In that between 15 January 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully fa to process through the Civilian Military Operations Center (CMOC), a detainee in his custody, a person whose name is unknown, when it was his duty to do so. Have you dismissed / withdrawn the 6 DEC 03 charges without prejudice? I'll need a copy of that for the file, please. s done with CH 10. Got a cohiba with your name on it up here when Please let me know when come up. Thx. v/r.

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DD FORM 458, MAY 2000

PREVIOUS EDITION IS OBSOLETE.

b(6), b(3)

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DD FORM 458 (BACK), MAY 2000

b(6), b(3)

Item 10, continued:

CHARGE III VIOLATION OF THE UCMJ, ARTICLE, 92.

> DECOS

SPECIFICATION 1: In that L______. , U.S. Army, who know or should have known of his duties at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to from committing assault consummated by battery, as it was his prevent ASSAULTING A detainer in custody, A-person whose duty to do. is without it SPECIFICATION 2: In that? , U.S. Army, who know or should have known of his duties at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, was derelict in the performance of his duties in that he willfully failed to 1 from committing assault consummated by battery, as it A detrive is custody, in person whose name was his duty to do. Mykracuia, 26 DEC#3) CHARGETE VIOLATION OF THE UCMJ, ARTICLE, 128.

THE SPECIFICATION: In that y, U.S. Army, did, at or near Baghdad, Iraq, on or about between 15 June 2003 and 15 July 2003, unlawfully strike a detainee, A peccess whole name is whence is





b(3)

4 September 2003

AFZX-C-CO

MEMORANDUM FOR 09322

APO AE

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 ... I concur with the investigating officer's findings.
- 2. Based upon this investigation. I have recommended that the

suse for maltreating detainees.

- In accordance with your recommendations, I am returning full authority to you to discipline
 l in a manner that you believe is appropriate.
- 4. Finally, I am concerned that soldiers from 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.

DEPARTMENT OF THE ARMY



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b(b), b(3)

AFZX-C-JA

:28 AUG 2003

MEMORANDUM FOR RECORD

SUBJECT: Chain of command recommendation of relief for cause of

1. On 2 8 AUG THE , the soldier's

recommended that

be relieved for cause.

2. On 2 8 AUG 2003 recommended that , the soldier'

be relieved for cause.

3. On 2 8 AUG 2003, the soldier's

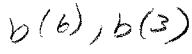
be relieved for cause.

4. POC is the undersigned at

/, recommended

001476

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





DEPARTMENT OF THE ARMY

Cause son to



AFZX-CB-EN

27 August 2003

MEMORANDUM FOR

Ţ

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 tuck 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 were we had put the copper wire from the week before. As we arrive a street of the copper wire the week prior.

1. and I chased

k told the piatoon sergeant that he wanted to go after them again. He said ok. When 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 down loading the trailers, we took them to the CMOC.

That day is at 4 in said they saw me shock a detainee. The statements were false, I did not shock a detainee. After a rought back the five detainees, was on the 27 truck as a M249 gunner, a stayed at ms truck like I did because he also was nurting from the heat. All of our trucks were arount fifty feet apart at the site facing the opposite way from each other pulling security. In 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 have had it out for me sense 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 were 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 lraqi people. We took the detainess 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 there 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 rought 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 4th 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 were 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

That pulled in with a detainee in the back of his truck. We unloaded him and out him next to the wall. The platoon sergeant sent everyone to cliow sense it was about to be over.

b(6), b(3)

two soldiers of mine also stayed back that day so they change the tire. When soldiers in the platoon found out that rought back the detained 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 detained 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.

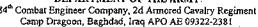
I have been in the Regiment for six of the seven years I have been in the Army. I deployed ahead of the Regiment with

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.





DEPARTMENT OF THE ARMY.





AFZX-CB-EN

28 August 2003

MEMORANDUM FOR

SUBJECT: Response to 15-6 Investigation

or approximately one year. During that year he served as the performing well above the standards. When treceived deployment orders, y. He was selected based on 1 I was chosen to deploy ahead of the rest of the 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. 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 involved with detaining several looters from the back 40. On one occasion, that I was present tor, 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 tenters. Just a day or two earlier a looter had been shot and killed on the back 40, I 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 ov not have been the right one politically, but was effective on saving the lives of those looters. the wrong decision was made and is prepared to accept the consequences of his actions.



DEPARTMENT OF THE ARMY



AFZX-CB-EN

27 August 2003

MEMORANDUM FOR

SUBJECT: Response to 15-6 Investigation

During the first week of June 2003, we first detained looters from the back of Camp Mariboro. 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 Mariboro, 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 Buildog element shot and kilted 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 Ai-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 Buildog elements and let them take care of it. When I , and told him I have detained the walked into the CMOC (same location as Buildog TOC) I saw is told me "met take them back and beat the fuck out of them". I looters for them. At that time : as standing next to me and heard what was was shocked at what he just told me to do. ! s had just told me. I was going to just take said. I walked out and told the squad leaders what: them out of Camp Marlboro and release them. At that time ! caid, if you want to teach them a 1 told me I really wasn't thinking lesson, why don't you strip them and send them away. When, about striping 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 Buildog elements. I didn't want that to happen to them, so when we stopped at the back of Camp Mariboro 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 to strip the detainee. I know that it was not the right thing to do, but at the same time I wanted for the actainee to never want to return to our camp to steal. I never saw the same looters again after that striping.

On 3 July 2003 we had a mission to pick up sodas for the squadron 4th 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, told me he had detained a looter after all. I told him we would just take him back later since dinner know was almost ending. I told them to go to the chow, then we will take the tooter back to the CMOC. didn't want to eat so he stayed back and watched the detainee. After I returned from chow, I was suturg on my cot, told me was bouncing a soccer ball on the detainees' head. I went to the back of the AO and asked what the hell he was doing and told him not to dot 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.

b(6), b(3)

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 Buildog 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 · isks 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. ook the AK-47 and took her to Camp Mariboro. shooter first AID, and she lived. Later we found out, from our translator who escented 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 plateon 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.



DEPARTMENT OF THE ARMY

P(7) P(3)

AFZX-CB-EN

28 August 2003

MEMORANDUM FOR

SUBJECT: Response to 15-6 Investigation

it about two weeks after I was assigned to 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 has demonstrated his ability to react to any officer. During Operation Iraqi Freedom, situation, ranging from helping a depressed soldier to calming upset citizens of Iraq. When the platoon mayory 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: / 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 detained strip and walk home nude. The decision may not have been the best, but it worked. 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

H

		iorm, see AR 190-30; the proponent agency is ODCSOPS
	DAT	TA REQUIRED BY THE PRIVACY ACT
OTHORITY: RINCIPAL PURPOSE: DUTINE USES: ISCLOSURE:	•	officials with means by which information may be accurately identified. ditional/alternate means of identification to facilitate filing and retrieval.
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	PART I - Ri	IGHTS WAIVERINGN-WAIVER CERTIFICATE
ection A. Rights		
		•
g mysstigster where earns see t	colour told me that where is with the United States Am	my and wanted to question me about the following offense(s) of which I am
Ispected Decused:	Lange Always	940 Matrice to Amedition the gener one strictwish asserted to admitte cells
	about the offense(s), however treats made it clear to n	me that I have the following rights:
. I do not have to answer any que	stion or say anything.	
	as evidence against me in a criminal trial.	
		during, and after questioning and to have a lawyer present with me
outing questioning. This lawyer i or both.	cau de 9 civillair (944) ét l'attaude tot at uo expeuse to a	he Government or a military lawyer detailed for me at no expense to me,
		· gr -
will be appointed for me before a If t am now willing to discuss the	ny questioning degins.	own expense, or if I cannot afford a famyer and want one, a lawyer (or present, I have a right to stop answering questions at any time, or
COMMENTS (Continue on reve	se side)	
ection B. Waiver	<u> </u>	
nderstand my rights as stated above.	I am now willing to discuss the offense(s) under invest	tigation 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
. NAME (Type or Print)		
ORGANIZATION OR ADDRESS	AND PHONE	4. SIGNATURE TIGATOR /
,	•	
NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOP
ORGANIZATION OR ASDRESS	AND PHONE	6. ORGANIZATION OF INVESTIGATOR
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ction C. Non-weiver		
i do not want to give up my sigh	ts	
want a lawyer		Ordityns yes on beneitseep ed et and ton ob 1
SIGNATURE OF INTERVIEWEE		
TACH THIS WAIVER CERTIFICATE TO	O ANY SWORN STATEMENT (DA FORM 2823) SUBSE	EQUENTLY EXECUTED BY THE SUSPECT/ACCUSED
4 FORM 3881 NOV 89		FOITION OF NOV 84 IS ORSOLETE USAPA 2.03

2 of thi	RNING PROCEDURE/WAIVER CERTIF. E Is form, see AR 190-30; the proponent agency is OBCSOPS
В	ATA REQUIRED BY THE PRIVACY ACT
AUTHORITY: Title 10, United States Code, Section 3012 PRINCIPAL PURPOSE: To provide commanders and law enforcement	ligi nt officials with means by which information may be accurately identified. additional/alternate means of identification to facilitate filing and retrieval.
Camp Marlbora Baghdad Irag	2. DATE 3. TIME 4. FILE NO. 8. DEGANIZI N OR ADDRESS 2. A - D
6 SSN 7. GRADEIST	TATHIS
the day	ntua .
	RIGHTS WAIVERINGN-WAIVER CERTIFICATE
Section A. Rights	
The investigator whose name agreers below told me that he he is with the United States A	Army and wanted to question me about the following offense(s) of which I am
Aspected accused: Detaince Abuse	
Before the asked me any questions about the offensels), however the she made it clear to	or me that I have the following rights: OR Te, during, and after questioning and to have a lawyer present with me or the Government or a military lawyer detailed for me at no expense to me,
1 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. Ifor personnel subject othe UCMJ have the right to talk privately to a lawyer befor 	m during and after questioning and to have a favoure expense with on
during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to	of the Government or a military lawyer detailed for me at no expense to me.
or both.	Q.
•	·0ι· -
IFor civilians not subject to the UCMJI I have the right to talk privately to a lawyer by	refere, during, and after questioning and to have a lawyer present with
For civilians not subject to the UCMJI I have the right to talk privately to a lawyer be me during questioning. I understand that this lawyer can be one that I arrange for at a	refore, during, and after questioning and to have a lawyer present with The pown expense, or if it cannot afford a lawyer and want one, a lawyer Expense or if it cannot afford a lawyer and want one, a lawyer
me during questioning. I understand that this lawyer can be one that I arrange for at σ will be appointed for me before any questioning begins.	refore, during, and after questioning and to have a lawyer present with my own expense, or if I cannot afford a lawyer and want one, a lawyer C
me during questioning. I understand that this lawyer can be one that I arrange for at a will be appointed for me before any questioning begins. 4. If I am now wilking to discuss the offense(s) under investigation, with or without a law	wyer present, I have a right to stop answering questions at any time, or
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EDITION OF NOV 84 IS OBSOLETE

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DA FORM 3881, NOV 89

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

	torm, see AR 190-30; the proponent agency is OOCSOPS 15(4), 6(3)
D#	ATA REQUIRED BY THE PRIVACY ACT
	officials with means by which information may be accurately identified. Additional/afternate means of identification to facilitate filing and retrieval.
LOCATION	Z. DATE 3. TIME 4. FILE NO.
NAME ROSE FIRSE MIL	8. ORGANIZATION OR ADDRESS
SSN 7. GRADEISTA	ATUS
PARTI-	RIGHTS WAIVERINON-WAIVER CERTIFICATE
ction A. Rights	
Javestigator w A	गापु and wanted to question me about the following offensels) of which i am
ected aboused: Descripte 46058	
I do not have to answer any questions about the oftensels), however. I she made it clear to 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, I for personnel subject othe UCM. I have the right to talk privately to a lawyer before during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to or both.	e, during, and after questioning and to have a lawyer present with me
(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer be me during questioning. I understand that this lawyer can be one that I arrange for at m will be appointed for me before any questioning begins. If I am now writing to discuss the offense(s) under investigation, with or without a law speak privately with a lawyer before answering further, even if I sign the waiver below	ny own expense, or if 1 cannot afford a lawyer and want one, a lawyer vyer present, I have a right to stop answering questions at any time, or
COMMENTS (Continue an reverse side)	
tion B. Waiver	
	stigetion 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
NAME (Type or Print)	
ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE DEMONESTIGATOR
NAME (Type or Print)	5. TYPED F STIGATOR
ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR
ion C. Non-waiver	SILEM, MILL YZAUL
I do not want to give up my rights	
	_
i want a lawyer	ido not want to be questioned or say anything

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

USAPA 201

Index of all Exhibits

6(6), 6(3)

- Exhibit A
- Exhibit B
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- Exhibit D
- Exhibit E
- Exhibit F
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- Exhibit I
- Exhibit J Exhibit K
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- Exhibit M
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- Exhibit T
- Exhibit U
- Exhibit V
- Exhibit W
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- Exhibit Y
- Exhibit Z
- Exhibit AA

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SWORN STATEMENT For use of this form, see AR 190-45; the proponent agency is ODCSOPS	·
For use of this form, see Art 130-43, the proportion agency is discosor o	<u> </u>
PRIVACY ACT STATEMENT	1042 (CCM)
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22. PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with media by which informat	- 1
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which informate ROUTINE USES: Your social security number is used as an additional/alternate means of identification.	
DISCLOSURE: Disclosure of your social security number is voluntary.	
1. LOCATION 2. DATE (YYYYMMDD) 3. TIME	4. FILE NUMBER
CAMP DRAGOON, BAGHDAD TRAD 2003 07 28 1930	
5. LAST NAME. FIRST NAME MIDDI F NAME 6. SSN	7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS	
the state of the s	
9. WANT TO MAKE THE FOLLOWING STATE	MENT HNDER OATH
ON 19 JULY It was brought to my attention that a soldier un	
had vent to the Chaplin reference the possible mis-treatment	
upon finding this out, I went to the Chaplin (1) and rece	
that was brought do his attention. Upon hearing the possible allegat	1015 I cent Le
the Platoon Leader & Sergent to get an intral read. They both	said they had head
rumors or talk but Know noting. I then talked with a couple of	- Soldies.
was the soldier that went to the Chaplin and he confirm	ed what the
Origin had teld me. He said that the platoon had stripped.	
Shocked an Ingi civilian with an M34 blusting device and royle	
Meir ADD. I also talked with who stated that the	
a lot of things and both soldiers stated the platoon was doing	Things They Should
not be doing. The following day, 20 Jucy 03, I had the	How occerting
come to my Location. I then begin asking	
reference the proposed allegations. I also spoke with all upon my questioning I gathered the	Collour information
To the best of my knowledge all incidents happened in the ab:	seed of Hell.
He stated he had no Knowledge and had heard some talk but.	had not seen any
of the above stated incidences. After initial questioning	admitted to
of the above states increased intermity of one individual	1.
bein present for all and directly the stripping of one individual seems I have been present for all and took part in the stripp	IN AND SHUGHT
I M. I. J. Low DASPAT DUT 1160 PEV	are con from the first
incident: admitted to being present but had no direct inva	vered Upon questions
ofter soldier to the best of my Knowledge I believe it as thee.	So foom the
11 INSTIALS OF PERSON MAKING STATEMENT	PAGE 1 OF Z 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 STATI	EMENT, AND PAGE NUMBER

MUST BE BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

STATEMENT OF TAKE	DATED 28. July 2003
questioned only one mentioned the royhig in). The Nico's present / according to teach them a lesson by no Upon questioning all pico's and offices which so soldiers were not read their rights. Soldiers were not read their rights. I am under on may be three separate but to my kno incidents / allegations and only two ind Nico's in guestion had all my confidence	I s read Hem Heir which here fith the reason to only when the hotal number of incidences. It when I believe it to be three ividences. Prior to this incident the and support. To setly we good
NCO's and possibly went to far and	took on more of a situation flan
The should have. NOTHING FOLCO	WS
•	
the second second second second second	
	•
AFFI	DAVIT
The state of the s	HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY U BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTOR CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT F THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL	REELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
	the same of the sa
	(Signature of Ferson Making Statement)
MARTNECCES.	Subscribed and swom to before me, a person authorized by law to
WITNESSES:	administer paths, this 20th day of Tight 2003
	at human TOC Repulse, Dicc
<u> </u>	
ORGANIZATION OR ADORESS	(Signature of Posters and
• • •	(Signature of Person Administering Oath)
<u> </u>	
which is the state of the state	(Typed Name of Person Administering Oath)
ORGANIZATION OR ADDRESS	[Authority To Administer Daths]
INITIALS OF PERSON MAKING STATEMENT	
CELLANES OF CELLOOIS INCOME.	PAGE 2 OF 2 PAGES
	CICADA VII DA

SWORN STATEMENT For use of this form, see AR 190-45; the proponent agency is ODCSOPS PRIVACY ACT STATEMENT 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 Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. ROUTINE USES: DISCLOSURE: Disclosure of your social security number is voluntary." 3. TIME 2. DATE (YYYYMMDD) 20150 <u> 20030728</u> 5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS 8. ORGANIZATION OR ADDRESS _ WANT TO MAKE THE FOLLOWING STATEMENT UNDER GATH: On or about 2 weeks prior to the 4th of July I witnessel acts aginst an Iragi Civilian that I to allow with other soldiers felt was wrong. 3 of the plateons trucks had gone on a misson to buy drinks for the 4th of July (trucks 27, 23, 22), On the way back from the misson they went through the back forty to look for looters. One Iraqi boy was apperhended (between 15+18 years old) and brought back to Camp Marlboro. Instead of taking him to be turned in the PIt Sot celled the truck with the prisiner and told them to go directly to the & Werehouse with out drapping off the prisiner. The translator was dropped off at the translator office and they all met at the wavehouse. While every one was untording the drinks the prisinor was taken off the trunk Hench up aginst the wall. The PH Sot walked up

all over the pristner. Then and shocked the prising on his fact theck while he was in zip cuffs. I then left the area and told was happining. He went to the Plt Syst and told him thest it was not wright. I returned to the verchouse about I how 11. INITIALS OF PERSON MAKING STATEMENT 10. EXHIBIT

the prising if he wanted water then proceded to pow water

PAGE 1 OF 14

. took a blesting machine

ADDITIONAL PAGES MUST CONTAIN THE HEADING *STATEMENT

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

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

STATEMENT O: TAKEN	DATED 28 July 05
9. STATEMENT (Continued) and 20 minuts late	wo They lorded the prisiner in
the PH Syt's truck and 21,27, a	nd 22 virtors left the camp
with the prising and went bac	he to the back side of Camp
mat/bors, There the prisiner we	es taken off the track and
taken into a building. Whide	he was inside I could not
see him at first but heard	late of the TI
Taller 18 1 tale	is it yelling, I hen
I could see him and watched	as they stripped him of
his clothing. They make him	Start walking away Nated
and then sprayed Pepper spra	y on his clothing that was
all in the bulding. Then they	said that will supprise him
if he comes back to get his	clothes, Then
the in the contract of the	returned
to the trucks and we self r	eturned to Camp Marlborn For
speaking up k was talked badle	about behind his back he would at
the Plateon and was not allould to g	out on missons with the Plf set
unless there was no other options	
AFFID	•
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UP BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORREC CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FF THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL I	EELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
	×/-
	(Signature of Person Making Statement)
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to administer paths, this 280 day of Usic . 2005
7	at Kegimenty Tox Boghelent Trag
<u> </u>	
ORGANIZATION ATTORESS	(Sizes Administrating Dath)
7	(Typed Name of Person Administering Oath)
ODCANIZATION OR ADDRESS	(Authority To Administer Oaths)
ORGAÑIZATION OR ADDRESS	Mounty to Administer Odus)
INITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF Z PAGES
PAGE 3 DA FORM 2823 DEC 1998	USAPA V1.00



	\$	WORN STATEMENT		
	For use of this form, see	AR 190-45; the proponent	agency is ODCSOF	PS .
<u>. </u>	PR	IVACY ACT STATEMENT		
AUTHORITY:	Title 10 USC Section 301; Title 5 to	JSC Section 2951; E.O. 93	37 dated Novembe	r 22, 1943 <i>(SSN</i>).
PRINCIPAL PURPOSE:	To provide commanders and law er	nforcement officials with me	eans by which info	rmation may be accurately
ROUTINE USES:	Your social security number is used	i as an additional/alternate r	neans of identifica	tion to facilitate filing and retrieval.
DISCLOSURE:	Disclosure of your social security n	umber is voluntary.		
1. LOCATION Bagh	dad	2. DATE (YYYYMMOD) 20030718	3. TIME 2/:30	4. FILE NUMBER
5. LAST NAME, FIRST	NAME, MIDDLE NAME,	6. SSN	· · · · · · · · · · · · · · · · · · ·	7. GRADE/STATUS
	, , , , , , , .	ر برب ، ا		
8. ORGANIZATION OR	ADDRÉSS A	1 P		
9			-	
1, <u> </u>	<u> </u>	, WANT TO MAKE T	HE FOLLOWING S	TATEMENT UNDER OATH:

A few days after July 4th at about 1500 hrs "c come to me and said you want believe what I saw. I said what he told me that they had careful an Iraqi steeling. He told me that they had taken a 4 millimetal pistol and hit him with it and tenseked him unconcisions and left him there blending and in zip cutts. Then walked up to me an told me the same thing and that he had watched it huppen.

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

DA FORM 2823, DEC 1998

MUST BE BE INDICATED.

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR

DA FORM 2823, JUL 72, IS OBSOLETE

Personal Info Redacted IAW Sec of Def Memo 01-

			STATEMENT		
·	For use of this form, se	e AR 190	+45; the proponent a	gency is ODCSOPS	
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES:	P Title 10 USC Section 301; Title 5 To provide commanders and law Your social security number is use	USC Sec	ent officials with mea	ns by which informat	ion may be accurately
DISCLOSURE:	Disclosure of your social security	number is	voluntary.		
1. LOCATION	1)	1	TE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Comp Murlbord	, Bughdad Irny	200	30729	1730	T OBABCICTATIO
5. 1.0	-		6. SSN		7. GRADE/STATUS
8. ORGANIZATION OR	ADDRESS			· ——.	-
 ,					·
9.	- 100 g	······································			EMENT UNDER OATH:
On or shout 15	Jul 03 I was appro-	chi h I-fe pa	y attention	It conc that one of a	erning treatment by soldiers appropriate
him and told o	mees. It was brought t mistreadment of the	المرسي	is Upon here	ing this inf	ermation I went
of detainers,	surgeent and informe	d him appeni	y It needs	to stop.	or mey presentatent
investigation by	and that if it is he ad said it to is not it. I found	happe out	ming and wo	n't happen." approx 2 wee	through the initial
talking to	y, that all deta	2 1 1 2 4 5	i were defait	ned and ta	ken directly to nation by
Dulldeg 1- kay	were forei	us ye	lainers to str	ip, slocking	with a blasting be tupes of actions
Machine and if they were o	that all deta at Camp Madbord. I were: force excessive beating. I accurring. I was with	DEF 3001.4	alty was	mather siva	2 while detaining
Say at Modinion	or which a) ii	i th	Man Dean	taken to Bulldon
	ex ouffed and put in Marlborn to be hunder ys came to the compassion astrocolod that nothing furners in the holding				
of on of the bo	astructed that nothing	g con	ld be done i	ight then 50	our choices were
to know the detarround our d	tainers in the holding telease them. We	Cult .	at compression Explicit them	out release	st the detainers
I stuyed at Cain	o Made	- 61	a contacti	Localiance	The activities.
My second sound vehicle had a flat tire, so while the tere was being fixed my Platoon Sergeant drove but to the wherehouse with the detainer in the back. One of the soldiers in the back had bounced a societ ball off the detainers head, approach and told aim he did not like though the Iraq; was being theated. Since that talk y made sure no Iraqis were trade mistreated again. I am not aware of any shecking 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 Iraqs					
the detainers	hoad, ares being H	reach mated	. Fince that -	and fold talk	dim he didnot und
no Iragis were	made mistreated	agair	i. I am Act a	ware of any	shocking with
have seen or	Jone this action	, I h	ave heard	the possibili	lity of 2 lrngs
being forced to	strip + walkhame,	but	have not se	enthis, — N	ething Follows-
10. EXHIBIT			ALS OF PERSON MAN	ING STATEMENT	PAGE 1 OF PAGES
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DA FORM 2823, DEC 1998

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I CONTROLLER	AFFIDAVIT	R HAVE HAD READ TO ME THIS STATEMEN	Т
IY ME. THE STATEMENT IS TRUE. I'P CONTAINING THE STATEMENT. I HAV	S ON PAGE 2 . I FULLY UNDERSTAND TH HAVE INITIALED ALL CORRECTIONS AND HA E MADE THIS STATEMENT FREELY WITHOUT DUT COERCION, UNLAWFUL INFLUENCE CO.	VE INITIALED THE BOTTOM OF EACH PAGE I HOPE OF BENEFIT OR REWARD, WITHOUT	•
		Signature of Person Making Statement)	
ATNESSES:	Subscribed ar	nd sworn to before me, a person authorized b	_
e.	administer oath		<u>003</u> j
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	· ·	PAGE 2 OF 2 P	AGES

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	For use of the	42	ORN STATEMENT 190-45; the proponent a	gency is ODCSOPS		
		DDSVA	CY ACT STATEMENT	<u> </u>		
AUTHORITY:	Title 10 USC Section :		Section 2951; E.O. 939	7 dated November 2	77 1943 ISSNI	
PRINCIPAL PURPOSE:			cement officials with mea		•	urately
ROUTINE USES:			an additional/alternate m			•
DISCLOSURE:	Oisclosure of your soc	ial security numi	per is voluntary.		·	
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5. LAST NAME	JE NAME		6. SSN		7. GRADE/S1	AIUS
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then com	e onb with	n his cl	other.			٠.
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PAGE 1 OF

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT

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

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STATEMENT OF TAK	EN AT DATED				
9. STATEMENT (Continued)					
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who he wanted to oro work	uin. He teld we to know, him				
Le the menotioned When we	and there is went out the				
know to use the clatrue el u	stayed outside for about 10 min.				
O O O O	care out and itald				
when I walked both in un care out and told we theywere all going to hell. I welked to the					
we theywere all going to	ner. El weckeer us can				
locale and new bo	wel a society belloof the				
book and son book altoldhim to	isters and pulled the PSG				
erages were a land	i de la la coma caluer				
of to the side and told h	in who was roppedictions				
wheney. We itseld me that	solvey would wind us down.				
a chan or user later he iterles i	ne it werdent hoppen agen				
AFI	FIDAVIT				
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4 . I FULLY	_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE				
TO THE STATEMENT IS THOSE THAVE BY HALLES ALL COMP	EUTIONS AND HAVE INITIALED THE ROTTOM OF FACE PAGE				
CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFU	FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT				
	N				
	(Signature of Person Making Statement)				
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of 2003				
- ad	at Cours Harthan Brokens				
	Comment of the commen				
URGANIZATION OF AUDE SS					
2 -	(Signature of Person Administering Oath)				
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	(Typed Name of rerson Aumanistering Oath)				
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rol use of this folia.		-50	
THE SECOND SECON	PRIVACY ACT STATEMENT	97 dated November	22 1943 (SSN)
AUTHORITY: Title 10 USC Section 301; Ital	ie 5 USC Section 2951; E.O. 93 aw enforcement officials with me	eans by which inform	nation may be accurately
PRINCIPAL PURPOSE: To provide commanders and la ROUTINE USES: Your social security number is	nsed as an additional/alternate r	neans of identification	on to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social secur			
1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
CAMP MARIBORO	20030729	2110	
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN		7. GRADE/STATUS
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9.	MANT TO MAKE T	HE FOLLOWING STA	ATEMENT UNDER OATH:
l,	, WAIGH TO WAKE I	THE TOLLOWING DIV	TEMEST OTTO THE
We arrested 2 IRAQi.	LOOTERS RUNNING	FROM INSIDE	The Spot Where
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Constant was reep	my ine siden a	inhere 'T'	WHS KIND OF
Suprised That They	WERE NOT ShOT b	refore They	Made Their way
To US. The day before 7	the guard Tower	s Shot a lot	TER and killed
him and to our unse	restauting the man	" was char	year 10 32001 12
looters. After the arre	ST We brought 7	tem to an	abandoned house
Behind Camp Mariboro. To	lat is whow the	Tail	ede hemista 1450
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The house. I had my Re	sponsibility of M	Y SECTOR D	F FIRE ON The gUN
so I have No knowledge	e of what happens	ed in the h	ouse Afren a short
Time The LOOTERS RAN,			
To ANOTHER house.			
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To wash clothes and o	row ing perokin	INC 100TER L	ins on back of one
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	X	Signature of Person Making Statement)
WITNESSES:	Subscribed an	d sworn to before me, a person authorized by law to
	//	s, this 296 day of July . 2003
• • • • • • • • • • • • • • • • • • • •	at Comy	Maribona Delandad Tito
ORGANIZATION OR ADDRESS		Signature of Porenn Administering Cath)
Silo migrition pri risognos		
		pped Name of Person Administering Oath)
ORGANIZATION OR ADDRESS		(Authority To Administer Oaths)
INITIALS OF PERSON MAKING STATEMENT	<u></u>	PAGE OF PAGES
PAGE 3, DA FORM 2823, DEC 1998		PAGE OF PAGES USAPA VI.

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		STATEMENT		<i>v</i>
For use of this f	orm, see AR 190)-45; the propone	nt agency is ODCSOPS	6
	PRIVACY	ACT STATEMENT	'	
AUTHORITY: Title 10 USC Section 301;				
PRINCIPAL PURPOSE: To provide commanders as	nd law enforcem	ent officials with	means by which inform	nation may be accurately
				on to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social s			·	
1. LOCATION		ATE (YYYYMMDI	3. TIME	4. FILE NUMBER
Camp Marlborg		3 07 30 Ta. 55"	113.32	7. GRADE CTATUS
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8. ORGANIZATION OR ADDRESS	^	<u> </u>		
<u> </u>		<u> </u>		· · · · · · · · · · · · · · · · · · ·
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bolieve				
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on END3 pulling so	curity	on th	2 .50 00	/ TL.
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we left and came	back +	o Camo	Marik	10.0
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BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED A CONTAINING THE STATEMENT. I HAVE MADE THIS STA	ALL CORRECTIONS	AND HAVE INITIALED T	HE BOTTOM OF EACH	PAGE
THREAT OF PUNISHMENT, AND WITHOUT COERCION, &				٠
		(Signature of Per	rson Making Statement,	<u> </u>
	. .			
WITNESSES:		scribed and sworn to be of special series of the series of		.2003
	at(comp Marlbore	" September .	Treas
		<u> </u>		<u> </u>
ORGANIZATION OR ADDRESS	- •	(Signature & Per	son Administering out)
				
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INITIALS OF PERSON MAKING STATEMENT			\/ n	
PAGE 3, DA FORM 2823. DEC 1998		<u> </u>	PAGE X OF X	PAGES USAPA V1.00

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	For use of this form, see A	/ORN AR 190	STATEMENT -45; the proponent :	gency is ODCSOPS	b(6), b(3)		
	PRIV	ACY A	CT STATEMENT		· · · · · · · · · · · · · · · · · · ·		
AUTHORITY:	Title 10 USC Section 301; Title 5 US						
PRINCIPAL PURPOSE:	To provide commanders and law enf			· ·	•		
ROUTINE USES:	Your social security number is used			leans of identification	to facilitate filing and retrieval.		
DISCLOSURE: 1. LOCATION	Disclosure of your social security nu		TE (YYYYMMDD)	3. TIME	4. FILE NUMBER		
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and	عمص دے ۔۔۔	5 (Changi.	ng the t	ire on		
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out th	out the back of the truck he was tip tied +						
prind	holded with	a	SAND bo	g. Wher	1 I Looked		
wh lo	See whats o	90	ing on	he was	sitting		
agains4	the wall and	d	they w	she herri	rg at Mm		
was Gi	ling an how I hished with En	مر کاک	11+ ma	5. When (t Rought the		
Iraqi t	o the building i	, S	the Ba	ck 10 an	d I got out		
to sm	ske a ciquret	le.	and th	en I se	en the boc		
coming	but without	a	ny clo	thes on,	I Just turn		
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	me back to	_		L	-		
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WITNESSES:	Subscri	bed and sworn to befo	ore me, a person	authorized by law to
	administe	r oaths, this	day of July	.2003
	at <u>\di</u>	int Worldoom	1 Section	d Fre
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ORGANIZATION OR ADDRESS		(Signature of Per	son Administerir	ng Oath)
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INITIALS OF PERSON MAKING STATEMENT			PAGE	OF PAGES
PAGE 3, DA FORM 2823, DEC 1998				USAPA V1.00

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AUTHORITY: Title	10.150 Continu 201. To	PRIVACY ACT STATEMENT	7 4	. 1042 (004)	
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	closure of your social secu			a to tooming a	TO TOUTO VOIL
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CAMP MARLBORD, P	SAFHOND IRAQ	2003 07 30	1750		
5. I AST NAME, FIRST NAM	E, MIDDLE NAME	6. SSM		7. GRADE/STAT	บร
8. ORGANIZATION OF ADD					
9.		-	-	·	
Little on the ground of	r filt i i i <u></u>	, WANT TO MAKE TH	IE FOLLOWING STA	TEMENT UNDER OA	TH:
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took my Hunces	b to the c	repair bay to fix a	. float tim	e. Whon I	returned
we loaded hu	in up and to	ook him back to	the C-MOC	. The tru	its /
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	AFFIDAVIT	HAVE HAD READ TO ME THIS STATEMENT
BY ME. THE STATEMENT IS TRUE. I HAVE	I PAGE _1 . I FULLY UNDERSTAND THE E INITIALED ALL CORRECTIONS AND HAV ADE THIS STATEMENT FREELY WITHOUT	E CONTENTS OF THE ENTIRE STATEMENT MADE VE INITIALED THE BOTTOM OF EACH PAGE HOPE OF BENEFIT OR REWARD, WITHOUT
	(S	ignature of Person Making Statement)
VITNESGES: , , , , , ,		d sworn to before me, a person authorized by law to
(this 50th day of July . 2003
nnei <u>u</u> v.		
ORGANIZATION OR ADDRESS	(6	innature of Pamer Administating (Jath)
		ped Name of Person Administering Oaml
to in the same		S-Commissioning Odus
ORGANIZATION OR ADDRESS		(Authority To Administer Oaths)
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Personal Info Redacted IAW Sec of Dec Memo 01-CORR-101, dtd 9 Nov 01

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	For use of this form	n, see AR 190-45	5; the proponent a	agency is OOCSOPS	·
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE:	Title 10 USC Section 301; Tr To provide commanders and I Your social security number is Disclosure of your social secu	tie 5 USC Section aw enforcement s used as an add	officials with me itional/alternate m	ans by which informat	
1. LOCATION	.11	2. DATE	(YYYYMMDD)	3. TIME	4. FILE NUMBER
Camp Maris	ero Bushdad Iraq	<u> </u>	<u>Р730</u> . ^{89м}	178.43	7. CONDEICTATIS
8. ORGANIZATION OF	Andree /				
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9.	· · · · · · · · · · · · · · · · · · ·	, w	ANT TO MAKE TE	HE FOLLOWING STAT	EMENT UNDER OATH:
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DA FORM 2823, DEC 1998

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STATEMENT OF TATEMENT (Continued) __, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT . I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE WHICH BEGINS ON PAGE 1, AND ENDS DN PAGE 1 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) Subscribed and sworn to before me, a person authorized by law to WITNESSES: ORGANIZATION OR ADDRESS (Signature of Person Administering Oath) (Typed Name of Person Administering Oath) (Authority To Administer Oaths) ORGANIZATION OR ADDRESS INITIALS OF PERSON MAKING STATEMENT PAGE **PAGES** OF USAPA V1.00 PAGE 3, DA FORM 2823, DEC 1998

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AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE:	Title 10 USC Section 301; Title 5 USC Section To provide commanders and law enforcement of Your social security number is used as an addit Disclosure of your social security number is vol	n 2951; E.O. 9 officials with tional/alternat	means by which informat	tion may be accurately identifie		R-101, dtd 9
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INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).						
PRINCIPAL PURPOSE:	OSE: 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 filling and retrieval.					
DISCLOSURE:	DISCLOSURE: Disclosure of your social security number is voluntary.					
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WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

44 of July, I can't truck 23 went out looters brought er 3 the camp, but I guess the camp drave back out the gade to buildings. Once we security. De wasted some people got out and went into the building. I didn't see who exactly, but noticed that people weren't in thier trucks, only the people who were out pulling security, next think I noticed I ran past my Rield of Pire. Then we got in when we were chasing looters we up picking up one looten. We took him Cor some reason we didn't drop him ofthe he ended up driving back to the warehouse with MB. Once back at the warehouse most of the platoon went to wow. set him out to play vollyball with another unit 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF

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8. ORGANIZATION OR ADDRESS

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AUTHORITY:	Title 10 USC Section 301; Title 5 USC Section			
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USAPA V I 86

TAKEN AT Camp Maribono DATED 1 Acq 2003

come and asked of many sodas fell of the truck because there was 10 cases of sodas missing I said no and told him to Court them agrin I minutes later told me togo and bount them so I wer the rear of the worehouse and on the way told me we were good it was a MISS COUNT I partially counted them and started to head out to play again on the way out I

aglance of our medic pooring water on him I left adstarted to play again. There was another incident that involved znaked gry 5 We had a mission with I confelly remembe what IT was but IT was a bullshit mission on our way back to camp we heard over the rad, PL-7000 net to go get some loozers some

heard the Iragi scream I then looked and laught

pocseled to go after them the truck I was in (23) we distit get no body be cause our driver was in experienced when there were no looter

left we followed the rest of the trucks (-27,22,) to son shock our exuk waited and every one elec

dismounted some to smoke and others to do who twer stey did Well as ne vaited on Iragi

runed passed us naked I started laughing and , did to about 5 min later and ther

Irgi stated ourning nuked passe our fruck

again and that's all I som and know abov; that incident.

INITIALS OF PERSON MAKING STATEMENT

DEPARTMENT OF THE ARMY

b(b),b(3)

AFZX-CB-EN

MEMORANDUM FOR

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.

____I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

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

DATE: 25 Aug 2003 9900 hrs



CORR-101, dtd 9 Nov 01

DEPARTMENT OF THE ARMY

AFZX-CB-EN

b(6), b(3)

MEMORANDUM FOR

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.

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

 $\frac{2}{2}$ I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

DATE: 25 Any 2003



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



DEPARTMENT OF THE ARM

b(b), b(3)



AFZX-C-CO

23 August 2003

MEMORANDUM FOR:

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.



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



DEPARTMENT OF THE ARMY

6(6),6(3)



AFZX-C-CO

23 August 2003

MEMORANDUM FOR Junguam tirst to

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 IS-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.
- You are suspended from your platoon sergeant duties pending resolution of this matter.

Encl.

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